

MINUTES

NEW HIGHMARK STADIUM COMMUNITY BENEFITS OVERSIGHT COMMITTEE

February 26, 2024

Pepsi Club at the Existing Highmark Stadium
One Bills Drive
Orchard Park, NY 14127
Monday, February 26, 2024

The CBOC met for its inaugural meeting on Monday, February 26, 2024 at the Pepsi Club at the Existing Highmark Stadium. The meeting was conducted and public notice was posted in accordance with NY Open Meetings Laws. The meeting was called to order by CBOC member, Penny Semaia, at 9:00AM ET, and followed by a roll call. The following members were present, constituting a quorum:

- Mo Sumbundu
- Maria Whyte
- Reverend Mark Blue
- Sean Mulligan
- Penny Semaia
- Todd Starowitz
- Toni Cannady

Absent: Rhonda Frederick and Franchelle Parker

AGENDA ITEM NO. 1 Call to Order, Roll Call and Establish Quorum

CBOC member, Penny Semaia volunteered to lead the meeting as the CBOC has not yet appointed a chair. Member Semaia conducted a roll call and established that a quorum was present. Additionally, Member Semaia established the following “ground rules” for the meeting:

- The CBOC will stick to its agenda.
- All comments will be directed to the Community Benefits Director (i.e., Penny Semaia), appointed by Bills Stadium and Events Company, LLC (“**StadCo**”), as required by Section 4(d) of the Community Benefits Agreement (“**CBA**”).
- Heckling will not be allowed.
- There will be a designated time to receive public comments, during which each speaker will have three (3) minutes to provide comments. The CBOC will provide a 30 second notice towards the end of the three (3) minutes.

Upon motion by Member Sumbundu, seconded by Member Blue, and without opposition: The CBOC approved the ground rules of the inaugural meeting.

Member Semaia closed Agenda Item No. 1.

AGENDA ITEM NO. 2 Overview of the Role and Purpose of the Community Benefits Agreement and Community Benefits Oversight Committee (“CBOC”) pursuant to the Community Benefits Agreement, dated March 29, 2023

Member Semaia read the following sections of the CBA:

- Preamble of CBA, to identify the contractual parties to the CBA;
- Section 2 (Background and Purpose);
- Section 3(b) (Bills and Developer Support);
- Section 3(d) (MWBE and BDE Participation), at the behest of Member Mulligan;
- Section 4(a) (Community Benefits Oversight Committee);
- Section 4(b) (Role and Responsibility of the Benefits Oversight Committee);
- Section 4(d) (Developer Monitoring and Administration);
- Section 4(e) (Public Reporting); and
- Section 4(f) (Cost of Compliance).

Following this reading, Member Mulligan noted the importance of the CBOC’s immediate focus on Section 3(d), which covers MWBE, WBE and SDVOB benchmarks during the construction phase of the New Stadium.

Member Semaia closed Agenda Item No. 2.

AGENDA ITEM NO. 3 Discussion of Approach to CBOC Meetings and Expectations for Report Submissions

Key points that addressed by CBOC members were as follows: StadCo’s reporting obligations (e.g., annual reports), the frequency of reporting during the various phases of the CBA (e.g., during construction, during post construction) and StadCo’s \$3M annual investment.

With respect to StadCo’s \$3M annual investment, the CBOC had a brief discussion, led by Member Whyte, regarding the commencement date of the investment. Legal counsel was sought by Member Whyte, and the item remains open until such time as CBOC appointed counsel can officially opine on the commencement date of the annual investment.

Additionally, there was unanimous consensus amongst the committee that the CBOC is not yet prepared to comment on expectations relating to StadCo’s annual reports. Member Sumbundu proposed that StadCo prepare an initial report to help the CBOC determine ongoing expectations. StadCo will provide the annual report for the CBOC’s review within a reasonable time following the end of StadCo’s fiscal year (which ends March 31). In the interim, StadCo will provide to the CBOC the following: (i) a snapshot of MWBE utilization; (ii) a list of community groups that StadCo and Buffalo Bills, LLC have engaged in community activities.

Member Semaia closed Agenda Item No. 3.

AGENDA ITEM NO. 4 Public Comment

Member Semaia opened the meeting for public comment. There were no comments from the public present at the meeting.

Member Semaia closed Agenda Item No. 4.

AGENDA ITEM NO. 5 New Business

Key points raised by Member Whyte were as follows: (i) administrative support; (ii) papers of record; (iii) meeting locations; (iv) the next meeting date; and (v) nomination of a CBOC chair.

The CBOC discussed (i) having a rotating location for future meetings, at the suggestion of Member Mulligan (ii) identifying the papers of record for public notice purposes, at the suggestion of Member Whyte; (iii) legal counsel appointment for future meetings, at the suggestion of Member Whyte; and (iv) the next meeting date (currently projected for April 2024). Member Blue noted that it would be helpful to receive a list of community groups that the team has partnered with as part of the team's community outreach efforts and members also discussed that it would be useful to hear from the newly appointed community outreach consultant (i.e., Developments by JEM) at the next meeting. Member Whyte also discussed the necessity of partnering with the many organizations in the community that are already engaged in the types of work expressly enumerated in the CBA as a way of aligning resources and maximizing impact.

Member Semaia closed Agenda Item No. 5.

AGENDA ITEM NO. 6 Adjournment

The meeting was adjourned at 9:45AM ET.