

WESTERN NEW YORK POWER PROCEEDS ALLOCATION BOARD

MINUTES

**February 2, 2015 – 3:00 P.M.
Empire State Development Board Room
Fifth Floor
95 Perry Street
Buffalo, New York 14203**

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Minutes of the Meeting of the Western New York Power Proceeds Allocation Board held via video conference in Buffalo, New York.

Board Members Present:

Anthony J. Colucci III (Chair)
Deanna Alterio Brennen
Dennis Elsenbeck
Brenda Williams McDuffie
Henry F. Wojtaszek

NYPA Staff Present:

Karen Delince Corporate Secretary (*via video in White Plains*)
Keith Hayes Director Marketing (*via video in White Plains*)
Melinda Li Senior Attorney II (*via video in White Plains*)
Carol Sampson Community Relations Representative II
Richard Smith Business & Project Development Director

ESDC Staff Present:

Christina Orsi Western New York Regional Director
Angela Rossi Special Assistant to Regional President

Guests:

Barbara Leggett Explore and More
Sue Brunner Explore and More
Jen Fee Explore and More
Walt Zmuda Explore and More
Tai Nixa Explore and More
Hannah Spalding Explore and More
Nancy Montone Explore and More
Kimberly Trent Explore and More
Tina Zinter-Chahin Self-retired
David Robinson Reporter - Buffalo News
Jim Fink Reporter - Buffalo Business First
Nicole Garrison Wilmington Trust
Sam Savinni JG

Opening Remarks

Chairman Colucci welcomed members of the Board, the staff of Empire State Development Corporation (“ESDC”), and the staff of the New York Power Authority (“NYPA”). He stated that this meeting of the Board had been duly noticed as required by the Open Meetings law. The meeting was called to order at 3:07 p.m.

1. **Adoption of the February 2, 2015 Proposed Meeting Agenda**

Member Brenda Williams McDuffie made a motion to adopt the February 2, 2015 meeting agenda. The motion was seconded by member Henry F. Wojtaszek. The agenda was unanimously adopted.

Conflicts of Interest

Chairman Colucci stated that members had been polled prior to the meeting regarding possible conflicts of interest. Members have no conflicts.

2. **Adoption of the December 3, 2014 Meeting Minutes**

Chairman Colucci asked whether there are any amendments to the Minutes.

Upon motion made by member Dennis Elsenbeck and seconded by member Brenda Williams McDuffie, the December 3, 2014 meeting minutes were unanimously adopted.

3. Fund Balance Update

Mr. Richard Smith submitted the following January 2015 Western New York Economic Development Fund Update report:

The Fund	
Total Deposits to the Fund to Date:	\$38,460,334
Total Interest Earned on Deposits to Date:	\$76,570
Total Funds Deposited:	\$38,536,904
Expenditures	
Total Funds Deposited:	\$38,536,904
Total Administrative Expenses Withdrawn:	\$0
Disbursements to Grantees:	(\$5,806,917)
Total Expenditures:	(\$5,806,917)
Current Fund Balance:	\$32,729,987
Awards	
Total Funds Deposited:	\$38,536,904
Standard Projects:	\$20,619,412
Energy Related Projects:	\$3,694,355
Total Fund Benefits Awarded:	\$24,313,767
Total Fund Benefits Available to be awarded by the WNYPPAB4:	\$14,223,137
Energy-Related Projects	
Minimum Amount (15%) of the Fund Dedicated to Energy-Related Projects:	\$5,769,050
Total Awards (10%) Made for Energy-Related Projects to Date (not including today):	\$3,694,355
Fund Benefits Currently Available to be Awarded for Energy-Related Projects Only:	\$2,074,695
Today's Recommendations	
Standard Projects:	\$1,700,000
Energy-Related Projects or Project Components:	\$0
Total Recommendations Before the WNYPPAB Today:	\$1,700,000
Expansion Power ("EP") and Replacement Power ("RP") Summary	
Estimated Unallocated EP and RP to Date (MW):	43
Estimated Allocated but Unused Hydropower to Date (MW):	45
Total Estimated Unutilized EP and RP to Date (MW):	88

Chairman Colucci thanked Mr. Smith for the report.

4. Award of Fund Benefits from the Western New York Economic Development Fund – Round 10

Ms. Angela Rossi, ESDC’s Special Assistant to the Regional President, submitted the following report and resolution for consideration and adoption:

SUMMARY

The Western New York Power Proceeds Allocation Board (“Allocation Board” or “Board”) is requested to recommend to the Board of Trustees of the Power Authority of the State of New York (“NYPA” or “Authority”) that awards of Fund Benefits be made to the applicant identified in Exhibit “A” (“Explore & More...A Children’s Museum,” a not for profit corporation) (“Explore and More”), in the amount indicated.

BACKGROUND

1. Western New York Power Proceeds Allocation Act

On March 30, 2012, Governor Cuomo signed into law the Western New York Power Proceeds Allocation Act (the “Act”). The Act provides for the creation, by the Authority, of the Western New York Economic Development Fund (“Fund”). The Fund consists of the aggregate excess of revenues received by the Authority from the sale of Expansion Power (“EP”) and Replacement Power (“RP”) produced at NYPA’s Niagara Power Project that was sold in the wholesale energy market over what revenues would have been received had such energy been sold on a firm basis to an eligible EP or RP customer under the applicable tariff or contract.

Under the Act, an “eligible applicant” is a private business, including a not-for-profit corporation. “Eligible projects” is defined to mean “economic development projects by eligible applicants that are physically located within the state of New York within a thirty mile radius of the Niagara power project located in Lewiston, New York that will support the growth of business in the state and thereby lead to the creation or maintenance of jobs and tax revenues for the state and local governments.” Eligible projects include, for example, capital investments in buildings, equipment, and associated infrastructure owned by an eligible applicant for fund benefits; transportation projects under state or federally approved plans; the acquisition of land needed for infrastructure; research and development where the results of such research and development will directly benefit New York state; support for tourism and marketing and advertising efforts for western New York state tourism and business; and energy-related projects.

Eligible projects do not include public interest advertising or advocacy; lobbying; the support or opposition of any candidate for public office; the support or opposition to any public issue; legal fees related to litigation of any kind; expenses related to administrative proceedings before state or local agencies; or retail businesses as defined by the board, including without limitation, sports venues, gaming and gambling or entertainment-related establishments, residential properties, or places of overnight accommodation.

Fund Benefits have been provided to successful eligible applicants in the form of grants. It is anticipated that Fund Benefits will be disbursed as reimbursement for expenses incurred by an Eligible Applicant for an Eligible Project, or for proposed eligible expenditures to be incurred by the eligible applicant for an eligible project when NYPA has authorized advance disbursements.

At least 15% percent of the Fund is dedicated to eligible projects which are “energy-related projects, programs and services,” which is defined as “energy efficiency projects and services, clean energy technology projects and services, and high performance and sustainable building programs and services, and the construction, installation and/or operation of facilities or equipment done in connection with any such projects, programs or services.”

Allocations of Fund Benefits may only be made on the basis of moneys that have been deposited in the Fund. No award may encumber funds that have not been deposited in the Fund.

2. Western New York Power Proceeds Allocation Board

Under the Act, the Allocation Board is charged with soliciting applications for Fund Benefits, reviewing applications, making eligibility determinations, evaluating the merits of applications for Fund Benefits, and making recommendations to NYPA on Fund Benefit awards. The Allocation Board uses the criteria applicable to EP, RP and PP allocations, and for revitalization of industry, provided for in Public Authorities Law § 1005. Additionally, the Board is authorized to consider the extent to which an award of Fund Benefits is consistent with the strategies and priorities of the Regional Economic Development Council having responsibility for the region in which an eligible project is proposed.

At its meeting on March 4, 2013, the Board, in accordance with the Act, adopted by-laws, operating procedures, guidelines related to the application, and a form of application. A copy of the relevant criteria (collectively, "Program Criteria"), adapted from this Board's "Procedures for the Review of Applications for Fund Benefits," is attached as Exhibit "C" to this memorandum.

The Board also defined "retail business" to mean "a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services".

Finally, the Board designated the Western New York Regional Director for Empire State Development ("ESD") to act on its behalf for administrative matters and along with NYPA, to provide staff services ("Staff"). Among other things, Staff was authorized to perform analyses of applications seeking Fund Benefits and to make recommendations to the Board on the applications.

3. Application Process

Initially, the Allocation Board established a series of application due dates coupled with a schedule of dates through the end of 2015 on which dates the Board expected to meet to consider applications. In addition, the application process was promoted through a media release and with assistance from state and local entities, including the Western New York and Finger Lakes Regional Economic Development Councils, ESD and local and regional economic development organizations within the State. A webpage was created that is hosted on WWW.NYPA.GOV/WNYPPAB with application instructions, a link to the approved application form and other program details including a contact phone number and email address staffed by the Western New York Empire State Development regional office.

In this Tenth round, the Allocation Board has before it one application seeking \$1.7 million in Fund Benefits. Staff analyzed the applications and is now making recommendations to the Board on this application.

DISCUSSION AND RECOMMENDATIONS TO THE BOARD

Staff has reviewed the application received during the tenth solicitation round, and is making the following recommendations to the Board.

1. Recommendations for Awards of Fund Benefits

The Explore and More's application is being submitted under the Tourism/Marketing & Infrastructure/ Downtown Investment funding tracks. The application indicates that the total amount to be expended on the project proposed by the applicant is approximately \$11 million.

Based on a review of this application and consideration of relevant Program Criteria, Staff recommends that the Allocation Board recommend to the NYPA Trustees that the application receive an award of Fund Benefits in the amount indicated on Exhibit "A."

Staff has been advised that this application may propose a project that must receive approvals and/or comply with other legal requirements, such as the State Environmental Quality Review Act, before it may proceed. Staff recommends that any affirmative recommendation by the Board for any such project not be forwarded to the NYPA Board of Trustees for action until after the Board receives appropriate notification that all such approvals

and requirements have been satisfied, and that such recommendations be made subject to further consideration by the Board in the event that such approvals and/or legal requirements are not satisfied.

2. Applications for Future Consideration

The Board is also requested to defer the applications listed on Exhibit "B" for future consideration to allow staff more time to evaluate them, and consider whether other funding sources exist.

PROJECT STATUS

Under the Act, a recommendation for Fund Benefits by the Allocation Board is a prerequisite to an award of Fund Benefits by NYPA. Upon a showing of good cause, NYPA has discretion to adopt the Allocation Board's recommendation or to award Fund Benefits in a different amount or on different terms than recommended by the Board. In addition, the Authority is authorized to include in any contract providing for the implementation of an award ("Award Contract") any terms and conditions that NYPA deems appropriate.

Given the preliminary stage of the project identified on Exhibit "A," Staff is not in a position to recommend definitive terms and conditions that should be included in any Board recommendations for an award, but Exhibit "A" does list some potential terms and conditions for NYPA's consideration. It is anticipated that NYPA staff, in consultation with Staff, would negotiate final terms and conditions if an award is made after the receipt of more detailed information concerning the project.

RECOMMENDATION

Based on the foregoing discussion and information, Staff recommends that the Allocation Board:

1. Recommend to the NYPA Board of Trustees that the applicant listed in Exhibit "A" receive an award of Fund Benefits in the amount recommended in the Exhibit; and
2. Defer consideration of the applications listed in Exhibit "B" for a later time

For the reasons stated, Staff recommends the adoption of the above-requested action by adoption of the resolution below.

R E S O L U T I O N

NOW THEREFORE BE IT RESOLVED, That the Western New York Power Proceeds Allocation Board ("Allocation Board") hereby recommends that the Power Authority of the State of New York ("NYPA") grant an award of Fund Benefits to the applicant listed in Exhibit "A" in the amount recommended therein, for the reasons set forth in the attached memorandum and the attachment thereto; provided that (i) if the application proposes a project that must receive approvals and/or comply with other legal requirements, such as the State Environmental Quality Review Act, before it may proceed, the recommendation shall not be forwarded to NYPA until Staff, on behalf of the Board, receives appropriate notification that such legal approvals and/or requirements which are necessary for the project to proceed have been satisfied, and (ii) such recommendations shall be subject to further Board review in the event that such approvals and/or legal requirements are not satisfied; and be it further

RESOLVED, That the Allocation Board hereby finds and determines that the applications listed on Exhibit “B” will be deferred for consideration at a later time; and be it further

RESOLVED, That Staff is authorized on behalf of the Allocation Board to transmit the Board’s decision and recommendations to NYPA, and to do any and all things and take any and all actions to effectuate the Board’s decision and the foregoing resolution.

a. Recommendation for Award of Fund Benefits

Ms. Angela Rossi presented the allocation recommendation to the Board. She said staff recommends an award of fund benefits be given to Explore & More...A Children’s Museum. The new museum will highlight seven major areas through the following exhibits: the “Moving Water,” a sensory and functional experience of Buffalo and its waters; “From Farm to Fork,” which will focus on agriculture and healthy eating; “Lighting Buffalo’s Imagination,” to honor great inventors/inventions from Buffalo and pay tribute to Buffalo’s ingenuity; “Building Buffalo Zone,” which will showcase iconic buildings and architecture of Buffalo; “Playing Together,” will celebrate Buffalo’s local sports teams and recreational activities; “Being Good Neighbors,” will look at neighborhoods and cultures of Western New York; and “Weather Wise,” which will celebrate the weather, in particular, wind. The Erie Canal Harbor Development Corporation (“ECHDC”) will be responsible for the build-out and development of the interior, estimated at \$11 million.

Ms. Rossi continued that the economic impact to the Buffalo area is that the Project will bring in an estimated \$90 million, creating 19 new jobs, retaining 13 jobs and producing 40 new construction jobs. The museum visitors will bring in more than \$5 million dollars. In addition, the museum will have an educational and social impact on the children of Buffalo, allowing more families from different backgrounds to come together over one major centerpiece attraction.

In response to a question from Mr. Elsenbeck, Ms. Rossi said “green” technology upgrades will be integrated into all of the museum exhibits. Responding to further questioning from Mr. Elsenbeck, Ms. Rossi said she believes the company is exploring alternative funding for the project through local utilities.

In response to a question from Ms. McDuffie, Mr. Smith said he will provide the Board with information regarding the number of areas to build-out relative to the seven major areas of the museum.

Upon motion made by member Brenda Williams McDuffie and seconded by member Dennis Elsenbeck the Board unanimously adopted the resolution regarding the allocation to Explore and More. (Exhibit "A")

b. Recommendation for Further Analysis

Upon motion made by member Dennis Elsenbeck and seconded by member Brenda Williams McDuffie, the Board unanimously adopted a motion to defer the following applications for future consideration to allow staff more time to evaluate them, and consider whether other funding sources exist (Exhibit "B"):

- *Center for Employment Opportunities "CEO"*
- *Buffalo and Erie County Development Corporation*
- *Entecco*

5. **Next Meeting and Adjournment**

Chairman Colucci said the next meeting of the Board is scheduled for April 27th at 3:00 p.m. at Niagara Power Project, Power Vista Visitors Center.

Upon motion, duly made and seconded, the meeting was unanimously adjourned at 3:26pm.

EXHIBIT A

Applicant Name:	Explore & More...A Children's Museum	REDC Region:	WNY
Project Type:	Tourism/Marketing & Infrastructure/Downtown Investment	County:	Erie
Industry:	Not for Profit	Locality:	City of Buffalo
Amount Requested:	\$3,116,834	Start Date:	March 2015
		Finish Date:	June 2016
RECOMMENDED OFFER			
Recommended Total Award:	\$ 1,700,000		
Total Project Cost:	\$ 11,676,419		
% of Project Cost Recommended:	15 %		
PROJECT BUDGET- Interior of Museum Space (Adapted from Application)			
Use of funds	Amount	Source of Funds	Amount
Planning	\$ 432,691	Committed Individual Donations	\$326,250
Exhibit Planning & Construction	\$7,221,168	Committed Foundations/Corporate Support	\$3,712,875
Infrastructure Costs- build out, water efficiency, toilet rooms, flooring	\$2,692,941	Committed Government Sources	\$102,000
FF & E	\$550,000	Potential Individual Donations	\$1,000,000
Energy Efficiency, Conservation & Exhibit Components related to Green Technology	\$779,619	Potential Foundations/Corporate Support	\$4,050,000
		Potential Government Sources	\$1,000,000
		WNYPPAB	\$3,116,834
		Allowance for rejection of funding requests from potential sources	-\$1,631,540
Total:	\$11,676,419	Total:	\$11,676,419
REGIONAL IMPACT MEASUREMENTS (Adapted from Application)			
Number of Jobs Retained:	13 (an application submitted under this Track is not required to establish that the project will retain jobs)		
Number of Jobs Created:	19 (an application submitted under this Track is not required to establish that it will create jobs)		
Average Salary of Jobs:	N/A		
Indirect Jobs Created	40 construction-related jobs		
Other Impact	Explore & More is expected to attract 225,000 visitors per year and bring additional tourist investment of over \$5 million to downtown Buffalo.		

PROJECT DESCRIPTION (Adapted from Application)			
<p>In 2013, Explore & More was selected to anchor the Canalside revitalization project spearheaded by the Erie Canal Harbor Development Corporation. ECHDC has committed to funding the planning and construction of the Explore & More at Canalside museum project (“Museum”) shell (\$8 million) on the condition that Explore & More be responsible for funding (or obtaining funding for) the interior build-out and exhibits that will make up the Museum.</p> <p>Explore & More would occupy 40,000 SF of a proposed 80,000 SF facility. Explore & More would build out the interior space that the Museum will occupy, including all exhibits and educational play zones. The Museum would be developed around the concept of Exploring Buffalo & More and will highlight seven major areas:</p> <ol style="list-style-type: none"> 1. Moving Water Play Zone that will look at the impact of water on the community 2. Playing Together will feature local sports teams and physical activities 3. Being Good Neighbors will look at the neighborhoods and cultures of WNY 4. Building Buffalo will highlight architecture and construction 5. From Farm to Fork will explore local agriculture and healthy eating 6. Weather Wise will embrace the weather of the waterfront and 7. Lighting Buffalo’s Imagination will pay tribute to Buffalo ingenuity and encourage visitors to play as great inventors <p>A planned rooftop art garden would offer inspiring and unprecedented views of Canalside and a temporary exhibit gallery would enable the Museum to work with local and national organizations on a rotating basis. The Museum is expected to open in Spring 2016.</p>			
OTHER ECONOMIC DEVELOPMENT BENEFITS RECEIVED			
ESD: (Possible 2014 REDC Award)	\$ 500,000	NYPA:	\$ N/A
IDA:	\$ N/A	Other:	\$
PREVIOUS STATE ASSISTANCE OFFERED OR PROVIDED			
TYPE	AMOUNT	STATUS	
BASIS FOR RECOMMENDATION			
<p>The new site for the Explore & More Museum is located in the heart of downtown Buffalo, NY. The site is a designated Brownfield Opportunity Area and is also referenced specifically in the City of Buffalo’s Local Waterfront Revitalization Plan. The Museum was selected by the ECHDC to anchor its development of the area and will serve as the economic engine driving benefits to the City’s downtown restaurants, shops and hotels.</p> <p>Once built, Explore & More at Canalside would be a vibrant, exciting, unique, hands-on play experience for children and families as they learn more about WNY and the world around them. Located in the South Aud Block, the Museum is expected to welcome almost 225,000 visitors in its opening year.</p>			
DISBURSEMENT TERMS			
<p>It is anticipated that Fund Benefits would be used to reimburse the applicant for a portion of the costs associated with exhibit planning and construction to complete the interior build-out of the facility. Funds would be disbursed in lump sum and as reimbursement upon project completion, as described above and as evidenced by attainment of a certificate of occupancy and/or other documentation verifying project completion as NYPA may require, and documentation verifying project expenditures of approximately \$11,676,419.</p>			

Exhibit B

Applications Deferred for Further Analysis

Line	Business	Classification
1	Center for Employment Opportunities "CEO"	Deferred for further analysis
2	Buffalo and Erie County Development Corporation (Bethlehem Steel)	Deferred for further analysis
3	Entecco	Deferred for further analysis

Exhibit C

Criteria adapted from the Western NY Power Proceeds Allocation Board's
"Procedures for the Review of Applications for Fund Benefits"

1. The extent to which an award of Fund Benefits would be consistent with the strategies and priorities of the Regional Economic Development Council ("REDC") having responsibility for the region in which an Eligible Project is located.¹ The Western New York Regional Economic Development Council which is responsible for Eligible Projects in Erie and Niagara Counties Strategies & Priorities are:
 - Promote "Smart Growth" by investing in areas that infrastructure already exists and achieves certain goals, such as: preserving historic buildings; reviving downtowns; reviving main streets; investing in existing neighborhoods; and investing in former industrial sites. A project consistent with Smart Growth will also focus on: enhancing walkability; enhancing multiple modes of transportation; connecting disadvantaged communities to employment clusters; spurring mixed-use private investment in existing communities and preserving/enhancing natural lands and or resources.
 - Promote workforce development by increasing diversity in the labor force, developing and cultivating that includes workers with advancement potential, underemployed, unemployed and special population; align education and skills training to job market for current and future industry needs.
 - Foster entrepreneurship and new business formation and growth. Designing a plan that brings new technologies and/or products to the marketplace, increases new startups in strategic industries and facilitates the commercialization of products that can lead to job growth in the Region.
 - Increase the industry profile of agriculture in WNY by: creating better access to markets; creating new products; creating new more efficient processes; creating strong regional brands; creating programs that promote careers in agriculture.
 - Utilize Western New York's proximity to Canadian and U.S. population centers to advance economic development in WNY. Bi-national projects will: utilize cross-border planning to create transportation and logistical infrastructure; improve

¹ As provided for in EDL § 189-c(4), criteria 2-15 are adapted from the criteria for eligibility for Expansion Power, Replacement Power and Preservation Power under Public Authorities Law § 1005. The specific criteria identified in PAL § 1005(13)(b)(4)-(5) are relevant to power allocations under these programs but do not have any logical application to allocations of Fund Benefits. Therefore, the Board does not expect to use these criteria to evaluate applications for Fund Benefits. Additionally, in accordance with PAL § 1005(13), criteria 13-15 listed herein will only be used in the case of Eligible Projects which are proposed by Applicants as, and determined by the Board to be, "revitalization" projects.

- operational relationships; promote the attractiveness of WNY as a hub for global trade.
- Position the WNY region as a global energy hub through new sources of clean energy, energy efficiency and energy efficient transportation.
 - Support growth of advanced manufacturing by making research more available to manufacturers to help them innovate.
 - Spur growth in the health and life sciences industry through improved commercialization, recruit high profile research talent and reducing the cost burden of healthcare while improving health outcomes.
 - Expand the scope of higher education by increasing accessibility to Higher Education for communities that currently have limited access to educational opportunities; better aligning education with the industry needs and creating support structures for start-ups which will assist start-ups with commercialization, business planning, workforce preparation, facilities, etc.
 - Grow visitors and visitor spending by raising the profile of WNY as a national and international destination; connect multiple tourist destinations in WNY; improve the profile of the WNY Gateway to the United States.

For more information on the Western New York Regional Economic Development Council please go to <http://regionalcouncils.ny.gov/content/western-new-york>.

2. The extent to which an award of Fund Benefits would be consistent with the strategies and priorities of the Regional Economic Development Council (“REDC”) having responsibility for the region in which an Eligible Project is located.² The Finger Lakes Regional Economic Development Council which is responsible for Eligible Projects in Orleans and Genesee Counties Strategies & Priorities can be found at: <http://regionalcouncils.ny.gov/content/finger-lakes>.
3. The number of jobs that would be created as a result of an award of Fund Benefits.
4. The applicant’s long term commitment to the region as evidenced the current and/or planned capital investment in applicant’s facilities in the region.
5. The ratio of the number of jobs to be created to the amount of Fund Benefits requested.
6. The types of jobs that would be created, as measured by wage and benefit levels, security and stability of employment.
7. The amount of capital investment, including the type and cost of buildings, equipment and facilities, proposed to be constructed, enlarged or installed.

² As provided for in EDL § 189-c(4), criteria 2-15 are adapted from the criteria for eligibility for Expansion Power, Replacement Power and Preservation Power under Public Authorities Law § 1005. The specific criteria identified in PAL § 1005(13)(b)(4)-(5) are relevant to power allocations under these programs but do not have any logical application to allocations of Fund Benefits. Therefore, the Board does not expect to use these criteria to evaluate applications for Fund Benefits. Additionally, in accordance with PAL § 1005(13), criteria 13-15 listed herein will only be used in the case of Eligible Projects which are proposed by Applicants as, and determined by the Board to be, “revitalization” projects.

8. The extent to which an award of Fund Benefits would affect the overall productivity or competitiveness of the applicant and its existing employment.
 9. The extent to which an award of Fund Benefits may result in a competitive disadvantage for other business in the State.
 10. The growth potential of the applicant's facilities and the contribution of economic strength to the area in which the applicant's facilities are or would be located.
 11. The extent of the applicant's willingness to satisfy affirmative action goals.
 12. The extent to which an award of Fund Benefits is consistent with state, regional and local economic development strategies and priorities and supported by local units of government in the area in which the business is located.
 13. The impact of an award of Fund Benefits on the operation of any other facilities of the applicant, and on other businesses within the region.
 14. That the business is likely to close, partially close or relocate resulting in the loss of a substantial number of jobs.
 15. That the applicant is an important employer in the community and efforts to revitalize the business are in long-term interests of both employers and the community.
 16. That a reasonable prospect exists that the proposed award of Fund Benefits will enable the applicant to remain competitive and become profitable and preserve jobs for a substantial period of time.
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