

NIAGARA FALLS URBAN RENEWAL AGENCY

March 25, 2013

TO: NFURA Board of Directors
FROM: Richard Zucco, General Counsel
RE: Compensation to Bonadio & Company, LLP

On January 28, 2013, the board approved hiring Bonadio & Company, LLP to prepare an audit of the Agency and to prepare the reports necessary for the Authorities Budget Office filing. The board approved up to \$5,000.00 for these purposes.

Bonadio was chosen because they are the City's current auditors, and have also performed the ABO filings for NFC Development Corp. Because of that, they are familiar with the Agency, especially since the Agency's finances are intertwined with the City's. It is inefficient to have two sets of auditors looking at the same sets of books at the same time.

Due to the need to approve the hiring of Bonadio to complete this work before March 31, 2013, the filing deadline, I did not have a chance to discuss the fee with them in advance. They have requested a total fee of \$5,500.00 for the NFURA work.

Will the board of directors approve the additional \$500.00 for compensation to Bonadio & Company?

RESOLUTION
NIAGARA FALLS URBAN RENEWAL AGENCY
March 25, 2013

In order to comply with the Public Authorities Reform Act, Public Authorities Law and other state laws regulating the Agency, it is hereby

RESOLVED, that Niagara Falls Urban Renewal Agency does hereby adopt the attached 2010-2012 Administrative Budgets and the 2013-2016 Administrative Budgets

NIAGARA FALLS URBAN RENEWAL AGENCY
ADMINISTRATIVE BUDGETS
2010-2012

Revenues:

Parking Lot Lease Payments.....	\$5,400.00
(ParMed @ \$150/month and Jefferson Apts @\$300/month)	
Interest on bank deposits.....	<u>+350.00</u>
Total Revenues.....	5,750.00

Expenses:

Legal Counsel	\$6,000.00*
Recording Secretary	1,750.00*
Office Supplies, postage	<u>+100.00</u>
Total Expenses	<u>-7,850.00</u>
Appropriated Fund Balance	(2,450.00)

Deficit paid from cash on hand

All additional expenses paid with board of directors' approval

*plus payroll taxes, etc.; paid by City and reimbursed

NIAGARA FALLS URBAN RENEWAL AGENCY
ANNUAL ADMINISTRATIVE BUDGETS
2013-2016

Revenues:

Parking Lot Lease Payments.....	\$5,400.00
(ParMed @ \$150/month and Jefferson Apts @\$300/month)	
Interest on bank deposits.....	<u>+350.00</u>
Total Revenues.....	<u>5,750.00</u>

Expenses:

Legal Counsel	\$6,000.00*
Recording Secretary	1,750.00*
Audit for ABO compliance.....	2,500.00
Office Supplies, postage	<u>+100.00</u>
Total Expenses.....	<u>-10,350.00</u>
Appropriated Fund Balance	(4,600.00)

Deficit paid from cash on hand

All additional expenses paid with board of directors' approval

*plus payroll taxes, etc.; paid by City and reimbursed

RESOLUTION
NIAGARA FALLS URBAN RENEWAL AGENCY
March 25, 2013

In order to comply with the Public Authorities Reform Act, Public Authorities Law and other state laws regulating the Agency, it is hereby

RESOLVED, that Niagara Falls Urban Renewal Agency does hereby adopt the attached mission statement and policies:

- Mission Statement
- Defense and Indemnification Policy
- Purchasing Policy

NIAGARA FALLS URBAN RENEWAL AGENCY

Mission Statement

03-25-13

The mission of Niagara Falls Urban Renewal Agency is to protect and promote the safety, health, morals and welfare of the people of Niagara Falls, to promote the sound growth and development, to correct substandard, insanitary, blighted, deteriorated or deteriorating conditions, factors and characteristics by the clearance, re-planning, reconstruction, redevelopment, rehabilitation, restoration or conservation of such areas, to undertake public and private improvement programs related thereto and to encourage of participation in these programs by private enterprise, and to undertake any or all of the purposes specified in Articles 15 and 15-A of the General Municipal Law and in accordance with Article 18 of the Constitution of the State of New York.

Performance Goals:

No current performance goals.

Additional state questions:

- 1) Have board members acknowledged that they have read and understood the missions of the public authority: Yes
- 2) Who has the power to appoint the management of the public authority: The Board of Directors has the power to appoint management.
- 3) If the Board appoints management, do you have policy you follow when appointing the management of the public authority: The City of Niagara Falls Administration suggests a candidate for the position from the City of Niagara Falls Economic Development Department. After review of the candidate's credentials and an interview, the Board has the option to accept or deny the candidate. The management appointment requires a majority vote of the Board
- 4) Briefly describe the role of the Board and the role of management in the implementation of the mission: The Board of Directors is responsible for the establishment of Niagara Falls Urban Renewal areas and management is responsible for executing any action plans approved by the directors, all in accordance with state law governing the Agency.
- 5) Has the Board acknowledged that they have read and understood the responses to each of these questions: Yes

NFURA DEFENSE AND INDEMNIFICATION POLICY

03-25-13

Niagara Fall Urban Renewal Agency (the "Agency") shall indemnify all directors of the Agency and each officer and employee thereof, in the performance of their duties, and to the extent authorized by the Agency, each other person authorized to act for the Agency or on its behalf, to the full extent to which indemnification is permitted under the laws of the State of New York, and shall defend such directors, officers, employees and other persons in connection with any lawsuits brought against as a result of the performance of their duties and responsibilities.

NIAGARA FALLS URBAN RENEWAL AGENCY

PURCHASING POLICY

03-25-13

Niagara Falls Urban Renewal Agency shall adhere to the requirements of the General Municipal Law of the State of New York applicable to competitive bidding and purchases applicable to the City of Niagara Falls in the State of New York and to Municipal Urban Renewal Agencies.

**RESOLUTION
NIAGARA FALLS URBAN RENEWAL AGENCY
2012 Financial Statement
March 25, 2013**

RESOLVED, that Niagara Falls Urban Renewal Agency does hereby accept and approve the 2012 Financial Statements prepared by its auditors, Bonadio & Company, LLP.

NIAGARA FALLS URBAN RENEWAL AGENCY
(A Blended Component Unit of the
City of Niagara Falls, New York)

Financial Statements
as of December 31, 2012
Together with
Independent Auditor's Report

Bonadio & Co., LLP
Certified Public Accountants

**NIAGARA FALLS URBAN RENEWAL AGENCY
(A BLENDED COMPONENT UNIT OF THE CITY OF NIAGARA FALLS, NEW YORK)**

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INDEPENDENT AUDITOR'S REPORT

March 11, 2013

To the Board of Directors of the
Niagara Falls Urban Renewal Agency:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities of the Niagara Falls Urban Renewal Agency (the Agency), a blended component unit of the City of Niagara Falls, New York (the City), as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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(Continued)

INDEPENDENT AUDITOR'S REPORT
(Continued)

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities of the Agency as of December 31, 2012, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 2, the financial statements of the Agency, a blended component unit of the City, are intended to present the financial position, and the changes in financial position of only that portion of the governmental activities, of the City that is attributable to the transactions of the Agency. They do not purport to, and do not, present fairly the financial position of the City, as of December 31, 2012, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to that matter.

Report on Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3-5 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 11, 2013 on our consideration of the Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control over financial reporting and compliance.

Bonadio & Co., LLP

**NIAGARA FALLS URBAN RENEWAL AGENCY
(A BLENDED COMPONENT UNIT OF THE CITY OF NIAGARA FALLS, NEW YORK)**

**MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)
DECEMBER 31, 2012**

THE ORGANIZATION

Niagara Falls Urban Renewal Agency (the Agency) was created to revitalize, redevelop and eliminate slums and blighted areas of the established Urban Renewal District in the City of Niagara Falls (the City). The Agency is a blended component unit of the City. Accordingly, these financial statements report only the activities of the Agency.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the Agency's basic financial statements. The financial statements of the Agency include management's discussion and analysis (MD&A) (this section), the statements of net assets, statements of activities, and related notes to the financial statements. The statement of net assets presents information on all of the Agency's assets and liabilities with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Agency is improving or deteriorating. The statement of activities and change in net assets presents information showing how the Agency's net assets changed during the most recent year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. The notes to the financial statements contain information that is essential to the understanding of the financial statements, such as the Agency's accounting methods and policies.

BASIS OF ACCOUNTING

The financial statements of the Agency have been prepared in conformity with accounting principles generally accepted in the United States (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments. The financial statements are reported using the economic resources measurement focus and accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred, regardless of when the related cash transactions take place. All of the Agency's activities are classified as governmental activities.

FINANCIAL HIGHLIGHTS

- The Agency's net position decreased by \$7,743 in 2012 and by \$55,799 in 2011, as a result of the individual year's operations.
- The assets of the Agency exceeded its liabilities by \$1,846,552 and \$1,854,295 at December 31, 2012 and 2011, respectively.

FINANCIAL HIGHLIGHTS (Continued)

The analysis below summarizes the statements of net position and change in net position of the Agency as of and for the years ended December 31, 2012, and 2011.

STATEMENT OF NET POSITION

	<u>2012</u>	<u>2011</u> (Unaudited)
ASSETS:		
Cash and equivalents	\$ 974,731	\$ 989,537
Capital assets	<u>872,400</u>	<u>872,400</u>
Total assets	<u>1,847,131</u>	<u>1,861,937</u>
LIABILITIES:		
Due to other funds	579	544
Accounts payable	<u>-</u>	<u>7,098</u>
Total liabilities	<u>579</u>	<u>7,642</u>
NET POSITION:		
Invested in capital assets	872,400	872,400
Restricted	<u>974,152</u>	<u>981,895</u>
Total net position	<u>\$ 1,846,552</u>	<u>\$ 1,854,295</u>

The Agency's cash and equivalents decreased slightly by approximately \$14,800, or 2%, in 2012 due to the year's operations.

The Agency's capital assets consisted of land at December 31, 2012 and 2011. There were no changes to the Agency's capital assets in 2012 and 2011.

FINANCIAL HIGHLIGHTS (Continued)

Table shows the changes in net position for the years ended December 31, 2012 and 2011.

STATEMENT OF ACTIVITIES AND CHANGE IN NET POSITION

	<u>2012</u>	<u>2011</u> (Unaudited)
REVENUES:		
Rental revenue	\$ 5,400	\$ 5,250
Interest income	1,314	817
Miscellaneous income	<u>7,098</u>	<u>14,100</u>
Total revenues	<u>13,812</u>	<u>20,167</u>
EXPENSES:		
Community development eligible expenditures	10,382	66,452
Salaries and benefits	9,459	9,421
Advertising	1,610	-
Office supplies	<u>104</u>	<u>93</u>
Total expenses	<u>21,555</u>	<u>75,966</u>
CHANGE IN NET POSITION	(7,743)	(55,799)
NET POSITION - beginning of year	<u>1,854,295</u>	<u>1,910,094</u>
NET POSITION - end of year	<u>\$ 1,846,552</u>	<u>\$ 1,854,295</u>

Revenues

Rental revenues remained consistent in 2012 and 2011. In 2011, the Agency received miscellaneous income as a result of recognizing funds originally held as a deposit from prior years as revenue.

Expenses

Since the downtown revitalization plan was substantially completed in 2011, community development eligible expenditures decreased by approximately \$56,000 or 84% in 2012. The rest of the expenses in 2012 remained consistent with 2011.

Request for Information

This financial report is designed to provide financial statement users with a general overview of the Agency's finances and to show the accountability for the money received. Questions concerning any information within this report or requests for additional information should be addressed to the Office of Counsel, Niagara Falls Urban Renewal Agency, 1022 Main Street, P.O. Box 69, Niagara Falls, New York 14302.

NIAGARA FALLS URBAN RENEWAL AGENCY
(A Blended Component Unit of the City of Niagara Falls, New York)

STATEMENT OF NET POSITION
DECEMBER 31, 2012

ASSETS

CURRENT ASSETS:

Cash and equivalents \$ 974,731

Total current assets 974,731

CAPITAL ASSETS 872,400

Total assets 1,847,131

LIABILITIES

CURRENT LIABILITIES:

Due to other funds 579

Accounts payable -

Total liabilities 579

NET POSITION

Invested in capital assets 872,400

Restricted 974,152

Total net position \$ 1,846,552

The accompanying notes are an integral part of these statements.

NIAGARA FALLS URBAN RENEWAL AGENCY
(A Blended Component Unit of the City of Niagara Falls, New York)

STATEMENT OF ACTIVITIES AND CHANGE IN NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2012

EXPENSES:	
General government -	
Community development eligible expenditures	\$ 10,382
Salaries and benefits	9,459
Advertising	1,610
Office supplies	<u>104</u>
Total expenses	<u>21,555</u>
PROGRAM REVENUE:	
Rental revenue	<u>5,400</u>
Net program revenue (expense)	(16,155)
GENERAL REVENUES - INVESTMENT INCOME AND OTHER	<u>8,412</u>
CHANGE IN NET POSITION	(7,743)
NET POSITION - beginning of year	<u>1,854,295</u>
NET POSITION - end of year	<u>\$ 1,846,552</u>

The accompanying notes are an integral part of these statements.

**NIAGARA FALLS URBAN RENEWAL AGENCY
(A BLENDED COMPONENT UNIT OF THE CITY OF NIAGARA FALLS, NEW YORK)**

**NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012**

1. ORGANIZATION AND REPORTING ENTITY

Reporting Entity

The financial statements of the Niagara Falls Urban Renewal Agency (the Agency), are intended to present only that portion of the activities that are attributable to the transactions of the Agency. The financial statements do not purport to and do not present the financial position of the City of Niagara Falls, New York (the City), as of December 31, 2012, or the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States.

Nature of Operations

The governing body of the Agency, located in Niagara Falls, New York, is the Board of Directors. The scope of activities included within the accompanying financial statements are those transactions which comprise the Agency's operations, and are governed, or significantly influenced by the Board of Directors. The Board of Directors of the Agency is comprised of the Mayor, City Council, and 4 private sector members appointed by the City. The Agency was established in 1964 under General Municipal Law Section 593. The primary function of the Agency is to revitalize, redevelop and eliminate slums and blighted areas of the established Urban Renewal District in the City.

The Agency is a blended component unit of the City by virtue of the majority board appointment and a financial benefit or burden relationship.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting

The Agency's financial statements are prepared in conformity with accounting principles generally accepted in the United States as prescribed by the Governmental Accounting Standards Board (GASB), which is the primary standard setting body for establishing governmental accounting and financial reporting principles.

The financial statements are prepared using the flow of economic resources measurement focus and the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the cash is received or paid.

Cash and Equivalents

Cash and equivalents include demand deposits, money markets, and certificates of deposit with original maturities of twelve months or less. The Agency maintains its cash and equivalents in bank accounts. The balances in these accounts may, at times, exceed federally insured limits. The Agency has not experienced any losses in these accounts and believes it is not exposed to any significant risk with respect to cash and cash equivalents. Interest and dividend income from cash and cash equivalents is reported in operating revenue in the statement of activities.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Net Position

The financial statements display net position in three components as follows:

- **Invested in Capital Assets**

This category consists of capital assets, net of accumulated depreciation that are attributable to the acquisition, construction, or improvement of those assets. The Agency currently has \$872,400 invested in capital assets as of December 31, 2012.

- **Restricted Net Position**

This category consists of resources with constraints placed on their use either by external groups such as creditors, grantors, contributors, or laws or regulations of other governments, or law through constitutional provisions or enabling legislation. The Agency currently has \$974,152 of restricted net position as of December 31, 2012.

- **Unrestricted Net Position**

This net position category consists of all other net position amounts that do not meet the definition of "restricted" or "invested in capital assets."

Fund Balances - Fund Financial Statements

Fund balance is reported in categories that are intended to make the nature and extent of the constraints placed on a government's fund balances more transparent. The following classifications describe the relative strength of the spending constraints:

- **Nonspendable Fund Balances**

These are amounts that cannot be spent either because they are in nonspendable form or because they are legally or contractually required to be maintained intact.

- **Restricted Fund Balances**

These are amounts that can be spent only for specific purposes because of constitutional provisions or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

- **Committed Fund Balances**

These are amounts that can be used only for specific purposes determined by a formal action of the Board. The Board is the highest level of decision-making authority for the Agency. Commitments may be established, modified, or rescinded only through resolutions approved by the Board, prior to the end of the year.

- **Assigned Fund Balances**

These are amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes.

- **Unassigned Fund Balances**

These are all other spendable amounts.

When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the Agency considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the Board has provided otherwise in its commitment or assignment actions.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balances - Fund Financial Statements

As a governmental fund, the Agency is required to report fund balance in accordance with generally accepted accounting principles. The only difference between the net position reported and the Agency's fund balance at December 31, 2012 is as follows:

Net position	\$ 1,846,552
Less: Capital assets	<u>(872,400)</u>
Fund balance	<u>\$ 974,152</u>

All of the Agency's fund balance was considered restricted at December 31, 2012 because the Agency is subject to the Community Development Block Grant requirements of the U.S. Department of Housing and Urban Development.

Capital Assets

Capital assets are stated at cost or if donated, at fair value at the date of contribution. The Agency capitalizes items greater than \$1,000, which have useful lives greater than one year. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for routine repairs and maintenance are expensed as incurred. Depreciation, if applicable, is computed on a straight-line basis.

Income Taxes

The Agency is a public benefit corporation created under the NYS General Municipal Law as an urban renewal agency and as such is exempt from federal and state income taxes.

Revenues

Revenues consist principally of rental revenue received from the leasing of certain real property of the Agency. The Agency defines non-operating revenue as investment income.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts in the financial statements and accompanying notes. Actual results could differ from those estimates.

3. CASH AND CASH EQUIVALENTS

Demand deposits at year-end were entirely covered by FDIC insurance or secured by trust companies located within the State. At December 31, 2012, cash and cash equivalents are composed entirely of a demand deposit account and a money market account. All deposits are carried at cost, which approximates fair value.

3. CASH AND CASH EQUIVALENTS (Continued)

Policies

The Agency follows an investment and deposit policy, the overall objective of which is to adequately safeguard the funds of the Agency and funds under the control of the Agency; to provide sufficient liquidity of invested funds in order to meet obligations as they become due; and to earn the maximum yield possible given the objectives previously listed. Oversight of investment activity is the responsibility of the Executive Director. The Agency's monies must be deposited in Federal Deposit Insurance Corporation (FDIC)-insured commercial banks or trust companies as designated by the Board of Directors. Permissible investments include: a) obligations of the State or United States government, b) obligations whose principal and interest payments are fully guaranteed by the federal or state government, b) obligations of New York State or in general obligations of the State's political subdivisions, c) and certificates of deposit, whether negotiable or non-negotiable, and banker's acceptances of any of the fifty largest banks in the United States which, at the time of investment, has an outstanding unsecured, uninsured and unguaranteed debt issue ranked by two nationally recognized independent rating agencies at a rating category that is no lower than the, then current, rating of the Agency's bonds, notes or other obligations.

Interest Rate Risk

Interest rate risk is the risk that the fair value of investments will be affected by changing interest rates. The Agency's investment policy does not limit investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit Risk

The Agency's policy is to minimize the risk of loss due to failure of an issuer or other counterparty to an investment to fulfill its obligations.

Custodial Credit Risk

Custodial credit risk is the risk that, in the event of a failure of a depository financial institution, the reporting entity may not recover its deposits.

4. CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2012 was as follows:

	<u>Balance</u> <u>January 1</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>December 31</u>
Land	<u>\$ 872,400</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 872,400</u>

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

March 11, 2013

To the Board of Directors of the
Niagara Falls Urban Renewal Agency:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities of the Niagara Falls Urban Renewal Agency (the Agency) a blended component unity of the City of Niagara Falls, New York (the City), as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements, and have issued our report thereon dated March 11, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Agency's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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(Continued)

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

(Continued)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Bonadio & Co., LLP

RESOLUTION
NIAGARA FALLS URBAN RENEWAL AGENCY
March 25, 2013

WHEREAS, the requirements of the Public Authorities Law and other state laws regarding the required filing of reports and the contents of the reports have been discussed with the NFURA directors,

NOW, THEREFORE, in order to comply with the Public Authorities Reform Act, Public Authorities Law and other state laws regulating Niagara Falls Urban Renewal Agency as a public authority, it is hereby

RESOLVED, that the Board of Directors of Niagara Falls Urban Renewal Agency does hereby approve the filing of the following required reports:

- 12-31-12 Annual Report
- 12-31-12 Investment Report
- 12-31-12 Procurement Report
- 2012 Budget Report
- 2013 Budget Report
- 2014 Budget Report