

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, MAY 11, 2023
REMOTELY VIA ZOOM CONFERENCE
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:34 A.M. E.S.T.

A meeting of the Board of Directors of the Sports & Exhibition Authority of Pittsburgh and Allegheny County (the “Authority”) was held upon proper notice in the David L. Lawrence Convention Center (“DLCC”) Rooms 404 – 405 in Pittsburgh, PA 15222, on Thursday, May 11, 2023, commencing at 10:34 A.M. E.S.T.

Members of the Authority

Present: Sen. Wayne Fontana, Chairman
Mike Dunleavy, Vice-Chairman
Councilman Anthony Coghill, Treasurer
Sala Udin, Secretary (Via Zoom)
Mulu Birru, Member
Michael Quatrini, Member

Also Present: Aaron Waller, Bridget Pascal, Doug Straley, Rhea L. Thomas, Randall Porch, Sue Ricketts, Bill Williams, Steve Morrison, Jhason Dixon, Jeff Garstka, Theresa King, Desmond Bentley, and Paul McDonald Jr. of the Authority; Morgan Hanson, Solicitor; Clarence Curry, CFC-3 Management Services; Tom Ryser, TPR, LLC; Tim Muldoon, Ryan Buries, and Spencer Girman, of SMG; George Meehan, LEVY; Craig Dunham, Pittsburgh Penguins; Matthew Wilson, Pittsburgh Steelers; Peter Kogan, Reed Smith Lindsey Holzer, and Nathan Clark Buchanan, Ingersoll & Rooney; Boris Kaplan, Jessica Jefferies, and B. Howze, of Buccini Pollin Group; Julia McMahon, of the Urban Redevelopment Authority; Marimba Milliones, Rene Wilson, and Dillion Brown, of the Hill Community Development Corporation; Mark Belko, Pittsburgh Post-Gazette; Eric Jankiewicz, Public Source.

Senator Wayne Fontana called the meeting to order with the Pledge of Allegiance. Mr. Morgan Hanson followed with a roll call of the board members. Mr. Hanson advised that a quorum was present.

Beginning with public participation, Senator Fontana asked if any members of the audience wanted to address the board. Seeing no request from the public to address the board, Senator Fontana continued to the next item on the agenda, approval of the minutes from the meeting of April 13, 2023. A motion was made, seconded, and unanimously approved.

Senator Fontana continued to the next item on the agenda, authorization to provide final approval of the redeveloper, conceptual development plan and Take Down for a parking garage and music venue to be located on Block E of the Lower Hill site.

Ms. Rhea Thomas stated in November 2019, the Authority and Urban Redevelopment Authority (“URA”) boards each authorized preliminary approval of a conceptual development plan and redeveloper – Lower Hill Developer LLC (“LHD”) (or an affiliated entity) for the Take Down of Block E on the Lower Hill site. Since that time, LHD has designated Parking Partners XXIII Block E LLC (“PP”) (an affiliated entity) as the current proposed redeveloper for final approval. Block E is comprised of 2.56 acres bounded by Bedford Avenue, Fullerton Street, Wylie Avenue, and Logan Avenue.

At the time of preliminary approval, LHD intended to construct a mixed-use facility that included: 95,000 square foot live entertainment venue, including adjacent outdoor amphitheater with combined capacity of approximately 6,400, approximately 17,500 square feet of ground floor commercial space – including 1,200 square feet reserved for programs supported by the URA, approximately 285,000 square feet of subterranean parking (approximately 850 spaces), approximately 34,000 square feet of entertainment/retail space on floors two and three; and approximately 2,500 sq. ft. for the Rescue 2/City EMS 14 station.

Ms. Thomas continued, currently, PP intends to take down Block E to perform site preparation activities, subdivide Block E into two parcels [Parcels E-1 (a parking garage) and E-

2 (a music venue)], construct the parking garage, and transfer Parcel E-2 to Pittsburgh Arena Real Estate Redevelopment LP (“PAR”) for construction of a separate Music Venue (“MV”) building on that parcel.

The Block E Parking Garage will be a six story, above ground building with approximately 319,000 sq. ft. and 910 spaces. The Rescue 2/City EMS 14 station (approximately 2,500 sq. ft.) located, in the garage, at the corner of Bedford Avenue and Fullerton Street (PP will construct the shell and include utility stub outs and the city will outfit the space), it will include approximately 2,430 sq. ft. of commercial space along Logan Avenue, and the total cost of construction is \$110 Million with \$1.2 Million set aside for construction of the public safety facility (in December 2020 the URA secured funding in the amount of \$3 million from RACP for construction of the parking garage, per the 2019 Term Sheet).

Once Block E is subdivided and transferred to PAR, a venue developer consisting of Live Nation Worldwide Inc. (“LN”) and Fenway Sports Group (“FSG”), or related entities, will enter into a ground lease with PAR to construct and operate a MV. (The MV will be approximately 80,000 sq. feet with capacity of approximately 4,500). Approved by City Planning, the MV will include approximately 7,600 square feet of ground floor retail space which 1,200 square feet will be reserved for use as part of the URA’s Catapult Program (or a similar program) located along Wylie Avenue. The prime contractor for the MV will be selected in February 2024, and the total cost as estimated by the venue developer, is approximately \$60 million.

Ms. Thomas continued, the Block E project, received EORC approval in June 2022, projecting 36% MBE and 14% WBE participation in pre-development commitments. The development team (“DT”) projected 29% MBE and 15% WBE participation based on the

construction budget at the time, which was prior to selecting a prime contractor or subcontractors.

Authority staff recommends an approved resolution today be conditioned on the DT providing an updated M/WBE plan, acceptable to the Authority and URA, after M/WBE commitments for work on the parking garage are available. Additionally, Authority staff recommends approval today be conditioned on compliance by the venue developer with the M/WBE reporting and compliance measures as provided in the Option Agreement.

The DT submitted and presented the Block E project to the Hill District's Development Review Panel ("DRP") in February 2020. The project, at that time, received a score of 89%. In 2022, the DT submitted the updated Block E plan to the DRP and was informed by the DRP, due to the length of time that had passed, since the initial vote and the material changes to the project, as determined by the DRP, the team was required to resubmit the project for a new review. The DT did not agree to a new review of the project and therefore, the project was not advanced to the community for scoring pursuant to the DRP process.

Ms. Thomas continued, on October 3, 2022, the DT conducted a community meeting with the Hill District Collaborative and Hill District Consensus Group. The Block E project was scored by attendees at the meeting and received a Hill District resident score of 2.7 out of 4 and an overall (non-resident) score of 2.9 out of 4. A Development Activities Meeting ("DAM") that was hosted by City Planning is required prior to a City Planning public hearing.

The DT has committed to community benefits that include creating, by LN, of a \$2 per ticket surcharge for the new MV for the first 10 years of operation, proceeds are deposited with the Greater Hill District Reinvestment Fund, twice a year, booking and promotion, by LN, of a minimum of 25 events per year at New Granada Theater ("NGT") for the first 5 years of NGT

operation, up to 250 parking spaces made available to the NGT for events, for the first 5 years of NGT operation, at no cost, on non-PPG Paints Arena event days, a donation of \$100K by the Penguins Foundation to Hill CDC in support of the NGT, and Penguins to join the NGT fundraising committee.

The DT is to donate or fundraise up to \$850,000 in initial matching funds to City's capital budget – \$400,000 at financial closing of Block E and the remaining in equal \$225,000 installments at 12 and 24 months after financial closing, to benefit the rehabilitation of Ammon Recreation Center (“ARC”) and the team and LN will pursue a Hill District oriented training program through the First Source Center and Partner4Work focusing on training and hiring employees (consistent with CCIP goals) for the service, hospitality, and technical trade jobs at the new MV and parking garage.

Ms. Thomas continued, in October 2019 the URA board authorized a parking tax diversion for the Block E garage, 75% of the diverted taxes to be used by the DT for construction of Block E, 25% into an Affordable Housing Fund, and at the URA board meeting on May 11, 2023, URA staff will be seeking authorization to withhold disbursement of the PTD to the DT until the financial closing of the Block E MV.

Site construction on Block E is slated to begin in July 2023 followed by subdivision in January 2024. The parking garage is expected to be completed by October 2024 and the MV by November 2025. If the Take Down of Block E is approved, due to the subdivision occurring subsequent to the Take Down, The Authority and the DT are in discussions to finalize the terms by which Parcel E-2 may be conveyed back to Authority by the date of the Block E subdivision (January 2024), if the MV is not advancing to its target commencement date based upon the

meeting of milestones set forth in the DT's timeline and the requirements of the option agreement.

Authority staff recommends the resolution to be conditioned upon the following: a receipt of an updated M/WBE Plan acceptable to Authority and URA staff, as soon as practicable after M/WBE commitments for work on the Block E Parking Garage are available, PAR and/or PP shall cause LN and FSG, or the developer of the MV, (collectively, the "Venue Developer"), to fully comply with the M/WBE, sustainability, economic impact, and workforce development reporting and compliance measures for the MV as described in the option agreement.

Ms. Thomas continued, if the approved Conceptual Development Plan for the MV is modified, PAR and/or PP shall cause the Venue Developer to submit the revised drawings/plans to the Authority and URA for review prior to submission to the City of Pittsburgh Planning Commission, PAR shall use, or shall cause PP (or a related entity) or the entity leasing and operating the music venue to use, commercially reasonable efforts to reengage with financial institutions to monetize 50% of the Block E Lower Hill Local Economic Revitalization Tax Assistance ("LERTA") for the benefit of the Greater Hill District Neighborhood Reinvestment Fund ("GHDNRF") at the earlier of (a) May 1, 2026 or (b) when commercial lender interest rates fall below 5%, where such interest rates shall be determined using a methodology acceptable to URA and Authority staff, and the execution of a ticket surcharge agreement, in a form acceptable to Authority and URA staff, by and between the Authority, URA, PAR, PP, and LN, which will provide a \$2 surcharge on every sale of a public ticket for the first 10 years of the operation of the MV to the GHDNRF.

Senator Fontana asked if there were any questions.

Mr. Sala Udin informed the board and the public he was recusing himself from discussions, during board meetings, and voting on this item.

Mr. Michael Quatrini asked if the donation to the community benefits was raised from \$850,000 to \$900,000.

Ms. Thomas confirmed that is correct.

Mr. Mulu Birru asked if the board is approving this resolution for the Authority director and staff to make judgement on these conditions.

Ms. Thomas stated the conditions are recommendations by Authority staff, if the board were to approve the resolution, these conditions would be reviewed once documentation and/or information is received from the DT, regarding the conditions, and reviewed by Authority and URA staff and then provided to the board.

Mr. Birru asked if this resolution would be coming back to the board.

Ms. Thomas stated that is correct.

Mr. Morgan Hanson stated the board is providing an authorization within this groundwork, if the Authority and URA believe these conditions have been met, then approval will be given. But this resolution will not come back for a vote.

Ms. Thomas confirmed that this resolution will not come back for a vote.

Mr. Birru asked what the urgency is for deciding today if there are so many conditions.

Mr. Craig Dunham stated this is about urgency as this project has been in the works for several years. Currently, there is some financial uncertainty within the markets; however, there are commitments with lenders and investment partners. There are timelines the DT must meet and if the precast contracts are not released during the week of May 15, 2023, there will be

significant delays. The DT is comfortable with the outline of conditions presented in this resolution.

Councilman Coghill thanked everyone involved. Councilman Coghill then asked if the 25% reserved by the URA retail space is in the parking garage.

Ms. Thomas stated the space is in the music venue building.

Councilman Coghill asked what the 25% reserved space is used for.

Ms. Thomas stated it is reserved for the URA Catapult Program or a similar program.

Mr. Quatrini asked Mr. Dunham how he would be able to alleviate the concerns citizens have about previous commitments not being completed.

Mr. Dunham stated with respect of what was presented today, the engagement over the past couple of weeks, and what Ms. Thomas presented, this will satisfy as a condition of closing on the property.

Senator Fontana asked if these conditions are not satisfactory the Authority and the URA can stop this project.

Mr. Dunham confirmed that is correct.

Mr. Hanson stated the Authority received an email from Martin Rafanan expressing concerns about this project and will be attached to this month's minutes.

Ms. Marimba Milliones stated there has been considerable progress, in reaching a comfort level, with the DT, City of Pittsburgh, and the URA. Ms. Milliones wanted to provide some clarification on how the Authority and URA will work together relative to the terms and conditions that are in the URA and the Authority's approval notice. Ms. Milliones continued; there are a few things not mentioned in the take down notice that were not conditions of this

approval, and is seeking clarity on how both agencies, (Authority & URA) will coordinate the NGT and the curtain call commitments.

Ms. Thomas stated the Authority resolution, and the five conditions are substantially the same with the URA's five conditions. There are other conditions that are community benefits that were agreed to by the DT, City, Authority and URA. Those conditions are separate and apart from the conditions for the specific board resolution. These conditions include the \$2 dollar surcharge, the NGT, the commitment to the public safety facility, the rehabilitation of the ARC, and the LERTA payments.

Curtain call is a separate project that will come before the board when information has been provided and ready for the board for preliminary approval. There was an agreement in the 2019 term sheet that required the DT to fulfill the funding gap for the curtain call project. The agreement will be paused momentarily, until certain things are completed (a community meeting and evidence of financing).

Mr. Quatrini asked will the additional five agreements come back to the Authority board for a vote.

Ms. Thomas asked if this was for the resolution conditions or community benefit conditions.

Mr. Quatrini stated the community benefit conditions.

Ms. Thomas stated there would not be further opportunity for the board to vote.

Mr. Hanson stated there is going to be a series of agreements that are going to capture each of these conditions and make them a binding contract between the parties. These contracts are not written and cannot be reviewed by the parties, because of the urgency Mr. Dunham explained about getting the process going. These contracts will be put into an agreement that will

be signed by the parties at closing. This is not a nebulous concept; however, this will become a contract that will be enforced by all parties.

Mr. Quatrini asked if the mechanism for enforcing what is in the contracts would be outlined in these contracts.

Ms. Thomas confirmed that is correct.

Mr. Hanson confirmed that is correct.

Ms. Rene Wilson, a resident of the hill district, stated her issue with the project there has been communication with what the community wants and hasn't been accepted, if it is not in writing or signed, it is not a contract. Until everything is signed and becomes a contract, she is not comfortable allowing any of the project to commence. This has been a big fight for the community. Ms. Wilson further stated don't ask us to trust people that have already showed they cannot be trusted. The citizens need to be protected.

Senator Fontana asked if there were any questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made and seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5909

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County ("SEA") that its Executive Director and other proper officers are authorized to provide: 1. Final approval of Parking Partners XXIII Block E LLC ("Parking Partners") as the Redeveloper for the Take Down of Block E (Block 2-C, Lot 406) in the 3rd Ward, Pittsburgh, Pennsylvania ("Block E"); 2. Final approval of the conceptual development plan for Block E; 3. Final approval of the Take Down of Block E for use as a parking garage (the "Parking Garage") and music venue (the "Music Venue" and collectively with the Parking Garage, the "Block E Project"), subject to all reviews and approval provided in the June 20, 2018 Amended and Restated Comprehensive Option Agreement by and between Pittsburgh Arena Real Estate Redevelopment LP ("PAR"), Urban Redevelopment Authority

(“URA”) and SEA (the “Option Agreement”) and further subject to the provisions of this Resolution; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution. 1. This Resolution is further conditioned upon the following: Receipt of an updated M/WBE Plan, acceptable to SEA and URA staff, as soon as practicable after M/WBE commitments for work on the Block E Parking Garage are available; 2. PAR and/or Parking Partners shall cause Live Nation Worldwide Inc. and Fenway Sports Group, or the developer of the Music Venue, (collectively, the “Venue Developer”), to fully comply with the M/WBE, Sustainability, Economic Impact, and Workforce Development reporting and compliance measures for the Music Venue as described in the Option Agreement; 3. If the approved Conceptual Development Plan for the Music Venue is modified, PAR and/or Parking Partners shall cause the Venue Developer to submit the revised drawings/plans to the SEA and URA for review prior to submission to the City of Pittsburgh Planning Commission; 4. PAR shall use, or shall cause Parking Partners (or a related entity) or the entity leasing and operating the Music Venue to use, commercially reasonable efforts to reengage with financial institutions to monetize 50% of the Block E Lower Hill Local Economic Revitalization Tax Assistance (“LERTA”) for the benefit of the Greater Hill District Neighborhood Reinvestment Fund (“GHDNRF”) at the earlier of (a) May 1, 2026 or (b) when commercial lender interest rates fall below 5%, where such interest rates shall be determined using a methodology acceptable to URA and SEA staff; 5. Execution of a Ticket Surcharge Agreement, in a form acceptable to SEA and URA staff, by and between SEA, URA, PAR, Parking Partners, and Live Nation, which will provide a \$2 surcharge on every sale of a public ticket for the first ten (10) years of the operation of the Music Venue to the GHDNRF.

Senator Fontana continued to the next item on the agenda, authorization to enter into an agreement with Iowa Rotocast Plastics, Inc. (“IRP”) in a not-to-exceed amount of \$29,041 for six kitchen service custom bar carts.

Mr. George Meehan stated the banquet tables and bar carts are used throughout the DLCC for almost every catered event. The current inventory for each item is being depleted through attrition due to constant use and demand. To stay relevant with remaining useful equipment and to

keep up with the demand of catering needs, a bid package for the banquet tables and bar carts was developed to increase the in-house equipment inventory and mirror the concept of the original purchase to connect with current styles.

In April 2023, a bid notice was advertised in the New Pittsburgh Courier, Pittsburgh Post-Gazette, on the Authority's website, the African American Chamber of Commerce, First Source Center, and Riverside Innovation Center. Additionally, the bid notice was sent to 31 vendors, including three MBE, two WBE vendors and two proposals were received on May 2, 2023. Levy and SMG staff recommend IRP as the low responsible bidder. There is no MBE or WBE associated with the purchase order and the funding for the bar carts system will come from the Food & Beverage Capital Reserve Fund ("F&B").

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5910

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into an agreement with Iowa Rotocast Plastics, Inc. in a not-to-exceed amount of \$29,041 for six (6) kitchen service custom bar carts; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued to the next item on the agenda, authorization to enter into an agreement with TriMark Marlinn ("TMM") in a not-to-exceed amount of \$51,049 for 15 kitchen service custom banquet tables.

Mr. Meehan stated banquet tables are used throughout the DLCC for almost every catered event. The current inventory for each item is being depleted through attrition due to constant use and demand. To stay relevant with remaining useful equipment and to keep up with the demand of catering needs, a bid package for the banquet tables was developed to increase the in-house equipment inventory and mirror the concept of the original purchase to connect with current styles.

In April 2023, a bid notice was advertised in the New Pittsburgh Courier, Pittsburgh Post-Gazette, on the Authority's website, the African American Chamber of Commerce, First Source Center, and Riverside Innovation Center. Additionally, the bid notice was sent to 31 vendors, including three MBE, two WBE vendors and two proposals were received on May 2, 2023. Levy and SMG staff recommend TMM as the low responsible bidder. There is no MBE or WBE associated with the purchase order and the funding for the bar carts system will come from the F & B.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5911

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into an agreement with TriMark Marlinn in a not-to-exceed amount of \$51,049 for fifteen (15) kitchen service custom banquet tables; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued to the next item on the agenda, authorization to enter into an amendment with YouthPlaces (“YP”) to extend the lease term from July 1, 2023, to June 30, 2024, for retail space along Penn Avenue.

Mr. Jeff Garstka stated YP is a non-profit organization currently leasing 1,882 square feet of DLCC retail space along Penn Avenue. YP uses the space to provide a downtown resource for youth ages 12 – 18. YP’s lease began in February 2020, and since July 2022, YP has paid a base rate of \$18.91 per square foot, plus utilities and remains current on both rent and utility payments. This authorization would provide a lease extension to June 30, 2024, under the same existing terms except for a 3% rate increase in the base rent. The new base monthly rent will be \$19.48 per square foot, plus utilities. Total base rent for twelve months will be \$36,661.

YP operates between the hours of 12:00 PM – 6:00 PM. During the early afternoon hours, the location serves as a community resource center where young adults can use the amenities for job searching, printing abilities, or providing relevant resources to improve their quality of life. Between the hours of 2:30 PM – 6:00 PM, the location is utilized solely for after-school activities and programs, servicing youth ages 12-18.

Mr. Garstka further stated in a partnership with Homewood Children’s Education Fund, YP engaged 10 teens in Dialectical Behavior Therapy at the Penn Ave. location. The purpose of the 18-week program is to educate and assist teens with understanding and accepting their difficult emotions, while responding in a positive manner. In collaboration with University of Pittsburgh, a total of 58 teens have engaged in a job skills readiness program at the Penn Ave. location.

Senator Fontana asked if there were any questions.

Senator Fontana stated this organization helps youth in a positive atmosphere and is happy to utilize this space for a good cause.

Councilman Coghill stated the City of Pittsburgh is looking for initiatives to assist youth, and YP is a prime example of this initiative. Councilman Coghill further stated financially we could get more money for this space, but putting the dollars and cents aside, helping the City of Pittsburgh is the main objective.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5912

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into an amendment with YouthPlaces to extend the lease term from July 1, 2023 to June 30, 2024 for retail space along Penn Avenue; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued to the next item on the agenda, authorization to rescind Resolution #5890 with Ungerboeck Systems International LLC dba Momentus Technologies (“MT”) in an amount of \$68,541 for meeting room diagramming software.

Mr. Buries stated at the March 9, 2023, Authority board meeting, Resolution #5890 was approved for an agreement with MT. The authorization was for the purchase of meeting room diagramming software at a cost of \$68,541. Subsequently, terms of a contract could not be agreed upon and the software was not purchased. A new request for proposals will be issued in Q4 2023 for procurement of a holistic event management software package which will include a diagramming component.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5913

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that the authorization that was included in Resolution #5890 of March 9, 2023, to enter into an agreement with Ungerboeck Systems International LLC dba Momentus Technologies in an amount of \$68,541 for meeting room diagramming software, is hereby rescinded; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

The next item was public participation, and Senator Fontana asked if anyone in the audience desired to address the board. Hearing none, Senator Fontana asked Mr. Tim Muldoon about the board update for May 2023.

Senator Fontana stated at the top of the report there were three highlighted events and he asked Mr. Muldoon if SMG or VisitPittsburgh (“VIP”) were the lead in bringing the highlighted events, for May, to the DLCC.

Mr. Muldoon stated the two of the three were from VIP.

Senator Fontana asked if there was any progress with the net operating revenue after expenses.

Mr. Muldoon stated there is progress and with the upcoming events the net operating revenue after expenses will decrease.

Mr. Quatrini asked what role VIP plays after transferring the events to SMG.

Mr. Muldoon stated if there are any questions, VIP will gather the information, so a unified package can be presented to the client.

Mr. Quatrini asked if VIP facilitates getting everyone working together.

Mr. Muldoon confirmed that is correct.

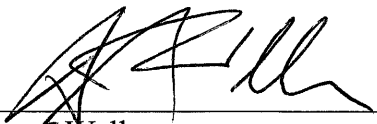
Mr. Quatrini asked if there are any national or regional events and tourism association conventions, Mr. Muldoon plan on attending, to push the idea of the DLCC as the premier sporting venue.

Mr. Muldoon stated there a few conventions each year that SMG attends to not only promote the DLCC, but to find other events that haven't occurred at the DLCC.

Councilman Coghill asked if the DLCC has a unique advantage of the large space for sporting events or do other venues has similar dimensions.

Mr. Muldoon stated there are other venues that have similar or larger spaces. Mr. Muldoon further stated what separates the DLCC from other venues is the column free space.

Senator Fontana asked if there were any comments from the board. There being no additional comments or business, Senator Fontana asked for a motion to adjourn. Upon a motion duly made, seconded, and unanimously carried, the meeting was adjourned at 11:26 A.M.



Aaron Waller
Assistant Secretary

SEA Comment:**RE: Lower Hill Block E**

My name is Martin Rafanan. My wife Solveig and I live at 547 Roberts St in the Crawford Square Housing Association. We moved to Pittsburgh in 2017 to be close to family living in Point Breeze and have enjoyed being a part of the Historic Hill District. We have felt welcomed and engaged in the neighborhood and feel privileged to be a part of a neighborhood with a powerful history of accomplishment and resistance to forces of oppression, especially from the City of Pittsburgh itself and its economic entities and authorities.

I am currently a member of the Crawford Square Housing Association, the Hill District Consensus Group, the Hill District CDC, and the Hill District Ministerial Alliance. I volunteer at Sunny's Community Garden, take classes at the Hill CEC, and am involved in efforts to seek reparations for Bethel AME through my home congregation, St Andrew Lutheran Church, Shadyside. I organize the annual Martin Luther King Jr Commemoration Service of the Southwest PA Synod of the Evangelical Lutheran Church in America.

I believe that it is my responsibility to be actively engaged in my neighborhood and to be politically engaged to ensure that our elected leaders support working families, protect the environment, and support the most vulnerable through affordable housing and equity-building programming.

The development of the Lower Hill remains a critical and central process for ensuring that the City of Pittsburgh, the URA and the SEA stay focused on righting the historic wrongs committed in the Hill District 75 years ago. The data indicate that the takeover of this land has led to a massive economic benefit to the City, the Penguins, and other quasi-governmental agencies apart from the care and support of the people who called this neighborhood their home. Any development in these 28 acres now or in the future should carefully address the current needs of the Hill District as a whole, and the mechanism for this effort should be the Hill District CDC which is the true RCO in the neighborhood.

Although I do not always agree with the specific directions of the Hill District CDC, I am aware of its embeddedness in the neighborhood, its historic

engagement of community residents, and its fair and equitable processes of educating and decision-making that include ALL in the community. A cursory look at its website, a look at its history and accomplishments, and a visit to its offices, demonstrates that it is the real infrastructure for community engagement and decision-making reflecting the community's sentiments in the Hill District.

Relative to the work on Block E in the Lower Hill, I support the Hill District CDC's assessment of what is required of the developer, those who have the right to develop, and those who currently hold title to the land.

On March 9th, 2023, the Lower Hill Development Team presented at the URA non-voting board meeting to provide updates on Block E as required for the final transfer of Block E from the URA and SEA to the Pens and BPG. The land is expected to be sold to the Pens and BPG for \$10 per parcel.

The October 2019 Amended Term Sheet and other agreements for Block E obligate the Lower Hill Development Team to fulfill the following public and community benefits:

1. **Public Safety Rescue Station**
(AGREEMENT REACHED WITH CITY)
2. **URA/Catapult Retail Incubator Space**
(AGREEMENT REACHED WITH URA)
3. **New Granada Support and Coordination**
(INCOMPLETE, Although the Lower Hill Development team is building a new entertainment multiplex, they have not completed their agreements and commitments with the Hill CDC to support the historic and nationally important New Granada development, an essential part of to the Hill District's economic future.)
4. **Capitalization of the Local Economic Revitalization Tax Assistance (LERTA)**
(INCOMPLETE, The Developers are trying to make their LERTA payments over time versus upfront (capitalized) as initially promised.)
5. **Parking Tax Diversion**

(INEQUITABLE, City Council passed legislation to allow the developer to keep the money that would have otherwise gone to the City's Pension Fund. The Developer will keep 75% of the tax funds and the community will only get 25% to an 'unknown' fund at the URA. This is an inequitable split that should be addressed by City Council, and the funds ultimate home should be publicly specified.)

6. Curtain Call Funding

(INCOMPLETE, The Pens have still not evidenced that they have total funding for this public art and sustainability project. Further, the Pens have independently moved the Curtain Call from in front of the PPG Paints arena to Wylie and Crawford without any input from the community. Hundreds of community members participated in the creation of the Curtain Call.

To add insult to injury, the Hill CDC has learned that the Pens have formally submitted a Final Land Development Plan for the new Curtain Call site that they independently selected. Background on the Curtain Call.)

7. Ammon Upgrades

(INCOMPLETE, The Pens promised \$1M in investment to the Ammon Recreation Center for Hill District youth, but they have only contributed \$100K to date. They owe \$900K and ongoing dialogue with Macedonia Church of Pittsburgh.)

8. First Source Center

(INCOMPLETE, Partnership with Partner4Work remains undefined for forthcoming hospitality and service jobs on Block E. The Pens and BPG have not evidenced any contractual requirement with Live Nation to hire from the Hill District first.)

9. Other Commitments

(INCOMPLETE, No evidence of contract to provide \$2 dollar surcharge per ticket at the music venue to be deposited into the Greater Hill District Reinvestment Fund.)

(INCOMPLETE, The Buccini Pollin Group and the Pens abandoned the Development Review Panel (DRP) for Block E, although they publicly promised

to follow that process, and Mayor Gainey and Councilman Lavelle expressly asked them to complete the DRP community review process.)

No transfer of land should occur without the above agreements being completed to the satisfaction of the Hill District CDC and the developer going through the Community's stated process for assessing development (the Development Review Panel - prior to a final Community vote on the project).

I agree with the Hill District CDC that as much as the community welcomes new development, it should not be at the cost of what is in the best interest of the Hill District neighborhood. We expect that the City and the agencies addressing these concerns stand with our neighborhood and demand that those who seek to develop the land fulfill their promised obligations.

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