

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, MAY 7, 2015
AT THE DAVID L. LAWRENCE CONVENTION CENTER
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:58 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 conference room in SMG's administrative offices of the David L. Lawrence Convention Center in Pittsburgh, PA 15222, on Thursday, May 7, 2015, commencing at 10:58 A.M. E.S.T.

Members of the Authority

Present: Senator Wayne Fontana, Chairman
Reverend John Welch, Member
Councilman Dan Gilman, Member
Jill Weimer, Member (via telephone)
Sala Udin, Member (via telephone)

Absent: Michael Dunleavy, Vice-Chairman
Councilman James Ellenbogen, Member

Also Present: Mary Conturo, Doug Straley, Rosanne Casciato, Rosemary Carroll, Rifat Qureshi, Taylor Blice, Christina Lynch and Allison Botti of the Authority; Tom Ryser of TPR, LLC; Clarence Curry of CFC-3; Morgan Hanson of Cohen & Grigsby; Tim Muldoon, Ryan Buries, and Linda Mihalic of SMG; George Meehan of Levy; Jason Kobeda of Pittsburgh Associates; Frederick Winkler, architect; and Mark Belko from Pittsburgh Post-Gazette

Senator Fontana called the meeting to order with the Pledge of Allegiance, followed by a roll call of the Board Members. Mr. Hanson confirmed with Ms. Weimer and Mr. Udin, both attending via telephone, that they could hear the other Board Members and be heard by them. Beginning with public participation, Senator Fontana asked if any members of the audience would like to address the Board. Hearing none, he moved to the next item on the agenda. The

meeting continued with the approval of minutes from the meeting of April 9, 2015. A motion was made, seconded, and unanimously approved.

Senator Fontana addressed new business with the first item on the agenda, a request for authorization to enter into an agreement with Iowa Rotocast Plastics in a lump sum amount of \$14,847 for the purchase of six catering and concession portable bars to be used within the DLCC.

Mr. Meehan, Director of Levy Operations at the DLCC, explained that the current inventory of 18 bars are built with two-tier tables and covered with spandex linen. This creates a bar look, but not an effective method of conducting bar service. The new bars, if approved, will have stainless steel tops, built-in ice wells, speed rails for efficient drink assembly as well as a more recognizable aesthetic presence on the floor during catered events. Levy is ultimately looking to build the inventory to a total of 12 bars over the next two years in order to handle the larger parties such as Rosebud Mining, Hart Energy, and Cameos of Caring.

An ad for this purchase was placed on the Authority website for 10 plus days, under the Other Opportunities section, as well as a look through the Costars website.. Three quotes were solicited and Iowa Rotocast Plastics (IRP) was selected based on having submitted the lowest responsible quote. Mr. Meehan explained that the lead time for the bars is 3 weeks, and the bars have a warranty of 1 year on manufacturer defect.

Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5320

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 in a lump sum amount of \$14,847 for the purchase of six catering and concession portable bars to be used within the DLLCC; 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 introduced the next item, which was a request for authorization to extend an agreement with the Pittsburgh Cultural Trust for the “Magnolias for Pittsburgh” artwork until June 2018.

Ms. Lynch explained that the Authority entered into a Loan Agreement with the Pittsburgh Cultural Trust in June 2006 for the installation of the “Magnolias for Pittsburgh” artwork at the corner of Seventh Street and Penn Avenue in the Cultural District. Amendments extended this Agreement to June 2015. The Authority is requesting authorization to further extend the Agreement to June 2018. The Cultural Trust is in full support of extending this agreement.

The artwork, created by Tony Tasset, was originally intended to be located at Tenth Street and Penn Avenue, to be integrated into the design of the plazas and public space, that was expected to be part of the convention center hotel project. In June 2006, an agreement was made with the Cultural Trust to locate the artwork at Seventh Street and Penn Avenue, pending the development of the convention center hotel project.

The artwork consists of two hand-sculpted bronze magnolia trees in full flower. The Seventh Street and Penn Avenue parklet in which they are placed also features live magnolia trees, ivy groundcover, and a curving pathway.

The Loan Agreement requires the Cultural Trust to maintain the artwork and surrounding landscape. They are also responsible for insuring the artwork at the appraised value of \$1.5 million dollars. The Authority is responsible for the cost to remove the artwork at the end of the Agreement.

Reverend Welch asked who covered the cost of insurance for the artwork. Ms. Lynch answered that it is covered by the Pittsburgh Cultural Trust. He asked what the cost was and Ms. Lynch assured him that she would look into it.

After asking for more questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5321

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to extend an agreement with the Pittsburgh Cultural Trust for the “Magnolias for Pittsburgh” artwork until June 2018; 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 introduced the next item, a request for authorization to enter into an agreement with Geese Police of Western Pennsylvania in an amount not-to-exceed \$14,500 for geese control services at North Shore Riverfront Park.

Mr. Blice stated that the North Shore Riverfront Park is a heavily utilized area that attracts boaters, runners, bikers and walkers, but also attracts geese. Each morning during the summer, the city has its street flusher truck along the riverfront walk flush the geese droppings off the concrete.

The best way to mitigate the issue is by deterring the geese from going to the park. The Authority has tried several methods of removing the geese from the NSRFP including noise generators resembling gun shots, predatory noises, and blasts, but they did not prove effective. The Authority has also tried treating the grass with a chemical that was supposed to be distasteful to the geese, but that did not prove effective either, and they kept coming back.

During the construction of the WWII Memorial, Mascaro Construction hired the Geese Police to keep the area clean while they were doing the construction on the memorial. That proved very effective. The Geese Police patrolled the Great Lawn area and the WWII Memorial area with dogs. For the remainder of the year the Geese Police stayed on board and kept the geese at bay, therefore the Authority wants to continue with the services.

In January, the Authority requested proposals for different methods, the dogs in particular. Geese Police was the only firm that submitted a proposal that matched the specifications.

The original proposal was for 47 weeks but after monitoring the Great Lawn and the surrounding area, and determining that the geese were not populating as fast, it was decided to hold off until later in the spring. The proposal is for \$500 per week and they will patrol two to four times per day, seven days a week, and they will keep track of how many times they go out. Additionally, they count the geese and chase them onto the river.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5322

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 Geese Police of Western Pennsylvania in an amount not-to-exceed \$14,500 for geese control services at North Shore Riverfront Park; 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 on to the next item, a request for authorization to enter into a license or lease agreement or agreements with the City of Pittsburgh to provide necessary control of the Allegheny River shoreline and Riverwalk to the City for enforcement of its docking ordinances.

Ms. Carroll explained that the North Shore Riverfront Park, including the Riverwalk and certain elements along the bank of the Allegheny River are owned by the Authority. The City requires control of those elements in order to enforce its docking ordinances. This authorization would permit the licensing or leasing to the City of the shoreline and Riverwalk for such purpose. The license or lease agreements would extend as appropriate for the City to enforce its ordinances. The Authority has provided this control in the past and the forms of license or lease will be in substantially the form used for prior agreements.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5323

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into agreement or agreements with the City of Pittsburgh to provide necessary control of the Allegheny River shoreline and Riverwalk at the North Shore to the City for operations and enforcement, including its docking ordinances and public safety; 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 on to the next item, a request for authorization to amend an existing agreement with Delta Development Group, Inc. to provide a benefit-cost analysis in the preparation of an application for a FY 2015 TIGER Discretionary Grant from the U.S. Department of Transportation for the I-579 "Cap" Urban Connector Project, a part of the Lower Hill Redevelopment Project, for a fee of \$7,500, plus reimbursable expenses, half of which will be funded by the Pittsburgh Penguins.

Ms. Lynch explained that in March 2015, the US Department of Transportation announced a new round of funding under the TIGER Discretionary Grant program, known as TIGER VII.

The Authority will be preparing an application for a TIGER Discretionary Grant for the I-579 "Cap" Urban Connector Project. The application deadline for TIGER VII is June 5, 2015.

A key requirement of the TIGER application is a benefit-cost analysis of the project. The Authority desires expert assistance in producing the benefit-cost analysis. Delta Development Group, Inc. assisted the Authority in developing benefit-cost analyses for both the fiscal year 2013 and 2014 TIGER applications. The project was awarded a TIGER planning grant in 2014.

The cost of this work for the TIGER VII benefit-cost analysis is a fixed fee of \$7,500, plus approved expenses not-to-exceed \$500. Half of the fee will be paid by the Authority, and half paid by the Pittsburgh Penguins.

Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5324

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend an existing agreement with Delta Development Group, Inc. to provide a benefit-cost analysis in the preparation of an application for a FY 2015 TIGER Discretionary Grant from the U.S. Department of Transportation for the I-579 “Cap” Urban Connector Project, a part of the Lower Hill redevelopment project, for a fee of \$7,500, plus reimbursable expenses, half of which will be funded by the Pittsburgh Penguins; 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 on to the next item, a request for authorization to amend an existing agreement with Roy Kienitz, LLC, to provide assistance in the preparation of an application for a FY 2015 TIGER Discretionary Grant from the U.S. Department of Transportation for the I-579 “Cap” Urban Connector Project, a part of Lower Hill Redevelopment Project, for a lump sum fee of \$10,000, half of which will be funded by the Pittsburgh Penguins.

Ms. Lynch stated that also for the Authority’s application for a TIGER Discretionary Grant for the I-579 Cap Urban Connector Project, the Authority desires expert assistance in the preparation of the TIGER application itself and for assistance during the grant negotiation period, if a grant award is received.

Roy Kienitz was formerly the US DOT’s Under Secretary for Policy and previously assisted with the Authority’s TIGER applications in 2013 and 2014. The cost of this work is a fixed fee of \$10,000, half of which will be funded by the Authority, and half by the Penguins.

Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5325

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend an existing agreement with Roy Kienitz, LLC to provide assistance in the preparation of an application for a FY 2015 TIGER Discretionary Grant from the U.S. Department of transportation for the I-579 “Cap” Urban Connector Project, a part of Lower Hill Redevelopment Project, for a lump sum fee of \$10,000, half of which will be funded by the Pittsburgh Penguins; 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 on to the next item, a request for authorization enter into an agreement with Kell-Rielly-Nell-Barna Associates in a lump sum amount of \$7,000 for estimating value of land donation credit related to the Lower Hill I-579 “Cap” Urban Connector Project.

Mr. Ryser explained that the Authority is evaluating using the value of land as a donation credit for matching funds. At this time the formal PennDOT appraisal process is not being undertaken; however, the Authority does need to understand the value of the land based on the criteria PennDOT would use when using Federal Highway funds to establish the highest and best use for the subject property to estimate the contributory value for our TIGER application.

The I-579 Cap Urban Connector Project will consist of portions of three Urban Redevelopment Authority (URA) parcels to the west, a proposed structure over I-579, and 0.6 acres of the Authority property to the east¹. These pieces will be combined to create a new physical connection and green space.

A request for proposals was posted on the Authority website and issued directly to several local PennDOT qualified appraisers. The proposals were due April 30, 2015. There were four respondents with Kelly-Rielly-Nell-Barna Associates submitting the low proposal and therefore being recommended to perform the services.

After asking for questions and hearing none, Senator Fontana asked for a second motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5326

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 Kelly-Rielly-Nell-Barna Associates in a lump sum amount of \$7,000 for estimating value of land donation credit related to the Lower Hill I-579 “Cap” Urban Connector Project; 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 on to the next item, a request for authorization to file an application requesting a Multimodal Transportation Fund grant from the Commonwealth Financing Authority in an amount up to \$3,000,000 to be used for the Lower Hill Infrastructure Project and/or I-579 “Cap” Urban Connector Project, and, if approved, to enter into all documents for receipt of funds.

Ms. Lynch explained that the Authority is requesting authorization to file an application for a Multimodal Transportation Fund grant, in an amount up to \$3 million dollars, for the I-579 “Cap” Urban Connector Project and/or the Lower Hill Infrastructure Project. If a grant is received from the Commonwealth Financing Authority, it will be used for one of the two projects.

If used for the Lower Hill Infrastructure Project, the funding will be used towards construction costs for Elements II, III, or IV of roadway work. If used for the I-579 "Cap" Urban Connector Project, the funds will be used towards the construction costs of the new Cap urban connector and open space.

The deadline for the submission of applications is July 31, 2015.

Councilman Gilman asked Ms. Lynch to confirm that it was one application that goes in where the Authority provides two options. Ms. Lynch confirmed. The CFA will decide which of those two options they are funding, or do they fund both, or to give an amount for the Authority to choose. Ms. Lynch informed him that the Authority is still working on how they are going to structure their grant application, but the idea is to go for the option to fund either project. The idea is for the Authority to have the control of the decision making but they will have to verify with the Commonwealth Financing Authority that it's acceptable to them.

Councilman Gilman asked if the Board would have final say in which direction the funding goes. Ms. Conturo explained that the Cap is part of the Lower Hill project and that the question was really can they make it a broad application or is the Authority better off making it a very defined application. She offered that the Authority can advise the Board or bring it back to the Board, whichever they prefer. Councilman Gilman stated that he wanted to be kept in the loop. He wanted the Authority to have the leeway to do whatever they wanted to do whatever they need to be successful with the grant application. He didn't want any hurdles in the way. He shared that he thought the Cap was the most critical component of everything they're doing in redevelopment, in that it is a key connection point. Whatever they can do to strengthen the chances of getting that \$3 million from CFA to go to that project, he wants it done. Ms. Conturo thanked him.

Senator Fontana thought it would be best to figure out the best approach, if they should single in on a single item or make it broader. He explained that it was a newer fund and there would be a lot of competition and the Authority wouldn't want to be thrown aside because its approach is too broad.

Reverend Welch asked if it was the first funding cycle for the grant, wondering if there was a precedence about how they funded it before. Senator Fontana explained that the folks put in under the new administration are the folks to talk to when starting the process because they're setting the criteria.

After asking for additional questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5327

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to file an application requesting a Multimodal Transportation Fund grant from the Commonwealth Financing Authority in an amount up to \$3,000,000 to be used for the Lower Hill Infrastructure Project and/or the I-579 "Cap" Urban Connector Project, and, if approved, to enter into all documents and agreements with the Commonwealth Financing Authority for receipt of the requested grant; 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 on to the next item, a request for authorization to file an application requesting a Greenways, Trails, and Recreation Program grant from the Commonwealth Financing Authority in an amount up to \$250,000 to be used for the I-579 "Cap" Urban Connector Project, and, if approved, to enter into all documents for receipt of funds.

Ms. Lynch stated that the Authority is requesting authorization to file an application for a Greenways, Trails and Recreation program grant, in an amount up to \$250,000 dollars, for the I-579 Cap Urban Connector Project. If a grant award is received from the Commonwealth Financing Authority, the funding will be utilized for the construction of the I-579 Cap Urban Connector Project.

The deadline for the submission of applications is June 30, 2015.

Reverend Welch asked, since Councilman Gilman mentioned that the Cap was a priority, will the application hurt the Authority's likelihood of receiving the \$3 million grant. Senator Fontana didn't think so, since they are two different items because they're the same project but different items. He stated that there might be another source for this particular one, too, and that he would talk to Ms. Conturo about it.

After asking for additional questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5328

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to file an application requesting a Greenways, Trails, and Recreation Program grant from the Commonwealth Financing Authority in an amount up to \$250,000 to be used for the I-579 "Cap" Urban Connector Project, and, if approved, to enter into all documents for the requested grant; 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.

Finishing new business, Senator Fontana asked if any members of the audience would like to address the Board or if there were comments from the Board Members. There being no

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 11:17 A.M.

A handwritten signature in cursive script, reading "Mary Conturo", written over a horizontal line.

Mary Conturo
Assistant Secretary