

MINUTES OF THE MEETING  
OF THE BOARD OF THE  
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH  
AND ALLEGHENY COUNTY  
HELD THURSDAY, OCTOBER 14, 2021  
REMOTELY VIA ZOOM CONFERENCE  
PITTSBURGH, PENNSYLVANIA  
COMMENCING AT 10:38 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 on Thursday, October 14, 2021 commencing at 10:38 A.M. E.S.T. Due to the COVID-19 pandemic and guidance from public health experts, the meeting was conducted remotely via the online conferencing platform Zoom.

Members of the Authority

Present: Sen. Wayne Fontana, Chairman  
Sala Udin, Secretary  
Jill Weimer, Treasurer  
Councilman Anthony Coghill, Member  
Rev. Glenn Grayson, Member

Also Present: Mary Conturo, Doug Straley, Rosanne Casciato, Rhea L. Thomas, Michael Wassil, Bill Williams, Dana Kramer, Edith Ruiz, and Courtney Stoots Authority Staff; Morgan Hanson, Solicitor; Clarence Curry, CFC-3 Management Services; Tom Ryser, TPR, LLC; Tim Muldoon, Guy DeFazio, and Ryan Buries of SMG; Diane Hunt, Regional Asset District; and Mark Belko, Pittsburgh Post-Gazette.

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 would like to address the board. Members of the public were offered participation by email, telephone, or the Zoom chat function. Mrs. Dana Kramer stated that the Authority had not received:

any comments via email, no one registered to speak via telephone, and no comments were submitted via the Zoom chat function thus far. Seeing no request from the public to address the board, Senator Fontana moved to the next item on the agenda, approval of the minutes from the meeting of September 9, 2021. A motion was made, seconded and unanimously approved.

Senator Fontana continued on to the next item on the agenda under the David L. Lawrence Convention Center (“DLCC”), authorization to amend the grant amount in Resolution 5704 from \$5,000,000 to \$2,000,000 related to the DLCC Phase II 4<sup>th</sup> Floor Terrace Roof project grant from the Commonwealth of Pennsylvania Redevelopment Assistance Capital Program (“RACP”).

Mr. Doug Straley stated that in 2020 the Authority submitted a RACP grant application. The RACP application was made to defray the costs of the 4<sup>th</sup> Floor Terrace Roof Phase II. The original application was for \$5,000,000. On December 23, 2020, the Authority was notified of an award of \$2,000,000. In connection with completing the documentation for the grant, the Commonwealth of Pennsylvania (the “Commonwealth”) has requested that the previous Resolution 5704 be amended to reflect the awarded amount versus the original application amount.

Construction of the 4<sup>th</sup> Floor Terrace Roof Phase II project began in March 2021 and is scheduled to be completed in Spring 2022. A 50% match is required on RACP grant awards and will be provided by the DLCC Capital Reserve Fund.

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, seconded, and unanimously carried, the following amendment to resolution was approved:

**RESOLUTION NO. 5772**

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 for and accept a grant in the amount of \$2,000,000 from the Commonwealth of Pennsylvania Redevelopment Assistance Capital Program in support of the David L. Lawrence Convention Center – 4<sup>th</sup> Floor Terrace Phase II; 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. This Resolution amends Resolution No. 5704 adopted August 13, 2020.

Senator Fontana continued on to the next item on the agenda under DLCC, authorization to enter into a lump sum agreement with Preferred Fire Protection, Inc. (“PFP”) in the amount of \$57,540 for fire sprinkler system evaluation and repair.

Mr. Ryan Buries stated that the City of Pittsburgh’s updated fire code requires compliance with the National Fire Protection Association (“NFPA”) standards. NFPA standards require five-year obstruction inspections. DLCC has an agreement in place with Johnson Controls (“JCI”) for annual fire system inspections, however, due to the updated fire code, the requirement and scope of the additional five-year evaluations are not included in JCI’s current scope of services. With the help of CJL Engineering, the Authority developed and advertised the scope of services in a Request for Proposals (“RFP”). The RFP was split into two parts: Part 1- sprinkler system evaluation and gauge replacement and part 2- smoke damper evaluation.

On September 7, 2021, the RFP was advertised in the Post-Gazette, New Pittsburgh Courier, Pittsburgh Builders Exchange, the Authority website, and the Urban Redevelopment Authority (“URA”) assisted the Authority with social media communication by including this opportunity in its Twitter, Facebook and LinkedIn postings. The notice was sent directly to over 40 potential proposers including 3 WBEs and 2 MBEs.

A committee made up of Ryan Buries (SMG), Guy Defazio (SMG), Doug Straley and Clarence Curry of the Authority reviewed the proposals. The committee recommended a scope review with Preferred Fire Protection (“ PFP”) for the part 1 work – the sprinkler subsystem evaluation and gauge replacement. Further review is required for part 2 work – smoke damper evaluation, and a contract for the part 2 work may be presented to the board for approval at the next scheduled meeting. The scope review was conducted with PFP on September 30, 2021 and it was confirmed that PFP understands the full scope and will perform all required work to comply with the city requirements for the proposed price. The committee is recommending PFP based on submittal of the lowest cost proposal, familiarity with the DLCC, staff qualifications and certifications and ability to meet the schedule. The evaluation work requires special certifications to perform which will be done by PFP. PFP has committed to using a MBE supplier for parts needed to complete identified repairs and has hired a minority sprinkler-fitter apprentice.

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, seconded, and unanimously carried, the following resolution was approved:

**RESOLUTION NO. 5773**

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into a lump sum agreement with Preferred Fire Protection, Inc. (PFP) in the amount of \$57,540 for fire sprinkler system evaluation and repair; 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 on the agenda under Heinz Field, authorization to reimburse PSSI Stadium Corporation (“PSSI”) in a not-to-exceed amount of \$71,855 for Phase III of the concrete and sealant repair project.

Mr. Bill Williams stated in 2019, PSSI began a multi-year phased concrete and sealant repair project. Phase I of the repair project was approved by the board in May 2019 with CPS Construction as the contractor. Phase II scope of work was approved by the board in April 2020.

The current Phase III work includes crack routing and sealing, spalled concrete repairs, and stair repairs. These repairs were recommended in the 2021 Structural Facility Assessment and the annual Facility Condition Assessment report and have been reviewed by the Authority’s Facility Director. The total amount of identified repairs for Phase III is \$71,855.

During the course of these repairs, additional items may be identified. The Authority’s Facilities Director will review any additional items and, if recommended, the additional items and any change orders will be presented to the board for its approval.

There is 13.8% MBE participation, using 6 Degrees Consulting, on the overall project value. Authority staff recommends that the board authorize reimbursements totaling a not-to-exceed amount of \$71,855.

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, seconded, and unanimously carried, the following resolution was approved:

**RESOLUTION NO. 5774**

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse PSSI Stadium in an amount not-to-exceed \$71,855 for Phase III of the concrete and sealant repair 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 on the agenda under PPG Paints Arena, authorization to increase parking surcharge to \$1.50 for daily and \$3.00 for event parking, effective November 1, 2021, providing funding to the arena capital reserve fund in accordance with the sublease.

Ms. Mary Conturo stated the PPG Paints Arena sublease calls for the Authority to impose a surcharge on parking at the surface lots and/or the arena garage sufficient to raise \$400,000 annually for the arena's capital reserve fund. The sublease further provides that if during any lease year the proceeds of the surcharge are less than \$400,000, the Authority is to impose additional surcharges to generate enough funds to cover the \$400,000 and the deficiency from prior years.

The original surcharge in place was \$0.50 per vehicle for daily parking and \$1.00 per vehicle for event parking. Under the current proposal, the parking surcharge will be increased from \$0.50 to \$1.50 per vehicle for daily parking and from \$1.00 to \$3.00 per vehicle for event parking.

By way of background, the Pittsburgh Penguins are receiving the parking revenues from the surface lots until October 22, 2023 and from the arena garage through the term of the arena sublease. The parking surcharge is collected by the team as part of the price of the parking ticket. In accordance with the arena sublease, if the surcharge generates more than the \$400,000.00 to be deposited into the arena capital reserve fund, the additional amount is retained by the team.

The increase of the surcharge parking was anticipated to occur as development has begun on the old arena Lower Hill site which is decreasing the number of parking spaces available to generate the surcharge. The development along with the impacts of the pandemic have suggested

that this is the appropriate time to adjust that surcharge. It is the Authority's understanding, at this time, that the team does not plan on changing parking rates in response to this increase in the surcharge.

Senator Fontana then asked if the team does not plan on changing the parking rate, then where is the increase?

Ms. Conturo explained they will use the larger portion of the parking ticket payment to make the surcharge payment.

Senator Fontana asked for clarity that the \$400,000.00 is not adjusted in any way.

Ms. Conturo confirmed that the \$400,000.00 is not adjusted in any way.

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. 5775**

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County ("Authority"), as provided for in subsections 4.2.2 and 4.2.3 of the Sublease Agreement dated September 18, 2007, by and between the Authority and Lemieux Group LP, as amended (the "Arena Sublease"), that the parking surcharge with respect to the Existing Mellon Arena Parking Spaces, the New Mellon Arena Parking Spaces and the Garage, beginning November 1, 2021, shall be (a) \$3.00 per vehicle for Events, and (b) \$1.50 per vehicle for daily/commuter lease parking ("Daily"); 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. This Resolution amends and revises Resolution 4464 adopted June 7, 2007 as stated. All other provisions of Resolution No. 4464 remain unchanged. Terms used in this Resolution are used with the meaning set forth in the Arena Sublease.

Senator Fontana continued on to the next item on the agenda under SEA Operating, authorization to amend the amount in Resolution 5708 from \$8,000,000 to \$2,000,000 on the

Allegheny County/Public Destination Facilities Renovation for COVID-19 Preparedness project grant from RACP.

Mr. Doug Straley stated that this is similar to first item in the agenda for new business. The Authority submitted a RACP grant request through the Commonwealth's Office of Budget in support of economic recovery for the Authority's four major public destination facilities: Heinz Field, PNC Park, PPG Paints Arena and DLCC.

The original grant amount applied for was \$8,000,000 to make COVID-19 related capital improvements to ensure public health and safety at the four facilities. On December 23, 2020, the Authority was notified of an award of \$2,000,000. The Commonwealth has requested that the original resolution be amended to reflect the awarded amount versus the applied for amount.

Each of the four facilities will be allocated \$500,000 toward the cost of their projects. Each facility will be responsible for the 50% match required by the RACP grant.

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, seconded, and unanimously carried, the following amendment to resolution was approved:

**RESOLUTION NO. 5776**

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 for and accept a grant in the amount of \$2,000,000 from the Commonwealth of Pennsylvania Redevelopment Assistance Capital Program in support of the Allegheny County/Public Destination Facilities Renovation for COVID-19 Preparedness; 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. This Resolution amends Resolution No. 5708, adopted August 13, 2020.

Senator Fontana asked Ms. Mary Conturo, before moving to public participation, about an October 2021 board update flyer. The flyer indicated October event highlights, site visits, travel,



Steelers wins, financial forecasting, etc. Senator Fontana stated that one of the things moving forward he would like to see is the economic impact the DLCC is providing to the region. Senator Fontana further indicated he would like to track how many people stay overnight, what is the economic impact from those people staying overnight, and what impact does that have on the hospitality industry for the region. The Authority has taken on the Sports Commission aspect and Senator Fontana believes this information would help in the future estimates of overall economic impact.

Ms. Conturo responded that the Authority can provide the information requested as it is something that is currently monitored before and after an event. Going forward, the Authority will include economic impact in the reports that are provided to the board.

Senator Fontana asked if there were any further questions from the board. Seeing none he moved on to the next item, which was public participation, and asked if anyone in the audience desired to address the board.

Mrs. Kramer stated that the Authority provided the public with three options for public participation: email, telephone, or the Zoom chat function.

No public comments were submitted via email and there were no registrations to submit a public comment via telephone or the Zoom chat function.

Senator Fontana asked for a motion to adjourn. Upon a motion duly made, seconded and unanimously carried, the meeting adjourned at 10:55 A.M.

  
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Mary K. Conturo  
Assistant Secretary

