

**WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)**  
**Board Meeting**  
**September 23, 2021**

Meeting Began At: 3:02 P.M.

Meeting Ended At: 3:21 P.M.

Members Present: Leirion Gaylor Baird and Tim Clare

**Item 1 - Introductions and Notice of Open Meetings Law Posted by Door.**

Gaylor Baird advised that this is a public meeting subject to the open meetings act posted at the back of the room.

**Item 2 - Public Comment and Time Limit Notification.**

Gaylor Baird advised members of the public are given five minutes for public comment on specific items listed on today's agenda and those testifying should identify themselves for the record.

**Item 3 – Approval of the minutes from the JPA meeting held August 26, 2021.**

Clare moved approval of the minutes as presented. Gaylor Baird seconded the motion. Motion carried 2-0.

**Item 4 - Approval of August 2021 Payment Register and Review of August 2021 Expenditure Reports.**

David Young, Interim Finance Director and JPA Treasurer, stated in reviewing the highlights for the August 2021 payment registers, the major payments consisted of \$100,901.00 to the City of Lincoln for fourth quarter city staff costs as budgeted for fiscal year 2020-21; \$221,832.00 to DEC for the August billing of which 70.2% or \$155,724.80 is billed to the West Haymarket private customers; \$194,017.90 for parking deck management for July 2021; and \$27,814.43 to Pinnacle Bank Arena for July arena repair and maintenance; and \$15,000.00 to Pinnacle Bank Arena for upgrades to HVAC control software.

Jane Kinsey, Watch Dogs of Lincoln Government, asked how the \$2 million loss was made up. Young asked Kinsey to give him more information. Gaylor Baird commented that the payment register is being discussed and asked if this question concerns a different item on the agenda. Kinsey asked if there are any new members to the DEC or if they are the same. Young stated they are the same. Kinsey commented this bill continues to be high. Young commented it continues to be very consistent. Kinsey commented that she thought they were trying to get this down by getting more members online. She then asked if the parking garage amount is consistent or about the same. Young stated it is very consistent.

Clare asked if when Block 4 comes on line, what guesstimate will this bring down the JPA's obligation for the DEC. Young stated he has not seen the calculations on this and will email him this information.

Clare asked where the JPA is financially with respect to where we anticipated being. Young stated we are in very good financial position. The projections for the occupation taxes correspond with 2025 and are 2% over the projections for the year. That leaves us at 8.43% over original projections.

There being no further discussion or public comment, Clare moved approval of the payment register. Gaylor Baird seconded the motion. Motion carried 2-0.

**Item 5 – WH 21-11 Resolution approving an Amendment to Memorandum of Understanding between the West Haymarket JPA and Project Control of Texas, Inc., for Construction Management Services for a term of September 1, 2021 through August 31, 2022 with costs not to exceed \$50,000.00. (Chris Connolly)**

Connolly, stated this is a renewal of an agreement for construction management. Last year the agreement was with two entities, Project Control and Alfred Benesch. This agreement is with Project Control only. There weren't enough projects to split up between two different entities. If it looks like the costs will exceed this amount, we will come back to the board with an amendment for the additional costs. All other terms and conditions are the same.

Clare commented that Project Control is very receptive and attends every single meeting. He further commented that we would not be where we are without them.

Kinsey asked if this is just a rollover of the contract. Connolly explained it is an amendment extending the contract and providing that the annual expenses will not exceed \$50,000.00. Kinsey asked what the original contract amount was and what this amendment is for. Connolly stated there are a number of smaller projects throughout the course of the year that need project management, and this is what the \$50,000.00 is for. Kinsey again asked if this is in addition to the other contract. Adam Hoebelheinrich, Project Control, explained that this is a yearly not to exceed. Last year's contract amount was for \$60,000.00 and every year a new contract is done with a not to exceed amount. He further explained they bill for their time as they do the work. Gaylor Baird commented that this is simply an amendment for an extension of time with a new amount not to exceed \$50,000.00.

There being no further discussion or public comment, Clare moved approval of the resolution. Gaylor Baird seconded the motion. Motion carried 2-0.

**Item 6 - WH 21-12 Resolution authorizing the Treasurer of the West Haymarket JPA to negotiate and execute Club Seat Agreements at Pinnacle Bank Arena. (Chris Connolly)**

Connolly stated this is a matter of how to deal with the club seats, loge boxes, and suites. The most activity occurs with the club seats. People want to buy them, move, cancel their contracts, or assign them. In the last year, there has been a little more turbulence because there has not been that many shows at Pinnacle Bank Arena. There have been discussions on how to handle these transactions going forward with the club seat owners only. There has not been enough activity with the loge boxes and suites to make any changes for these. This would authorize the Treasurer to execute and modify the club seat agreements as necessary. We don't want to delay these transactions as people want to act fast. This is how we would like to proceed going

forward. The Board will be provided with any reports or updates on the transactions. Connolly feels this would be a faster and more efficient way to deal with this.

Kinsey asked if the price is going to change. Connolly explained there is nothing in this agreement that changes the price. He further explained that the club seat holders were told we were going back to the original price. All this agreement does is change who is authorized to sign the contract. Kinsey asked if these are the seats that were suspended. Connolly confirmed they were and stated they did not collect on them last year. Kinsey asked what the original price was. Connolly stated \$750.00.

Clare commented that when we do have the opportunity to visit with club seat and suite holders, he requested to find out how their experience has been and what we can do to enhance their experience. He commented that we want to create the wow factor and we can use this as an opportunity to see what their thoughts are and how we can make their experience better. Connolly stated that Young has developed a form for seat holders to fill out and give their reasons why they are moving or no longer want the tickets. This also gives us a record of the change.

There being no further discussion or public comment, Clare moved approval of the resolution. Gaylor Baird seconded the motion. Motion carried 2-0.

**Item 7 - Set Next Meeting Date.**

The next meeting will be Thursday, October 28, 2021 at 2:30 p.m. in Council Chambers, First Floor of the County-City Building. Gaylor Baird stated there is a conflict with this date and asked that a new meeting date be scheduled.

**Item 8 – Motion to Adjourn**

Clare moved to adjourn. Motion seconded by Gaylor Baird. The meeting adjourned at 3:21 p.m.