

WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)
Special Board Meeting
October 27, 2022

Meeting Began At: 2:36 P.M.

Meeting Ended At: 3:12 P.M.

Members Present: Leirion Gaylor Baird, Tim Clare, and Tammy Ward

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 – WH 22-10 Resolution to approve an Agreement for Engineering Services between the West Haymarket JPA and Olsson, Inc. for semi-annual inspections in accordance with the West Haymarket Redevelopment Site North and South O & M Plans, survey consultation, and limited on-call soil sampling for a sum not to exceed \$13,320.00.

Chris Connolly, City law department, stated this is an annual contract that has done for many years to collect soil samples to ensure we are maintaining compliance with the environmental plan that was approved many years ago. The tasks and responsibilities remain the same. There being no further discussion or public comment, Clare moved approval of the resolution. Ward seconded the motion. Motion carried 3-0.

Item 4 – WH 22-11 Resolution of intent to make a grant of funds to the Lincoln Youth Complex in an amount not to exceed \$4,500,000.00 from the West Haymarket Joint Public Agency Surplus Fund to reimburse the Lincoln Youth Complex for a portion of its costs to design and construct the Lincoln Youth Complex Sports Fields.

Connolly stated this is a matter that has been up for consideration for many years. There is a desire to include the ballfields in the community with some contribution from the West Haymarket Joint Public Agency. This resolution represents what has been requested which is \$4.5 million over the course of three years, beginning in April of 2023. Connolly introduced a picture of the current footprint of the West Haymarket which encompasses the area of 1st and Cornhusker where these ballfields will be.

Connolly read a statement from Doug Emery, former Board member and council member, which stated Emery is in favor of the request for \$4.5 million to help with the youth baseball fields in the Haymarket area. This has been a goal for Lincoln youth baseball for a long period and has been part of the sports facilities plan for the area. It will be beneficial for youth baseball in Lincoln and for the hotels and eating establishments. Youth sports have been the "vacation spot" for many families since at least early 2000 and a boom for local economies. Not every city can have an amusement park, but it can have a sports complex. Emery stated he is sure it will be done right and is worth the investment.

Connolly requested to read a few words from Emery about Tom Lorenz. Emery stated that he wished everyone had the opportunity to spend time with Tom Lorenz. His passing is a huge loss for Lincoln's entertainment market and an even greater loss as a visionary for what Lincoln could be. When Emery joined the City Council he had mixed emotions about a new arena in Lincoln and wasn't sure Lincoln needed it, could afford it, or would benefit from it. One meeting with Tom convinced him that he was so wrong. Tom had a unique ability to listen to concerns and use his experience to allay them. His enthusiasm was contagious and it was incredible to watch him convincing people night after night how important it was to build the arena. He could hear him saying, "if you want to be a big city, we have to act like a big city." He also understood what we needed in the way of an arena. They were never exclusive to Tom. His vision did not end there and what he did with Pinewood Bowl was phenomenal. As a life long Lincolnite, I could never have envisioned what has become. Thousands of people watching named acts in an outside venue in a climate like Nebraska that takes vision. It is my hope that the JPA will find a significant part of Pinnacle Bank Arena that could be appropriately named after Tom Lorenz. He hopes he will be able to take his grandchildren there someday and when they ask who Tom Lorenz was he will be able to tell the stories of nights of meetings that started less than pleasant that ended up with a better understanding of what an arena would do for Lincoln and how a large majority of voters minds were changed because of Tom's enthusiasm and knowledge. He was glad he was able to go along for the ride. He will never see the arena again without remembering Tom's part in getting it built with the wonderful entertainment he brought to Lincoln.

Connolly asked to express his own thoughts on Tom's passing and stated he worked very closely with Tom for the last five years. He remembered the first time Tom came to his office he was looking for a contract for some kitchen equipment. Tom was a pleasure to work with and as Doug Emery alluded to, he had a great vision. Tom was always telling Connolly what he wanted to do with the building and how it would benefit the community. He was so giving of his time working with various groups in the community for various purposes, for example the vaccinations that took place at the arena. Connolly stated Tom will be missed. He was a great friend and a great asset to the community.

Tim Clare stated he supports the resolution and commented that he has had people ask him why baseball/softball and why have this? He stated people were told during the vote that the JPA is going to continue to move north from the arena once the arena was under control. This is why the footprint was expanded to include the 1st and Cornhusker area with the idea that the baseball fields would be toward the north end of the development. Clare commented that some people would ask why do we want to spend the money? He stated if you do the math on tournaments for hotel rooms, food, and entertainment it is a huge economic development tool. Clare stated this would be very profitable for the City of Lincoln and it would go toward significantly reducing the debt from the bonds. He commented that it is flat out crazy when you have to play the state tournament in Council Bluffs because there are no fields available in Lincoln or Omaha. We need to get these tournaments back in Lincoln, back in Nebraska. These baseball fields will be top notch and will enable us to do this.

Don Herz, Treasurer of Lincoln Youth Sports Complex, stated he is here to answer any questions and pointed out that the map of the footprint was created in 2010. The area of 1st and Cornhusker was clearly intended as part of the project from the get-go. This project was anticipated shortly after he retired from the City in 2010 when he was doing consulting work and he did the financial modeling with various amounts being contributed by the West Haymarket JPA. He certainly would not recommend this project if it would jeopardize the financial position of the JPA. He is very comfortable that it will not. A question that came up is whether this will extend the time that it takes

to pay off the debt. Although without any fiscal impact, it extended the payment by a few months but because of the taxes that will be generated, it will not extend the term.

Jane Kinsey, Watchdogs of Lincoln Government, stated public comment was not offered on the last item and asked if the soil sampling is where this sports complex is going to be? Connolly stated this is for the general area closer to the arena in the West Haymarket area. Kinsey asked how often this is done. Connolly explained this contract is done yearly but soil samples are taken every year. He explained Olsson does the sampling, but city staff makes sure we are in compliance. Kinsey stated she has a few questions on this item also and asked where this money will come from, will it come out of the general fund for the JPA? Connolly explained this will be coming out of the surplus fund which is one of the funds the revenues are put into. Kinsey asked if it is occupation taxes or the feds donation? Lyn Heaton, City Finance/JPA Treasurer, stated among the revenue sources available to pay the JPA's contribution is the occupation taxes, but there is a number of other revenue sources. Kinsey asked, what other sources? Heaton explained there are revenues from rents, the DEC charges for heating and cooling to the customers, etc. Kinsey commented that in 2018, Brandon Kauffman confirmed that there would be a deficit in 2023 and 2024 due to an increase in bond payments and capital improvements. Heaton stated the financial position of the JPA is very strong right now, there is more than enough to cover the next years annual debt service payments, operation and maintenance and other costs. The JPA recovered very strongly from the pandemic. There has been year over year average increases in the average occupation tax revenues. This is back to pre-pandemic levels. Kinsey asked if this is no longer true then. Heaton explained there are estimates for years where there will occasionally be an annual deficit, but the cash balances are such that it can handle the small deficit amounts. Kinsey asked if the \$4.5 million will cause this to be true. Heaton explained they have modeled it and the cashflows still remain very good. Kinsey asked if this will be presented at the next meeting. Heaton explained at the next quarterly meeting there will be a budget update.

Chris Beutler stated he is in support of this project and comments that he is happy to see so many elements of the community cooperating on big projects making big differences for the community and carrying forward the best interests of the people. He thanked the board members for their service. He commented on how strongly he feels for Tom Lorenz. He stated Tom adopted this city when he came. Tom learned how to operate arena type facilities and knew about everything going on in the industry. Beutler stated because of him the arena turned out to be the success that it is. The arena is a tribute to Tom more than any other single person.

Clare state he had the privilege of working with Tom from the very start. He explained it was Mayor Beutler, Jayne Snyder and himself that made up the three JPA Board members. He didn't know Tom when he first started coming around the construction site or discussions for the arena, but once they started talking and getting to know each other they quickly became very good friends. They got together away from the office and talked and learned about each other. He was a great man and had great integrity. Clare stated he would challenge everyone rather than waiting until someone dies to tell them now how much we appreciate them and respect them. Clare appreciated that he could call Tom and he was very responsive. Tom would deliver and make things happen. Clare stated the last time he saw Tom was after the last JPA meeting and they were standing out on 10th Street and Tom told him he had cancer and said if he should call or text, he might not get back to him as quickly as he usually did. Clare told him to get himself healthy and he would pray for him. Tom told him he appreciated that but that he felt confident in what's going on and that he knows where he is going. Clare stated he will be missed. He made things happen not only at the arena but at Pinewood Bowl. Lincoln was so fortunate to have him at the helm. Clare commented that he will miss him and

requested that someplace in the footprint Tom needs to be recognized by having something named after him. He was a mountain of a man and did so much for us.

Tammy Ward, stated she would like to echo what Regent Clare said and regrets not saying these things to Tom when he was living. She stated he scheduled Pentatonix to come to PBA in December and she was so excited and wanted to text Tom right away, but she never did because she thought she was too busy that day to send a text and regrets not sending him the text. She stated Tom was a true professional, serious about his work and was so kind.

Mayor Gaylor Baird commented that she would like to share in the acknowledgment that Mayor Beutler gave to Tom about this item. As he mentioned, this was always envisioned as an extension of what the JPA will be able to contribute to build, but we wanted to make sure the arena was successful and grounded prior to that. Tom is such a huge reason for that success as are so many of the people in the room. Tom's leadership from the get-go and of course through unprecedented times transitioning what we thought was going to be a center for celebration, music, and basketball into a place where we were saving lives. His ability to adapt and his leadership skills to bring his team along and adapt the facility for completely different services than for what it was ever envisioned when people voted for the arena. That is a huge feather in his cap and credit to him. What a good thing for our community in terms of our health and safety. His leadership was broad and deep. Thanks to him we can be comfortable with the financial position of the JPA as we vote on this item and thanks to him, we have a better city, a safer city, a healthier city, and a much more vibrant city minus his spirit. She wishes Tom was still here to be a part of it. She appreciates all the comments and is glad the folks from SMG are here today as she knows they valued him greatly. They had the chance to chat right after Tom passed and learned that they would send people who were being promoted to be managers to Tom for training because he was the best. We were lucky to have him for as long as we did.

There being no further discussion or public comment, Clare moved approval of the resolution. Ward seconded the motion. Motion carried 3-0.

Item 5 – WH 22-12 Resolution to approve the First Amendment to the Second Amended and Restated Facilities Agreement between the City of Lincoln and the West Haymarket Joint Public Agency to add the Lincoln Youth Complex Sports Fields project and to delete Exhibit A attached to the West Haymarket Joint Public Agency Rules of Governance and replace with Amended Exhibit A.

Connolly commented this item is the nuts and bolts of being able to facilitate the resolution to contribute the money. The Facilities Agreement between the JPA and the City needs to be amended to include this as a project. We would then take this same resolution to City Council for its approval. The reason the Rules of Governance are included is because the list of projects was also attached to the Rules of Governance when they were done many years ago, so it is just a matter of making sure the documents stay consistent with each other. At some point we will try and consolidate these items and put them into one simpler document.

Ward thanked the Lincoln Youth Complex team. She commented, "every time we thought they were done with it, they would be calling to talk to them one more time." She thanked everyone for the opportunity and for all their work.

Gaylor Baird thanked the Lincoln Youth Complex for all of their work and for the partnership to bring this opportunity to Lincoln so that kids can be the home team and to help support our local economy and be a destination for others. This is a wonderful opportunity to build something great and it will provide an enduring opportunity and legacy in our community. Thank you to everyone who is helping to make this happen.

There being no further discussion or public comment, Clare moved approval of the resolution. Ward seconded the motion. Motion carried 3-0.

Item 6 – Motion to Adjourn

Ward moved to adjourn. Motion seconded by Clare. The meeting adjourned at 3:12 p.m.