



Minnesota Ballpark Authority Meeting Minutes – August 17, 2007

Chair Cramer called the meeting of the Minnesota Ballpark Authority for August 17, 2007 to order at 1:00 PM. The roll was taken. All Commissioners were present. Kathleen Lamb, Legal Counsel, was also present.

Mr. Cramer moved to amend the agenda by adding an additional resolution that would adopt a submittal of the proposed 2008 MBA operating budget. Commissioner Wade moved approval of the agenda, seconded by Commissioner Campbell and approved unanimously – 5 YEAS, 0 NAYS.

APPROVED

Commissioner Wade moved approval of the July 20, 2007 minutes, seconded by Commissioner Campbell and approved unanimously – 5 YEAS, 0 NAYS

APPROVED

PUBLIC COMMENT:

None

CHAIR REPORT:

- Chair Cramer reported that he, Dan Kenney and Kathleen Lamb met with Lori Swanson from the Attorney General's office to have a discussion about reporting responsibilities as outlined in the ballpark legislation.
- Chair Cramer reported that he plans to make follow-up calls to each Commissioner to solicit feedback on Executive Director Kenney's performance review.
- Chair Cramer opened the floor to Commissioners to give updates on their recent trip to both the Cleveland and Milwaukee ballparks this past week. Commissioner Wade stated that he was impressed with the amount of time that senior management spent with the Commissioners to speak to a variety of issues, including financial issues and reporting procedures. Commissioner Campbell stated that the entertainment venue has really changed and she was impressed with the interactive and social experiences at both ballparks.

EXECUTIVE DIRECTOR REPORT:

- Mr. Kenney reported that the Ballpark Implementation Committee has expressed interest in learning more about the street facades on 5th Street. There have been several meetings and discussions continue on animating the walls along the street level.
- Discussions continue on issues related to concourse access on non-game days.

- The Cedar Lake Bike Trail has re-opened on schedule.
- The report from the three member condemnation panel related to the value of the ballpark land is due this coming Monday. August 20.

ACTION ITEMS:

- A. **07-MBA-20** Resolution to authorize the Chair and Executive Director to complete negotiations and execute an air rights lease with the Minnesota Department of Transportation and a maintenance agreement with the Minnesota Department of Transportation and the Minnesota Twins.

Discussion: Mr. Kenney commented that it is important to establish air rights over the I-394 corridor in order to build the ballpark. This involves the building structure and the pedestrian plaza to 6th street. The MBA is working with McGrann Shea and MnDOT to finalize the air rights lease and maintenance agreement. Mr. Kenney stressed that we are appreciative of MnDOT's time given the recent I-35W bridge collapse. Mr. Hunter addressed the project memorandum which is required by FHWA as part of their review process. Chair Cramer requested that Ms. Lamb create provisional language in case this responsibility falls under the responsibility of the Ballpark Authority. Ms. Lamb requested a copy of the draft Project Memorandum, and suggested that the resolution be revised to include the following changes within the "BE IT RESOLVED clause". Amended language highlighted:

07-MBA-20R1 Resolution to authorize the Chair and Executive Director to complete negotiations and execute an air rights lease with the Minnesota Department of Transportation, and a maintenance agreement with the Minnesota Department of Transportation, and the Minnesota Twins.

BE IT RESOLVED that the Authority approves the Commercial Lease No. 27748 and the Maintenance Agreement No. 91580, and authorizes the Chair and Executive Director to execute the Lease and Maintenance Agreement, and the **Project Memorandum, and any ancillary agreements and documents** substantially in the forms on file with the Authority on the date hereof, with such necessary and appropriate variations, omissions and insertions as are not materially inconsistent with such forms as the Chair and Executive Director in their discretion shall determine, provided that the execution thereof by the Chair and Executive Director shall be conclusive evidence of such determination; and authorizes the Executive Director or his designee to take all such actions as are necessary to fulfill the Authority's rights and obligations thereunder.

Commissioner Vekich moved to approve the amended resolution. Commissioner Campbell seconded the motion. The resolution was approved unanimously – 5 YEAS, 0 NAYS

APPROVED

- B. **07-MBA-21** Resolution to authorize the Executive Director to submit a proposed 2008 MBA operating budget to Hennepin County.

Discussion: Mr. Kenney clarified that as required by the Grant Agreement between the Ballpark Authority and Hennepin County, the Ballpark Authority must submit its operating budget to Hennepin County on an annual basis. Colleen Livermore pointed out a few highlights in the budget and stated that we are on track for spending this year. The operating budget that we are requesting for 2008 is \$2,556,755.00. Chair Cramer stated

that while in Milwaukee, the Southeast Wisconsin Professional Baseball Park District discussed how their budget swelled in the beginning and then leveled off at the end of the construction project and this has occurred with other stadium projects too. Commissioner Vekich asked if there were restrictions that would prevent the Ballpark Authority from moving dollars in the budget through out the year. Ms. Livermore stated that the Board could amend the budget if needed. Commissioner Vekich asked if our legal projections were realistic and recommended that we amend the resolution and add another \$100,000 to the budget for legal costs. Commissioner Wade stated that in Milwaukee they have had financial oversight and actually ended up coming in under budget on their ballpark project because of this. Commissioner Vekich reminded the group that the State Auditor will be responsible for auditing the Ballpark Authority so we should consider engaging a firm to assist with auditing. He suggested that the Executive Committee discuss who we might need to hire to handle the extensive financial reporting that we need. Ms. Livermore said that she is maintaining information that highlights investment earnings and can include this with the monthly reports to the MBA.

Commissioner Vekich moved to approve the budget at the amended amount of \$2,656,755.00. Commissioner Cramer seconded the motion. The amended resolution 07-MBA-2R1 was approved unanimously – 5 YEAS, 0 NAYS.

APPROVED

Discussion Items:

- Commissioner Vekich commented that we should start to think about what type of content we want to make available to the public through the Ballpark Authority website.
- Susie Helget reported that the original scheduled groundbreaking event was postponed due to the I-35W bridge collapse. The rescheduled groundbreaking event will take place on Thursday, August 30th from 4:30 PM - 7:00 PM with the official ceremony scheduled for 6:00 PM - 7:00 PM.

Construction and Planning Updates: Ed Hunter, Project Manager, BPA; Dan Loosebruck, Mortensen Construction:

- Mr. Hunter reported that adjacent to the Cedar Lake Bike Trail there is a fair amount of new utility work in place.
- BNSF will begin laying tracks on schedule beginning September 5th. The bridge work at the abutment continues and is on schedule. Bridge work remains on schedule to re-open the north half of the bridge in the last quarter of this year. Adjacent to that Northstar has begun pile driving for the rebuilding of the structure to accommodate LRT. Mr. Loosebruck added that Mortenson is taking bids for Bid Pack 4 (Structural Foundation). Work awarded under bid pack 3 is scheduled to start next week with test piles. Commissioner Sykora asked if pile driving could be conducted in the winter. Mr. Hunter stated that there are systems in place to make sure that work continues in the winter. Also, on September 5th Bid Pack 5 (steel structure) will be awarded. Mr. Hunter added that the site landscape will change significantly and stated that Mortenson is moving their trailers to the southern end of the site and will remain there for the duration of the project.
- Chair Cramer asked what the communication protocol is with City of Minneapolis staff related to traffic and other important issues. Mr. Hunter stated that this information is communicated through several websites including Hennepin County, Northstar, the City of Minneapolis and the Ballpark Authority.
- Mr. Hunter reported that the new ballpark design is at the Phased GMP stage and is being reviewed by Mortensen, HOK, the Twins, Hennepin County, and the Ballpark

Authority. All parties are reviewing the design and preparing a cost estimate. These items should be before the Ballpark Authority Board in October. Chair Cramer requested that the MBA be briefed prior to October.

- Mr. Loosebruck reported that there have been no accidents on the site to date. Mortenson goes to great lengths to protect employees on the job by beginning every corporate meeting with a safety discussion. They also conduct a one hour training session each month and discuss issues that may have come up during the month. They are currently implementing a Safety Committee and soliciting input.
- Community Participation Goals - The project goals have been established at 30% and Mortenson has awarded contracts totaling close to \$26 million. This represents 8.7% of the IGMP budget. Currently they have achieved goals of 35%, ahead of what was originally anticipated. Chair Cramer requested that we continue to receive monthly updates on business participation and work force goals.
- Quality Control – The Ballpark retained AET and Braun Intertec to provide onsite testing and inspections. No major site issues have surfaced to date. Rehbein submitted a claim that is currently under review. Mr. Hunter will report back to the MBA board on this by the end of the month.
- LEED –Many people have expressed a desire to have the new ballpark be LEED certified, however, there is a lack of federal guidelines for a stadium or a structure of this magnitude to gain certification. As the design progresses HOK is actively pursuing the criteria by which we can achieve certification. Mr. Kenney noted that LEED certification would not happen until after the facility had been constructed and whether the LEED certification takes place or not the ballpark will be a sustainable facility and will meet the standard called for in the legislation. Commissioner Vekich referred to earlier discussions related to seeking or applying for grants. Mr. Kenney stated that we are working to identify what areas will achieve points under LEED and that will help to determine where grant funding will be pursued. Chair Cramer added that the project will be registered with the Green Building Council.
- Commissioner Vekich suggested scheduling a working session to brief the board on the status of design, budget and other related issues. Chair Cramer suggested that Ms. Helget organize briefings with Commissioners on these issues and then a more formal discussion should take place in September or October.

Next Meeting:

- September 21, 2007

There being no further business, Commissioner Sykora moved to adjourn, seconded by Commissioner Vekich. The motion was approved unanimously - 5 YEAS, 0 NAYS. The meeting of the Minnesota Ballpark Authority for August 17, 2007 was adjourned at 2:15 P.M.