



### **Minnesota Ballpark Authority Meeting Minutes – February 16, 2007**

Chair Cramer called the meeting of the Minnesota Ballpark Authority for February 16, 2007, to order at 1:05 p.m. The roll was taken. All Commissioners were present. Kathleen Lamb, Legal Counsel, was also present.

Commissioner Vekich moved approval of the agenda, seconded by Commissioner Sykora and approved unanimously – 5 YEAS, 0 NAYS.

**APPROVED**

Commissioner Wade moved approval of the minutes, seconded by Commissioner Campbell and approved unanimously 5 YEAS, 0 NAYS.

**APPROVED**

#### **PUBLIC COMMENT:**

Bill Jewell, a stadium activist distributed a handout which documented details of the work his group is executing within the Legislature. He encouraged the public as well as the Board to visit his website @ [www.sportsmegamall.net](http://www.sportsmegamall.net).

#### **CHAIR’S REPORT** - Chair Cramer provided the following updates:

- The Minnesota Ballpark Authority offices are operational, and there will be an Open House this spring.
- The Minnesota Ballpark Authority will give a status report on their activities to the House Local Government and Metropolitan Affairs Committee on Monday, February 19, 2007.
- Project planning continues despite the pause in land negotiations. The Ballpark Authority is working closely with the Twins and Hennepin County to come to a resolution.

#### **EXECUTIVE DIRECTOR’S REPORT**- Mr. Kenney provided the following updates:

- The schematic design of the ballpark has been postponed until further notice.
- The Implementation Committee has made progress on the Cedar Lake Bike Trail, 3rd Avenue, and the design of the LRT stop and the ballpark along 5th street. Next meeting will be held on March 7, 2007 at City Hall.
- The RFP for the Ballpark Authority’s Risk Management Advisor has been issued. Responses are due on March 15, 2007
- There has been progress made on the Ballpark Use Agreement. Plans are to have it finalized for consideration by the Authority in the same timeframe as the Development and Grant agreements.

- Commissioner Wade questioned the Ballpark land negotiations, and asked “at what point will this become an issue?” Ed Hunter stated that the critical times relate to bid packages because construction is on a tight time schedule. Although some work can continue, this becomes an issue to Mortenson and affects timing of pile work. Dan Mehls stated that Mortenson has concerns with

the start of three primary critical activities: Start on pile, pile driving & BNSF. He said that each week that bid package one is delayed adds additional resources which may require additional costs. Commissioner Wade asked where the additional funds would come from. Mr. Mehls stated that any additional costs will come from the infrastructure budget.

- Mr. Kenney continued his updates with a brief explanation of a resolution before the Board today authorizing the Executive Director to engage the services of Metropolitan Economic Development Association (MEDA) to assist the Mortenson SWMBE Resource Center in enhancing participation of women and minority business enterprises throughout the ballpark project. John Wade asked if there would be any additional costs involved in implementing this resolution. Per Chair Cramer – costs incurred by MEDA, in addition to monitoring or measuring contract activity, will be included in the 75K and will cover different activities. Commissioner Sykora asked if there would be full time employees to monitor this piece. Chair Cramer responded that there would be no full time employees, but services could be added as needed.

ACTION ITEMS:

**07-MBA-02** To authorize the Executive Director to engage the services of Metropolitan Economic Development Association (MEDA) to assist the Mortenson SWMBE Resource Center in enhancing participation of women and minority business enterprises throughout the ballpark project.

Background: Chapter 257 provides the MBA authority to insure that: "Contracts for construction and operation of the ballpark must include programs, including Youthbuild, to provide for participation by small local businesses, and businesses owned by people of color and the inclusion of women and people of color in the workforces of contractors and ballpark operators." Hennepin County and MBA staff have worked with Mortenson to develop business participation and workforce goals for the ballpark project, and a program plan to aid in the achievement of those goals. As the project proceeds, the Minnesota Ballpark Authority will assume oversight responsibility for monitoring progress toward the goals through effective execution of the plan.

*Commissioner Campbell moved approval of the following resolution:*

**BE IT RESOLVED** that the Minnesota Ballpark Authority's Executive Director be authorized to engage the services of the Metropolitan Economic Development Association (MEDA) to assist the Mortenson SWMBE Resource Center to enhance participation of women and minority business enterprises throughout the ballpark project.

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to enter into a contract with MEDA for this purpose; to form and secure administrative support, as needed, for a Community Advisory Committee to review progress on achievement of both business and workforce goals; Secure services from an appropriate governmental entity to formally monitor goal achievement; and expend up to \$75,000 in calendar year 2007 for these purposes.

*Commissioner Vekich seconded the motion. The resolution was approved unanimously – 5 YEAS, 0 NAYS.*

**APPROVED**

**07-MBA-03:** To authorize McGrann Shea Anderson Carnival Straughn & Lamb, Chartered Law Firm to enter into a subcontract with Virchow Krause.

Background: The Authority is authorized by law to contract for services to carry out its functions. Resolution No. 2006-15, approved on September 15, 2006, authorized the engagement of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered to provide legal services for the Authority. The agreement with McGrann Shea Law Firm provides that the Firm may subcontract for services, provided

that no single expense greater than \$500.00 shall be reimbursable unless the Firm has received the written authorization of the Authority for such expense prior to incurring it.

*Commissioner Vekich moved approval of the following resolution:*

**BE IT RESOLVED** that McGrann Shea Anderson Carnival Straughn & Lamb, Chartered Law Firm is authorized to engage Virchow Krause to provide technical expertise and professional services on such terms and conditions which may be mutually agreeable; provided, 1) the total amount of the engagement is not to exceed \$10,000; and 2) the engagement will terminate on or before December 31, 2007.

*Commissioner Wade seconded the motion. The resolution was approved unanimously – 5 YEAS, 0 NAYS.*

**APPROVED**

**07-MBA-04** To authorize the Executive Director to issue a RFP for Construction Trust Services.

Background: The Ballpark Authority and the Minnesota Twins plan to pay for all or a portion of the costs of site acquisition, site improvements, and other activities necessary to prepare a site for development, and construction of a ballpark and to establish and fund any capital improvement reserves, and to finance any other public infrastructure and other permitted costs. The purpose of this Request for Proposals (“RFP”) is to solicit proposals from qualified vendors to serve as Trustee to receive, hold and disburse funds to pay Ballpark Costs.

*Commissioner Sykora moved approval of the following resolution:*

**BE IT RESOLVED** that the Executive Director is authorized to issue an RFP in conjunction with the Minnesota Twins for Construction Trust Services.

*Commissioner Cramer seconded the motion. The resolution was approved unanimously – 5 YEAS, 0 NAYS.*

**APPROVED**

#### DISCUSSION ITEMS:

Construction Success Workshop – Roderic Southall, Metropolitan Council

Roderic Southall invited the Minnesota Ballpark Authority to lunch on March 16, 2007 during the Construction Success Workshop and distributed handouts on the event to the Board. The Constructing Success Workshop, which will be held at the Metrodome, includes a luncheon that begins at 11:30-12:30 prior to the Ballpark Authority’s meeting on March 16, 2007 at 1:00 P.M.

Construction and Planning Updates – Ed Hunter, Project Manager & Dan Mehls, Mortenson Construction-  
Mr. Hunter provided the following updates:

- BNSF conversations related to track alignment are ongoing. Anticipate a meeting with BNSF in the coming weeks.
- NorthStar Project had bid work on the platform for all work in the downtown core with awards beginning in June.
- Current plans include Cedar Lake Bike Trail running along the BNSF alignment on the ballpark land, next to the facility. Met with Cedar Lake Trail group, and they favor this option.
- The project team continues to review schematic design of the ballpark.
- Twins and HOK will meet to review comments from latest package.

Commissioner Vekich asked if BNSF tracks will be moved and if air rights issues will be resolved at that time. Mr. Hunter stated that surface easements are included, footings, and other areas are being evaluated by BNSF. He said that the Cedar Lake Trail group has raised some concerns, but HGA and the Twins have been very proactive with solutions. The Met Council has been approached with plans to address safety and security issues.

Mr. Mehls provided the following updates:

- Preplanning and looking forward to the schematic design, planning for office sites on the construction site, possibly thirty people will work on site.
- Reiterated three (3) success indicators: Starting work on the site, drive pile, and railroad track relocation.
- Several meetings have occurred regarding LRT and discussions are ongoing.

Commissioner Vekich asked if the pause in land acquisition talks was delaying the bid packages. Mr. Mehls said that in the near future, bid packages would be affected if land acquisition issues were not resolved. Commissioner Wade asked if there would be additional costs if the project continued to be delayed. Mr. Mehls said there would not be any cost difference if the project ran a week behind, however, several months delay could cost tens of thousands of dollars.

Finance Report – Minnesota Ballpark Authority expenditures through the period ending 1/31/07

Total Expenditures for the current month - \$29,406.09

Year to Date - \$29,406.09

*Chair Cramer stated that staff will provide a more detailed quarterly report of operation expenditures at the April Board meeting.*

There being no further business Commissioner Vekich moved to adjourn. The motion was seconded by Commissioner Campbell, and approved unanimously – 5 YEAS, 0 NAYS. The meeting of the Minnesota Ballpark Authority for February 16, 2007 was adjourned at 1:45 P.M.

*Note: The next meeting of the Minnesota Ballpark Authority is scheduled to be held on March 16, 2007 in the Halsey Hall Room (Metrodome Offices).*