



Minnesota Ballpark Authority Meeting Minutes – December 19, 2008

Chair Steve Cramer called the meeting of the Minnesota Ballpark Authority for December 19, 2008 to order at 1:00 PM. The roll was taken. All Commissioners were present. Kathleen Lamb, Legal Counsel, was also present.

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

APPROVED

Commissioner Campbell moved approval of the October 17, 2008 meeting minutes, seconded by Commissioner John Wade and approved unanimously – 5 YEAS, 0 NAYS.

APPROVED

PUBLIC COMMENT

- None

CHAIR REPORT

Chair Steve Cramer reported the following:

- Chair Cramer thanked the MBA Board and staff for their work this year and noted that the project has had a very productive and successful 2008.

EXECUTIVE DIRECTOR REPORT

Executive Director Dan Kenney reported the following:

- The Minneapolis City Council passed their 2009 budget and included \$2 million dollars for transportation and pedestrian improvements in the ballpark area. There is another \$525,000 that may be available for additional improvements but this will require another Council vote in 2009. The MBA will continue conversations with City staff to maximize the public art benefit of improvements in this area.

ACTION ITEMS:

08-MBA-18: To authorize the adoption of the 2009 Minnesota Ballpark Authority operating budget.

Background:

The proposed 2009 Minnesota Ballpark Authority Budget reflects a 3.1% decrease from 2008. Most of this decrease is a result of lower cost in the Hennepin County Ballpark Project Office expenses. The MBA is requesting revenue from Hennepin County to cover a budget of \$2,573,660.

The Executive Director presented the proposed 2009 Minnesota Ballpark Authority operating budget to the Authority on August 15, 2008. The Authority then authorized the Executive Director to submit the proposed 2009 MBA operating budget to Hennepin County to approve as called for in the Grant Agreement between the Minnesota Ballpark Authority and Hennepin County.

The Hennepin County Board approved the proposed 2009 MBA operating budget on December 16, 2008. The attached budget reflects those costs.

Action Requested:

BE IT RESOLVED that the 2009 Minnesota Ballpark Authority Operating budget of \$2,573,660.00 be adopted.

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

APPROVED

08-MBA-19: To authorize the Chair and Executive Director to amend consultant contracts with MEDA, Summit Academy IOC and Leer Communication and Consultants up to the amounts proposed in the 2009 Minnesota Ballpark Authority operating budget.

Background:

Contracts are currently in place between the Minnesota Ballpark Authority and MEDA, Summit Academy IOC and Leer Communication and Consultants to provide services, at stated monthly payment terms, as shown in Table 1.

A contract is in place with MEDA, providing services to assist the Mortenson SWMBE Resource Center in enhancing participation of women and minority business enterprises throughout the ballpark project. This contract was originally approved in 2007, and is budgeted to continue through 2009, at a cost of \$50,000.

A contract is also in place with Summit Academy to assist Mortenson in enhancing participation of minority and women skilled and unskilled workers in construction of the ballpark project. This contract was originally approved in 2007, and is budgeted to continue through 2009, at a cost of \$120,000.

A contract is in place with Leer Communications providing communication and public relations services to the MBA. This contract was originally approved in 2007, and is budgeted to continue through 2009, at a cost of \$52,800.

The adopted 2009 Minnesota Ballpark Authority Budget reflects continued budgeted amounts for these contracts.

Table 1. Minnesota Ballpark Authority Contracts

2008 Contract				New Board Approval for 2009		
	\$ Amount	Term	\$ Paid through Nov. '08		\$ Amount	Term
MEDA	82,500	Jan through Dec 08	68,750	MEDA	50,000	Jan - Dec 09
Summit	120,000	Jan through Dec 08	100,000	Summit	120,000	Jan - Dec 09
Leer	52,800	Jan through Dec 08	50,129	Leer	52,800	Jan - Dec 09

Action Requested:

BE IT RESOLVED that the MBA Board authorizes the Chair and Executive Director to extend the contracts with MEDA, at an amount not to exceed \$50,000, Summit Academy IOC, at an amount not to exceed \$120,000, and Leer Communications, at an amount not to exceed \$52,800 for the term beginning January 1, 2009 through December 31, 2009, as reflected in the adopted 2009 MBA Budget.

Discussion: Commissioner Michael Vekich inquired why the MEDA contract was reduced for 2009 and Mr. Kenney stated the bulk of the Ballpark Project contracts have been bought out and the needs for their services will be reduced in 2009.

Commissioner Vekich moved approval, seconded by Commissioner Wade and approved unanimously – 5 YEAS, 0 NAYS.

08-MBA-20: To authorize the Chair and Executive Director to enter into an agreement with MNDOT for the Northstar project to manage the art installation in the Vertical Circulation Building (“VCB”), and to authorize the Chair and Executive Director to enter into contracts with the artists who are selected to produce the art for the VCB, and the 5th Street panels.

Background:

In April 2008, the MBA Board adopted resolution 08-MBA-05R1 authorizing the creation of a Ballpark District Enhancements and Public Art Incentive Fund (the “Incentive Fund”) and use of up to \$1 million from the Authority’s interest earnings on construction bond proceeds for this purpose.

In June, representatives from the MBA, Northstar Commuter Rail, Hennepin County, Minnesota Twins and the City of Minneapolis met to discuss a combined public art process identifying four potential public art locations around the ballpark site. The Northstar project identified \$150,000 for public art and the MBA had resources that could be allocated from the Incentive Fund. The group agreed that a public art steering committee (the “Steering Committee”) should be formed to assist in the development of RFP’s, select the artists/artist teams, and identify strategies for community input.

In July, the MBA Board adopted resolution 08-MBA-09 approving the process for public art projects in locations around the ballpark, authorizing up to \$200,000 from the Incentive Fund, and designating Commissioner Barb Sykora to serve as the Authority's representative on the Steering Committee.

The 11-member Steering Committee is chaired by Commissioner Sykora and includes representatives from the Twins, the Ballpark Project Design Team, Hennepin County, Metro Transit, Northstar Commuter Rail, the Minneapolis Arts Commission and surrounding neighborhood organizations and residents. In September, the Steering Committee met and selected two locations, the Vertical Circulation Building and 5th Street Panels, for public art projects and agreed that two other locations, Gateway near the HERC site and 3rd Avenue/12th Street, could be announced in 2009 if funding became available.

An RFQ was distributed in late September resulting in 83 eligible proposals from around the country. In November, the Steering Committee narrowed the pool of 83 proposals to six finalists and selected one artist/artist group for each site on December 15.

The artists' names will be announced and work will commence immediately following execution of contracts. The artists will participate in a community open house in February 2009 and installation will take place in October 2009 for the Vertical Circulation Building and March 2010 for the 5th Street Panels.

Action Requested:

BE IT RESOLVED that the MBA Board authorizes the Chair and Executive Director to enter into an agreement with MNDOT for the Northstar project to manage the art installation in the VCB; and

BE IT FURTHER RESOLVED that the MBA Board authorizes the Chair and Executive Director to enter into contracts with the artists who are selected to produce the art for the VCB and the 5th Street panels.

Commissioner Sykora moved approval, seconded by Commissioner Wade and approved unanimously – 5 YEAS, 0 NAYS

Discussion Items:

- A. **Report on Agreed Upon Procedures – Russ Fleming, Virchow Krause** – Mr. Fleming reviewed the Independent Accountants' Report on applying Agreed-Upon Procedures for the Ballpark Project's pay requisitions twenty through twenty-three and reported no variances in comparison of the Mortenson invoice amounts to the supporting subcontractor and site services invoices. He noted that an under billed administrative fee of \$7,500 from July 2008 from Mortenson that was highlighted in Virchow Krause's September report to the MBA Board still needs to be billed to the project. Mortenson confirms this amount needs to be billed and it will be handled in a future pay requisition. Mr. Fleming also mentioned that the supporting documentation for Change Orders four through eight had been reviewed and everything was in order and no variances were found.

- B. **2009 Staff Work Plan – Susie Helget, Administrative Manager, MBA** – Ms. Helget said that the 2008 work plan has been a useful tool in tracking the work of MBA staff and measuring progress of projects of the MBA. Lessons learned from the 2008 plan have been incorporated into the draft 2009 work plan which is before the Board today. Ms. Helget reviewed the draft 2009 plan and pulled out new items for the coming year including the 2009 Greater MN tour, introducing Delaware North and the Twins to community resources for ballpark operations and vendor needs and the planning of the MBA office move to the ballpark and researching costs for handling such things as payroll, benefits and IT services if the MBA decides to go outside of the Hennepin County system for these resources.
- C. **Construction and Planning Update** – Ed Hunter, MBA Project Manager – Mr. Hunter noted the following upcoming milestones - Closing out of existing major infrastructure contracts and at same time making commitments for additional new infrastructure improvements, i.e. Target plaza enhancements, extension of plaza to First Avenue and construction of an elevated walkway to the ‘A’ Ramp. He said that designs for these three major elements are mostly complete. Budgets need to be finalized and change orders will be issued to Mortenson for procurement of construction activities in January, 2009. In February the Vertical Circulation Building will be turned over to Northstar to begin installation of their equipment. Northstar will take possession in May 2009. The MBA and Metro Transit are developing an Agreement for operation and maintenance of this building.
- D. **Community Participation – Lynn Littlejohn, Mortenson**
Ms. Littlejohn reported that the project is still exceeding the 30% SWMBE goal at 31%. This represents about \$95 million of the \$305 dollars that has been committed to SWMBE owned firms. Procurement is 99% complete. Approximately 65 SWMBE firms are involved on the project to date. Workforce reports an upper trend at 24% minority participation and overall 6% female. The goal is 25% and Mortenson has done some projections and anticipates reaching the minority participation by spring 2009. In the Community Workforce Program, to date 38 individuals have been hired. The expectation is to hire 50 individuals by the end of the project.

Commissioner Vekich asked Ms. Littlejohn to invite a few minority contractors to a future MBA Board meeting to discuss their participation in the project. Ms. Littlejohn agreed to arrange this. Ms. Helget that two minority contractors were highlighted in the last MBA e-newsletter and thanked Ms. Littlejohn for her help in organizing these people for article.

Construction and Planning Update – Dan Mehls, Mortenson

Dan Mehls reported procurement on the project is 99% completed. Steel erection continues on the main concourse in centerfield, and in the right, center, and left field seating sections. The installation of the sun canopy steel in the right field corner has begun, working clockwise around the ballpark. The stone wall panel installation is completed past home plate and now proceeding north along the promenade by the HERC elevation and is ahead of schedule. There are 700 craft workers on the job site and they will continue working through the winter. The cranes will be pulled out of the field in the spring for preparation of the installation of the heating system for the sod.

Mr. Mehls showed floor plans of the ballpark that highlighted turnover dates within each level. On the main concourse level restroom and concessions areas have to be completed by November 15, 2009. Another important milestone is having the Twins ticket counter offices ready for occupancy in December 1, 2009 so ticket selling can commence. The Twins administrative offices are scheduled for completion in January 2010 and the MBA offices are schedule for completion by March 3, 2010.

- E. **MBA Financial Report** – Brenda Juneau, MBA Finance Coordinator
Ms. Juneau presented the MBA financial reports through November 30, 2008 for the Operating Fund and Capital Projects. She said that she will be making a request of grant funds to Hennepin County for \$1.4 million to cover expenses for the second half of 2008.

Commissioner Vekich asked if the ballpark funds could be affected by the current State economic crisis. Ms. Juneau said that the ballpark funds are budgeted and would not be affected.

Next meeting: January 16, 2009

There being no further business, Chair Cramer moved to adjourn. The motion was approved unanimously - 5 YEAS, 0 NAYS. The meeting of the Minnesota Ballpark Authority for December 19, 2008 was adjourned at 1:50 P.M.