

**ANIZDA Board Meeting Minutes**  
**July 10, 2019**  
**America On Wheels**  
**1<sup>st</sup> Floor Conference Room/Theater**  
**5 North Front Street, Allentown, PA**

**Attendees:** Seymour Traub, Esq., Nelson Diaz, Tiffany Polek, Adrian Shanker, Gregory Dudkin and John Stanley

**Board Staff:** Jerome Frank (Solicitor), Steve Bamford (Executive Director), and Michelle Reid (Executive Assistant)

**Members of the media and public were present.**

1. The meeting was called to order by S. Traub, Chairperson, at 5:00 p.m. A quorum was met and the meeting proceeded accordingly.
2. **Approval of June 5, 2019 Meeting Minutes**--A motion to approve the June 5<sup>th</sup> meeting minutes was made by N. Diaz, seconded by A. Shanker and unanimously approved.
3. **Public Comment on all Matters to be Acted Upon**—Members of the public were present but comments were deferred until matters were to be acted upon.
4. **New Business**—S. Traub informed the board that John Williams has resigned from Muhlenberg College and the ANIZDA board. He has plans to relocate out of the area. He had been selected by the Mayor.
5. **First Amendment to the Amended and Restated Guidelines for Obtaining Financing for Projects in the City of Allentown's NIZ – Resolution R2019-189.**
  - a. J. Frank reported to the board that A. Shanker had requested some revisions to the Amended and Restated Guidelines for Obtaining Financing. Research was conducted and changes were drafted to be consistent with the Statement of Policy by the PA Department of General Services and the Governor's Executive Order to encourage participation by Small Diverse Businesses and prohibit discrimination.
  - b. After opportunities for comment from the public present, the motion to approve Resolution R2019-189 made by A. Shanker, seconded by J. Stanley, was unanimously approved.
6. **PPL Center Lease Year 5 Capital Repairs Budget– Resolution R2019-190**

- a. S. Bamford explained that under the terms of the lease with BDH \$500,000 is designated on an annual basis for capital repairs and improvements to PPL Center. Each year BDH deposits \$500,000 into the capital account less a credit for the amount expended on capital projects approved by ANIZDA. The cost of proposed improvements to the PPL Center for this year are not to exceed \$99,715.00 including the following: hallway and Morning Call Club millwork, reseal concrete flooring epoxy, repair dasher board system anchors, repair or replace television/computer, chiller motor grounding, and repair ice plant geared butterfly valves. PPL Center General Manager Gunnar Fox was present in order to elaborate or answer questions. The Operator would pay into the Capital Reserve Fund the balance of \$400,285.00 on or before September 30, 2019.
- b. After opportunities for comment from the public present, the motion to approve Resolution R2019-190, made by G. Dudkin, seconded by J. Stanley, was unanimously approved.

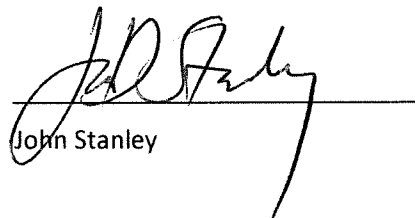
## 7. Executive Directors Report

- a. S. Bamford introduced Irene Woodward the new Director of Planning for the City of Allentown.
- b. S. Bamford updated the board on the redevelopment of the former Holiday Inn site. City Center Investment Corp. (CCIC) is converting the hotel building to 120 apartments over commercial space and also plans to build 78 apartment units on the site of the demolished conference space that had been attached to the Holiday Inn. Although CCIC had previously been approved by ANIZDA for financing of a mixed-use project on this site consisting of new office, hotel, and conference space, CCIC has had a change of plans and will not be using NIZ financing for the reconceived project.
- c. Lastly, S. Bamford reported that ANIZDA has been asked to provide another letter of support for the Lehigh Valley Planning Commission BUILD Grant application to the U.S. Department of Transportation to support the Riverside Drive Multimodal Revitalization Corridor Project. It is a \$21.3 million application. The project consists of a 3.25-mile, 2 lane thoroughfare running from Hamilton Street to Whitehall Township paired with a 10' wide hiking and biking trail built in the vacant rail bed.

A motion to adjourn the meeting was made, seconded and approved at 5:26 PM.

**Next ANIZDA Board Meeting:** Wednesday, August 7, 2019 at 5:00 PM in the First Floor Conference Room/Theater at America on Wheels, 5 N. Front Street, Allentown.

Respectfully Submitted,

  
John Stanley

ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE  
DEVELOPMENT AUTHORITY

RESOLUTION NO. R-2019-189

BE IT RESOLVED that the Allentown Neighborhood Improvement Zone Development Authority (the "Authority") hereby approves effective immediately the First Amendment, attached hereto as Exhibit "A", to the Guidelines for Obtaining Financing for Projects in the City of Allentown's Neighborhood Improvement Zone amended and restated as of March 4, 2015; and

BE IT FURTHER RESOLVED that Subsections 2.7 and 2.9 of the First Amendment hereafter be included in any funding agreement entered into between the Authority and a Project developer.

**CERTIFICATION ON NEXT PAGE**

**CERTIFICATION**

I, John D. Stanley, Assistant Secretary of the Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2019-189 of the Board of Directors of the Authority passed at a duly convened meeting of said Board on the 10th day of July, 2019. Authority members present and voting were as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Seymour Traub, Esq.	✓		
Nelson A. Diaz	✓		
Gregory N. Dudkin	✓		
David Mickenberg	<i>absent</i>		
Tiffany Polek	✓		
Adrian Shanker	✓		
John Stanley, Esq.	✓		
Pedro L. Torres, Jr.	<i>absent</i>		
John Williams, Jr., Esq.			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 10th day of July, 2019.

  
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Assistant Secretary

EXHIBIT "A"

**FIRST AMENDMENT TO GUIDELINES FOR OBTAINING FINANCING FOR PROJECTS IN  
THE CITY OF ALLENTOWN'S NEIGHBORHOOD IMPROVEMENT ZONE**

THIS FIRST AMENDMENT by the **ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE DEVELOPMENT AUTHORITY** (the "Authority") to the Guidelines for Obtaining Financing for Projects in the City of Allentown's Neighborhood Improvement Zone, amended and restated as of March 4, 2015 (this "Amendment") effective this 10<sup>th</sup> day of July, 2019 is as follows:

- 1) Section 1. Purposes of These Guidelines. shall be modified as follows:
  - a.) Subsection 1.4 Questions and Requests for Additional Information shall be modified by deletion of the following phrase "Interim Executive Director, Sara Hailstone, at 610-437-7610" and substitute in its place the following: **"Executive Director at 610-467-8810"**.
  
- 2) Section 2. Projects Eligible for NIZ Financing by the Authority. shall be modified as follows:
  - a.) Subsection 2.7 Certified Minority or Women Business Enterprise (MBE/WBE) Participation shall be deleted in its entirety and substitute in its place the following:

**2.7 Small Diverse Business Participation:**  
In accordance with the Statement of Policy by the PA Department of General Services (4 PA. Code Ch. 58), the Authority encourages that Small Diverse Businesses including Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Veteran-Owned Small Business Enterprise (VBE), Service-Disabled Veteran-Owned Small Business Enterprise (SDVBE), Disability-Owned Business Enterprises (DOBE) and Lesbian, Gay, Bisexual and Transgender Enterprise (LGBTE) secure self-certification and a certificate as a small business from the Department or verification of certification as a small business from a third (3<sup>rd</sup>) party entity as enumerated in the Policy and participate as applicants or subcontractors of Projects.
  
  - b.) Add Subsection 2.9 as follows:

**2.9 Prohibition of Discrimination and Affirmation of Equal Employment Opportunity:**  
Authority affirms, and Applicant, for itself and its contractors, subcontractors and consultants, shall affirm in the Funding Agreement that each of them shall not discriminate against any employee or applicant for employment on the basis of race, color, religious creed, ancestry, union membership, age, gender, sexual

**orientation, gender identity or expression, national origin, AIDS or HIV status or disability.**

- 3) Section 4 Process for Obtaining Authority Approval of Financing of a Project in the NIZ shall be modified as follows:
- a): Add subpart 4.1.3.12 as follows:  
**4.1.3.12 Small Diverse Business Certification:** If applicable, Applicant shall provide the certificate issued by the Department or verification of certification as a small diverse business by a Department third party entity as set forth in Section 2.7 of the Guidelines.

**END**

ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE  
DEVELOPMENT AUTHORITY

RESOLUTION R-2019-190

WHEREAS, the Allentown Neighborhood Improvement Zone Development Authority (the "Authority"), assumed by assignment the Lease Agreement by and between the Allentown Commercial and Industrial Development Authority and BDH Development, LLC, dated December 9, 2011, as amended, (the "Lease") for lease of what is now known as the PPL Center including integrated restaurants (the "Arena"); and

WHEREAS, Arena construction was substantially completed on or about August 31, 2014 and the first Lease Year commenced September 1, 2014; and

WHEREAS, under the terms of the Lease, commencing thirty (30) days after the end of each Lease Year, BDH Development, LLC, referred to as the "Operator", covenants to annually deposit into the Capital Reserve Fund the sum of Five Hundred Thousand and 00/100 (\$500,000.00) Dollars to be utilized on Capital Repairs and Capital Improvements; and

WHEREAS, for the fifth (5<sup>th</sup>) Lease Year commencing September 1, 2018, Authority representatives and the Operator have had numerous meetings and reached concurrence that there was a need for certain additional capital repairs to the Arena;

NOW, THEREFORE, be it resolved by the Authority as follows that:

1. For and during the current fifth (5<sup>th</sup>) Lease Year commencing as of September 1, 2018, the Authority hereby authorizes the Operator to expend for Capital Repairs to the Arena not more than Ninety-Nine Thousand Seven Hundred Fifteen and 00/100 (\$99,715.00) Dollars for the following:

- a) Hallway and Morning Call Club Millwork (Lease item #33)
- b) Re-seal concrete flooring epoxy (Lease item #58)
- c) Repair Dasher Board System Anchors (Lease item #95)
- d) Repair/replace television/computer (Lease item #164)
- e) Chiller Motor Grounding (Lease item #123)
- f) Repair Ice Plant Geared Butterfly Valves (Lease item #93)



and to take a credit from the Capital Reserve Fund annual deposit due on or before September 30, 2019 on condition (i) that Operator provide to the Authority adequate evidence such as checks and invoices that the expenses incurred were made to Capital Repairs of the Arena and (ii) that Operator shall pay into the Capital Reserve Fund the balance of the annual deposit due of not less than Four Hundred Thousand Two Hundred Eighty Five and 00/100 (\$400,285.00) Dollars on or before September 30, 2019.

4. The Chairperson, Vice Chairperson or Executive Director and the Secretary or any Assistant Secretary of the Authority are hereby authorized and directed to execute and attest, where deemed necessary, respectively, any agreement and/or documents to complete this transaction and to take any and all such actions necessary, with the advice of counsel, to implement fulfillment of the terms of this Resolution and to consummate the transaction contemplated herein.

5. All actions previously taken in furtherance of the purposes of this Resolution are hereby ratified. The Officers of the Authority are hereby authorized to take such further action as to carry out the purpose of this Resolution as may be deemed necessary.

6. All Resolutions and orders or parts thereof in conflict with the provisions of this Resolution, to the extent of such conflict, are hereby repealed and this Resolution shall be in immediate effect from and after its adoption.


**END OF RESOLUTION**

**CERTIFICATION**

I, John D. Stanley, Assistant Secretary of the Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2019-190 of the Board of Directors of the Authority passed at a duly convened meeting of said Board on the 10th day of July, 2019. Authority members present and voting were as follows:

<u>Vote</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Seymour Traub, Esq.	✓		
Nelson A. Diaz	✓		
Gregory N. Dudkin	✓		
David Mickenberg	<i>absent</i>		
Tiffany Polek	✓		
Adrian Shanker	✓		
John Stanley, Esq.	✓		
Pedro L. Torres, Jr.	<i>absent</i>		
John Williams, Jr., Esq.			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 10th day of July, 2019.

  
Assistant Secretary