

ANIZDA Board Meeting Minutes

July 1, 2020

Virtual Public Meeting Held via Videoconference

Attendees: Adrian Shanker, Sy Traub, Esq., David Mickenberg, Tiffany Polek, Pedro Torres, and John Stanley, Esq.,

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

Presenters: Gunnar Fox, VP and General Manager, Spectra Venue Management

Members of the media and public were present.

1. The meeting was called to order by Sy Traub, Chairperson, at 5:00 p.m. A quorum was met. S. Traub asked the Executive Director to make some introductory remarks. S. Bamford stated:

In accordance with Act 15 of 2020, and the declaration of a disaster emergency by the Governor and the order to stay at home and to protect the public from the spread of COVID-19, the Allentown Neighborhood Improvement Zone Development Authority (ANIZDA) Board of Directors is holding this previously scheduled regular public meeting virtually via Zoom video conferencing.

Instructions and the link to attend this meeting were posted on the ANIZDA website at allentownniz.com as were the meeting agenda and draft resolutions. The meeting notice was also published in the Morning Call.

Members of the public who are attending this virtual meeting may provide written comment on matters before the board using the Zoom chat function throughout the meeting. Depending on the device you are using the chat icon may appear at the top, bottom, or side of your screen. Board Chair Sy Traub will request and pause for public comment before each vote on matters before the board this evening. Comments received will be read aloud by staff. We ask that any member of the public submitting comment also provide their first and last name so that it may be reflected in the meeting minutes.

We are fortunate to have videoconferencing technology available to us during these challenging times and are appreciative of everyone's flexibility and understanding.

2. **Approval of June 3, 2020 Meeting Minutes** - A motion to approve the June 3rd meeting minutes was made by J. Stanley, 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. **PPL Center Lease Year 6 Capital Repairs Budget Modification – Resolution R2020-224**
 - a. S. Bamford said this resolution amends Resolution R2019-204 that authorized certain capital projects at PPL Center. He explained that pursuant to the terms of the lease, annually arena operator BDH is to deposit the difference between \$500,000 and the amount they spend on approved capital projects into an account so the funds are available for future approved capital projects. Due to the pandemic, BDH and venue manager Spectra have had to rethink their capital project priorities, so they are able to address COVID-19 as they plan and prepare to reopen safely at some point. S. Traub indicated that

he along with N. Diaz and S. Bamford previously reviewed this request to modify the approved projects and it looked acceptable and appropriate to come before the board for consideration.

- b. G. Fox summarized and explained the modified list of capital projects totaling \$97,538.72 more than previously approved. The estimates for some previously approved projects have been revised and other projects would be deferred. COVID-19 related expenditures include touchless soap/towel/sanitizer equipment and thermal scanners, electrostatic sprayers, self-service ticket scanners and plexiglass shields, distancing stanchions and signs. The precast concrete and retractable seating repairs which were previously approved will be deferred.
- c. A. Shanker asked if the projects would impact employment. G. Fox indicated staffing would not be reduced. In addition, A. Shanker asked if social distancing will be accommodated in the seating. G. Fox indicated that social distancing seating plans are in place at differing percentages of occupancy.
- d. J. Stanley moved and P. Torres seconded a motion to approve Resolution R2020-224. Public comment regarding the resolution was received from Louis Gombocz. The motion was unanimously approved.

3. **First Quarter 2020 Statement of Operational Revenues and Expenses**

- a. S. Bamford reviewed the first quarter revenue and expenses for unrestricted accounts on a cash basis. Total income for the first quarter of 2020 was approximately \$221,000. Operating expenses for the quarter totaled approximately \$67,000. The result is net ordinary income of approximately \$154,000 on a cash basis so far in 2020.

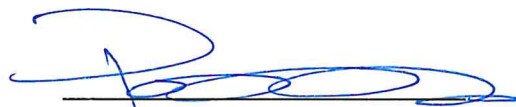
4. **Executive Directors Report**

- a. Lehigh Mining & Navigation is refining a messaging platform based on feedback received from board members. It will then be used to develop creative concepts for marketing campaigns to target developers and businesses. The City of Allentown is conducting a city-wide branding initiative, and there will certainly be synergies and collaboration among these efforts.
- b. ANIZDA recently received DCED approval for the Brewers Hill Development Group's \$1.9 million financing. It has not been submitted for review by Moody's yet. Closing could occur by September.

A motion to adjourn the meeting was made and approved at 5:28 p.m.

Next ANIZDA Board Meeting: August 5, 2020 2019 at 5:00 PM.

Respectfully Submitted,



Secretary

ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE
DEVELOPMENT AUTHORITY

RESOLUTION R-2020-224
amending
RESOLUTION R-2019-204

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 sixth (6th) Lease Year commencing as of September 1, 2019, the Authority approved Resolution R 2019-204 authorizing the Operator to make certain Capital Repairs to the Arena; and

WHEREAS, due to unforeseen issues and challenges arising from the COVID-19 pandemic, the Authority and the Operator have had discussions and reached concurrence that there was a need to modify the list of capital repairs to the Arena for the sixth (6th) Lease Year;

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

1. For and during the current sixth (6th) Lease Year commencing as of September 1, 2019, the Authority hereby authorizes the Operator to expend for Capital Repairs to the Arena an additional Ninety-Seven Thousand Five Hundred Thirty Eight and 72/100 (\$97,538.72) Dollars for a total of no more

than Two Hundred Fifty-Two Thousand Five Hundred Thirty Eight and 72/100 (\$252,538.72) Dollars for the following:

- a) Exterior Security (Ballards/Planters) ML#21-revised est. \$15,000.00
- b) Ice Floor Slab and Equipment (Zamboni) ML#93-est. \$40,000.00
- c) Dasher Board System retrofit ML#95-revised est. \$47,000.00
- d) Touchless soap/towel/sanitizer equipment and thermal scanners
COVID est. \$8,130.16
- e) Electrostatic sprayers COVID est. \$5,194.00
- f) Self-service ticket scanners COVID \$108,851.40
- g) Plexiglass Shields COVID \$13,992.74
- h) Distancing Stanchions and signs COVID \$14,370.42
and defer previously approved
Precast Concrete (seating Bowl) ML #23- est. \$20,000.00
Retractable Seating ML#91-est \$15,000.00

and to take a credit from the Capital Reserve Fund annual deposit due on or before September 30, 2020 on condition (i) that Operator provides 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 Two Hundred Forty Seven Thousand Four Hundred Sixty One and 28/100 (\$247,461.28) Dollars on or before September 30, 2020.

2. 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.
3. 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.

4. 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, Pedro L Torres, Jr., Secretary of the Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2020-224 of the Board of Directors of the Authority passed at a duly convened meeting of said Board on the 1st day of July, 2020. 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	<i>absent</i>		
Gregory N. Dudkin	<i>absent</i>		
David Mickenberg	✓		
Tiffany Polek	✓		
Adrian Shanker	✓		
John Stanley, Esq.	✓		
Pedro L. Torres, Jr.	✓		
Vacant			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 1st day of July, 2020.



Secretary