WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)
Board Meeting
March 12, 2014

Meeting Began At: 3:00 P.M.

Meeting Ended At: 4:30 P.M.

Members Present: Chris Beutler, Tim Clare, Doug Emery

Item 1 -- Introductions and Notice of Open Meetings Law Posted by Door

Chair Beutler opened the meeting with an introduction of the Board members. He advised that the open meetings law posted at the back of the room is in effect.

Item 2 -- Public Comment and Time Limit Notification

Public comment is welcome. Beutler stated that individuals from the audience will be given a total of five minutes to speak on specific items listed on today's agenda. Those testifying should identify themselves for the official record and sign in.

Item 3 -- Approval of the minutes from the JPA meeting held February 11, 2014

Beutler asked for corrections or changes to the minutes of the February 11, 2014 JPA meeting. Emery moved approval of the minutes as presented. Clare seconded the motion. Motion carried 3-0.

Item 4 -- Approval of December 2013 and January 2014 Payment Registers

Steve Hubka, City Finance Director, presented the payment registers for two months showing all expenditures of the JPA during this time. The December total is $12.8 million of which $7.6 million was interest payments on bonds and another $1.8 million was to Mortenson. January is considerably less at $2.5 million and includes payments for Parking Decks 2 and 3. Hubka stated that we are within budget, collecting appropriate signatures, and following necessary procedures from an audit perspective.

Jane Kinsey, Watchdogs of Lincoln Government, inquired as to the amount of the payment and the date it was due on the principal and interest. Hubka responded that the payment will start in 2021 and will be $21-22 million per year. Kinsey asked about the net income from the arena so far. She saw the $8 million gross figure in the newspaper. Hubka explained that the net is quite different, but that is really more of an operational matter rather than a JPA item. He did not have the amount available with him, but could get the figure for her if requested. Clare also reminded everyone that the arena income is not the only source for those payments as there is also Occupation Tax. Hubka confirmed that the Occupation Tax is the primary source for payment on the debt and it is currently running at approximately $13 million annually.

Clare moved approval of the payment registers. Emery seconded the motion. Motion carried 3-0.

Item 5 -- Review of December 2013 and January 2014 Expenditure Reports

Hubka presented the December and January Job Cost Reports. These now reflect the recently adopted capital budget with modifications and the recently adopted operating budget. This is the first time budget numbers are shown.

Item 6 -- WH 14-13 Resolution to accept the financial audit and management letter from BKD CPAs & Advisors LLP for the period ending August 31, 2013

Chris Linder and Robyn Devore of BKD presented the JPA Audit completed for the period ending August 31, 2013. Linder reviewed new standards to which they had to comply for this audit. One was a new set of auditing standards affecting their approach. This is reflected in the front of the report in the auditor's opinion, which now has headings to direct you to exactly what each of the paragraphs within that opinion means. This issued opinion is a clean or unmodified opinion under the auditing standards. Under the new accounting standards, one requirement that had an impact on the financials was that all government entities are required to write off what was previously capitalized as debt issue cost. So, when you issue bonds and other debt, the cost associated with that issuance used to be carried as an asset and amortized down. Those now must be expensed immediately, so that was a hit to equity from a books standpoint only. There was no change as far as cash flow. Other new significantly discussed items include the conveyance of infrastructure from the JPA to the City, as the City would now be taking care of those assets from a maintenance and public safety aspect. Those assets would revert to the City's financial statements. There is a disclosure of that discussion with management on proper accounting and handling of that transaction in Note 8 on page 23 of the report. A second new item dealt with premium seating arrangements and various naming rights that have gone into effect in the last couple of years. The proper accounting and disclosure of those and related marketing agreements for other arrangements triggered some enhanced disclosures in the report. A final item is on page 24 dealing with subsequent events and addresses bonds issued after year-end. These bond issuances are not reflected on the financial statements, but are disclosed as subsequent events.

Clare asked for confirmation that this is a clean audit with our procedures adopted and followed being handled correctly. Linder confirmed.

Devore touched on the Audit Communication Letter (Management Letter). This is a required communication about standards followed during the audit, as well as responsibilities of both management and BKD. On page 2 of the letter, it mentions estimates. There are estimates in most financial statements and the most significant estimates in these statements relate to the commissions payable and Federal interest subsidy receivables. Other disclosures are included for review. During the audit process, they identified two adjustments as shown on the bottom of page 2 that were needed and made to the financial statements. Therefore, they felt like they were fairly presented. The last piece of the document talks about internal control and, again, they did not identify anything they felt was a material weakness or a significant deficiency in internal control matters. However, because they did have a couple of audit adjustments, those are listed. They suggest that management can relook at the process for tying information in and making sure all journal entries are made at the end of the year.

Being no public comment, Clare moved approval of the resolution. Emery seconded the motion. Motion carried 3-0.

Item 7 – WH 14-8 Resolution of intent to make a grant of funds to the Board of Regents of the University of Nebraska in an amount not to exceed $2 million from the West Haymarket Joint Public Agency Infrastructure Contingency Fund to reimburse the University for a portion of its costs to design and construct the Breslow Ice Center

Beutler explained this was an item carried over from the last JPA meeting dealing with a grant of funds to the Regents of the University of Nebraska in an amount not to exceed $2 million to reimburse the University for a portion of the cost to design and construct the Breslow Ice Center. He invited public comment.

Coby Mach, Lincoln Independent Business Association (LIBA), thanked John Breslow on behalf of the Board of Directors of LIBA for his vision and donation of $7 million to fund the ice center. They believe it will be another asset to help keep young families in Lincoln. It will help businesses thrive. It will help create jobs for the community. LIBA believed it was necessary to testify today because there is not an operating agreement in place between the University of Nebraska, owner of the center, and the City of Lincoln. Before the JPA votes on funding or the City donates land to the project, there must be an operating agreement available with the public having ample opportunity for review and feedback to elected officials. UNL Regents have not yet voted to support this project and requests for an operating agreement have gone unfulfilled. You would not walk onto a car lot to purchase a car telling a car dealer you are going to buy a certain car and then negotiate a price. With these facts in mind, LIBA asks the JPA Board to delay the vote for funding until there is an operating agreement in place. Clare asked what concerns they had with contents or aspects of the operating agreement and thoughts on moving forward with the ice center itself. Mach responded that they are concerned that both sides have an agreement that is workable for not only the University and its use, but for the public use of the community at large. There are, of course, other aspects to an operating agreement, but there is currently nothing to review or on which to provide such feedback. Generally, LIBA is supportive of the ice center. They feel it is a big asset for the community. They are glad that the JPA Board is supportive, they are glad that the City is supportive in providing the land, and they are thankful for the generosity of Vision 2015 and John Breslow. It is a big win for the community.

Paul Morrison testified that he is not discussing the pros and cons of the ice rink, but rather here to discuss the authority of the JPA to disburse a grant to UNL for this rink. He encourages those here, especially the young folks in the audience, to read what Item 7 says. The vote is not a yes or no for the ice rink. That is not what is being discussed today, and that will be up to the UNL Board of Regents to decide. Today they are deciding about the $2 million and whether the three JPA Board members have the authority to give it to UNL. He says they do not have that authority based on the intent given to the JPA Board by the voters. Intent carries much weight in a court of law. The intent of the JPA has been discussed clearly since 2009 with no mention of an ice rink included in those discussions. Nancy Hicks' article in the Journal Star says $344 million will be spent – $22.3 million for roads, $6 million for environmental cleanup, $28.4 for parking, $9 million for dirt moving, $3.3 million for civic art and signage, $29 million for other, $62.5 million for land, and $154 million for arena and garage. He does not see any mention of an ice rink. He also quoted articles from May of 2010 about the vote on the arena – not on an ice

rink. The voter's guide in April of 2010 states that a vote "for" triggers the forming of a JPA to issue up to $319 million in debt to pay for construction of the arena and supporting infrastructure such as roads, bridges and parking. Again, no mention of an ice rink. Therefore, the resolution in front of the Board to give $2 million to UNL does not follow the intent of the JPA. The funds should be used for the arena, probably to pay off the bonds instead of charging people additional taxes when they go out to eat in the City. Any other use of these funds might be considered a misuse of government funds. As previously stated, maybe a more public discussion should be completed and the Board members should get the blessings of their public bodies (the City Council and University) before they proceed. He visited with Hal Daub by email to express his concern on this matter. Daub said the plan is in serious need of reworking. He did not see the need for more money, but should build within affordable funding. More construction money in this case does not seem to be necessary regardless of the source. Morrison urges the JPA Board to defeat this motion today.

Frank Schmal, President of Lincoln Ice Hockey Association (LIHA), encourages the City to include in the operating agreement that the 48 hours of community ice time per month be stipulated to occur during prime time. Prime time is defined as 4 p.m. to 9 p.m. Monday through Thursday and 7 a.m. to 9 p.m. Saturday and Sundays. This makes the ice usable for youth sports programs. Nothing outside of that is beneficial.

Kinsey asked what had happened to the Vision 2015 promise to give millions to this project. Beutler suggested Kinsey may want to visit with that group directly about their efforts. They indicated that the amount of money given was what they could raise, although it was not what they had hoped to raise initially. Responding to Kinsey's statement that they had a billion in the Foundation coffers, Beutler clarified that Vision 2015 does not control the UNL Foundation. Kinsey thought they were closely associated and was concerned that, because they backed off their original commitment, the JPA is contributing monies. Beutler explained that if the JPA comes up with funds to help with the ice center it will be because it is beneficial to the community and because the amount of the contribution is appropriate for the community use of the facility. Kinsey challenged if it was not good for the community to keep money to pay off the bonds. Beutler agreed that there are many things good for the community and the difficulty is in balancing those good items. They will do what they believe the public wants them to do. Kinsey confirmed that public comment is very appropriate, but does not believe the number of people who have spoken are representative of the public. She does not believe you should give money to a project that UNL has not even approved. Beutler acknowledged that every negotiation is a back and forth – a chicken and an egg scenario. The moves they make will be contingent upon a number of other conditions, one of which is Regent approval of the project. It is being discussed now to put the public on notice, to let them know we think it is good for the community, that we believe it is both legal and appropriate, and mainly to find out if they want it done. Kinsey summarized her understanding then that this resolution is intent, but is actually not making the transfer of monies. Beutler responded that the resolution ultimately will contain language to authorize officers of the JPA, upon the meeting of certain conditions, to fulfill and execute the express direction to convey $2 million to the appropriate UNL entity to move forward with construction of the project. It is a final decision, but the decision is contingent upon a number of conditional items that are listed in the resolution.

Nancy Harris, Star City Figure Skating Club, came forward to recommend the Board accept LIHA's proposal on the operating agreement.

Rod Confer, City Attorney, came forward to respond to questions of the Board. Emery asked Confer to speak to the issue of JPA Board legality, and about the conditions in the resolution. Confer stated that the authority of the JPA is set forth in the JPA Agreement which was approved by the Board of Regents and the City. That agreement has always provided that the purpose and authority of the JPA is to construct public facilities in the West Haymarket area, which includes where this ice rink would be located. It includes the arena, but it specifically states that it was not limited to just that project. Today's resolution is conditioned on a number of items, one of which is a specific amendment that will make it clear that the Breslow Ice Center can be financed by the JPA. That has to be approved by the Regents and the City Council. There is also a provision that it is conditional upon agreement by the City and University on reaching an operating agreement. To use Mr. Mach's example, we have gone to the car lot and agreed to buy the car if we can agree on a price. Since it is conditioned on the agreement, there would be no grant if there is no operating agreement reached. There is an amendment today. That amendment states that if conditions are not satisfied or fulfilled then the grant will be void. Therefore, it is clear that that Breslow Ice Center has to be an approved part of the agreement and the money given by the JPA is conditioned on reaching an operating agreement between UNL and the City. Confirming for Clare, Confer stated that the JPA Board does have the legal authority to approve this resolution for disbursement of funds. It was always within their authority and one of the purposes for which the JPA was created.

Clare moved approval of the main motion. Emery seconded the motion. Beutler moved approval of the Motion to Amend No. 1. Emery seconded the motion to amend.

Beutler notes that the points are as counsel described and, if conditions are not met, the grant will be null and void. However, at the same time it sharpens the focus and moves the process forward in a timely manner

Motion to Amend No. 1 carried 3-0.

Emery asked about an amendment to have the operating agreement available before it is before the City Council. Confer stated that it would be at least another month before it is before the City Council giving time to work on the agreement. The agreement is a provision stated in the resolution currently. The clarification is sufficient to not need an amendment.

Clare again thanked John Breslow for his generosity and patience during this long process. He also wanted to thank the parties involved who supplied the information he and his colleagues on the Board of Regents needed to be comfortable with a decision in terms of moving this project forward. There was no doubt parties illustrated passion and a demand for the ice. There are community youth and UNL students traveling across the Midwest to participate and fulfill this passion and need they have for ice. That contributed in part to the decision by the UNL Business Affairs Committee on a vote of 4-0 earlier this week to move forward with the project. They have a fiduciary duty to Mr. Breslow, Vision 2015 donors, UNL, and to the taxpayers. We want to use their monies in a legal manner and a prudent manner. From a construction standpoint, they had to flush out the numbers against costs as they were not satisfied. From an operation budget, they had to compare revenue against expenses. An adjustment includes utilizing an RFP process to attract a third party management company to help with construction and/or operations of the facility. From a financial standpoint, he feels he has satisfaction at least for himself. As far as public opinion, he has spent much time seeking input from the public via newspaper, television, and on radio. He also used email where anyone can find his contact information. He

heard two or three negative comments, which he shared with his colleagues here. Every other contact was passionate. Overall, an enormous amount of time was spent in discussions on this topic. He totally agrees that the project is and needs to be contingent upon an approved operating agreement. He heard the comments about UNL and general public use. Unfortunately, they cannot make more time – especially prime time hours discussed earlier. It is finite. Therefore, he hopes the parties will work together to come up with a compromise. They will also work out items related to costs and operating items. In addition, he understands from legal counsel that they have the legal authority to do this. He does not specifically know about hockey, but does know about baseball. He is a huge believer in youth sports and associated benefits. When he was out promoting this, he talked about wanting to move it north so, if they were prudent with the money, they could build other projects. Because we were efficient with our dollars, we are in a position to help other projects through contingency dollars, although he is by no means suggesting that they used the entire contingency. The great project team, Paula Portia and her team, watched every dime enabling this to happen and it is a tribute to them. He is going to vote in favor of this item and encourages UNL and the City to work out an agreement to capitalize on Mr. Breslow's dream.

Emery's disappointment is that this sat on the sidelines for so long. He wishes it was discussed earlier. There is no argument that there is a need. There are questions as to the number of sheets of ice, which is basically out of their control. The question for him is whether we are willing to settle for half the pot or wait and hope for something better to come along to give us the second sheet of ice. The business plan says that and we hear it from the community. Certainly, the effort to bring in people from other communities would be enhanced by the second sheet of ice. However, with no control over that issue, he will vote yes on this resolution as he thinks something is better than nothing at this point. He does think we have a long ways to work this out.

Beutler shared that the ice rink has been associated with the West Haymarket from the beginning. You can see maps with various sites designated for such as they tried to think through how development should be laid out as different buildings and facilities would relate to one another. It is true that we did not know if the University could raise money to build it or if we would have excess monies to assist building it, so the matter was never definitive. However, he has no doubt that we have the authority or that it is within the spirit of the West Haymarket Project. With that said, the only remaining question for him was whether the public wanted them to do it or not. His experience has been that there is far more in favor of doing the project than not. For that reason, he will be voting in support of this resolution. As mentioned previously, he is aware of the need from past association with the Parks Department and from these discussions. He is sorry that we cannot do two sheets at this time, but he would rather than one sheet than risk not having any. If the evidence is clear by usage, hopefully they can show that they can support more than one sheet of ice. He appreciates Coby Mach's testimony on behalf of LIBA. They are not known as a liberal organization in this community and are very fiscally responsible. As he understands Mach's testimony, LIBA is in support of this. However, they are concerned that the community gets its money's worth and the mechanism to do that and, as he quite rightly identified, that is the operating agreement. That is one of the items which approval is conditional upon. As negotiations move forward, various groups will be contacted to discuss including various skating organizations and LIBA. He is comfortable we will be able to move forward once the Board of Regents signals to the University that they are fundamentally okay with moving forward.

Clare stated the Board of Regents will meet next on Friday, March 21.

The main resolution as amended was adopted 3-0.

Item 8 -- WH 14-9 Resolution approving the Second Amended and Restated Facilities Agreement between the West Haymarket Joint Public Agency and the City of Lincoln, Nebraska approving the Projects identified in Exhibit A to the Second Amended and Restated Facilities Agreement as an amendment and supplement to Exhibit B attached to Bond Resolution Nos. WH 00009, WH 00036, WH 00044, WH 00183, WH 00482 and WH 00589 and declaring that the plans and specifications for the Breslow Ice Center prepared by the University's selected architects are the plans and specifications prepared by the JPA's architects for the Breslow Ice Center for purposes of Section 504 of the above Bond Resolutions and Section 2 of the Second Amended and Restated Facilities Agreement.

Mike Rodgers of Gilmore & Bell, Bond Council for the JPA, stated that these items are what he would term technical adjustments of certain agreements that clarify a few things. As Mr. Confer pointed out, the JPA does have the power to finance the construction, equipping, furnishing, and financing of public facilities in the West Haymarket area. Likewise, permitted purposes have been to finance public facilities in the West Haymarket area. Also the Amended and Restated Facilities Agreement approved last summer has a list of specific projects, but not limited to those projects. The entire West Haymarket Redevelopment Area is included. And responding to Clare's inquiry, Rodgers understands that the location proposed is within that area. Part of the modifications in this and the next item would add the Breslow Ice Center and the Amtrak Station to the specific list of projects. As long as they are used as public facilities, they can be financed by the JPA. The other clarification in this agreement was to have the infrastructure transferred to the City, while the arena is to be held by the JPA. This makes it clear that the Amtrak Station is to remain owned by the JPA and that the Breslow Ice Center is owned by the University. Responding to Clare, Rodgers explained that the bond resolutions contemplate supplementing the list of projects. The updated list is needed to add the Breslow Ice Center to use the bond proceeds and for the resolution just adopted to be effective. This supplement is necessary.

Kinsey asked why this bond resolution was necessary if the power is cut and dried and what other projects are being discussed to include. Rodgers stated that this is not a bond resolution. The bond resolution is in place and contemplates other projects. The bond resolutions set out steps to allow changes or additions of specific projects that are public facilities and within the redevelopment area. This is one of those steps. The supplement to the resolution is necessary to take the desired course by the Board to contribute $2 million to the project. Beutler responded that the Board has not discussed other projects. But, theoretically, they could bring other projects forward. Kinsey wondered if there was a blank check and if the issue of emergencies was a concern or even being taken into account. Beutler continued that every decision has to do with people acting responsibly under the circumstances. The contingency was for construction contingencies and we are nearing the end or have a reasonable idea of what those will be. They have certain knowledge that the contingency expenditures for construction at this point in time are minimal. Kinsey wondered if the remaining amount would be about $8 million to cover any emergency situations. Emery thought it would be closer to the $10 million with the deductive change orders from last month and this month. And, what the public needs to know is that there will be roughly $10 million that we hope to use to pay down the bonds at the earliest convenience.

Beutler invited Kinsey to come to the office to review information in detail. He understands her ongoing concern, as we all should have, with respect to reasonable spending. He is confident they are being reasonable and would be glad to review all of the different factors that lead him to that conclusion. Kinsey's concern is for the taxpayers and their protection. They are being held responsible for many things such as the groundwater problems and the defect in the bridge. She is glad to hear they do not think anything is going to come up that will use this money so that the taxpayers may have to pick up a bill in addition. Beutler said they were very conservative at the front end in regard to estimates and projected revenues and our financial people have served them well. Emery clarified that the taxpayer is not on the hook for the defect in the concrete and overpass. There is a bonding company and someone will be held responsible. Clare added that part of our process was to protect ourselves by entering contracts and buying insurance to pass on liability. We made calculated risks about the liability we held to protect ourselves and the taxpayers. The bridge is a great example. Kinsey likes to have the Board put themselves on the line about the coverage and it will be remembered. It is a lot of money, and she believes that it has been pointed out over and over that the taxpayer is ultimately responsible for anything that comes up.

Clare moved approval of the resolution. Emery seconded the motion. Motion carried 3-0.

Item 9 -- WH 14-10 Resolution approving an amendment to Article I of the Rules of Governance West Haymarket Joint Public Agency to revise provisions pertaining to the construction, equipping, furnishing, and financing the Arena and other public facilities, and to adopt a new Exhibit A showing the current boundaries of the West Haymarket Redevelopment Area and listing approved Projects including the Breslow Ice Center

Rodgers explained the changes here are similar to the last item and is intended to be a clarifying item.

There was no public comment. Emery moved approval of the resolution. Clare seconded the motion. Motion carried 3-0.

Item 10 -- WH 14-11 Resolution approving Change Order No. 21 revising the Amended and Restated Construction Manager at Risk Contract with M.A. Mortenson as part of the overall Contract Closeout to reduce the contract sum by $270,871.00

Paula Portz, PC Sports, thanked Clare for the kind words earlier. Their team tried very hard to manage projects in an efficient and cost effective manner so there would be contingency dollars available at the end. This resolution is for the final close out of the Mortenson contract on the arena. It is a final deductive change order in the amount of $270,871 for a final contract total of $160,611,207. Clare again thanked Portz as she was a pleasure to work with, she has kept them in the loop, and handled issues head on in a cost effective manner.

Kinsey also said Portz did a good job. She wondered if this was the final change order. Portz stated it was the final one for the Mortenson contract. They are in the process of closing other projects that are close to completion, and will close other projects still underway when completed. She does not anticipate using contingency dollars. Kinsey stated that Lincoln has a reputation of being a change order City. Kinsey is not questioning the job done or the need for the ice rink. She is questioning the use of money to cover bills and if some of that contingency money might be needed, so it does not fall on the taxpayers.

Emery relayed that last month's change orders were for a total deductions of $1,556,000 and some change.

Clare moved approval of the resolution. Emery seconded the motion. Motion carried 3-0.

Item 11 -- WH 14-12 Resolution approving a contract agreement with Land Construction Inc. for demolition of the former Alter buildings and structures located south of "N" Street for the sum of $97,600.00

Portz introduced this resolution of a contract with Land Construction Inc. for demolition for the remaining buildings on the Alter south site. It was bid through the Purchasing Office. There is an amendment to correct the sum. The bid documents had an alternate plus a base bid and those were totaled inadvertently. But the actual amount should be the $49,600, which is way below the budget she had anticipated of approximately $299,000. It is within the current budget.

There was no public comment.

Clare moved approval of the main motion. Emery seconded the motion. Emery moved approval of Motion to Amend No. 1. Clare seconded the motion to amend. Motion to Amend No. 1 carried 3-0. Being no further discussion, the main motion was adopted 3-0.

Item 12 -- WH 14-14 Resolution to approve Amendment No. 10 to the Agreement for Environmental Remediation Consulting Services with Alfred Benesch & Company

Frank Uhlarik, City Public Works, reported that the amendment amount not listed on the agenda is $47,671 broken out evenly between two tasks. The first task is to prepare a supplemental investigation and feasibility study of some minor pockets of contaminated soil and ground water on the JayLynn property -- the former manufactured gas plant. This site is largely cleaned up, but there is some fringe pockets that need addressed and a response required to DEQ. The second half is related to the need north of "O" Street. The entire environmental cleanup program was broken into north and south of "O" Street. The north side has been completed to the remedial plan specifications. There are deed restrictions with not using groundwater in the future, that we maintain cover over the impacted soils at depth, etc. These dollars are for preparation of an operations and maintenance plan required by DEQ to maintain institutional controls in perpetuity and report to DEQ on an annual basis. This is well within the budget and expectations and following the DEQ program.

Kinsey asked if this is the current or additional monitoring. Uhlarik explained there is a network of wells. One series of three sentinel wells along the levee monitors groundwater approaching Salt Creek. Another set of four or five wells monitors petroleum in the vicinity of the big dig and canopy lofts area. Neither of these are part of this resolution. Responding to Clare, Uhlarik confirmed the wells are doing what is intended. This resolution is for additional monitoring to cleanup pockets on previously cleaned up areas on the JayLynn property and to complete the operational and maintenance plan on the entire area north of "O." These dollars will come out of the environmental budget. The remaining amount in that budget is still close to $2 million. Kinsey expressed concern that it is just such an instance as this for which we may need contingency dollars. The US Geological Survey and the University of Michigan State says that once you find groundwater contamination it is both expensive and difficult to clean up. Uhlarik

confirmed that it can be difficult depending on the possible risks. So, if you are dealing with a drinking water aquifer where people will be drinking the water, it is very expensive, time consuming, and intrusive. In this situation, however, the water is not used and is already of poor quality so it is pretty reasonable to address the concerns.

Emery moved approval of the resolution. Clare seconded the motion. Motion carried 3-0.

Item 13 -- Set Next Meeting Date

The next meeting date is Thursday, April 10, 2014 at 3:00 p.m. in the County-City Building City Council Chambers Room 112.

Item 14 -- Motion to Adjourn

The meeting adjourned at 4:30 p.m.

Prepared by: Pam Gadeken, Public Works & Utilities

West Haymarket JPA Meeting

Date 3/12/14

Page 1

Name (Please Print)	Address	Phone/E-Mail
Jane Kinsey Watchdog		

Jamie Phillips

From: Trish A. Owen
Sent: Tuesday, February 18, 2014 12:33 PM
To: Jamie Phillips
Subject: FW: Breslow Ice Arena

Trish Owen, MPA
Deputy Chief of Staff
Office of the Mayor
555 S. 10th Street, Suite 301
Lincoln, NE 68508

(402) 441-7511 (Main Office)
(402) 430-3390 (Cell)
(402) 441-7120 (Fax)

"If you get to thinking you're a person of some influence, try ordering somebody else's dog around." Will Rogers

CITY OF LINCOLN NEBRASKA

From: Lin Quenzer
Sent: Tuesday, February 18, 2014 12:10 PM
To: Trish A. Owen
Subject: FW: Breslow Ice Arena

From: Tim Clare [mailto:tclare@nebraska.edu]
Sent: Sunday, February 16, 2014 3:05 PM
To: Les Franklin; Mayor; Doug Emery
Subject: RE: Breslow Ice Arena

Thank you for your e-mail regarding Breslow Ice Center. Please know I sense your passion...I am passionate about it as well. However, we need to also justify it from a financial standpoint. I have spoken with many folks from the "ice community" about what is necessary in order to justify the center from a financial standpoint. If you would like to visit with me about what is necessary, please feel free to contact me on my cell phone (402.450.8015) and I would be happy to discuss any questions/comments you may have. Thanks again! Tim

Tim Clare
Board of Regents

University of Nebraska| Nebraska Regent District #1
1201 Lincoln Mall, Suite 102| Lincoln, NE 68508
(402)475-5100 (w)| (402)450-8015 (c)| tclare@nebraska.edu

From: Les Franklin [mailto:lfranklin@kaplan.edu]
Sent: Monday, February 10, 2014 1:14 PM
To: mayor@lincoln.ne.gov; demery@lincoln.ne.gov; Tim Clare
Subject: Breslow Ice Arena

Gentlemen,

I wanted to send an email out to each of you to show my support for the Breslow Ice Arena.
While my daughter currently is very active with the Jr. Stars Mites team I have been afforded the pleasure to become a member of our local LIHA organization. Over the past two seasons I have witnessed the lack of ice time afforded to our youth who currently skate. I think it is only sensible to make people aware that this sport is growing tremendously for both boys and girls right here in Lincoln and the need for the new arena is very obvious.

Thank you for your time and support of this project !!

Sincerely Les Franklin II

Jamie Phillips

From: Trish A. Owen
Sent: Tuesday, February 11, 2014 8:00 PM
To: Jamie Phillips; Timothy F. Clare; Doug Emery-Home
Subject: FW: Build Breslow!!!

Trish Owen, MPA, Deputy Chief of Staff
City of Lincoln Mayor's Office
555 S. 10th Street, Suite 208
Lincoln, NE 68508
(402) 441-8280 Office
(402) 430-3390 Cellular

" If you get to thinking you are a person of some influence, try ordering somebody else's dog around." (Will Rogers)

From: Lin Quenzer
Sent: Tuesday, February 11, 2014 5:38 PM
To: Trish A. Owen
Subject: FW: Build Breslow!!!

-----Original Message-----
From: Brandon Dougherty [mailto:brandondougherty84@gmail.com]
Sent: Tuesday, February 11, 2014 11:36 AM
To: Mayor
Subject: Build Breslow!!!

I believe the Breslow Ice Complex is a necessity in Lincoln. There is a large interest in ice sports in the area and not enough facility to allow our children to explore that option. The complex would be a great benefit to the community. Not just for our children to utilize but also for adults and children to have a shared activity. This would bring revenue into the city as we could hold tournaments thus bringing people into the area. The hotels would benefit with out of town skaters needing somewhere to stay. The restaurants would benefit by families eating there in the down time of tournaments and even local families grabbing dinner on the way home. People would visit our area attractions also bringing more attention to Lincoln as a whole. I know our family has come to love ice hockey with our oldest son currently playing and our youngest son starting this fall. Our daughter loves to ice skate and is interested in figure skating. With the addition of the Breslow Ice Complex, we will not have to fear any of our children being turned away because there isn't enough ice time for all the children who are interested!

I greatly appreciate your time and hope you will agree that Breslow is a great benefit to Lincoln.

Sincerely,
Angie Dougherty

Jamie Phillips

From: Trish A. Owen
Sent: Wednesday, February 12, 2014 2:12 PM
To: Lin Quenzer; Jamie Phillips
Subject: RE: WH 14-8 Resolution: Hockey arena - tabled vote

Thanks Lin. I have connected Craig with Brian Reid who has been working on this issue for the ice folks.

Trish Owen, MPA
Deputy Chief of Staff
Office of the Mayor
555 S. 10th Street, Suite 301
Lincoln, NE 68508

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"If you get to thinking you're a person of some influence, try ordering somebody else's dog around." Will Rogers

-----Original Message-----
From: Lin Quenzer
Sent: Wednesday, February 12, 2014 2:10 PM
To: Jamie Phillips; Trish A. Owen
Subject: FW: WH 14-8 Resolution: Hockey arena - tabled vote

-----Original Message-----
From: craig boesch [mailto:craigboesch@icloud.com]
Sent: Tuesday, February 11, 2014 7:35 PM
To: tclare@nebraska.edu
Cc: Mayor; Doug Emery
Subject: WH 14-8 Resolution: Hockey arena - tabled vote

Mr. Clare,

I'd like to help clear the unknown of revenue projections for the proposed arena.

For the record, I agree with your decision today, and, am encouraged to see such prudent decision making.
From what I witnessed, the Lincoln community should be proud to be served by you, and this Board. I recognize the source, simply needing the information to present a clear path, yet, it takes a certain amount of courage to make the

right decision within that venue. I respect that, and, felt compelled to assist if I can. (That, along with the fact that you guys were down right entertaining today - made me very glad that I attended. And, moreover, delighted that I made the decision to pull my son from school early so he got to witness civic action at it's finest. Thank you for that.)

It's clear there is plenty of passion in favor of moving forward amongst all involved, however, after all these years the financial facts are still unclear.
I also think no one is truly suggesting anyone is "Robbing Peter to pay Paul", rather, "Spending, to entice Peter to come and willingly share his wealth, for the enhancement of both he, and Paul's lives."

I apologize for being so late to the party.
If you think it would help, I would like to offer to serve as a conduit to move this forward. I don't know that I'm needed or welcome at this late juncture, but, am reaching out to learn.

If it doesn't back the process up, perhaps I could convene a few of the folks that can put together what I perceive to be a key missing element in the discussion - projected annual revenue.
I also don't know what historical verification has been presented regarding operating cost, or any litmus test reflections from neighboring facilities in that regard?

IF - it would add value, I could certainly seek to verify what can be learned from surrounding communities too. Though, as the architect very succinctly stated: what's being proposed, (and needs to be proposed due to the wishes of the donor, and the area this will reside); does not lend to a direct comparison; certainly to building costs, - operating costs for what we need may vary significantly also. Yet, one would think some parallels can be drawn on anticipated revenues from other operational facilities.

If you have opportunity to respond, and think it a worthwhile, I'd be happy to invite anyone you feel would contribute to a succinct discussion toward that.
I do not know the Rec. Dept. Chair at UNL overseeing this endeavor - but will start with Frank Schmal of LIHA and will move forward from there.

A few key folks I noted today:

Frank Schmal - President LIHA
Bruce Hiller - who offered the tournament revenue projections today Nance Harris - of the figure skating group Brian Reid - (the 'Hockey Dad' - I honestly don't know who he's representing - but, it's clear he's passionate about it, so, I'll find out) The UNL contact(s) ?
Curling - (I didn't catch her name)

Beyond that - I know a hockey parent or two that might add value, or assist in making introductions where needed.

The gentleman from our Convention and Visitors Bureau could certainly contribute as well, but I perceive that to be a different revenue discussion, likely redundant to what each of you as experienced board members can, and already have assessed.

Anyway, thanks much for your time today, and all that prior to this. If you're already aware this is taking place organically following today's meeting - and I'm being redundant, or simply clouding the true issue, I'd appreciate a frank response stating that as well. I'm just hoping to help you go forward with what you need.

Best Regards,

Craig Boesch

402.499.5474 (mobile)

Jamie Phillips

From: Trish A. Owen
Sent: Tuesday, February 18, 2014 12:34 PM
To: Jamie Phillips
Subject: FW: Is Breslow Worth It?

Trish Owen, MPA
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CITY OF LINCOLN NEBRASKA

From: Lin Quenzer
Sent: Tuesday, February 18, 2014 12:10 PM
To: Trish A. Owen
Subject: FW: Is Breslow Worth It?

From: Tim Clare [mailto:tclare@nebraska.edu]
Sent: Sunday, February 16, 2014 3:37 PM
To: Candice Maruska; Mayor; deery@lincoln.ne.gov
Subject: RE: Is Breslow Worth It?

Thank you for your e-mail regarding Breslow Ice Center. Please know I sense your passion...I am passionate about it as well. However, we need to also justify it from a financial standpoint. I have spoken with many folks from the "ice community" about what is necessary in order to justify the center from a financial standpoint. If you would like to visit with me about what is necessary, please feel free to contact me on my cell phone (402.450.8015) and I would be happy to discuss any questions/comments you may have. Thanks again! Tim

Tim Clare
Board of Regents

University of Nebraska| Nebraska Regent District #1
1201 Lincoln Mall, Suite 102| Lincoln, NE 68508
(402)475-5100 (w)| (402)450-8015 (c)| tclare@nebraska.edu

From: Candice Maruska [mailto:cmaruska0804@gmail.com]
Sent: Monday, February 10, 2014 1:09 PM
To: mayor@lincoln.ne.gov; Tim Clare; deery@lincoln.ne.gov
Subject: Is Breslow Worth It?

I wanted to take a moment to share a story with the three of you over my lunch hour. This weekend my 9 year old son played in his first Midwest Select Squirt Finals weekend tournament in Omaha. I have watched that little boy go from holding on to a folding chair to keep his balance on the ice and learn how to skate, to a very hard working and passionate hockey player. I always knew that he loved hockey as he would ask me to go to the nearby frozen pond whenever possible to play, or to come out onto the driveway with him to hit a puck around, but this weekend I saw so much more than that. I watched the entire team of boys play their hearts out this weekend.

I watched the first nerve racking game as the boys worked through their own nerves and make mistakes on the ice against Sioux City. The second game was a whole new level of nerves to this hockey mom. After 36 minutes of regulation, these boys were tied with Des Moines, a team that saw them as no challenge in a seeding weekend game earlier in the season in Wichita, KS and our boys tied them then. Today was very different, the team pushed through weary eyes as it was a 6:45am game that they were up at 5:00am to play and held it tied after 5 minutes of overtime too. Next came the shootout. Parents, players, and coaches watched one skater vs. goalie match up after the next, and finally after nine intense rounds, our very own Lincoln Jr. Stars Squirt Select team won that game!! You would of thought it was Christmas and those boys got every last thing they asked for. They piled on top of each other on the ice jumping around and celebrating and the parents complained of chest pains in the stands.

Finally, came the finals. The boys were matched up against a KC team that not only had they never played before, but also one that had not played yet that day leave it alone at 6:45 in the morning. The game went through what seemed to be the longest 36 minutes anyone could endure and it was tied. A 5 minute overtime ensued and long behold KC got the game winning goal about halfway into overtime. I felt horrible for our team, but I had no clue how bad they felt until I went down on that ice to take pictures of them with their second place trophy and saw the biggest tears falling from some of their eyes. Those boys wanted to win that in the worse way.

I knew before this weekend that I was willing to put up a fight to be sure that Breslow was built for the sake of kids just like these all across Lincoln, and surrounding communities, but after this weekend it became a whole lot more to me. LIHA board members drove to Omaha to watch that championship game, other teammates and families that were not on the Select team drove to Omaha to watch the game, Fremont families stayed to watch the game, and being the parent to one of those players out there on that ice and turning around and seeing those stands filled with familiar and unfamiliar faces rooting for those boys made me proud. Proud not only of those boys, but of the type of hockey community we have and just how far it stretches.

I could get into the dollar figures of how much I've spent on hockey and how much money it could make and all of that, but it really is about a whole lot more than just that. This is just one story of many and probably more than a few that each one of you have heard, but this is a lifestyle for many of us in our community and one that we adore. Please give Breslow your commitment both as a voice and financially!! These boys could be a whole lot more with a little help from our community and people like each one of you.

Thank you so much for your time!!

Candice Maruska