

AGENDA FOR THE WEST HAYMARKET
JOINT PUBLIC AGENCY (JPA)
TO BE HELD TUESDAY, September 23, 2014 AT 3:00 P.M.

CITY-COUNTY BUILDING
555 S. 10TH STREET
CITY COUNCIL CHAMBERS ROOM 112
LINCOLN, NE 68508

1. Introductions and Notice of Open Meetings Law Posted by Door (Chair Beutler)
2. Public Comment and Time Limit Notification Announcement (Chair Beutler)

Individuals from the audience will be given a total of 5 minutes to speak on specific items listed on today's agenda. Those testifying should identify themselves for the official record.

3. Approval of the minutes from the JPA meeting held June 18, 2014 (Chair Beutler)
 - (Staff recommendation is for the JPA Board to approve the minutes as presented)
4. Approval of June, July, and August 2014 Payment Registers (Steve Hubka)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the payment registers)
5. Review of June, July, and August 2014 Expenditure Reports (Steve Hubka)
 - Public Comment
6. WH 14-24 Resolution to approve the grant of an easement for underground utility lines, underground utility facilities, and/or at-grade equipment to Lincoln Electric System at the former Alter Metal site located in a portion of Outlot C, West Haymarket Addition. (Adam Hoebelheinrich)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)
7. WH 14-25 Resolution to approve a Letter Agreement between the West Haymarket Joint Public Agency and Guardian Industries Corp. regarding replacement of four broken glass units at Pinnacle Bank Arena and any future claims if additional breakage occurs. (Paula Portz)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)
8. WH 14-26 Resolution to approve a Right-of-Entry Agreement between the West Haymarket Joint Public Agency and Argent, Inc. for access to Lot 1, Block 8, West Haymarket Addition (Lumberworks). (Tim Sieh)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)

Pinnacle Bank Arena Event and West Haymarket JPA information may be found at:

www.pinnaclebankarena.com
www.lincoln.ne.gov

9. WH 14-27 Resolution approving the adoption of the 2014-2015 JPA Operating Budget. (Steve Hubka)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)
10. WH 14-28 Resolution approving the September 23, 2014 Proposed Program Budget - Phase I and September 23, 2014 Proposed Program Budget - Phase II. (Steve Hubka)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)
11. WH 14-29 Report of Settlement Agreement under Neb. Rev. Stat. § 84-713 (Non-Tort Claims) with Legends Sales and Marketing, LLC and Resolution authorizing settlement. (Jocelyn Golden)
 - Public Comment
 - (Staff recommendation is for the JPA Board to approve the resolution)
12. Set Next Meeting Date: Thursday, October 9, 2014 at 3:00 p.m. in the County-City Building City Council Chambers Room 112
13. Motion to Adjourn

WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)
Board Meeting
June 18, 2014

Meeting Began At: 3:30 P.M.

Meeting Ended At: 4:20 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 who wish to would get 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 May 14, 2014

Beutler asked for corrections or changes to the minutes of the May 14, 2014 JPA meeting. Clare moved approval of the minutes as presented. Emery seconded the motion. Motion carried 3-0.

Item 4 -- Approval of April and May 2014 Payment Registers

Steve Hubka, City Finance Director, presented the 2014 payment registers for April and May. Following Regent Clare's request, Mark Leikam incorporated a column to identify whether each item goes against the Operating Budget, the Phase I Budget, or the Phase II Budget. For both months, the bulk of the expenditures are for Hausmann for the Phase II Budget. The total is \$2,937,637.58 for April and \$2,854,194.39 for May.

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

Item 5 -- Review of April and May 2014 Expenditure Reports

Hubka presented the April and May Expenditure Reports. Within the next several months, there will be minor modifications brought forward on the project budget. Those reconciliations will be within the overall project budget.

Item 6 – WH 14-19 Resolution approving Amendment No. 1 to the DAS Concession Agreement with Concourse Communications Group LLC to expand the Coverage Area of the DAS Services in the Pinnacle Bank Arena to include additional outdoor coverage to the Arena main entrance and down Canopy Street.

Rick Peo, City Attorney's Office, explained this was an agreement with Concourse who does the WiFi to allow Verizon to expand their service area to space outside the arena and down Canopy Road. Exhibit B showing the new equipment locations was missing last month when this came before the Board. It is added by Motion to Amend 1. Peo also distributed a minor language change requested by Concourse in Motion to Amend 2. Concourse's desire is to get Board approval today so equipment can be installed and operational by August for football season.

JPA received a guaranteed minimum payment (GMP) on this contract, with a percentage on fees above the minimum amount. There is no cost to the JPA. It is at the company's cost to install equipment with the JPA getting a share of the revenue from Concourse.

Clare wanted to ensure any antennae did not take away from the beauty of the facility. Tom Lorenz, General Manager of Pinnacle Bank Arena, responded that they have the same concerns. They will work together to pick the locations and ensure that they are as unobtrusive as possible – probably in the stair tower area.

Jane Kinsey, Watchdogs of Lincoln Government, requested the current income figures and clarification on how this would increase JPA monies. Peo can get the current figures for Kinsey. He explained that there is a contractual agreement with Concourse to sell rights. Based on the amount of revenue received, the JPA gets a GMP and a percentage of dollars above that minimum. By allowing Verizon to sell additional or better services to people with cellular phones, more revenue will come in with the JPA getting a percentage of the additional revenue.

Emery moved approval of the resolution as amended by Motion to Amend 1 and Motion to Amend 2. Clare seconded the motion. Motion carried 3-0.

Item 7 – WH 14-22 Resolution approving a Temporary Energy Service Agreement between the West Haymarket Joint Public Agency and Project Oscar, LLC for the delivery of thermal energy for a building located on the southwest corner of Canopy Drive and P Street.

Chris Connolly, City Attorney's Office, recalled a contract was concluded with Project Oscar last summer for a 30-year agreement for steam and chilled water in their building. At that time, they did not have a need for temporary service. They are now at a construction stage where they are working inside and need temporary service for air conditioning. The difference in the temporary contract is that there is no Demand Charge financial component, which there will be in the permanent agreement. This component is to start once construction is substantially completed, which will be in the next couple of months. This is a pass through arrangement in paying for the commodities and there is no charge to the JPA. This is figured into the DEC figure currently so it will not affect the number shown in the operating expenditures. The financial component will aid things once Project Oscar is complete.

Kinsey questioned whether Project Oscar was already built. Regarding the agreement with Lincoln Electric System (LES) to provide green/thermal energy, she asked if this was the same thing. Beutler responded that Project Oscar is a building that is mostly constructed and it will use thermal energy. Energy is also provided to a number of other buildings that will be serviced by the District Energy

Commission (DEC), including the arena itself. Kinsey is trying to understand why the electricity is so high, which is leading to the deficit in the arena income. She wanted to clarify whether we are paying commercial rates in that building. Beutler responded that the building is a new facility with unique qualities and fixtures making it difficult to predict the needs. Hubka added that the arena pays a high demand charge, which is based on the need to draw a large amount of electricity in a short amount of time. We are not getting any kind of break from LES on the charges. So, the amount paid would be the same commercial rate as a similar type and size of facility would pay.

Kinsey expressed concern that the Council allowed LES to raise their rates, which indicates to her that there was no thought as to how the increase would affect the arena. Beutler offered that demand in Lincoln has been going down with sustainability efforts. Emery interjected that the Council actually did not raise any rates. As they do every year, LES came forward with a rate package request, the Council deemed it a reasonable request, and the Council approved the request. It would be inappropriate to have it not affect the arena since the increase affected everyone in town. Although no rates would have increased if not approved, LES may not have been able to pay their bills leading to an even bigger problem. Emery disagreed with Kinsey's characterization – he believes the Council knew exactly what they were doing. They did not look at the arena in a vacuum, but looked at every residence and business as they are charged with doing. They did not like the increase, but it is part of paying the bills. Kinsey responded that she is worried about the arena being able to pay its bills.

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

Item 8 – WH 14-23 Resolution to amend the Operating Budget for September 1, 2013 to August 31, 2014 to include and authorize a \$465,000 IMG Sponsorship payment from the JPA to the Pinnacle Bank Arena and up to \$90,000 sales tax payment to the Nebraska Department of Revenue attributable to the taxability on the right to purchase premium seating

Hubka pointed out that the resolution before the Board amends the Operating Budget for the current fiscal year that runs September 1, 2013 through August 31, 2014. It has two components: 1) transfer and reallocation of IMG sponsorship revenue from JPA to the Pinnacle Bank Arena and 2) an addition to the budget of \$90,000 to pay sales tax due on premium seating.

The first part of the budget proposal is to address the arena's shortfall due to high-energy costs by providing a reallocation of revenues. The budget passed in December identified the sources of revenue and authorizations that are now in place. The agreement with IMG College guarantees \$750,000 in sponsorship payments to the JPA in the current fiscal year. The previously adopted budget showed \$285,000 for the pouring rights to the arena operation. The current proposal would provide the remaining \$465,000 for this F.Y. to the operation of the arena to cover the projected year-end deficit. Of the possible reallocation of revenue streams, this one appears to many to make the most sense since: 1) sponsorship revenue typical stays with an arena, 2) sponsorships are impacted by the number and type of events that draw people who see the advertising to the arena, 3) SMG, as the arena operator, has fulfillment obligations related to the sponsorship deals that create expenses, as well as revenues for the arena operation, and 4) costs that get sold by SMG can be impacted by the sponsorship deals that get made and generate the sponsorship revenues in the first place. Along with this agreement, SMG has agreed to renegotiate the provisions in the operating agreement for their incentive payment.

The second part is a proposal the JPA pick up \$90,000 of sales tax owed to the Department of Revenue for premium seats for the current fiscal year. In April of 2013, we were contacted with questions regarding sales tax not being collected on premium seat payments for suite, loge and club payments that

represented admissions, plus the options for tickets. We had information from Century Link that club seat payments were not taxable. After many meetings and letters over a course of a year, the Department of Revenue determined that the option to buy tickets for suites were subject to sales tax at \$1,200 and club seats at \$150. The remainder was tickets sales or could be considered a donation. In late May, we determined that we owe about \$90,000 in sales tax on premium seating arrangements. One piece of good news is that we will get \$47,223 back as Turnback Tax.

With annual bills due to go out shortly, the City Attorney has agreed to write a letter to the premium seat holders explaining the situation. The contracts do agree for them to pay sales tax. Since it is almost the end of the year, it was appropriate for this cost to be picked up for the current fiscal year by the JPA. Hubka agreed with Clare's summarization that this resolution requests a one-year payment by the JPA with future tax for this seating to be paid by the premium seat holders.

City Attorney, Jeff Kirkpatrick, added that part of the consideration was that these people are paying a contribution to make the arena possible. It is important not to give them the unpleasant surprise of asking for next year's taxes, and then asking for back taxes. Emery asked if there were any legal ramifications if we ask for payment from seat holders. Kirkpatrick did not believe that to be a possibility since it was laid out within the agreements that they are responsible for any tax. Responding to Beutler's question as to whether everyone is being treated equitably across the State now, including football stadiums; Kirkpatrick explained that one of the reasons they were surprised by this and argued so strenuously with the Department of Revenue is that, from everything known today, this is not something that is being applied to Century Link. Of course, the Department of Revenue will not comment on what other taxpayers pay, but say their intent is to interpret and apply this same to everyone. As far as is know, the football stadiums are treated the same as Century Link.

Clare is concerned about the way this is written, as it implies the arena is losing money and, in his mind, it has been very successful. The operator has had some unanticipated expenses that have caused the operator to be in a deficit right now. Hubka explained that, if taken in isolation, the arena operation is showing a loss on the financials and is projected to show a loss at the end of the fiscal year. If you look at the entire project, however, the project is doing extremely well. The occupation tax monies far exceed the amount of money talked about here.

Clare continued that this was anticipated as there are provisions in the contract to make SMG whole. Hubka clarified that there are provisions in several locations, including the SMG operating agreement that provides that deficits in the operating account, which is a checking account at Pinnacle Bank, be made up. That is more of a cash flow issue. Today's discussion deals more with a net income issue. That is addressed in the facilities agreement. That is one of four buckets of money that is filled up by the JPA revenues. Peo confirmed he reviewed the facilities agreement, and Section 8. says that utilities, taxes and other operating costs of the arena are ultimately the responsibility of the JPA to pay out of the operation and maintenance fund. That fund itself specifically says it will be used for operating costs to the arena to the extent that the revenues received by the arena manager are insufficient for such purposes. Clare summarized then that the JPA is then fulfilling what the contract requires them to do with regard to SMG's shortfall, and, secondly, that pulling the monies from advertising is a common practice throughout the industry because booking of popular shows by the operator and advertising sales and associated revenues are interdependent. Peo agreed stating they are trying to get this on a cash flow basis so the budget does not need amended. Finally, Clare understood that the operator was never intended to make a large profit – it was close to break even. They are now proposing to modify the agreement that, if there is indeed a profit due to the move of this money, some may flow back to the JPA. Peo clarified that all the revenues flow through the same revenue account and any excess monies

help the overall costs. It is just that this one fund in the account has a revenue source from the arena manager prior to utilization of the arena operations and maintenance fund. Hubka explained that this action only covers the current budget through the end of August. Therefore, a similar discussion will probably happen again.

Kinsey asked if this means the charges for the premium seating will go up in order to collect the taxes. Kirkpatrick clarified that the actual seat charges will not change as they are set by contract and cannot be changed. However, the Department of Revenue has determined that a portion of the premium seat charges is taxable and, therefore, we are required to collect the sales tax. In the future, that will be collected from the customer purchasing the premium seats. Kinsey asked how much income has been collected in Occupation Tax, to which Hubka responded that the City has received \$13,652,000 last calendar year. During the first five months of this year, we were up about 6.7%. That is on restaurants, hotels, and car rentals. Kinsey stated that if the arena does not break even, it is losing money regardless of what it is called. She is concerned that the JPA does not want people to speak in opposition, but honorable people can have differing opinions.

Sharon Wherry, Board of Directors of Pinnacle Bank Arena and past Pershing Auditorium Board came forward. She has served for over ten years, the entire time that Tom Lorenz has been here. She is supporting the resolution and the staff that have done a tremendous job in keeping expenses down. She agrees with Clare that the arena has been extremely successful. They have done their part to keep expenses where they should be and is happy that the JPA has enough cash flow to pay down the debt, probably ahead of schedule. Beutler thanked Wherry for her service. Emery asked if Wherry believed it was fair to say that this was a learning year for a new facility making it difficult to determine what the base budget should be. Wherry said it is a very complicated process. When the budget was set before the arena was built, they talked to other arenas about their experiences and expenses. The University contracts were subsequently negotiated. Monies that typically would come to the arena to pay for the expenses of doing business have gone to the JPA instead for debt payments. This is one way to bring some of those resources back so they rightfully pay a fair share of the arena expenses for the year. It is a difficult business as they do not know from year to year what acts will be secured making it difficult to set a budget. The entertainment climate and organizational activities can change quickly. They do their best based on experience and then juggle throughout the year as needed.

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

Item 9 -- Set Next Meeting Date

Thursday, July 10, 2014 at 3:00 p.m. in the County-City Building City Council Chambers
Room 112

Item 10 -- Motion to Adjourn

The meeting adjourned at 4:20 p.m.

Prepared by: Pam Gadeken, Public Works & Utilities

West Haymarket Joint Public Agency
 Payment Register
 6/1/2014 through 6/30/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
97885	Copy Services	Customer 595381	OP	06095	W Haymarket Surplus/ O & M	PV	1541210	9.11	06/04/14	516437
108417	Citizen Information Center	WHJPA Video 5/14/2014	OP	06095	W Haymarket Surplus/ O & M	PV	1541216	90.00	06/04/14	516438
324566	Union Bank & Trust Company	West Haymarket Series 2010A	OP	195011	JPA 2010A Debt Service	PV	1540788	2,325,755.00	06/04/14	516440
324566	Union Bank & Trust Company	West Haymarket Series 2010B	OP	195021	JPA 2010B/C Debt Service	PV	1540791	1,855,980.00	06/04/14	516440
324566	Union Bank & Trust Company	West Haymarket Series 2010C	OP	195021	JPA 2010B/C Debt Service	PV	1540792	1,081,181.25	06/04/14	516440
324566	Union Bank & Trust Company	West Haymarket Series 2011	OP	195031	JPA 2011 Debt Service	PV	1540793	2,295,843.75	06/04/14	516440
324566	Union Bank & Trust Company	West Haymarket Series 2013	OP	195041	JPA 2013 Debt Service	PV	1540794	558,054.46	06/04/14	516440
53356	Lincoln Electric System	605 N 8th St, Pk Lot Lgh	OP	06095	W Haymarket Surplus/ O & M	PV	1541208	52.16	06/05/14	71030
98079	Black Hills Energy	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1541214	40.69	06/05/14	71069
76881	Windstream	Billing Number 402-477-6387	OP	06095	W Haymarket Surplus/ O & M	PV	1543784	95.48	06/11/14	516469
77534	Latimer Reporting	Legends v. West Haymarket JPA	OP	06095	W Haymarket Surplus/ O & M	PV	1543785	151.20	06/11/14	516470
98642	Information Services	05/14 Data Processing	OP	06095	W Haymarket Surplus/ O & M	PV	1543787	147.85	06/11/14	516471
118009	University of Nebraska-Lincoln	Loge Box revenue due to UNL	OP	06094	W Haymarket Revenue	PV	1543789	167,400.00	06/11/14	516472
131481	Public Works Business Office	City Staff	OP	06095	W Haymarket Surplus/ O & M	PV	1543790	610.31	06/11/14	516473
259371	James Heck	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543095	5.00	06/11/14	516474
272727	Denis Jensen	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543101	5.00	06/11/14	516475
606277	Stephen Ethen	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543093	5.00	06/11/14	516476
606278	Cheryl Manka	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543097	5.00	06/11/14	516477
606278	Cheryl Manka	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543098	5.00	06/11/14	516477
606278	Cheryl Manka	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543099	5.00	06/11/14	516477
606278	Cheryl Manka	Red One Parking Jesus ChristSS	OP	06096	W Haymarket Parking Revenue	PV	1543100	5.00	06/11/14	516477
53356	Lincoln Electric System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1543783	348.32	06/12/14	71222
77921	County/City Property Management	CITY CONTROLLER-JPA	OP	06095	W Haymarket Surplus/ O & M	PV	1543786	83.88	06/12/14	71244
102154	Public Building Commission	Space Rental 06/14	OP	06095	W Haymarket Surplus/ O & M	PV	1543788	52.24	06/12/14	71271
102154	Public Building Commission	Space Rental 06/14	OP	06095	W Haymarket Surplus/ O & M	PV	1543788	204.62	06/12/14	71271
588846	District Energy Corp	Customer WHymktJPA 06/14	OP	06095	W Haymarket Surplus/ O & M	PV	1543791	166,197.35	06/12/14	71321
101098	Mark Hansen	Jesus Christ SS Parking Refund	OP	06096	W Haymarket Parking Revenue	PV	1545512	5.00	06/18/14	517322
606303	Corey Dousharm	Jesus Christ SS Redl Prkg Rfnd	OP	06096	W Haymarket Parking Revenue	PV	1544779	5.00	06/18/14	517323
606304	Linda Biggerstaff	Jesus Christ SS Redl Prkg Rfnd	OP	06096	W Haymarket Parking Revenue	PV	1544780	5.00	06/18/14	517324
606334	Melissa Frady	Jesus Christ SS Parking Refund	OP	06096	W Haymarket Parking Revenue	PV	1545513	5.00	06/18/14	517325
82350	Nebraska Department of Revenue	WHJPA premium seat sales tax	OP	06095	W Haymarket Surplus/ O & M	PV	1546832	90,026.45	06/19/14	26035
97885	Copy Services	Customer 595381	OP	06095	W Haymarket Surplus/ O & M	PV	1547313	11.79	06/25/14	517771
98415	Lincoln Water System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1547315	119.92	06/25/14	517772
431100	City of Lincoln - Parking	JPA Parking Garage Mgmt 05/14	OP	06095	W Haymarket Surplus/ O & M	PV	1547316	36,661.50	06/25/14	517773
606350	Beverly Breiner	JESUS CHRIST SUPERSTAR 06/2/14	OP	06096	W Haymarket Parking Revenue	PV	1546883	5.00	06/25/14	517775
26665	Total Tool Supply Inc	Order #07258902	OP	06095	W Haymarket Surplus/ O & M	PV	1547312	191.90	06/26/14	71603
77921	County/City Property Management	May 2014 Amtrak Station	OP	06095	W Haymarket Surplus/ O & M	PV	1547314	347.18	06/26/14	71654
Category total								8,579,716.41		
131481	Public Works Business Office	Traffic cameras	PH1	870951	WH ITS & Dynamic Message Signs	PV	1541217	7,169.83	06/04/14	516439
41507	Sampson Construction	Proj 13038	PH1	870307	WH Streetscape	OV	1540085	42,061.00	06/05/14	71024
53356	Lincoln Electric System	200 N 7th St	PH1	870305	WH Core Area Roadway & Utility	PV	1541205	293.56	06/05/14	71030
53356	Lincoln Electric System	200 N 7th St	PH1	870305	WH Core Area Roadway & Utility	PV	1541206	229.39	06/05/14	71030
594773	Alfred Benesch & Company	Remediation,2/17-3/16/14	PH1	870604	WH Other/Miscellaneous	OV	1541259	33.50	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,2/17-3/16/14	PH1	870603	WH Environmental Contngy Pln	OV	1541259	1,063.50	06/05/14	71133
594773	Alfred Benesch & Company	Remediation, 2/17-3/16/14	PH1	870602	WH Voluntary Clean-up Program	OV	1541259	19,847.91	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,1/20-2/16/14	PH1	870601	WH NDEQ T-200	OV	1541263	2,015.41	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,1/20-2/16/14	PH1	870604	WH Other/Miscellaneous	OV	1541265	963.40	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,1/20-2/16/14	PH1	870603	WH Environmental Contngy Pln	OV	1541265	286.00	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,1/20-2/16/14	PH1	870602	WH Voluntary Clean-up Program	OV	1541265	10,491.92	06/05/14	71133
594773	Alfred Benesch & Company	Remediation,2/17-3/16/14	PH1	870601	WH NDEQ T-200	OV	1541266	427.03	06/05/14	71133

West Haymarket Joint Public Agency
 Payment Register
 6/1/2014 through 6/30/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
43684	Land Construction Inc	Site prep,Alter Bldg	PH1	870902	WH Alter Site Purchase	PV	1543392	63,229.20	06/12/14	71215
603301	Five Nines Technology Group	Wireless,3/18-5/21/14	PH1	870100	WH Arena	OV	1543374	16,381.44	06/12/14	71344
196867	Terracon Consultants Inc	Girder failure inspection	PH1	870100	WH Arena	OV	1545399	532.50	06/19/14	71476
596877	Olsson Associates	Final design,4/6-5/3/14	PH1	870000	WH General Coordination	OV	1545400	382.48	06/19/14	71558
596877	Olsson Associates	Final design, 4/6-5/3/14	PH1	870305	WH Core Area Roadway & Utility	OV	1545400	4,422.53	06/19/14	71558
596877	Olsson Associates	Final design, 4/6-5/3/14	PH1	870201	WH HymktPkLot,FestSp&PedGrdStr	OV	1545400	6,313.35	06/19/14	71558
596877	Olsson Associates	Final design, 4/6-5/3/14	PH1	870307	WH Streetscape	OV	1545400	1,908.10	06/19/14	71558
604227	NCR Corporation	5/30/14 maintenance fee	PH1	870100	WH Arena	OV	1547107	156.30	06/25/14	517774
40310	Commonwealth Electric Co of the Mi	May,2014 Haymarket Fiber	PH1	870951	WH ITS & Dynamic Message Signs	OV	1546080	1,445.40	06/26/14	71630
40310	Commonwealth Electric Co of the Mi	Final on Haymarket Fiber	PH1	870951	WH ITS & Dynamic Message Signs	OV	1546081	11,812.60	06/26/14	71630
41507	Sampson Construction	May,2014 Infrastructure Imp	PH1	870307	WH Streetscape	OV	1546103	32,828.00	06/26/14	71633
320143	Hawkins Construction	Haymarket Imp,1/12-6/13/14	PH1	870201	WH HymktPkLot,FestSp&PedGrdStr	OV	1547110	102,148.45	06/26/14	71695
Category total								326,442.80		
37233	Olsson Associates	Deck 2,4/6-5/3/14 service	PH2	870205	WH Parking Garage #2 P2	OV	1541219	4,290.00	06/05/14	71018
37233	Olsson Associates		PH2	870206	WH Parking Garage #3 P2	OV	1541220	1,820.00	06/05/14	71018
160573	Lancaster County Treasurer	Surplus items from Co Jail	PH2	870206	WH Parking Garage #3 P2	PV	1541218	1,440.00	06/05/14	71083
602078	Hausmann-Dunn, a Joint Venture	Proj#13049100	PH2	870205	WH Parking Garage #2 P2	OV	1540086	2,174,314.00	06/05/14	71152
602078	Hausmann-Dunn, a Joint Venture	Proj#13049100	PH2	870206	WH Parking Garage #3 P2	OV	1540086	574,048.00	06/05/14	71152
598263	PC Sports LLC	May,2014 Mgmt,Add#2	PH2	870001	WH General Coordination P2	OV	1543388	20,000.00	06/12/14	71337
596877	Olsson Associates	Final design, 4/6-5/3/14	PH2	870309	WH Streetscape P2	OV	1545400	26,495.00	06/19/14	71558
596877	Olsson Associates	Final design, 4/6-5/3/14	PH2	870205	WH Parking Garage #2 P2	OV	1545400	19,675.75	06/19/14	71558
39781	Davis Design	Parking Deck #3 design,May	PH2	870206	WH Parking Garage #3 P2	OV	1546065	25,556.87	06/26/14	71629
Category total								2,847,639.62		
Grand total								11,753,798.83		

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870000	WH General Coordination	6,624,522.00	6,567,251.59		57,270.41

70090	West Haymarket Park	6,624,522.00	6,567,251.59		57,270.41
70091	Arena				
870100	WH Arena	183,360,003.00	183,195,101.39	100,807.89	64,093.72
870101	WH Arena Contingency	2,442,000.00			2,442,000.00
870203	WH Arena Parking Garage	726,438.00	726,438.23		.23-

70091	Arena	186,528,441.00	183,921,539.62	100,807.89	2,506,093.49
70092	Parking				
870201	WH HymktPkLot,FestSp&PedGrdStr	15,562,299.00	14,695,647.03	562,021.27	304,630.70
870202	WH Parking Garage #1	14,064,727.00	13,553,834.68	410,824.00	100,068.32
870204	WH Parking Garage #2	207,036.00	203,400.39		3,635.61

70092	Parking	29,834,062.00	28,452,882.10	972,845.27	408,334.63
70093	Roads				
870301	WH Charleston Bridge/Roadway	252,015.00	252,015.40		.40-
870302	WH "M"&"N" St,7th to 10th St	3,437,329.00	3,436,496.59		832.41
870303	WH USPS Parking Lot Reconstctn	696,054.00	696,053.96		.04
870304	WH 10th & Salt Creek Road Impr	3,436,721.00	3,436,720.69		.31
870305	WH Core Area Roadway & Utility	15,441,227.00	14,355,694.14	28,361.59	1,057,171.27
870306	WH Traffic Analysis	72,650.00	72,351.96		298.04
870307	WH Streetscape	2,286,116.00	2,280,258.45	96,955.24	91,097.69-
870308	WH Sun Valley Blvd & West "O"	29,370.00	23,681.50		5,688.50

70093	Roads	25,651,482.00	24,553,272.69	125,316.83	972,892.48
70094	Pedestrian Ways				
870401	WH Plaza				
870402	WH Canopy Phase II	1,356,269.00	1,356,269.05		.05-

70094	Pedestrian Ways	1,356,269.00	1,356,269.05		.05-

City of Lincoln, NE
West Haymarket Joint Public Agency
Job Cost Report
As of June 30, 2014

	Total Budget	Expend.	Encumb.	Available Balance
00951 West Haymarket Capital Proj				
70095 Utilities				
870501 WH Sanitary Sewer Relocation	1,492,905.00	1,492,905.32		.32-
870502 WH Fiber Optic Comm & Other	506,035.00	506,034.95		.05
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70095 Utilities	1,998,940.00	1,998,940.27		.27-
70096 Environmental				
870601 WH NDEQ T-200	2,140,219.00	1,617,804.06	8,206.65	514,208.29
870602 WH Voluntary Clean-up Program	2,032,590.00	1,581,354.69	159,520.84	291,714.47
870603 WH Environmental Contngy Pln	2,176,524.00	1,324,036.36	8,116.22	844,371.42
870604 WH Other/Miscellaneous	863,716.00	700,015.22	4,402.20	159,298.58
870605 WH Canopy Phase I-Lead Abatemt				
870606 WH Alter Brownfield Site				
870607 WH JayLynn/Watson/Alter N		200,000.00		200,000.00-
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70096 Environmental	7,213,049.00	5,423,210.33	180,245.91	1,609,592.76
70097 Dirt Moving				
870701 WH Stmwtr Mtgtn-Sth&WstOf BNSF				
870703 WH Initial Haymarket Site Prep	6,095,931.00	6,087,616.60		8,314.40
870704 WH Other Stormwater Mitigation				
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70097 Dirt Moving	6,095,931.00	6,087,616.60		8,314.40
70098 TIF Improvements				
870800 WH TIF Improvements				
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70098 TIF Improvements				
70099 Site Purchase				
870901 WH BNSF Land Acquisition	1,060,420.00	1,060,419.44		.56
870902 WH Alter Site Purchase	4,846,135.00	4,611,008.12		235,126.88
870903 WH Jaylynn Site Purchase	1,700,218.00	1,702,838.21		2,620.21-
870904 WH UP Site Purchase	1,326,248.00	1,326,248.15		.15-
870905 WH BNSF Const, Rehab, Reloc	47,671,699.00	47,671,698.85		.15
870906 WH Amtrak Station	2,369,425.00	2,369,425.17		.17-
870907 WH UP Track Mod West of Bridge	1,225,232.00	1,225,231.66		.34

City of Lincoln, NE
West Haymarket Joint Public Agency
Job Cost Report
As of June 30, 2014

	Total Budget	Expend.	Encumb.	Available Balance

00951 West Haymarket Capital Proj				
70099 Site Purchase				
870908 WH Other Private Prop Acqstns	2,264,512.00	2,214,387.01		50,124.99

70099 Site Purchase	62,463,889.00	62,181,256.61		282,632.39

70100 Other Costs				
870951 WH ITS & Dynamic Message Signs	1,235,960.00	1,140,949.49	22,526.96	72,483.55
870952 WH Community Space & Civic Art	1,500,000.00	370,114.85		1,129,885.15

70100 Other Costs	2,735,960.00	1,511,064.34	22,526.96	1,202,368.70

70105 Bond Related Costs				
870975 WH Miscellaneous	528,317.00			528,317.00
870976 WH Line of Credit	53,227.00	78,227.31		25,000.31-
870977 WH Series 1 JPA Debt	1,535,168.00	1,535,167.50		.50
870978 WH Series 2 JPA Debt	1,221,802.00	1,221,802.25		.25-
870979 WH Series 3 JPA Debt	577,661.00	577,661.29		.29-
870980 WH Series 4 JPA Debt	1,243,825.00	1,243,824.50		.50

70105 Bond Related Costs	5,160,000.00	4,656,682.85		503,317.15

00951 West Haymarket Capital Proj	335,662,545.00	326,709,986.05	1,401,742.86	7,550,816.09

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870001	WH General Coordination P2	360,000.00	220,000.00	140,000.00	

70090	West Haymarket Park	360,000.00	220,000.00	140,000.00	
70092	Parking				
870205	WH Parking Garage #2 P2	12,365,000.00	6,655,114.37	5,416,431.98	293,453.65
870206	WH Parking Garage #3 P2	14,570,000.00	12,861,019.80	1,885,613.55	176,633.35-

70092	Parking	26,935,000.00	19,516,134.17	7,302,045.53	116,820.30
70093	Roads				
870309	WH Streetscape P2		34,886.08	909,311.58	944,197.66-

70093	Roads		34,886.08	909,311.58	944,197.66-
70105	Bond Related Costs				
870981	WH Series 5 JPA Debt P2	422,598.00	411,982.31		10,615.69

70105	Bond Related Costs	422,598.00	411,982.31		10,615.69

00951	West Haymarket Capital Proj	27,717,598.00	20,183,002.56	8,351,357.11	816,761.67-

As of June 30, 2014

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
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00950 West Haymarket Revenue					
06094 W Haymarket Revenue					
16 Transfer Out					
9220 Cash Transfers Out	453,266.00		453,266.00		453,266.00
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16 Transfer Out	453,266.00		453,266.00		453,266.00
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06094 W Haymarket Revenue	453,266.00		453,266.00		453,266.00
06095 W Haymarket Surplus/ O & M					
11 Materials & Supplies					
5221 Office Supplies	250.00		250.00		250.00
5261 Postage	1,200.00		1,200.00	1,211.80	11.80-
5323 Bldg Maint Supplies	500.00		500.00		500.00
5420 Minor Equipment				191.90	191.90-
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11 Materials & Supplies	1,950.00		1,950.00	1,403.70	546.30
12 Other Services & Charges					
5621 Misc Contractual Services	735,125.00		735,125.00	526,861.41	208,263.59
5624 Auditing Service	18,000.00		18,000.00	16,110.00	1,890.00
5631 Data Processing Service	2,015.00		2,015.00	1,375.68	639.32
5633 Software	1,200.00		1,200.00	999.00	201.00
5642 Legal Services				1,836.60	1,836.60-
5643 Management Services	498,095.00	465,000.00	963,095.00	297,404.98	665,690.02
5643.61 Deck 1 Mgmt Services	565,000.00		565,000.00	412,621.05	152,378.95
5643.63 Deck 3 Mgmt Services	95,000.00		95,000.00		95,000.00
5683.04 Snow Removal	2,500.00		2,500.00	1,119.75	1,380.25
5683.05 Fire Alarm Monitoring	500.00		500.00	307.80	192.20
5762 Photocopying	500.00		500.00	129.34	370.66
5763 Printing	500.00		500.00	150.88	349.12
5783 General Liability	57,000.00		57,000.00		57,000.00
5786 Property	65,400.00		65,400.00	96,000.00	30,600.00-
5794 Public Officials	31,700.00		31,700.00	30,121.00	1,579.00
5821 Electricity - Bldg & Grnds	5,840.00		5,840.00	3,908.88	1,931.12
5825 Natural Gas	3,000.00		3,000.00	2,159.03	840.97
5829 Telephone	1,200.00		1,200.00	960.99	239.01

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
00950 West Haymarket Revenue					
06095 W Haymarket Surplus/ O & M					
12 Other Services & Charges					
5830 Water	4,000.00		4,000.00	544.19	3,455.81
5835 Thermal Heating & Cooling	1,552,010.00		1,552,010.00	1,496,715.83	55,294.17
5856 City Share Linc Center Maint	34,000.00		34,000.00	40,800.00	6,800.00-
5862 Grounds Maintenance	3,000.00		3,000.00	860.16	2,139.84
5870 Other Bldg Maintenance	11,000.00		11,000.00	6,256.15	4,743.85
5928 Rent of Co/City Bldg Space	2,456.00		2,456.00	2,046.20	409.80
5931 Parking Rent Bldg Comm	627.00		627.00	522.40	104.60
5952 Advertising/Media Serv	2,850.00		2,850.00	511.39	2,338.61
5969 Arena Sales Commissions	1,307,000.00		1,307,000.00	106,370.00	1,200,630.00
5983 Sales Tax		90,000.00	90,000.00	90,026.45	26.45-
5996 Credit Card/Bank Fees				10,000.00	10,000.00-
12 Other Services & Charges	4,999,518.00	555,000.00	5,554,518.00	3,146,719.16	2,407,798.84
06095 W Haymarket Surplus/ O & M	5,001,468.00	555,000.00	5,556,468.00	3,148,122.86	2,408,345.14
195011 JPA 2010A Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	524.00		524.00	524.00	
6235 Bd Trustee Pmt-Interest	4,651,510.00		4,651,510.00	4,651,510.00	
15 Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195011 JPA 2010A Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195021 JPA 2010B/C Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	1,048.00		1,048.00	1,048.00	
6235 Bd Trustee Pmt-Interest	5,874,322.00		5,874,322.00	5,874,322.50	.50-
15 Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-
195021 JPA 2010B/C Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-

City of Lincoln, NE
West Haymarket Joint Public Agency
Operating Expenditure Report
As of June 30, 2014

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
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195031 JPA 2011 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	4,591,688.00		4,591,688.00	4,591,687.50	.50
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15 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
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195031 JPA 2011 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
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195041 JPA 2013 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	580,000.00		580,000.00	558,054.46	21,945.54
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15 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
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195041 JPA 2013 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
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00950 West Haymarket Revenue	21,154,674.00	555,000.00	21,709,674.00	18,825,269.32	2,884,404.68

West Haymarket Joint Public Agency
 Payment Register
 7/1/2014 through 7/31/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
31860	NIFCO Mechanical Systems Inc	Customer #C0060	OP	06095	W Haymarket Surplus/ O & M	PV	1548743	150.00	07/02/14	518216
31860	NIFCO Mechanical Systems Inc	Customer #C0060	OP	06095	W Haymarket Surplus/ O & M	PV	1548749	100.00	07/02/14	518216
120272	City of Lincoln - Accounting Dept	City Staff	OP	06095	W Haymarket Surplus/ O & M	PV	1548757	97,303.47	07/02/14	518218
606458	Wendy Schutte	09/20/14 MIAMI FB AT RED 1	OP	06096	W Haymarket Parking Revenue	PV	1548635	20.00	07/02/14	518219
606459	Barbara Giles	NCAA WOMEN REG 03/29/14 RED 1	OP	06096	W Haymarket Parking Revenue	PV	1548645	5.00	07/02/14	518220
606459	Barbara Giles	NCAA WOMENS REG 03/31/14 RED 1	OP	06096	W Haymarket Parking Revenue	PV	1548646	5.00	07/02/14	518220
606460	Tyler J Chicoine	1/2 MO JUNE REFUND @ RED 1	OP	06096	W Haymarket Parking Revenue	PV	1548651	42.50	07/02/14	518221
606461	Lauren Geisert	1/2 MO JUNE REFUND AT RED 1	OP	06096	W Haymarket Parking Revenue	PV	1548654	35.00	07/02/14	518222
98079	Black Hills Energy	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1548754	32.16	07/03/14	71815
76881	Windstream	Billing Number 402-477-6387	OP	06095	W Haymarket Surplus/ O & M	PV	1550195	96.71	07/09/14	518532
98415	Lincoln Water System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1550197	150.00	07/09/14	518533
131481	Public Works Business Office	City Staff	OP	06095	W Haymarket Surplus/ O & M	PV	1550199	267.94	07/09/14	518534
53356	Lincoln Electric System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1550193	565.75	07/10/14	71933
53356	Lincoln Electric System	605 N 8th St, Pk Lot Lgh	OP	06095	W Haymarket Surplus/ O & M	PV	1550194	70.69	07/10/14	71933
102154	Public Building Commission	Finance- Mark L	OP	06095	W Haymarket Surplus/ O & M	PV	1550198	52.24	07/10/14	71961
102154	Public Building Commission	Finance- Mark L	OP	06095	W Haymarket Surplus/ O & M	PV	1550198	204.62	07/10/14	71961
97885	Copy Services	Customer 595381	OP	06095	W Haymarket Surplus/ O & M	PV	1552429	14.60	07/16/14	519225
98642	Information Services	06/14 Data Processing	OP	06095	W Haymarket Surplus/ O & M	PV	1552430	147.85	07/16/14	519226
604774	Pinnacle Bank Arena	IMG Sponsorships	OP	06095	W Haymarket Surplus/ O & M	PV	1552432	465,000.00	07/16/14	519227
588846	District Energy Corp	Customer WHymktJPA 07/14	OP	06095	W Haymarket Surplus/ O & M	PV	1552431	180,355.70	07/17/14	72209
26761	NECO Security & Alarm Systems Inc	Jul-Sep 14 Alarm Services	OP	06095	W Haymarket Surplus/ O & M	PV	1554252	102.60	07/23/14	519627
118009	University of Nebraska-Lincoln	Customer 268641	OP	06095	W Haymarket Surplus/ O & M	PV	1554258	76,510.00	07/23/14	519628
431100	City of Lincoln - Parking	JPA Parking Garage Mgmt 06/14	OP	06095	W Haymarket Surplus/ O & M	PV	1554259	49,675.19	07/23/14	519629
108417	Citizen Information Center	WHJPA Video 6/18/2014	OP	06095	W Haymarket Surplus/ O & M	PV	1556219	90.00	07/30/14	520099
77921	County/City Property Management	CITY CONTROLLER-JPA	OP	06095	W Haymarket Surplus/ O & M	PV	1556216	306.48	07/31/14	72505
77921	County/City Property Management	June 2014 Amtrak Station	OP	06095	W Haymarket Surplus/ O & M	PV	1556217	427.03	07/31/14	72505
98079	Black Hills Energy	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1556218	30.60	07/31/14	72531

Category total 871,761.13

82368	State of Nebraska	Monitoring Act#10620, Apr, 2014	PH1	870602	WH Voluntary Clean-up Program	PV	1548413	1,142.21	07/02/14	518217
82368	State of Nebraska	Monitoring act#0637, Apr, 2014	PH1	870602	WH Voluntary Clean-up Program	PV	1548415	1,815.61	07/02/14	518217
602342	Dimensional Innovations	Ped Bridge design work	PH1	870201	WH HymktPkLot, FestSp&PedGrdStr	OV	1547461	5,207.47	07/03/14	71890
606240	Discount Ramps.com LLC	Cable ramps PO 18024	PH1	870100	WH Arena	PV	1551372	4,264.88	07/16/14	519228
53356	Lincoln Electric System	200 N 7th, 5/23-6/23/14	PH1	870305	WH Core Area Roadway & Utility	PV	1551304	283.29	07/17/14	72073
594773	Alfred Benesch & Company	Remediation, 3/17-4/13/14	PH1	870601	WH NDEQ T-200	OV	1552278	901.00	07/17/14	72226
594773	Alfred Benesch & Company	Remediation, 3/17-4/13/14	PH1	870604	WH Other/Miscellaneous	OV	1552299	870.87	07/17/14	72226
594773	Alfred Benesch & Company	Remediation, 3/17-4/13/14	PH1	870603	WH Environmental Contngy Pln	OV	1552299	650.00	07/17/14	72226
594773	Alfred Benesch & Company	Remediation, 3/17-4/13/14	PH1	870602	WH Voluntary Clean-up Program	OV	1552299	53,536.80	07/17/14	72226
596579	SMG	Cust#000889, WC&A	PH1	870100	WH Arena	PV	1551313	1,750.00	07/17/14	72230
596877	Olsson Associates	Design, 5/4-6/7/14	PH1	870000	WH General Coordination	OV	1552539	1,147.44	07/17/14	72232
596877	Olsson Associates	Design, 5/4-6/7/14	PH1	870305	WH Core Area Roadway & Utility	OV	1552539	4,035.82	07/17/14	72232
596877	Olsson Associates	Design, 5/4-6/7/14	PH1	870201	WH HymktPkLot, FestSp&PedGrdStr	OV	1552539	15,599.11	07/17/14	72232
596877	Olsson Associates	Design, 5/4-6/7/14	PH1	870307	WH Streetscape	OV	1552539	804.27	07/17/14	72232
41507	Sampson Construction	Infrastructure Imprpov, June	PH1	870307	WH Streetscape	OV	1553073	86,437.00	07/24/14	72302
314552	Mity-Lite Inc	Cust#727263	PH1	870100	WH Arena	PV	1553039	32,462.34	07/24/14	72373
314552	Mity-Lite Inc	Cust#727263	PH1	870100	WH Arena	PV	1553041	46,657.20	07/24/14	72373
82368	State of Nebraska	May, 2014 Monitoring Act#0637	PH1	870602	WH Voluntary Clean-up Program	PV	1554977	1,879.19	07/30/14	520098
431100	City of Lincoln - Parking	Garages, Signage & Graphics	PH1	870202	WH Parking Garage #1	PV	1554978	259.65	07/30/14	520100
35692	Gregg Electric Company	WO111799, Rewire alarms & cams	PH1	870100	WH Arena	PV	1555214	3,265.00	07/31/14	72464
53356	Lincoln Electric System	Lighting work, Pinnacle Drive	PH1	870305	WH Core Area Roadway & Utility	PV	1554979	21,257.99	07/31/14	72487
594773	Alfred Benesch & Company	Environmental, 4/14-5/11/14	PH1	870601	WH NDEQ T-200	OV	1555003	1,417.25	07/31/14	72656

West Haymarket Joint Public Agency
 Payment Register
 7/1/2014 through 7/31/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
594773	Alfred Benesch & Company	Environmental,4/14-5/11/14	PH1	870604	WH Other/Miscellaneous	OV	1555004	334.95	07/31/14	72656
594773	Alfred Benesch & Company	Environmental,4/14-5/11/14	PH1	870603	WH Environmental Contngy Pln	OV	1555004	2,497.50	07/31/14	72656
594773	Alfred Benesch & Company	Environmental,4/14-5/11/14	PH1	870602	WH Voluntary Clean-up Program	OV	1555004	22,742.92	07/31/14	72656
596877	Olsson Associates	Design work,6/8-7/5/14	PH1	870000	WH General Coordination	OV	1555005	1,051.82	07/31/14	72661
596877	Olsson Associates	Design work, 6/8-7/5/14	PH1	870305	WH Core Area Roadway & Utility	OV	1555005	286.86	07/31/14	72661
596877	Olsson Associates	Design work, 6/8-7/5/14	PH1	870201	WH HymktPkLot,FestSp&PedGrdStr	OV	1555005	9,611.53	07/31/14	72661
596877	Olsson Associates	Design work, 6/8-7/5/14	PH1	870307	WH Streetscape	OV	1555005	3,127.70	07/31/14	72661
Category total								325,297.67		
37233	Olsson Associates	Deck 3 Testing,5/4-6/7/14	PH2	870206	WH Parking Garage #3 P2	OV	1552301	684.25	07/17/14	72061
37233	Olsson Associates	Deck 2 testing,5/4-6/7/14	PH2	870205	WH Parking Garage #2 P2	OV	1552303	6,548.75	07/17/14	72061
596877	Olsson Associates	Design, 5/4-6/7/14	PH2	870309	WH Streetscape P2	OV	1552539	12,857.20	07/17/14	72232
596877	Olsson Associates	Design, 5/4-6/7/14	PH2	870205	WH Parking Garage #2 P2	OV	1552539	24,640.75	07/17/14	72232
598263	PC Sports LLC	June,2014 Mgmt per Adden 2	PH2	870001	WH General Coordination P2	OV	1550700	20,000.00	07/17/14	72239
602078	Hausmann-Dunn, a Joint Venture	Deck 2 work in May,2014	PH2	870205	WH Parking Garage #2 P2	OV	1550701	1,544,785.00	07/17/14	72250
602078	Hausmann-Dunn, a Joint Venture	Deck 3 work in May, 2014	PH2	870206	WH Parking Garage #3 P2	OV	1550701	351,233.00	07/17/14	72250
41507	Sampson Construction	#14050	PH2	870309	WH Streetscape P2	OV	1553748	58,604.00	07/24/14	72302
76881	Windstream	#402-438-2000 Deck 3 ph setup	PH2	870206	WH Parking Garage #3 P2	PV	1554980	519.38	07/30/14	520097
431100	City of Lincoln - Parking	Garages, Signage & Graphics	PH2	870205	WH Parking Garage #2 P2	PV	1554978	10,475.17	07/30/14	520100
37233	Olsson Associates	Inspect Deck 2,6/8-7/5/14	PH2	870205	WH Parking Garage #2 P2	OV	1555161	6,098.00	07/31/14	72470
37233	Olsson Associates	Inspect Deck 3,6/8-7/5/14	PH2	870206	WH Parking Garage #3 P2	OV	1555165	1,142.75	07/31/14	72470
39781	Davis Design	June,2014 work on Deck 3	PH2	870206	WH Parking Garage #3 P2	OV	1555002	25,556.87	07/31/14	72474
596877	Olsson Associates	Design work,6/8-7/5/14	PH2	870205	WH Parking Garage #2 P2	OV	1555005	17,581.50	07/31/14	72661
Category total								2,080,726.62		
Grand total								3,277,785.42		

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870000	WH General Coordination	6,624,522.00	6,569,450.85	82,539.40	27,468.25-

70090	West Haymarket Park	6,624,522.00	6,569,450.85	82,539.40	27,468.25-

70091	Arena				
870100	WH Arena	183,360,003.00	183,296,495.26	99,613.44	36,105.70-
870101	WH Arena Contingency	2,442,000.00			2,442,000.00
870203	WH Arena Parking Garage	726,438.00	726,438.23		.23-

70091	Arena	186,528,441.00	184,022,933.49	99,613.44	2,405,894.07

70092	Parking				
870201	WH HymktPkLot,FestSp&PedGrdStr	15,562,299.00	14,720,857.67	438,907.06	402,534.27
870202	WH Parking Garage #1	14,064,727.00	13,554,094.33	410,824.00	99,808.67
870204	WH Parking Garage #2	207,036.00	203,400.39		3,635.61

70092	Parking	29,834,062.00	28,478,352.39	849,731.06	505,978.55

70093	Roads				
870301	WH Charleston Bridge/Roadway	252,015.00	252,015.40		.40-
870302	WH "M"&"N" St,7th to 10th St	3,437,329.00	3,436,496.59		832.41
870303	WH USPS Parking Lot Reconstctn	696,054.00	696,053.96		.04
870304	WH 10th & Salt Creek Road Impr	3,436,721.00	3,436,720.69		.31
870305	WH Core Area Roadway & Utility	15,441,227.00	14,381,835.28	24,038.91	1,035,352.81
870306	WH Traffic Analysis	72,650.00	72,351.96		298.04
870307	WH Streetscape	2,286,116.00	2,333,834.42	43,379.27	91,097.69-
870308	WH Sun Valley Blvd & West "O"	29,370.00	23,681.50		5,688.50

70093	Roads	25,651,482.00	24,632,989.80	67,418.18	951,074.02

70094	Pedestrian Ways				
870401	WH Plaza				
870402	WH Canopy Phase II	1,356,269.00	1,356,269.05		.05-

70094	Pedestrian Ways	1,356,269.00	1,356,269.05		.05-

City of Lincoln, NE
 West Haymarket Joint Public Agency
 Job Cost Report
 As of July 31, 2014

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70095	Utilities				
870501	WH Sanitary Sewer Relocation	1,492,905.00	1,492,905.32		.32-
870502	WH Fiber Optic Comm & Other	506,035.00	506,034.95		.05

70095	Utilities	1,998,940.00	1,998,940.27		.27-
70096	Environmental				
870601	WH NDEQ T-200	2,140,219.00	1,620,122.31	5,888.40	514,208.29
870602	WH Voluntary Clean-up Program	2,032,590.00	1,659,513.60	130,912.12	242,164.28
870603	WH Environmental Contngy Pln	2,176,524.00	1,327,183.86	4,968.72	844,371.42
870604	WH Other/Miscellaneous	863,716.00	701,221.04	3,196.38	159,298.58
870605	WH Canopy Phase I-Lead Abatemt				
870606	WH Alter Brownfield Site				
870607	WH JayLynn/Watson/Alter N		200,000.00		200,000.00-

70096	Environmental	7,213,049.00	5,508,040.81	144,965.62	1,560,042.57
70097	Dirt Moving				
870701	WH Stmwtr Mtgtn-Sth&WstOf BNSF				
870703	WH Initial Haymarket Site Prep	6,095,931.00	6,087,616.60		8,314.40
870704	WH Other Stormwater Mitigation				

70097	Dirt Moving	6,095,931.00	6,087,616.60		8,314.40
70098	TIF Improvements				
870800	WH TIF Improvements				

70098	TIF Improvements				
70099	Site Purchase				
870901	WH BNSF Land Acquisition	1,060,420.00	1,060,419.44		.56
870902	WH Alter Site Purchase	4,846,135.00	4,611,008.12		235,126.88
870903	WH Jaylynn Site Purchase	1,700,218.00	1,702,838.21		2,620.21-
870904	WH UP Site Purchase	1,326,248.00	1,326,248.15		.15-
870905	WH BNSF Const, Rehab, Reloc	47,671,699.00	47,671,698.85		.15
870906	WH Amtrak Station	2,369,425.00	2,369,425.17		.17-
870907	WH UP Track Mod West of Bridge	1,225,232.00	1,225,231.66		.34

City of Lincoln, NE
West Haymarket Joint Public Agency
Job Cost Report
As of July 31, 2014

	Total Budget	Expend.	Encumb.	Available Balance
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00951 West Haymarket Capital Proj				
70099 Site Purchase				
870908 WH Other Private Prop Acqstns	2,264,512.00	2,214,387.01		50,124.99
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70099 Site Purchase	62,463,889.00	62,181,256.61		282,632.39
70100 Other Costs				
870951 WH ITS & Dynamic Message Signs	1,235,960.00	1,140,949.49	22,526.96	72,483.55
870952 WH Community Space & Civic Art	1,500,000.00	370,114.85		1,129,885.15
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70100 Other Costs	2,735,960.00	1,511,064.34	22,526.96	1,202,368.70
70105 Bond Related Costs				
870975 WH Miscellaneous	528,317.00			528,317.00
870976 WH Line of Credit	53,227.00	78,227.31		25,000.31-
870977 WH Series 1 JPA Debt	1,535,168.00	1,535,167.50		.50
870978 WH Series 2 JPA Debt	1,221,802.00	1,221,802.25		.25-
870979 WH Series 3 JPA Debt	577,661.00	577,661.29		.29-
870980 WH Series 4 JPA Debt	1,243,825.00	1,243,824.50		.50
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70105 Bond Related Costs	5,160,000.00	4,656,682.85		503,317.15
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00951 West Haymarket Capital Proj	335,662,545.00	327,003,597.06	1,266,794.66	7,392,153.28

		Total Budget	Expend.	Encumb.	Available Balance
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00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870001	WH General Coordination P2	360,000.00	240,000.00	120,000.00	
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70090	West Haymarket Park	360,000.00	240,000.00	120,000.00	
70092	Parking				
870205	WH Parking Garage #2 P2	12,365,000.00	10,481,052.54	1,600,968.98	282,978.48
870206	WH Parking Garage #3 P2	14,570,000.00	13,504,771.05	1,242,381.68	177,152.73-
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70092	Parking	26,935,000.00	23,985,823.59	2,843,350.66	105,825.75
70093	Roads				
870309	WH Streetscape P2		109,431.28	834,766.38	944,197.66-
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70093	Roads		109,431.28	834,766.38	944,197.66-
70105	Bond Related Costs				
870981	WH Series 5 JPA Debt P2	422,598.00	411,982.31		10,615.69
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70105	Bond Related Costs	422,598.00	411,982.31		10,615.69
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00951	West Haymarket Capital Proj	27,717,598.00	24,747,237.18	3,798,117.04	827,756.22-

As of July 31, 2014

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
00950 West Haymarket Revenue					
06094 W Haymarket Revenue					
16 Transfer Out					
9220 Cash Transfers Out	453,266.00		453,266.00	453,465.63	199.63-
16 Transfer Out	453,266.00		453,266.00	453,465.63	199.63-
06094 W Haymarket Revenue	453,266.00		453,266.00	453,465.63	199.63-
06095 W Haymarket Surplus/ O & M					
11 Materials & Supplies					
5221 Office Supplies	250.00		250.00		250.00
5261 Postage	1,200.00		1,200.00	1,518.28	318.28-
5323 Bldg Maint Supplies	500.00		500.00		500.00
5420 Minor Equipment				191.90	191.90-
11 Materials & Supplies	1,950.00		1,950.00	1,710.18	239.82
12 Other Services & Charges					
5621 Misc Contractual Services	735,125.00		735,125.00	603,639.35	131,485.65
5624 Auditing Service	18,000.00		18,000.00	16,110.00	1,890.00
5631 Data Processing Service	2,015.00		2,015.00	1,523.53	491.47
5633 Software	1,200.00		1,200.00	999.00	201.00
5642 Legal Services				1,836.60	1,836.60-
5643 Management Services	498,095.00	465,000.00	963,095.00	762,404.98	200,690.02
5643.61 Deck 1 Mgmt Services	565,000.00		565,000.00	462,296.24	102,703.76
5643.63 Deck 3 Mgmt Services	95,000.00		95,000.00		95,000.00
5683.04 Snow Removal	2,500.00		2,500.00	1,119.75	1,380.25
5683.05 Fire Alarm Monitoring	500.00		500.00	410.40	89.60
5762 Photocopying	500.00		500.00	143.94	356.06
5763 Printing	500.00		500.00	150.88	349.12
5783 General Liability	57,000.00		57,000.00		57,000.00
5786 Property	65,400.00		65,400.00	96,000.00	30,600.00-
5794 Public Officials	31,700.00		31,700.00	30,121.00	1,579.00
5821 Electricity - Bldg & Grnds	5,840.00		5,840.00	4,545.32	1,294.68
5825 Natural Gas	3,000.00		3,000.00	2,189.63	810.37
5829 Telephone	1,200.00		1,200.00	1,057.70	142.30

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
00950 West Haymarket Revenue					
06095 W Haymarket Surplus/ O & M					
12 Other Services & Charges					
5830 Water	4,000.00		4,000.00	694.19	3,305.81
5835 Thermal Heating & Cooling	1,552,010.00		1,552,010.00	1,677,071.53	125,061.53-
5856 City Share Linc Center Maint	34,000.00		34,000.00	40,800.00	6,800.00-
5862 Grounds Maintenance	3,000.00		3,000.00	860.16	2,139.84
5870 Other Bldg Maintenance	11,000.00		11,000.00	6,683.18	4,316.82
5928 Rent of Co/City Bldg Space	2,456.00		2,456.00	2,250.82	205.18
5931 Parking Rent Bldg Comm	627.00		627.00	574.64	52.36
5952 Advertising/Media Serv	2,850.00		2,850.00	601.39	2,248.61
5969 Arena Sales Commissions	1,307,000.00		1,307,000.00	106,370.00	1,200,630.00
5983 Sales Tax		90,000.00	90,000.00	73,195.21	16,804.79
5996 Credit Card/Bank Fees				10,000.00	10,000.00-
12 Other Services & Charges	4,999,518.00	555,000.00	5,554,518.00	3,903,649.44	1,650,868.56
06095 W Haymarket Surplus/ O & M	5,001,468.00	555,000.00	5,556,468.00	3,905,359.62	1,651,108.38
195011 JPA 2010A Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	524.00		524.00	524.00	
6235 Bd Trustee Pmt-Interest	4,651,510.00		4,651,510.00	4,651,510.00	
15 Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195011 JPA 2010A Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195021 JPA 2010B/C Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	1,048.00		1,048.00	1,048.00	
6235 Bd Trustee Pmt-Interest	5,874,322.00		5,874,322.00	5,874,322.50	.50-
15 Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-
195021 JPA 2010B/C Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-

City of Lincoln, NE
West Haymarket Joint Public Agency
Operating Expenditure Report
As of July 31, 2014

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
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195031 JPA 2011 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	4,591,688.00		4,591,688.00	4,591,687.50	.50
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15 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
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195031 JPA 2011 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
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195041 JPA 2013 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	580,000.00		580,000.00	558,054.46	21,945.54
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15 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
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195041 JPA 2013 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
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00950 West Haymarket Revenue	21,154,674.00	555,000.00	21,709,674.00	20,035,971.71	1,673,702.29

West Haymarket Joint Public Agency
 Payment Register
 8/1/2014 through 8/31/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
76881	Windstream	Billing Number 402-477-6387	OP	06095	W Haymarket Surplus/ O & M	PV	1557743	100.60	08/06/14	520520
131481	Public Works Business Office	City Staff	OP	06095	W Haymarket Surplus/ O & M	PV	1557744	312.60	08/06/14	520521
241171	Julie Lewis	Jesus Christ SS Parking Refund	OP	06096	W Haymarket Parking Revenue	PV	1556842	5.00	08/06/14	520522
606757	Denise Wellman	Redl July 2014 refund	OP	06096	W Haymarket Parking Revenue	PV	1557222	70.00	08/06/14	520524
606808	John Hoppe	Jesus Christ SS Parking Refund	OP	06096	W Haymarket Parking Revenue	PV	1556411	5.00	08/06/14	520525
606808	John Hoppe	Jesus Christ SS Parking Refund	OP	06096	W Haymarket Parking Revenue	PV	1556580	5.00	08/06/14	520525
53356	Lincoln Electric System	605 N 8th St, Pk Lot LGH	OP	06095	W Haymarket Surplus/ O & M	PV	1557742	73.30	08/07/14	72733
53356	Lincoln Electric System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1559346	657.32	08/14/14	72902
102154	Public Building Commission	Space Rental 08/14	OP	06095	W Haymarket Surplus/ O & M	PV	1559349	52.24	08/14/14	72961
102154	Public Building Commission	Space Rental 08/14	OP	06095	W Haymarket Surplus/ O & M	PV	1559349	204.62	08/14/14	72961
102154	Public Building Commission	Amtrak janitorial supplies	OP	06095	W Haymarket Surplus/ O & M	PV	1559352	115.08	08/14/14	72961
588846	District Energy Corp	Customer WHymktJPA	OP	06095	W Haymarket Surplus/ O & M	PV	1559353	185,426.33	08/14/14	73020
97885	Copy Services	Customer 595381	OP	06095	W Haymarket Surplus/ O & M	PV	1561623	1.26	08/20/14	521316
98415	Lincoln Water System	277 Pinnacle Arena Dr	OP	06095	W Haymarket Surplus/ O & M	PV	1561624	126.33	08/20/14	521317
98642	Information Services	07/14 Data Processing	OP	06095	W Haymarket Surplus/ O & M	PV	1561626	147.85	08/20/14	521318
118009	University of Nebraska-Lincoln	Customer 268641	OP	06095	W Haymarket Surplus/ O & M	PV	1561630	161,515.00	08/20/14	521319
606954	Michael Walter	AUG 2014 REFUND AT RED 1	OP	06096	W Haymarket Parking Revenue	PV	1559178	85.00	08/20/14	521320
77921	County/City Property Management	July 2014 Amtrak Station	OP	06095	W Haymarket Surplus/ O & M	PV	1561622	547.67	08/21/14	73103
120272	City of Lincoln - Accounting Dept	City Staff 5/22/14-8/13/14	OP	06095	W Haymarket Surplus/ O & M	PV	1564062	86,839.31	08/27/14	26252
431100	City of Lincoln - Parking	JPA Garage Mgmt 10/13 revised	OP	06095	W Haymarket Surplus/ O & M	PV	1563018	13,940.82	08/27/14	521851
431100	City of Lincoln - Parking	JPA Garage Mgmt 04/14 revised	OP	06095	W Haymarket Surplus/ O & M	PD	1563019	11,438.79	08/27/14	521851
431100	City of Lincoln - Parking	JPA Garage Management 07/14	OP	06095	W Haymarket Surplus/ O & M	PV	1563020	69,473.73	08/27/14	521851
77921	County/City Property Management	CITY CONTROLLER-JPA	OP	06095	W Haymarket Surplus/ O & M	PV	1563016	231.84	08/28/14	73297

Category total 508,497.11

603927	Riley Manufacturing	#870100,Dasher Bd work,7/20	PH1	870100	WH Arena	OV	1556728	11,695.00	08/06/14	520523
53356	Lincoln Electric System	200 N 7th, 6/24-7/23/14	PH1	870305	WH Core Area Roadway & Utility	PV	1557202	277.18	08/07/14	72733
602078	Hausmann-Dunn, a Joint Venture	Deck 1 work to 6/30/14	PH1	870202	WH Parking Garage #1	OV	1559207	147,358.00	08/14/14	73039
602342	Dimensional Innovations	#12-282 Retainage pay-out	PH1	870201	WH HymktPkLot,FestSp&PedGrdStr	OV	1559423	39,771.32	08/14/14	73040
603301	Five Nines Technology Group	#13-236 work,5/22-7/1/14	PH1	870100	WH Arena	OV	1559429	3,574.82	08/14/14	73046
603301	Five Nines Technology Group	#13-236 Pay out retainage	PH1	870100	WH Arena	OV	1559431	47,135.96	08/14/14	73046
82368	State of Nebraska	Monitoring Act#0637,June,2014	PH1	870602	WH Voluntary Clean-up Program	PV	1562268	385.01	08/27/14	521850
604227	NCR Corporation	Annual support,POS to 12/31	PH1	870100	WH Arena	OV	1560617	63.31	08/27/14	521852
604227	NCR Corporation		PH1	870100	WH Arena	OV	1562255	8,734.70	08/27/14	521852
604227	NCR Corporation		PH1	870100	WH Arena	OV	1562257	2,272.55	08/27/14	521852
606797	EKM Metering Inc.	PO18105	PH1	870100	WH Arena	PV	1562687	22,167.60	08/27/14	521853
41507	Sampson Construction	#13038,July work,Infrastrct	PH1	870307	WH Streetscape	OV	1562686	23,493.00	08/28/14	73265
314552	Mity-Lite Inc	Freight on PO18007	PH1	870100	WH Arena	PV	1560610	5,994.45	08/28/14	73344
596877	Olsson Associates		PH1	870000	WH General Coordination	OV	1562680	1,601.14	08/28/14	73393
596877	Olsson Associates		PH1	870201	WH HymktPkLot,FestSp&PedGrdStr	OV	1562680	15,107.35	08/28/14	73393

Category total 329,631.39

602078	Hausmann-Dunn, a Joint Venture	Deck 2 work to 6/30/14	PH2	870205	WH Parking Garage #2 P2	OV	1556730	1,883,720.00	08/07/14	72835
602078	Hausmann-Dunn, a Joint Venture	Deck 3 work to 6/30/14	PH2	870206	WH Parking Garage #3 P2	OV	1556730	320,247.00	08/07/14	72835
39781	Davis Design	July,2014 Deck 3 design wrk	PH2	870206	WH Parking Garage #3 P2	OV	1559205	25,556.87	08/14/14	72891
598263	PC Sports LLC	July,2014 Addendum 2 work	PH2	870001	WH General Coordination P2	OV	1559202	20,000.00	08/14/14	73034
41507	Sampson Construction	#14050, July work,streetscp	PH2	870309	WH Streetscape P2	OV	1562681	183,546.00	08/28/14	73265
596877	Olsson Associates		PH2	870205	WH Parking Garage #2 P2	OV	1562680	23,178.24	08/28/14	73393
602078	Hausmann-Dunn, a Joint Venture	Deck 2 work for July,2-14	PH2	870205	WH Parking Garage #2 P2	OV	1560481	532,866.00	08/28/14	73404

West Haymarket Joint Public Agency
 Payment Register
 8/1/2014 through 8/31/2014

Vendor Number	Name	Remark	Cat	Project	Description	Do Ty	Doc Number	Amount	Payment Date	Payment Number
602078	Hausmann-Dunn, a Joint Venture	Deck 3 work for July,2014	PH2	870206	WH Parking Garage #3 P2	OV	1560481	285,715.00	08/28/14	73404
Category total								3,274,829.11		
Grand total								4,112,957.61		

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870000	WH General Coordination	6,624,522.00	6,571,051.99	80,938.26	27,468.25-

70090	West Haymarket Park	6,624,522.00	6,571,051.99	80,938.26	27,468.25-

70091	Arena				
870100	WH Arena	183,360,003.00	183,366,038.09	84,570.86	90,605.95-
870101	WH Arena Contingency	2,442,000.00			2,442,000.00
870203	WH Arena Parking Garage	726,438.00	726,438.23		.23-

70091	Arena	186,528,441.00	184,092,476.32	84,570.86	2,351,393.82

70092	Parking				
870201	WH HymktPkLot,FestSp&PedGrdStr	15,562,299.00	14,735,965.02	423,799.71	402,534.27
870202	WH Parking Garage #1	14,064,727.00	13,693,776.33	271,142.00	99,808.67
870204	WH Parking Garage #2	207,036.00	203,400.39		3,635.61

70092	Parking	29,834,062.00	28,633,141.74	694,941.71	505,978.55

70093	Roads				
870301	WH Charleston Bridge/Roadway	252,015.00	252,015.40		.40-
870302	WH "M"&"N" St,7th to 10th St	3,437,329.00	3,436,496.59		832.41
870303	WH USPS Parking Lot Reconstctn	696,054.00	696,053.96		.04
870304	WH 10th & Salt Creek Road Impr	3,436,721.00	3,436,720.69		.31
870305	WH Core Area Roadway & Utility	15,441,227.00	14,382,119.98	24,038.91	1,035,068.11
870306	WH Traffic Analysis	72,650.00	72,351.96		298.04
870307	WH Streetscape	2,286,116.00	2,341,970.42	35,243.27	91,097.69-
870308	WH Sun Valley Blvd & West "O"	29,370.00	23,681.50		5,688.50

70093	Roads	25,651,482.00	24,641,410.50	59,282.18	950,789.32

70094	Pedestrian Ways				
870401	WH Plaza				
870402	WH Canopy Phase II	1,356,269.00	1,356,269.05		.05-

70094	Pedestrian Ways	1,356,269.00	1,356,269.05		.05-

City of Lincoln, NE
 West Haymarket Joint Public Agency
 Job Cost Report
 As of August 31, 2014

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70095	Utilities				
870501	WH Sanitary Sewer Relocation	1,492,905.00	1,492,905.32		.32-
870502	WH Fiber Optic Comm & Other	506,035.00	506,034.95		.05

70095	Utilities	1,998,940.00	1,998,940.27		.27-
70096	Environmental				
870601	WH NDEQ T-200	2,140,219.00	1,620,122.31	5,888.40	514,208.29
870602	WH Voluntary Clean-up Program	2,032,590.00	1,662,180.53	130,912.12	239,497.35
870603	WH Environmental Contngy Pln	2,176,524.00	1,327,183.86	4,968.72	844,371.42
870604	WH Other/Miscellaneous	863,716.00	701,221.04	3,196.38	159,298.58
870605	WH Canopy Phase I-Lead Abatemt				
870606	WH Alter Brownfield Site				
870607	WH JayLynn/Watson/Alter N		200,000.00		200,000.00-

70096	Environmental	7,213,049.00	5,510,707.74	144,965.62	1,557,375.64
70097	Dirt Moving				
870701	WH Stmwtr Mtgtn-Sth&WstOf BNSF				
870703	WH Initial Haymarket Site Prep	6,095,931.00	6,087,616.60		8,314.40
870704	WH Other Stormwater Mitigation				

70097	Dirt Moving	6,095,931.00	6,087,616.60		8,314.40
70098	TIF Improvements				
870800	WH TIF Improvements				

70098	TIF Improvements				
70099	Site Purchase				
870901	WH BNSF Land Acquisition	1,060,420.00	1,060,419.44		.56
870902	WH Alter Site Purchase	4,846,135.00	4,611,008.12		235,126.88
870903	WH Jaylynn Site Purchase	1,700,218.00	1,702,838.21		2,620.21-
870904	WH UP Site Purchase	1,326,248.00	1,326,248.15		.15-
870905	WH BNSF Const, Rehab, Reloc	47,671,699.00	47,671,698.85		.15
870906	WH Amtrak Station	2,369,425.00	2,369,425.17		.17-
870907	WH UP Track Mod West of Bridge	1,225,232.00	1,225,231.66		.34

City of Lincoln, NE
West Haymarket Joint Public Agency
Job Cost Report
As of August 31, 2014

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70099	Site Purchase				
870908	WH Other Private Prop Acqstns	2,264,512.00	2,264,387.01		124.99

70099	Site Purchase	62,463,889.00	62,231,256.61		232,632.39

70100	Other Costs				
870951	WH ITS & Dynamic Message Signs	1,235,960.00	1,140,949.49	22,526.96	72,483.55
870952	WH Community Space & Civic Art	1,500,000.00	370,114.85		1,129,885.15
870953	WH Breslow Ice Rink				

70100	Other Costs	2,735,960.00	1,511,064.34	22,526.96	1,202,368.70

70105	Bond Related Costs				
870975	WH Miscellaneous	528,317.00			528,317.00
870976	WH Line of Credit	53,227.00	78,227.31		25,000.31-
870977	WH Series 1 JPA Debt	1,535,168.00	1,535,167.50		.50
870978	WH Series 2 JPA Debt	1,221,802.00	1,221,802.25		.25-
870979	WH Series 3 JPA Debt	577,661.00	577,661.29		.29-
870980	WH Series 4 JPA Debt	1,243,825.00	1,243,824.50		.50

70105	Bond Related Costs	5,160,000.00	4,656,682.85		503,317.15

00951	West Haymarket Capital Proj	335,662,545.00	327,290,618.01	1,087,225.59	7,284,701.40

		Total Budget	Expend.	Encumb.	Available Balance

00951	West Haymarket Capital Proj				
70090	West Haymarket Park				
870001	WH General Coordination P2	360,000.00	260,000.00	100,000.00	

70090	West Haymarket Park	360,000.00	260,000.00	100,000.00	
70092	Parking				
870205	WH Parking Garage #2 P2	12,365,000.00	11,027,759.57	1,077,037.49	260,202.94
870206	WH Parking Garage #3 P2	14,570,000.00	13,710,025.13	1,070,378.31	210,403.44-

70092	Parking	26,935,000.00	24,737,784.70	2,147,415.80	49,799.50
70093	Roads				
870309	WH Streetscape P2		302,638.28	641,559.38	944,197.66-

70093	Roads		302,638.28	641,559.38	944,197.66-
70105	Bond Related Costs				
870981	WH Series 5 JPA Debt P2	422,598.00	411,982.31		10,615.69

70105	Bond Related Costs	422,598.00	411,982.31		10,615.69

00951	West Haymarket Capital Proj	27,717,598.00	25,712,405.29	2,888,975.18	883,782.47-

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
00950 West Haymarket Revenue					
06094 W Haymarket Revenue					
16 Transfer Out					
9220 Cash Transfers Out	453,266.00		453,266.00	453,465.63	199.63-
16 Transfer Out	453,266.00		453,266.00	453,465.63	199.63-
06094 W Haymarket Revenue	453,266.00		453,266.00	453,465.63	199.63-
06095 W Haymarket Surplus/ O & M					
11 Materials & Supplies					
5221 Office Supplies	250.00		250.00		250.00
5261 Postage	1,200.00		1,200.00	1,750.12	550.12-
5323 Bldg Maint Supplies	500.00		500.00	115.08	384.92
5420 Minor Equipment				191.90	191.90-
11 Materials & Supplies	1,950.00		1,950.00	2,057.10	107.10-
12 Other Services & Charges					
5621 Misc Contractual Services	735,125.00		735,125.00	852,306.26	117,181.26-
5624 Auditing Service	18,000.00		18,000.00	20,610.00	2,610.00-
5631 Data Processing Service	2,015.00		2,015.00	1,671.38	343.62
5633 Software	1,200.00		1,200.00	999.00	201.00
5642 Legal Services				1,836.60	1,836.60-
5643 Management Services	498,095.00	465,000.00	963,095.00	762,404.98	200,690.02
5643.61 Deck 1 Mgmt Services	565,000.00		565,000.00	534,272.00	30,728.00
5643.63 Deck 3 Mgmt Services	95,000.00		95,000.00		95,000.00
5683.04 Snow Removal	2,500.00		2,500.00	1,119.75	1,380.25
5683.05 Fire Alarm Monitoring	500.00		500.00	410.40	89.60
5762 Photocopying	500.00		500.00	145.20	354.80
5763 Printing	500.00		500.00	206.88	293.12
5783 General Liability	57,000.00		57,000.00		57,000.00
5786 Property	65,400.00		65,400.00	96,000.00	30,600.00-
5794 Public Officials	31,700.00		31,700.00	30,121.00	1,579.00
5821 Electricity - Bldg & Grnds	5,840.00		5,840.00	5,953.07	113.07-
5825 Natural Gas	3,000.00		3,000.00	2,217.80	782.20
5829 Telephone	1,200.00		1,200.00	1,158.30	41.70

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
00950 West Haymarket Revenue					
06095 W Haymarket Surplus/ O & M					
12 Other Services & Charges					
5830 Water	4,000.00		4,000.00	820.52	3,179.48
5835 Thermal Heating & Cooling	1,552,010.00		1,552,010.00	1,862,497.86	310,487.86-
5856 City Share Linc Center Maint	34,000.00		34,000.00	40,800.00	6,800.00-
5862 Grounds Maintenance	3,000.00		3,000.00	860.16	2,139.84
5870 Other Bldg Maintenance	11,000.00		11,000.00	7,230.85	3,769.15
5928 Rent of Co/City Bldg Space	2,456.00		2,456.00	2,455.44	.56
5931 Parking Rent Bldg Comm	627.00		627.00	626.88	.12
5952 Advertising/Media Serv	2,850.00		2,850.00	601.39	2,248.61
5969 Arena Sales Commissions	1,307,000.00		1,307,000.00	106,370.00	1,200,630.00
5983 Sales Tax		90,000.00	90,000.00	73,195.21	16,804.79
5996 Credit Card/Bank Fees				10,000.00	10,000.00-
12 Other Services & Charges	4,999,518.00	555,000.00	5,554,518.00	4,416,890.93	1,137,627.07
06095 W Haymarket Surplus/ O & M	5,001,468.00	555,000.00	5,556,468.00	4,418,948.03	1,137,519.97
195011 JPA 2010A Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	524.00		524.00	524.00	
6235 Bd Trustee Pmt-Interest	4,651,510.00		4,651,510.00	4,651,510.00	
15 Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195011 JPA 2010A Debt Service	4,652,034.00		4,652,034.00	4,652,034.00	
195021 JPA 2010B/C Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	1,048.00		1,048.00	1,048.00	
6235 Bd Trustee Pmt-Interest	5,874,322.00		5,874,322.00	5,874,322.50	.50-
15 Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-
195021 JPA 2010B/C Debt Service	5,875,370.00		5,875,370.00	5,875,370.50	.50-

City of Lincoln, NE
West Haymarket Joint Public Agency
Operating Expenditure Report
As of August 31, 2014

	ORIGINAL BUDGET	BUDGET REVISIONS	TOTAL	YTD EXPEND	AVAILABLE BALANCE
-----	-----	-----	-----	-----	-----
195031 JPA 2011 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	4,591,688.00		4,591,688.00	4,591,687.50	.50
-----	-----	-----	-----	-----	-----
15 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
-----	-----	-----	-----	-----	-----
195031 JPA 2011 Debt Service	4,592,112.00		4,592,112.00	4,591,687.50	424.50
-----	-----	-----	-----	-----	-----
195041 JPA 2013 Debt Service					
15 Debt Service					
6233 Bd Trustee Pmt-Serv Chg	424.00		424.00		424.00
6235 Bd Trustee Pmt-Interest	580,000.00		580,000.00	558,054.46	21,945.54
-----	-----	-----	-----	-----	-----
15 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
-----	-----	-----	-----	-----	-----
195041 JPA 2013 Debt Service	580,424.00		580,424.00	558,054.46	22,369.54
-----	-----	-----	-----	-----	-----
00950 West Haymarket Revenue	21,154,674.00	555,000.00	21,709,674.00	20,549,560.12	1,160,113.88

RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint Public

2 Agency:

3 That the grant of the Easement for Underground Utility Lines, Underground Utility
4 Facilities and/or At-Grade Equipment to Lincoln Electric System at the former Alter Metal site
5 located in a portion of Outlot C, West Haymarket Addition, is hereby approved and the Chair is
6 hereby authorized to execute the Easement on behalf of the West Haymarket Joint Public
7 Agency.

8 The City Clerk is directed to send the original Easement to Lincoln Electric System, c/o
9 Shana Spackling, Specialist Land Management, P.O. Box 80869, Lincoln, NE 68501, for
10 recording.

11 Adopted this ____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery

**EASEMENT FOR UNDERGROUND UTILITY LINES, UNDERGROUND UTILITY FACILITIES,
AND/OR AT GRADE EQUIPMENT**

KNOW ALL MEN BY THESE PRESENTS:

That **West Haymarket Joint Public Agency ("Grantor"), a political subdivision of the State of Nebraska**, of Lancaster County, Nebraska, the owner of Lot 2, Block 6, West Haymarket addition, Lincoln, Lancaster County, Nebraska (the JPA Property), in consideration of \$1.00, receipt of which is hereby acknowledged, hereby grants and conveys unto the **LINCOLN ELECTRIC SYSTEM** (hereinafter referred to as Grantee, whether one or more), its (their) lessees, successors and assigns, the permanent right, privilege and easement to construct, reconstruct, operate and remove all necessary underground utility lines, underground utility facilities, and other necessary at grade equipment in connection therewith, on and across the JPA Property, more particularly described as follows:

See Attached Exhibit "A"

The Grantee shall also have the non-exclusive privilege and easement of ingress and egress across that portion of the JPA Property to its (their) officers and employees for any purpose necessary in connection with the construction, reconstruction operation, maintenance, inspection and removal of said underground utility lines, underground utility facilities, and/or at grade equipment.

In addition, with the prior written approval from the City of Lincoln's Director of Public Works and Utilities, which consent shall not unreasonably be withheld, the Grantee shall also have the right to trim or remove such trees and underbrush which endangers or interferes with the safe operation of the utility lines, underground utility facilities, and/or at grade equipment used in connection therewith.

The Grantee shall also at all times exercise reasonable effort to avoid injury or damage to the landscaping, and improvements of the Grantor, and the Grantee shall repair any such damage and loss arising or occurring to such property solely by reason of the construction, operation, maintenance and removal of any underground utility lines, underground utility facilities, and/or at grade equipment, however, in the event that all or part of the underground utility lines, underground utility facilities, and/or at grade equipment which may be installed on said Easement Area becomes defective or unserviceable in the sole judgment of the Grantee, the Grantee shall have the right, to maintain, repair or replace such underground utility lines, underground utility facilities, and/or at grade equipment; provided, if improvements to JPA Property make the installation of such replacements impractical at the location of the original easement granted hereby, the Grantor or their successors in title shall grant and convey to the grantee, for the same consideration as given herein, an easement for such further installation at a location on said property which is mutually satisfactory to the parties.

If the parties fail to agree upon any such new location for the underground utility lines, underground utility facilities, and/or at grade equipment, the Grantee shall have no obligation to replace or provide underground utility lines, underground utility facilities, and/or at grade equipment across or to the JPA Property and Grantee shall not be liable nor bear any responsibility to Grantor, its successors and assigns for failure to provide electric service to the property. In determining the locations for further installation the Grantee shall at all times exercise reasonable effort to avoid injury or damage to the landscaping and improvements of the Grantor or their successors.

Grantee shall perform any work in connection with this Easement in a good and workmanlike manner with reasonable effort to minimize interference with the Grantor's use of the JPA Property except as may be reasonably necessary for Grantee to carry out the terms and conditions of this Easement. As soon as possible following completion of any construction by Grantee, Grantee will cause to be removed from the JPA Property all debris, construction, equipment and Grantee will restore the JPA Property to its pre-existing state.

Grantor, on behalf of itself and its tenants reserves the right to use the surface of the easement area for landscaping, curbing, paving, signs, and otherwise provided such uses do not interfere with the rights of Grantee and comply with applicable provisions of the National Electrical Safety Code and the Lincoln Municipal Code.

The Grantee agrees that should the underground utility lines, underground utility facilities, and/or at grade equipment hereunder be abandoned for a period of five years, the Easement Area hereby secured shall then cease and terminate, and this Easement shall be of no further force and effect.

Signed the _____ day of _____, A.D., 20 _____.

West Haymarket Joint Public Agency, a political subdivision of the State of Nebraska

By: _____
Chris Beutler, Chair

STATE OF NEBRASKA)
)ss.
COUNTY OF LANCASTER)

On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County and State, personally appeared **Chris Beutler, Chair of the West Haymarket Joint Public Agency**, personally to me known to be identical person(s) who signed the foregoing instrument on behalf of the West Haymarket Joint Public Agency and who acknowledged the execution thereof to be a voluntary act and deed for the purpose therein expressed.

WITNESS my hand and notarial seal the date above written.

My **Commission** expires on the _____ day of _____, 20_____.

Notary Public

EXHIBIT "A"
PAGE 1 OF 2

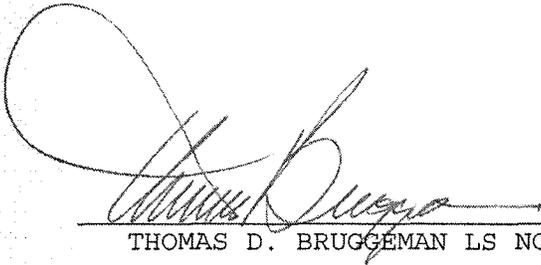
PERMANENT EASEMENT
OUTLOT C, WEST HAYMARKET ADDITION

DESCRIPTION OF A UTILITY EASEMENT ACROSS A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "C", WEST HAYMARKET ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF VACATED 5TH & "M" STREET, THENCE EASTERLY ALONG THE CENTERLINE OF VACATED "M" STREET ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 44 MINUTES 06 SECONDS EAST, A DISTANCE OF 89.55 FEET TO THE WEST LINE OF SAID OUTLOT "C", WEST HAYMARKET ADDITION; THENCE CONTINUING SOUTH 89 DEGREES 44 MINUTES 06 SECONDS EAST ALONG THE EXTENSION OF THE VACATED CENTERLINE OF SAID "M" STREET, A DISTANCE OF 11.24 FEET TO A POINT ON A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID OUTLOT "C", SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE NORTH 27 DEGREES 25 MINUTES 15 SECONDS EAST, ALONG A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 22.61 FEET TO A POINT; THENCE SOUTH 0 DEGREES 15 MINUTES 54 SECONDS WEST, A DISTANCE OF 20.12 FEET TO A POINT ON THE EXTENSION OF THE CENTERLINE OF SAID "M" STREET; THENCE NORTH 89 DEGREES 44 MINUTES 06 SECONDS WEST, ALONG THE EXTENSION OF THE CENTERLINE OF SAID "M" STREET, A DISTANCE OF 10.32 FEET TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 104 SQUARE FEET, (0.002 ACRES) MORE OR LESS.

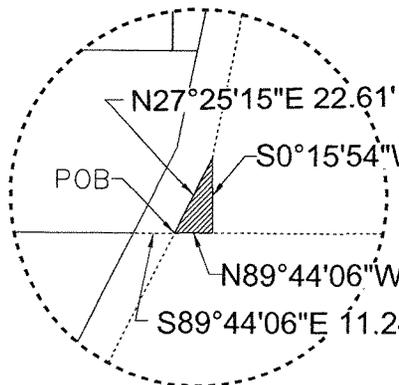
I HEREBY CERTIFY THE LOCATION OF THE EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.

SIGNED THIS 15ND DAY OF JULY, 2014



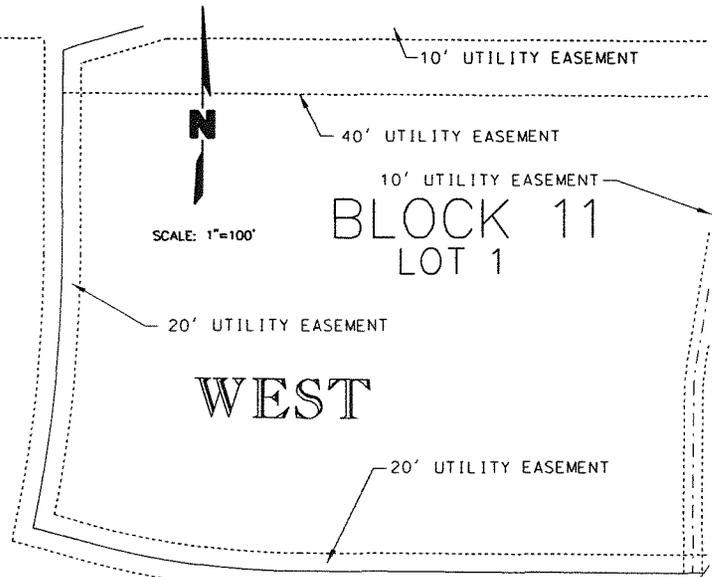
THOMAS D. BRUGGEMAN LS NO 454





DETAIL

ORIGINAL



BLOCK 11
LOT 1

WEST

SEE DETAIL

50' UTILITY
CORRIDOR EASEMENT
(SOUTH HALF OF PREVIOUS
"M" ST. ROW)

HAYMARKET

OUTLOT "C"
RESERVED FOR
FUTURE DEVELOPMENT

VACATED ORD. #19434

POC
"M"
ST.

S89°44'06"E 89.55'

5 TH

LOT 2

VAC. ORD.
#19525

TOWN

ADDITION

F:\Projects\10-2431\Design\FinalPlat\LES Easement-Outlet_C_WHA.dgn 07/17/2014 3:38:06 PM

PROJECT NO:	008-0645
DRAWN BY:	TDB
DATE:	July 17th, 2014

LES EASEMENT

MOLSSON
ASSOCIATES

1111 Lincoln Mall, Suite 111
P.O. Box 84608
Lincoln, NE 68501-4608
TEL 402.474.6311
FAX 402.474.5160

Exhibit
A

Exhibit "A"
Page 2 of 2

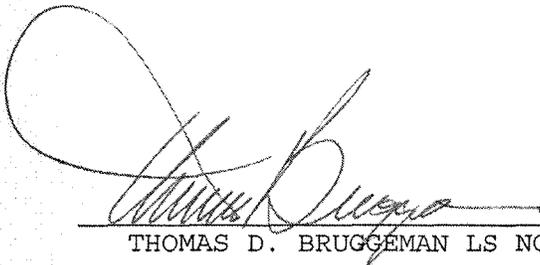
**PERMANENT EASEMENT
OUTLOT C, WEST HAYMARKET ADDITION**

DESCRIPTION OF A UTILITY EASEMENT ACROSS A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "C", WEST HAYMARKET ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF VACATED 5TH & "M" STREET, THENCE EASTERLY ALONG THE CENTERLINE OF VACATED "M" STREET ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 44 MINUTES 06 SECONDS EAST, A DISTANCE OF 89.55 FEET TO THE WEST LINE OF SAID OUTLOT "C", WEST HAYMARKET ADDITION; THENCE CONTINUING SOUTH 89 DEGREES 44 MINUTES 06 SECONDS EAST ALONG THE EXTENSION OF THE VACATED CENTERLINE OF SAID "M" STREET, A DISTANCE OF 11.24 FEET TO A POINT ON A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID OUTLOT "C", SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE NORTH 27 DEGREES 25 MINUTES 15 SECONDS EAST, ALONG A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 22.61 FEET TO A POINT; THENCE SOUTH 0 DEGREES 15 MINUTES 54 SECONDS WEST, A DISTANCE OF 20.12 FEET TO A POINT ON THE EXTENSION OF THE CENTERLINE OF SAID "M" STREET; THENCE NORTH 89 DEGREES 44 MINUTES 06 SECONDS WEST, ALONG THE EXTENSION OF THE CENTERLINE OF SAID "M" STREET, A DISTANCE OF 10.32 FEET TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 104 SQUARE FEET, (0.002 ACRES) MORE OR LESS.

I HEREBY CERTIFY THE LOCATION OF THE EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.

SIGNED THIS 15ND DAY OF JULY, 2014



THOMAS D. BRUGGEMAN LS NO 454



RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint Public
2 Agency:

3 That the attached Letter Agreement between the West Haymarket Joint Public Agency
4 and Guardian Industries Corp. regarding replacement of four broken glass units at Pinnacle Bank
5 Arena and any future claims if additional breakage occurs, is hereby approved and the
6 Chairperson of the West Haymarket Joint Public Agency Board of Representatives is hereby
7 authorized to execute said Agreement on behalf of the West Haymarket Joint Public Agency.

8 Adopted this _____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery



July 30, 2014

Mayor Chris Beutler
West Haymarket Joint Public Agency
Lincoln, NE 68508

Dear Sir,

This correspondence relates to the glass breakage at the Pinnacle Bank Arena in Lincoln, Nebraska.

To recap, the tempered 6mm SNX 62/27 coated outboard lite of four insulated glass units have broken. The breakage occurred between September 7, 2013 and September 11, 2013. The four units that broke were located on the Southeast, East (2), and Northeast facades of the building. Five samples (two from one unit) were collected. Four of the samples (from three of the units) were sent to the engineering firm, Wiss, Janney, Elstner Associates, Inc., (WJE) in Chicago, Illinois for examination. One sample was sent to Guardian's Science and Technology Center, (GSTC) in Carleton, Michigan for examination.

On October 28, 2013 WJE reported that it was unable to find the cause of breakage in two of the samples. With regard to the other two, WJE reported finding voids and residue where it was believed that an inclusion had been. WJE is of the opinion that an inclusion was the cause of the breakage. Guardian cannot confirm or comment on the WJE findings since we have not evaluated these samples.

On November 15, 2013 the evaluation of the sample sent to GSTC was completed. An inclusion was found at the assumed origin of the breakage and it was determined that the inclusion could have caused the breakage.

The float glass used for this product was produced at our DeWitt, Iowa facility over one year ago. Raw materials, manufacturing, and fabrication records from this time frame have been reviewed and we have found nothing to indicate a concern for elevated breakage due to inclusions.

As you may know, glass can break for many reasons and Guardian does not provide any warranty against glass breakage. Some of the causes of glass breakage include mechanical pressure, thermal stress, impact, improper fabrication, improper glazing, or any other non-glass manufacturing related causes.

However, Guardian is committed to customer satisfaction and is appreciative of having our product selected for this project. We are also appreciative of our positive business relationship with the parties involved in the construction of the arena. Therefore, we propose the following resolution for the breakage experienced.

Guardian will pay the fair and reasonable cost for the fabrication of four insulated glass replacement units, the removal of the broken units, and the installation of the replacement units. Guardian would like the opportunity to know what those costs are or estimated to be, before the work has commenced.

If, in the future, additional breakage occurs, upon your request, Guardian will evaluate the breakage at GSTC. If an inclusion is determined to be the cause, Guardian will pay the fair and reasonable cost for the fabrication of the replacement unit, the removal of the broken unit, and installation of the replacement unit. This proposal, however, is only valid for a period of six years from the original date of manufacture of the glass, September 25, 2012 (ending September 25, 2018). However, by accepting this proposal, you agree that you will waive any and all claims against Guardian that you have, or may have, related to the four broken units. In addition, you agree to indemnify, defend and hold Guardian harmless against any claims that the building owner or any other third-party may bring against Guardian relating to the four broken units.

The above offer does not change any of Guardian's standard warranty terms or conditions. The offer can be withdrawn by Guardian at any time at its sole discretion prior to your acceptance.

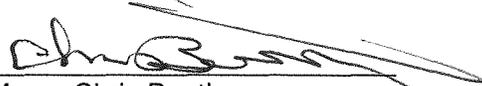
If you are in agreement with the proposal as outlined in this letter, please sign below documenting approval and return to me.

Sincerely,



Blake Buttars
Strategic Products Manager
Guardian Industries Corp.

Date signed: 7/30/14



Mayor Chris Beutler
West Haymarket Joint Public Agency
Lincoln, NE

Date signed: 8-11-14

RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint
2 Public Agency:

3 That the attached Right-of-Entry Agreement between the West Haymarket Joint
4 Public Agency and Argent, Inc. for access to Lot 1, Block 8, West Haymarket Addition is hereby
5 accepted and approved and the Chairperson of the West Haymarket Joint Public Agency Board
6 of Representatives is hereby authorized to execute the Right-of-Entry Agreement on behalf of
7 the West Haymarket Joint Public Agency.

8 Adopted this _____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery

RIGHT OF ENTRY AGREEMENT

THIS RIGHT OF ENTRY AGREEMENT (the “Agreement”) is made and entered into this ____ day of _____, 2014, by and among the WEST HAYMARKET JOINT PUBLIC AGENCY, a political subdivision of the State of Nebraska (JPA), the City of Lincoln, a municipal corporation (CITY), and ARGENT DEVELOPMENT COMPANY LLC, an Illinois limited liability company (ARGENT).

RECITALS

1. JPA and the CITY collectively own the land and buildings generally known as 700 N Street legally described as Lot 1, Block 8, West Haymarket Addition (Property).
2. The CITY has selected ARGENT as the developer of a project to be located on the Property following review of projects submitted in response to a Request for Proposals.
3. In order to allow designs for the proposed improvements to be finalized and to accommodate the Construction schedule for proposed improvements on the Property, the parties are mutually desirous of entering into this Right of Entry agreement.

NOW, THEREFORE, in consideration of, and based on, the foregoing Recitals and the mutual promises and agreements set forth below, the parties agree as follows:

I. Right of Entry

- a. In consideration of the mutual benefits and obligations of this agreement, JPA and the CITY hereby grant a right of entry from JPA and the CITY to ARGENT for the Property and for the following purposes and no others:
 1. Topographical Survey, including locating boundaries, markers, utilities and improvements, identifying the existing parking garage floor elevations, and any grade and other pertinent details related to the ARGENT’s planned improvements and the existing conditions as they exist in and around the parking garage structure.
 2. Geotechnical Soil Sampling and compaction, including boring and other sampling or testing of surface and subsurface materials to determine soil

conditions and physical characteristics and other pertinent details related to the ARGENT's planned improvements; Provided, that environmental testing shall only be done as provided in subsection 3 of this paragraph.

- b. In consideration of the Right of Entry above ARGENT agrees to provide to JPA and the CITY at no cost the final version, if any, of: 1) topographic survey, 2) geological report including boring summaries and reports.
- c. It is understood and agreed that ARGENT shall not be liable for trespass or any other damages or takings of any kind arising out of entering on to the property for the purposes provided herein.
- d. ARGENT shall require its contractor or any subcontractors thereof to carry Contractor's Public Liability and Property Damage Insurance as specified in the City of Lincoln Municipal Code or City of Lincoln Standard Specifications for Municipal Construction, where applicable.

II. Term and Termination.

- a. This Right of Entry shall be in force and effect from and after the execution and approval of this Agreement and shall terminate on November 20, 2014.
- b. No use of the Property shall commence under this Right of Entry until ARGENT and ARGENT'S successors, contractors, and subcontractors thereof have obtained all insurance required herein and such insurance has been approved by the City Attorney for the City of Lincoln.
- c. JPA and/or the CITY may terminate this Agreement immediately if: (1) ARGENT violates any of the covenants, agreements, stipulations, or conditions herein, and such violation or default shall continue for a period of five (5) business days after written notice from JPA and/or the CITY to ARGENT of such violation or default or (2) ARGENT shall vacate or abandon the Property, then the JPA and/or the CITY may without demand and notice terminate this Agreement and re-enter the Property with or without process of law, using such force as may be reasonably necessary to remove all persons or chattels therefrom, and the JPA and CITY shall not be liable for damage by reason of such re-entry or forfeiture.

III. Indemnification.

- a. Indemnification by ARGENT. ARGENT agrees to indemnify and hold JPA and the CITY harmless against, and will reimburse the JPA and CITY upon demand for any payment, loss, cost or expense (including reasonable attorney's fees) made or incurred by or asserted against the JPA or CITY with respect to any and all damages or deficiencies resulting from any omission, misrepresentation, breach of warranty, or non fulfillment of any term, provision, covenant, or agreement on the part of ARGENT contained in this Agreement.
- b. Indemnification by JPA and/or CITY. JPA and the CITY agree to indemnify and

hold ARGENT harmless against, and will reimburse ARGENT upon demand for, any payment, loss, cost or expense (including reasonable attorney's fees) made or incurred by or asserted against ARGENT in respect of any and all damages or deficiencies resulting from any omission, misrepresentation, breach of warranty, or non fulfillment of any term, provision, covenant, or agreement on the part of JPA and/or the CITY contained in this Agreement. JPA and the CITY do not waive any governmental immunity to which they may be entitled by entering into this Agreement and retain all immunities and defenses provided by law with regard to any activities authorized by this Agreement. This section survives termination of this Agreement.

- c. Conditions of Indemnification. With respect to any actual or potential claim, any written demand, commencement of any action, or the occurrence of any other event which involves any matter or related series of matters (Claim) against which a party hereto is indemnified (Indemnified Party) by another party (Indemnifying Party) under Sections II(a) or II(b) hereof:
 1. Promptly after the Indemnified Party first receives written documents pertaining to the Claim, or if such Claim does not involve a third party Claim, promptly after the Indemnified Party first has actual knowledge of such Claim, the Indemnified Party shall give notice to the Indemnifying Party of such Claim in reasonable detail and stating the amount involved, if known, together with copies of any such written documents; and
 2. If the Claim involves a third party Claim, then the Indemnifying Party shall have the right, at its sole cost, expense and ultimate liability regardless of outcome, through counsel of its choice, to litigate, defend, settle, or otherwise attempt to resolve such Claim, except that the Indemnified Party may elect, at any time and at the Indemnified Party's sole cost, expense and ultimate liability, regardless of outcome, and through counsel of its choice, to litigate, defend, settle, or otherwise attempt to resolve such Claim. If the Indemnified Party so elects (for reasons other than the Indemnifying Party's inability, failure, or refusal to provide a defense to such Claim), then the Indemnifying Party shall have no obligation to indemnify the Indemnified Party with respect to such Claim. In any event, all parties hereto shall fully cooperate with any other party and their respective counsel in connection with any such litigation, defense, settlement, or other attempt at resolution.

IV. Insurance.

- a. Insurance Limits. ARGENT or its contractors and subcontractors thereof providing services allowed pursuant to this Agreement shall maintain Commercial General Liability Insurance at its own expense during the term of this Agreement, naming and protecting ARGENT, the JPA, and the CITY, their respective officers, agents, employees, successors, assigns, legal representatives, and agents as insured, against

claims for damages resulting from (a) all acts or omissions, (b) bodily injury, (c) personal injury liability, and (d) property damage which may arise from operations under this Agreement whether such operations are conducted by ARGENT and its employees, or those directly or indirectly employed by ARGENT. This insurance shall be written by an insurance company authorized to do business in the State of Nebraska. The minimum acceptable limits of liability to be provided by such insurance shall be as follows:

1. All Acts or Omissions - \$1,000,000 each Occurrence and \$2,000,000 Aggregate; and
2. Bodily Injury/Property Damage - \$1,000,000 each Occurrence and \$2,000,000 Aggregate; and
3. Products and Completed Operations - \$1,000,000 each Occurrence; and
4. Personal and Advertising Injury - \$1,000,000 each Occurrence; and
5. Contractual Liability - \$1,000,000 each Occurrence; and
6. Medical Expenses - \$10,000 any one person
7. Fire damage - \$100,000 any one fire.

- b. ARGENT shall provide the CITY with a Certificate of Insurance for the General Liability Insurance required by this Agreement demonstrating that the limits set forth above are met and that the CITY and JPA are included as an additional insured along with ARGENT with respect to all of the coverages required herein.

III. Severability.

If for any reason whatsoever, any one or more of the provisions of this Agreement shall be held or deemed to be inoperative, unenforceable, or invalid as applied to any particular case or in all cases, such circumstances shall not have the effect of rendering such provision invalid in any other case or of rendering any of the other provisions of this Agreement inoperative, unenforceable, or invalid.

IV. Construction.

The parties hereto acknowledge and agree that each party has participated in the drafting of this Agreement and that this document has been reviewed by the respective legal counsel for the parties hereto and that no inference in favor of, or against, any party shall be drawn by the fact that one party has drafted any portion hereof.

VI. Authority.

This Agreement has been duly executed and delivered by the parties and constitutes a legal, valid and binding obligation of each party, enforceable against the same in accordance with its terms. JPA and the CITY jointly own the Property, and no other persons have any interest in such real estate which would detrimentally affect the ARGENT's ability to use the Right of Entry for the purposes stated herein.

VII. Integration and Amendments.

This agreement represents the entire agreement between the parties and all prior negotiations and representations are hereby expressly excluded from this agreement. This agreement may be amended or modified only in writing signed by both Parties.

Executed by City this ____ day of _____, 2014.

ATTEST: CITY OF LINCOLN, NEBRASKA,
A Municipal Corporation

City Clerk

By: _____
Chris Beutler, Mayor

Executed by the West Haymarket Joint Public Agency this ____ day of _____, 2014.

ATTEST: WEST HAYMARKET JOINT PUBLIC AGENCY,
A Political Subdivision of the State of Nebraska

City Clerk

By: _____
Chris Beutler, Chairman

Executed by Argent Development Company, LLC, Inc., this ____ day of _____, 2014.

ARGENT DEVELOPMENT COMPANY, LLC.,
An Illinois limited liability company.

By: _____
President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Chris Beutler, Mayor of the City of Lincoln, Nebraska. on behalf of the City of Lincoln, Nebraska.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Chris Beutler, Chairman of the West Haymarket Joint Public Agency on behalf of the JPA.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____, President of **ARGENT DEVELOPMENT COMPANY, LLC** an Illinois limited liability company.

Notary Public

RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint Public
2 Agency:

3 That the attached Proposed Operating Budget for September 1, 2014 to August 31, 2015
4 is hereby adopted as the West Haymarket Joint Public Agency Operating Budget for FY
5 2014/2015. Unexpended appropriations are hereby reappropriated effective August 31, 2014 up
6 to the following amounts:

7	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
8	06095.5621	Misc. Contractual Services (Property Cleanup)	\$ 35,000
9	06095.5969	Arena Sales Commissions (Legends Commissions)	\$919,622

10 Adopted this _____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery

West Haymarket Joint Public Agency
Proposed Operating Budget
September 1, 2014 to August 31, 2015

Expenditure Budget	2013-14 Adopted	2014-15 Proposed
Operating Expenditures		
Personnel Costs - Transfer to the City of Lincoln		
Assistant City Controller	\$ 111,367	\$ 115,680
Assistant City Attorney	118,712	140,563
Assistant Purchasing Agent	43,045	46,551
City Treasurer Staff-Occupation Tax Collection	40,394	41,565
Accountant-Occupation Tax Collection/Audit	40,562	43,378
Public Works Administrative Support	7,000	5,500
Total Personnel Costs	<u>\$ 361,080</u>	<u>\$ 393,237</u>
Materials and Supplies	\$ 1,950	\$ 2,500
Services		
Miscellaneous Contractual Services	\$ 132,260	\$ 172,789
Premium Seat Husker Tickets	263,000	255,000
Arena pre-opening loan repayment	202,095	203,420
Arena pouring rights	285,000	-
Arena sponsorships	465,000	1,020,000
Parking Management Services	660,000	1,540,000
Project Administrator	11,000	-
Insurance	122,400	172,275
Public Official's Liability Insurance	31,700	24,640
District Energy thermal services	1,552,010	2,150,000
JPA Share of downtown maintenance	34,000	33,000
Arena Sales Commissions	1,307,000	2,828,329
Amtrak Station maintenance and utilities	24,200	24,600
Other services	13,773	8,546
Credit Card Fees on premium seat payments		5,000
Total Services	<u>\$ 5,103,438</u>	<u>\$ 8,437,599</u>
Total Operating Expenditures	<u>\$ 5,466,468</u>	<u>\$ 8,833,336</u>
Other Expenditures		
Debt Service		
Principal		\$ 540,000
Interest	\$ 15,697,520	\$ 16,253,596
Trustee Service Charges	\$ 2,420	\$ 2,620
Total Debt Service	<u>\$ 15,699,940</u>	<u>\$ 16,796,216</u>
Sales Tax on Premium Seating	\$ 90,000	\$ -
Transfer to City-Turn Back Tax Bond Interest	\$ 453,266	\$ -

**West Haymarket Joint Public Agency
Proposed Operating Budget
September 1, 2014 to August 31, 2015**

Expenditure Budget	2013-14 Adopted	2014-15 Proposed
Total Expenditure Budget	<u>\$ 21,709,674</u>	<u>\$ 25,629,552</u>
 Sources of Funds		
Occupation taxes	\$ 12,125,575	\$ 13,902,174
Reappropriation of unspent 2013-14 Arena		
Sales commissions for payment in 2014-15	-	919,622
Reappropriation of unspent 2013-14		
Miscellaneous Contractual funds for cleanup of JPA property.	-	35,000
Federal subsidy of debt payments	3,560,953	3,619,458
Private Developer thermal energy payments	968,046	1,413,000
Arena Premium Seat Revenues	2,476,900	2,583,066
Arena Sponsorships	750,000	1,020,000
Parking Revenues	1,241,600	1,655,000
UNL Rent	325,000	310,732
Amtrak Station Rent	37,600	38,500
Interest on cash balances	224,000	133,000
Total - Sources of Funds	<u>\$ 21,709,674</u>	<u>\$ 25,629,552</u>

* See Arena/JPA Revenue Distribution Schedule

**West Haymarket Joint Public Agency
Proposed Operating Budget
September 1, 2014 to August 31, 2015**

Arena/JPA Revenue Distribution Schedule

JPA Revenues (Operating and Program Budget)

- 1 . Suites
- 2 . Loge Boxes
- 3 . Club Seats
- 4 . Parking (decks 1,2,3)
- 5 . Occupation Taxes
- 6 . Energy payments from private tenants
- 7 . County lodging tax
- 8 . Land Sales
- 9 . IMG Sponsorship (Transfer Guaranteed Rights Fee to Arena)
- 10 . Naming rights
- 11 . Property taxes from TIF
- 12 . UNL Rent

- 13 . Private donations
- 14 . Interest earnings
- 15 . Rental income
- 16 . Turnback tax surplus

Legal Authority

- Premium seating and Facilities agreement
 Premium seating and Facilities agreement
 Premium seating and Facilities agreement
 Facilities agreement
 Facilities agreement, City ordinance
 Energy Service agreements b/t JPA/Tenants
 Grant contract b/t JPA and County
 JPA has fee title
 Contract between JPA and IMG
 JPA/Pinnacle Bank agreement
 TIF note holder is the JPA, JPA resolution
 UNL Lease and Operating Agreement/Facilities Agreement, Memorandum of Understanding
 Donor designation, terms of gift
 Facilities agreement
 Rental agreements
 Facilities agreement, Convention Center
 Facility Financing Act

Arena Revenues

- 1 . Arena event revenue including food, beverage, merchandise and other
- 2 . \$200,000 annual repayment of preopening loan from SMG (Transferred from JPA)
- 3 . IMG Guaranteed Rights Fee. (Transferred from JPA)
- 4 . Festival parking and events, attached garage

- City/SMG agreement
 Facilities agreement, City acting as an agent for the JPA
 Facilities agreement, City acting as an agent for the JPA
 Facilities agreement, City acting as an agent for the JPA, City/SMG agreement

City Revenues

- 1 . Turnback Tax

- Facilities agreement to pay Turnback Tax bonds

RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint Public
2 Agency:

3 That the attached September 23, 2014 Proposed Program Budget - Phase I and the
4 September 23, 2014 Proposed Program Budget - Phase II are hereby adopted as the West
5 Haymarket Joint Public Agency Ongoing Program Budget - Phase I and Ongoing Program
6 Budget - Phase II.

7 Adopted this _____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery

**West Haymarket Joint Public Agency
Proposed Program Budget - Phase I
September 23, 2014**

Description	Adopted Budget 12/19/2013	Proposed Changes 9/23/2014	Proposed Revised Phase 1 Budget	
TOTAL PROGRAM SUMMARY				
Infrastructure				
70090	General Coordination	6,624,522.13	33,114.95	6,657,637.08
70092	Parking	29,834,061.79	(375,717.91)	29,458,343.88
70093	Roads	25,651,481.97	(454,583.09)	25,196,898.88
70094	Pedestrian Ways	1,356,269.05	-	1,356,269.05
70095	Utilities	1,998,940.27	-	1,998,940.27
70096	Environmental	7,213,049.30	-	7,213,049.30
70097	Dirt Moving	6,095,930.71	(8,314.11)	6,087,616.60
70098	TIF Improvements	-	-	-
70100	Other Costs (ITS / Civic Art / Breslow Ice Center)	2,735,959.58	1,927,516.87	4,663,476.45
Total Infrastructure		81,510,214.80	1,122,016.71	82,632,231.51
Arena				
70091	Arena / Garage Construction	186,528,441.00	-	186,528,441.00
Total Arena / Arena Garage		186,528,441.00	-	186,528,441.00
Site Purchase / Bond Related Costs				
70099	Site Purchase	62,463,889.10	(207,507.33)	62,256,381.77
70105	Bond Related Costs	5,160,000.00	(493,317.15)	4,666,682.85
Total Site Purchase Bond Related Costs		67,623,889.10	(700,824.48)	66,923,064.62
Total Project Costs		335,662,544.90	421,192.23	336,083,737.13
Contingency				
	Contingency	9,040,431.35	1,308,126.02	10,348,557.37
Total Contingencies		9,040,431.35	1,308,126.02	10,348,557.37
Total Project Budget with Contingencies		344,702,976.25	1,729,318.25	346,432,294.50
Other Funding Sources				
	Convention and Visitors Bureau	2,000,000.00	(500,000.00)	1,500,000.00
	Brownfield Grant Reimbursement	225,000.00	-	225,000.00
	Funding Sources moved to Contingency	1,230,318.25	(1,230,318.25)	-
		3,455,318.25	(1,730,318.25)	1,725,000.00
Total Project Budget with Other Funding Sources		348,158,294.50	(1,000.00)	348,157,294.50

**West Haymarket Joint Public Agency
Proposed Program Budget - Phase II
September 23, 2014**

Code	Description	Adopted Budget 3/13/2014	Proposed Changes to Budget	Proposed Revised Phase II Budget 9/23/2014
TOTAL PHASE II BUDGET				
Design and Construction				
70090	General Coordination	360,000.00	-	360,000.00
70092	Parking	26,935,000.00	942,765.08	27,877,765.08
70105	Bond Related Costs	422,597.19	-	422,597.19
Total Design and Construction		27,717,597.19	942,765.08	28,660,362.27
Owner Contingency				
	Owner Contingency	1,364,750.00	(942,765.08)	421,984.92
Total Owner Contingency		1,364,750.00	(942,765.08)	421,984.92
Total Phase II Budget		29,082,347.19	-	29,082,347.19

RESOLUTION NO. WH- _____

1 BE IT RESOLVED by the Board of Representatives of the West Haymarket Joint
2 Public Agency:

3 That the attached Report Regarding Settlement Agreement in the case of *Legends*
4 *Sales and Marketing, LLC v. West Haymarket Joint Public Agency* in the United States District
5 Court for the District of Nebraska, Case No. 8:13-CV-3198, is hereby accepted and approved
6 and the Chairperson of the West Haymarket Joint Public Agency Board of Representatives is
7 hereby authorized to execute the Settlement Agreement on behalf of the West Haymarket Joint
8 Public Agency.

9 Adopted this _____ day of _____, 2014.

Introduced by:

Approved as to Form & Legality:

West Haymarket Joint Public Agency
Board of Representatives

Legal Counsel for
West Haymarket Joint Public Agency

Chris Beutler, Chair

Tim Clare

Doug Emery

REPORT REGARDING SETTLEMENT AGREEMENT

TO: West Haymarket Joint Public Agency
FROM: Jocelyn Golden, Assistant City Attorney
RE: Neb. Rev. Stat. § 84-713; Requesting approval of the settlement of the case of *Legends Sales and Marketing, LLC v. West Haymarket Joint Public Agency*, United States District Court for the District of Nebraska, Case No. 8:13-CV-3198
DATE: September 16, 2014

Description of Claim: The above-referenced lawsuit was filed by Legends Sales and Marketing, LLC against the West Haymarket JPA requesting a declaratory judgment for the amount of commissions due for the naming rights of the Pinnacle Bank Arena based on the Court's interpretation of the contractual language in the Consultant Agreement. The amount in dispute was \$596,051.00. The lawsuit shall be dismissed with prejudice, and the West Haymarket JPA shall pay to Legends Sales and Marketing, LLC the remaining unpaid commissions in the amount of \$2,828,329.00 in two equal installments, the first installment in the amount of \$1,414,164.50 on or before September 30, 2014, and the second installment in the amount of \$1,414,164.50 on or before January 15, 2015.