

**ANIZDA Board Meeting Minutes
November 1, 2017
America On Wheels
1st Floor Conference Room/Theater
5 North Front Street, Allentown, PA**

Attendees: Nelson A. Diaz, Gregory N. Dudkin, David Mickenberg, Tiffany Polek, John Stanley, Esq., Pedro Torres Jr., John Williams, Jr., Esq.

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

Presenters: J. B. Reilly, Jane Heft, and Robert DiLorenzo (City Center Investment Corporation) and Gunnar Fox (Spectra Venue Management)

Members of the public and press were present.

1. Call to Order

The meeting was called to order by Gregory N. Dudkin, Treasurer, at 5:00 p.m. A quorum has been met and the meeting proceeded accordingly.

2. Approval of October 4, 2017 Meeting Minutes

A motion to approve the October 4, 2017 meeting minutes was made by J. Stanley, seconded by P. Torres and unanimously passed.

3. Public Comment on all Matters to be Acted Upon—Members of the public were present but comments were deferred until matters were to be acted upon. Members of the media were present.

4. The Third Quarter Statement of Operational Revenues and Expenses

Steve Bamford reviewed the third quarter financial statement. Total operating income through three quarters is about \$185,000 less than budgeted on a cash basis. Total operating expenses through three quarters is about \$205,000 more than budgeted on a cash basis. The result is a \$216,000 operating loss. However, ANIZDA received about \$773,000 in fees and other payments in October that had been budgeted to be received by September 30.

5. Project Plan for Public Improvement Investments – Resolution R2017-130

- a. Steve Bamford presented a Project Plan for Public Improvement Investments that establishes goals and criteria for investing a portion of excess NIZ Tax Revenues in projects such as public spaces and parks; streetscape improvements and complete streets; and public art. Public development and improvements approved by the Authority would be financed through a credit facility to be established by the Authority with the debt service to be paid with excess NIZ Tax Revenues over and above that which is contractually committed to the Commonwealth of Pennsylvania.
- b. A motion to approve Resolution R2017-130 conditioned upon two modifications to the Project Plan for Public Improvement Investments as presented was made by J. Williams and seconded by D. Mickenberg. 1) The reference to “closed” request for proposals is to be removed in the second

paragraph, and 2) “meeting all ADA criteria” is to be added as the fourth bullet point under The Pubic Prerequisite heading on the first page. After discussion and comment from the public, the motion to approve was unanimously passed.

6. Request by City Center Investment Corporation for modification of prior use approval for Five City Center Innovation Campus– Resolution R2017-131

a. J. B. Reilly presented changes to the Five City Center Innovation Campus development plan to now include 450,000 square feet of office space, a mixed-use residential tower with approximately 135 apartment units, a residential facility of approximately 73 apartment units wrapping around a parking facility for approximately 740 vehicle spaces, a center green area, 30,000 square feet of commercial space, retail space and entertainment space to be located on the square block of properties bounded by the 700 block of Hamilton Street, South 7th Street, South 8th Street and the 700 block of Walnut Street in Allentown.

b. A motion to approve Resolution R2017-131 was made by J. Stanley, seconded by P. Torres, and after discussion and comment from the public, unanimously passed.

7. Capital Improvements to PPL Center for the Lease Year commencing September 1, 2017— Resolution R2017-132

a. Gunnar Fox of Spectra Venue Management Company presented a list of proposed capital improvements to PPL Center not to exceed \$151,000 including the following: the replacing of worn carpet tiles, construction of a guard shack for the entrance to the loading dock, partial carpet replacement in the Morning Call Club and artist locker room hallway, Level 1 Common Corridor improvements if approved by the other Unit Owners and additional staging materials.

b. N. Diaz moved to approve Resolution R2017-132 authorizing the capital improvements to PPL Center, seconded by P. Torres, and after discussion and no comment from the public, unanimously passed.

8. Agreement with Deana Zosky, CPA, FourScore LLC for compliance, reporting, outreach, allocating and consulting services required under the NIZ Act – R2017-133

a. Deana Zosky, CPA and owner of FourScore LLC has been providing services to ANIZDA as compliance officer and allocation accountant under a subcontract to Concannon Miller & Co., P.C.. The agreement between ANIZDA and Concannon Miller is expiring. The scope and complexity of the work has increased over time. Staff recommends contracting directly with FourScore LLC.

b. N. Diaz moved to approve Resolution R2017-133 authorizing entering into an agreement with FourScore LLC, seconded by D. Mickenberg and after discussion and no comment from the public, unanimously passed.

9. Reappointment of King, Spry, Herman, Freund, & Faul LLC as general counsel for legal services – Resolution R2017-134

a. King, Spry, Herman, Freund, & Faul LLC has been providing legal services to ANIZDA as general counsel. ANIZDA has received a proposal for continued legal services for the period January 1, 2018 through December 31, 2018.

- b. N. Diaz moved to approve Resolution R2017-134 reappointing King, Spry, Herman, Freund, & Faul LLC as general counsel, seconded by P. Torres, and after discussion and no comment from the public, unanimously passed.

10. Reappointment of Goody Clancy for design review services – R2017-135

- a. Goody Clancy has been providing design review services to ANIZDA pursuant to the Guidelines for Obtaining Financing for Projects on an as needed basis. ANIZDA has received a proposal for continued design review services.
- b. P. Torres moved to approve Resolution R2017-135 reappointing Good Clancy, J. Williams seconded, and after discussion and no comment from the public, unanimously passed.

11. Agreement for accounting and bookkeeping services – R2017-136

- a. The Walz Group has been providing accounting and bookkeeping services to ANIZDA. The agreement between ANIZDA and the Walz Group is expiring. ANIZDA has received proposals from the Walz Group to continue services as well as a proposal from Concannon Miller & Co., P.C.
- b. J. Williams moved to approve Resolution R2017-136 engaging Concannon Miller & Company to perform accounting and bookkeeping services commencing January 1, 2018, seconded by P. Torres and after discussion and no comment from the public, unanimously passed.

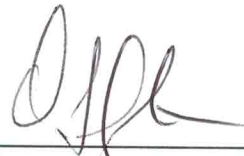
12. Executive Director Report

- a. Steve Bamford reported that the NIZ Act has been amended by the Pennsylvania Legislature to provide for the possible transfer of parcels into the NIZ and transfer of parcels out of the NIZ. With the advice of Solicitor Jerry Frank, Steve is in the process of drafting guidelines and procedures to implement the legislative change that will be presented to the board for consideration at a future meeting.

A motion to adjourn the meeting was made, seconded and unanimously approved.

Next ANIZDA Board Meeting: Wednesday, December 6 at 5:00 p.m., at the America On Wheels Museum, at 5 N. Front Street, Allentown, in the Hubcap Cafe.

Respectfully Submitted



Oldrich Foucek II, Assistant Secretary