



**MINNESOTA SPORTS FACILITIES AUTHORITY REGULAR MEETING MINUTES**

**FRIDAY, APRIL 12, 2013, 9:00 A.M.**

**Hubert H. Humphrey Metrodome, MSFA Conference Room  
900 South 5<sup>th</sup> Street, Minneapolis, MN 55415**

**1. CALL TO ORDER**

Chair Michele Kelm-Helgen called the meeting of the Minnesota Sports Facilities Authority to order at 9:01 AM.

**2. ROLL CALL**

Commissioners Present: Chair Kelm-Helgen, Commissioner Butts Williams, Commissioner Benson, and Commissioner McCarthy.

Commissioners Absent: Commissioner Griffith

**3. ADOPTION OF AGENDA**

Chair Kelm-Helgen presented the agenda. Commissioner Benson moved approval of the agenda, seconded by Commissioner Butts Williams and approved unanimously – 4 YEAS, 0 NAYS.

**APPROVED**

**4. APPROVAL OF AUTHORITY MEETING MINUTES**

Approval of Authority Minutes for Regular Meeting of March 8, 2013. Commissioner McCarthy moved approval of the March 8, 2013 Regular Meeting Minutes, seconded by Commissioner Benson and approved unanimously – 4 YEAS, 0 NAYS.

**APPROVED**



## 5. CHAIR'S REPORT

Chair Kelm-Helgen reported that the overall project schedule is on track with groundbreaking still scheduled to occur in October 2013. With the architect and Construction Manager on board, the Authority and Team have been spending a lot of time making sure the schematic design is in order. The Authority and Team have been considering all the options and design features with what fits in the overall project budget. Chair Kelm-Helgen stated that they expect to roll out the schematic design within the first part of May 2013. Within the next couple of weeks, the Authority and Team will finalize a specific date.

Chair Kelm-Helgen reported that HKS has not only met, but has exceeded its design services equity goals. HKS had agreed to aggressive targeted business goals of 19% of the design services consulting package consisting of women and minority-owned businesses. HKS exceeded these goals by reaching 20.85% with over nineteen W/MBE firms receiving subcontracts.

While the project must address construction workforce hiring goals of 32% minorities and 6% women, the Authority has also begun specific work with veterans groups as well. An RFP for an Employment Assistance Firm will be coming out within the next week. This RFP will allow for community organizations to come in and assist with employment, recruitment and training. Chair Kelm-Helgen acknowledged that while it has taken some time to release this RFP, the Authority and Team needed to wait until the Construction Manager was on board to assist with the process.

Chair Kelm-Helgen also reported that the Authority's loaned executives from the Metropolitan Council, Wanda Kirkpatrick and Aaron Koski, would be returning to the Metropolitan Council. They were originally on contract for 3 months, but much more time was needed to develop the equity plan. Now that the equity plan is in place, Wanda and Aaron will be transitioning back to the Metropolitan Council. Today, staff is seeking approval from the MSFA board to post a full-time position for overseeing the equity plan implementation. This position will be funded out of the project. It will soon be posted on the MSFA website. Chair Kelm-Helgen encouraged people to take a look at the posting and to please refer any good candidates.

The Authority has issued and will be issuing a number of RFPs relating to the stadium development. An RFP has been released for the stadium's Food Service Concessionaire. Proposals will be due by the end of the month with selection occurring four to six weeks later. This will be an important aspect of the project as we move forward as the Food Service Concessionaire will be needed to allow for the design of more specific spaces. Today, the board will also be authorizing the release of an RFP for Parking Development. The legislation requires there to be 2000 parking spaces adjacent and connected to the stadium.



## 6. **BUSINESS**

### a. Action Items

#### i. Authorize Issuance of RFQ/RFP for Parking Development

The legislation (“Act”) for the new stadium requires the Authority to provide certain parking spaces and pathways for the Minnesota Vikings and their premium patrons. Specifically, the Act states the stadium must be designed and constructed with 2,000 parking spaces within one block of the stadium, connected by skyway or tunnel to the stadium, and 500 parking spaces within two blocks of the stadium, with a dedicated walkway on Team game days.

Staff requests the Authority authorize seeking proposals for the provision of some or all of the Facilities required by the Act. The Authority has broad discretion with respect to the means and methods of acquiring stadium infrastructure. Specifically, the Act gives the Authority the power to enter into contracts with entities relating to the design, construction, financing, operating, maintenance, and use of stadium infrastructure. The Act further empowers the Authority to utilize a wide range of contracting structures, including the traditional separate design and build, integrated design-build, construction manager at risk, or public/private partnership. The Authority may conduct discussions and negotiations with responsible Respondents in order to determine which proposal is most advantageous to the Authority and the Team, and to negotiate the terms of an agreement.

The Authority will consider a wide range of proposals, which offer the required Facilities in a manner that serves the requirements of the Authority and Team. Although the proposed Facilities must be available on Vikings game days, the proposed Facilities need not be for the exclusive use of the stadium. The Authority is empowered under the Act to enter into use agreements with third parties, and is prepared to contemplate entering into such an agreement with respect to the Facilities with the selected Respondent or other third parties, provided such an agreement is consistent with the Authority’s requirements. Any such agreement will require the operator to assume operational risk. Therefore, Respondents may – but are not required to – offer the required parking in conjunction with a separate residential, commercial or other development. Preference will be given to proposals that offer to meet a substantial portion or the entirety of the Authority’s Facilities requirements.

Any new or existing Facility proposed to be offered in response to this RFP should conform to the requirements of the Act. The Authority and the selected Respondent would engage a qualified parking consultant to assure that the Facility design complies with NFL guidelines and provides an acceptable experience for Vikings customers on Vikings game days. 2,000 spaces of the parking Facilities must be connected to the stadium and to the downtown skyway system. The remaining 500 spaces must be connected to the stadium by a dedicated walkway as required by the Act. The Authority reserves the right to design and/or approve any and all skyways and other connections that directly connects to the stadium. Preference will be given to proposals that enhance the integration of the stadium and stadium infrastructure



with the downtown Minneapolis area. The Authority reserves the right to review and approve all aspects of the Facilities design, including without limitation floor plans, circulation plans, walkways, building elevations, and building materials. To the extent that the required parking is offered in connection with a separate development, the Authority reserves the right to take the compatibility of that separate development with the stadium and stadium infrastructure into consideration in making its final decision.

All proposals will be subject to requirements of the Equity Plan as developed for the Construction Services agreement, prevailing wages for Hennepin County and also subject to the negotiation and entering into a Project Labor Agreement.

Staff would issue the RFQ/RFP as outlined above and return at a later date with an agreement for approval by both the Team and Authority.

**Recommendation: The Authority authorizes the issuance of a RFQ/RFP for parking development as outlined above. Commissioner Butts Williams moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**

**ii. Approve Reconciliation of HKS Payments**

The Design Services Agreement with HKS, Inc. requires the Authority to retain certain amounts from the Architect's approved payments until the date of substantial completion and the satisfactory completion of the design services. The retainage is 5% through each phase of design services. Retainage accumulated through each phase will be released at the successful completion of each phase. The design phases are Concept & Programming Design, Schematic Design, Design Development and Construction Documents. The dates for submittal of documents for those specific phases do not currently coincide with the month-end date for payment applications. For audit purposes, it is desirable to have the retainage release date coincide with a specific month-end payment date.

Staff and HKS have discussed the following revised retainage release schedule:

Concept & Programming Design	December 31, 2012
Schematic Design	March 31, 2013
Design Development	July 31, 2013
Construction Documents	February 28, 2014

Staff recommends the Authority approve the release of retainage in accordance with the schedule above.



**Recommendation: The Authority approves the release of retainage under the Design Services Agreement with HKS, Inc. as outlined above. Commissioner Benson moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**

### **iii. Authorize Advertisement of Equity Staffing Services**

In March, our loaned executives, Wanda Kirkpatrick and Aaron Koski returned to resume their full time duties at the Metropolitan Council. In their six months working with the Authority and various project representatives, they have helped to develop the Equity Plans for design and construction of the Stadium, helped HKS exceed their targeted business goal of 19% and have helped establish procedures that we will continue to use as we begin the construction phase of the new stadium. We are very grateful for their work.

Significant work remains to fulfill the Equity Plans and to meet the Project's targeted business and workforce goals. The Authority has a need for a full time staff person or a consultant to administer the Equity Plans as we move into the construction phase.

The scope of work for this position includes:

- Communicate with the community about the Equity Plans, efforts and decisions; and
- Work with the Project's Employment Assistance Firm to coordinate outreach efforts for workforce training; and
- Work with the Construction Manager to facilitate targeted business outreach; and
- Administer the monitoring and reporting phase for targeted business and workforce through the end of construction; and
- Lead periodic Stadium Equity Oversight Committee meetings.

The recruiting process for a staff person or a consultant will include advertisement of the position, review of applications and interviews, and/or a request for proposal will be issued. The salary will be commensurate with the position, qualifications and responsibilities.

**Recommendation: The Authority approves the addition of a full-time Equity Management position or the issuance of a Request for Proposal for similar services through approximately August of 2016. Commissioner Butts Williams moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**



## **b. Report Items**

### **i. HKS Design Services Equity Progress**

Chair Kelm-Helgen had earlier reported within that HKS has not only met, but has exceeded its design services equity goals. HKS had agreed to aggressive targeted business goals of 19% of the design services consulting package consisting of women and minority-owned businesses. HKS exceeded these goals by reaching 20.85% with over nineteen W/MBE firms receiving subcontracts.

### **ii. Budget Report – December 31, 2012**

Mary Fox-Stroman reported on the Authority's overall revenue receipts in 2012. Actual total revenues reached \$8.1 million. The Stadium Project Trust Account has an operating contribution of approximately \$71,000 from the Vikings. The Authority's investments yielded a performance of 3.9%. The attached budget report includes a detailed list of all investments. It is a requirement of investment policy to present these results to the board. The entire 2012 budget report is on file in the Authority office.

### **iii. Environmental Impact Statement Update**

Steve Maki stated that the Authority is in the final drafting stages for the draft Environmental Impact Statement (EIS). The Authority expects to finalize the draft later next week. The plan is to publish the draft EIS in the EQB Monitor on April 29, 2013, which will commence a public comment period. A public meeting will also be held in mid-May to solicit comments on the draft EIS, and the comment period will end on June 1, 2013. With this timeline, it is expected that the EIS will be completed in August 2013. Everything is progressing according to schedule.

## **7. PUBLIC COMMENT**

Nine individuals came forward to address the MSFA Board.

1. Dennis Davis, Metafrazo, Topic: Mr. Davis encouraged the Authority to hire Summit Academy OIC as the Employment Assistance Firm as they have been instrumental in addressing veteran workforce issues, and there is an urgent need to engage veterans on this project.
2. Abdirizak Bihi, Somali Education & Social Advocacy Center, Topic: Mr. Bihi encouraged the Authority to hire Summit Academy OIC as the Employment Assistance Firm, and emphasized how Summit's students want to be a part of building the stadium.
3. Bill Ziegler, Little Earth of United Tribes, Topic: Mr. Ziegler encouraged the Authority to hire Summit Academy OIC as the Employment Assistance Firm as Summit had formed a partnership with his tribe when they were denied access to the community.



4. Al Flowers, Topic: Mr. Flowers raised concerns about the project not reaching its equity goals but feels the Authority can be successful if the unions undertake extensive outreach and recruitment efforts.
5. Mohamed Farah, Ka Joog, Topic: Mr. Farah encouraged the Authority to hire Summit Academy OIC as the Employment Assistance Firm because of its work on engaging Somali youth.
6. Ralph Wyman, Unitarian Universalist Alliance, Topic: Mr. Wyman urged the Authority to hire an equity staff person as opposed to contracting with a firm as staff creates the clearest line of accountability.
7. Lou James, Topic: Mr. James encouraged the Authority to hire Summit Academy OIC as the Employment Assistance Firm, and he stated that those who have experienced homelessness need to be given the resources to change their mindset.
8. Louis King, Summit Academy OIC, Topic: Mr. King stated that the people present at the meeting today represent countless individuals who need and want jobs, and that they are people who are standing up to work with everyone.
9. Anthony Newby, Neighborhoods Organized for Change, Topic: Mr. Newby indicated that the stadium is an opportunity to address the jobs issue and that all leadership wants to see this happen.

8. **DISCUSSION**

None

9. **ANNOUNCE FUTURE MEETINGS**

Friday, May 17, 2013 at 9:00am – MSFA Board Meeting, Halsey Hall.



10. **ADJOURNMENT**

There being no further business to come before the Authority, Commissioner McCarthy moved to adjourn the meeting, seconded by Commissioner Benson and approved unanimously – 4 YEAS, 0 NAYS. Chair Kelm-Helgen adjourned the meeting at 9:49 am.

ADOPTED this 14th day of June, 2013 by the Minnesota Sports Facilities Authority

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Duane Benson, Secretary

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Ted Mondale, CEO/Executive Director