

PARKING AUTHORITY OF THE CITY OF LANCASTER, PENNSYLVANIA

Minutes for the Regularly Scheduled Board Meeting held

March 23, 2023

The Lancaster Parking Authority (LPA) held its regularly scheduled board meeting on Thursday, March 23, 2023, at 8:00 AM at the LPA Administrative Offices at 30 W. Orange Street, Lancaster, PA.

Members Present: Mark Reinmiller, Chair; Kyle Sollenberger, Vice-Chair; Jodie Macariola, Treasurer; Phillip Cabassa, Secretary; and Sheldon Weaver, Assistant Treasurer/Assistant Secretary.

Members Absent: None.

Also Present: Larry Cohen, LPA Executive Director (participating by phone); Ibrahim Aman, LPA Director of Operations; Dave Diffendal, LPA Finance Director; Elizabeth Kraft, LPA Director of Special Projects; Natasha Jones, LPA Finance Manager; and Matthew Creme, LPA Solicitor, who participated by phone.

Public in Attendance: April Koppenhaver, Mulberry Art Studios and City resident; Arthur Morris, City resident; George Mummert, City resident and artist; Chad Barthe, LNP; Suzan Hoover, City resident; Arnolda Brenneman, ARK Community Arts Assoc.; Karen Chandler, artist; Paula Jackson, retired City Chief Planner; and Kip Welista, craftsman, Millersville.

Approval of the Minutes

Minutes from the February 23, 2023, Board meeting were reviewed. A motion was made by Mr. Sollenberger and seconded by Mr. Reinmiller to approve the minutes. All Board members present approved the motion.

Announcement of Award and Presentation

Mr. Cohen announced that the Lancaster Parking Authority has been awarded an International Parking & Mobility Institute (IPMI) Award of Merit in Marketing and Communications, Public Sector for its video promotional video: "Lancaster Parking Authority: Supporting the Economic Growth and Vitality of a Great City."

Public Comment

Eight members of the public provided comment about the public art project for the Christian St. Garage, expressed opposition to the project moving forward as planned, provided a history of the project to date, and expressed concern over their view of a lack of opportunity for the involvement of local artists.

Once all members wishing to make a comment had done so, Mr. Reinmiller closed the public comment period.

Economic Development

Mr. Cohen provided an update on the leasing of the retail space at Ewell Plaza. He announced that a tenant has been selected to occupy the space and that a lease has been signed. He expects the space to have its buildout complete by Fall of 2023.

Mr. Cohen introduced the topic of the Benchmark Construction bid submitted for the Christian St. Garage public art project and the Board engaged in a lengthy discussion on the matter.

Mr. Reinmiller inquired as to whether the Board has received sufficient additional information on the public art bid costs. Mr. Weaver responded that the Board received a bid reconciliation that reflected that the bid price increase was due to current economic conditions which differ from the time at which the project was originally being discussed.

Mr. Sollenberger expressed that while the bidder is a local firm, he has great concern that the project only received one bidder and that the one bid was significantly higher or almost 3 times greater than the original estimate for installation and construction costs.

Mr. Cohen pointed out that the project was put out to bid twice, the first time with no bidders. He expressed his belief that given the scale and complexity of the project, that if it were to go to bid again there would likely not be additional bidders. He pointed out that another fabricator, not a part of the Benchmark bid, informally projected a cost of \$700,000 for fabrication only. This estimate did not include transportation costs, project management, or installation costs.

Ms. Macariola explained that the bid reconciliation received by the Board cites five to six categories that account for the price increase from the original estimates such as, materials, labor, and increase in prevailing wages. She also noted that the issue before the Board was that of the approval of the bid for construction, not for the approval of the art design.

Mr. Reinmiller inquired about the process to be followed if the Board were to reject the bid and start anew with an alternative facade. Mr. Cohen said that a reset would take another two or more years with the need to return to Council and the Historical Review Commission for approval and likely responsibility of conducting another public outreach campaign would fall upon the Parking Authority.

Mr. Crème explained that the approved land development plans include the façade of the garage in the form of public art, not an architectural brick façade. The Certificate of Appropriateness issued for the overall project includes a public art component. It requires the structure to be built with public art being a part of it. The Certificate is incorporated into the development plan. He stated that the Board's options are to either approve the bid, seek a modification with the City for a brick façade, or leave the garage as is with no façade. He stated that if the Authority seeks to modify the plan to include a brick façade or leaves the garage without a façade, they risk the City issuing a Notice of Violation that the Authority has not complied with the approved plan.

Mr. Crème went on to explain that the City issued an opinion that requires the Authority to move forward with the public art façade. He stated that if the Authority moves forward with a request for modification and approval of a brick façade, the City may still issue a Notice of Violation, if after 30 days, the City is not willing to proceed with the brick façade. Fines are up to \$500 per day from the point at which all appeals to cure have expired up to the point the City finds the Authority to be back in compliance.

Mr. Reinmiller noted that with all costs considered the brick façade will still potentially reach above \$1.1 million and take additional time to complete.

After Board discussion, Ms. Macariola made a motion to accept the bid received from Benchmark Construction with the condition that the final price does not exceed \$1,362,477. Mr. Weaver seconded

the motion. The motion to accept passed with a vote of 3-2. Mr. Reinmiller, Ms. Macariola, and Mr. Weaver voted in favor of the motion, while Mr. Sollenberger and Mr. Cabassa opposed the motion.

Finance

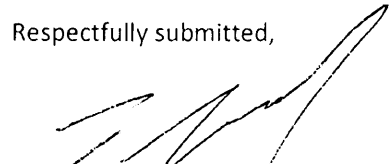
Mr. Diffendal presented the January 2023 Financial Report and the Christian Street Garage project cost summary. In response to recent instability in some sectors of the banking industry, Mr. Diffendal reported that he assessed any risk with Parking Authority deposits and feels confident that the risk level to the LPA is extremely low. He also shared that the Parking Authority has recently secured better returns on its deposits with Fulton Bank due to higher interest rates.

Mr. Diffendal also explained that the costs associated with the public art project will not be entirely covered by the bond proceeds for the overall project, but that CRIZ funds will cover most of the costs.

Mr. Cohen announced the resignation of Jodie Macariola, the Board's Treasurer. Ms. Macariola's last meeting as Treasurer will be the April 2023 Board meeting. Mr. Cohen stated that the Mayor's office will be compiling a slate of potential candidates for Ms. Macariola's Board seat.

Mr. Reinmiller made a motion to go into executive session and noted that the Board would adjourn the meeting at the conclusion of executive session. Mr. Sollenberger seconded the motion. The motion was approved by all members present. The Board went into executive session at 10:09 AM. The next board meeting is scheduled for Thursday, April 27, 2023, at 8:00 AM in the LPA Administrative Offices located at 30 West Orange Street, Lancaster, PA 17603.

Respectfully submitted,



Phillip Cabassa, Secretary