

1 Minutes of the **Redevelopment Agency of Centerville City**/Davis Center for the Performing
2 Arts Administrative Control Board meeting held Tuesday, June 6, 2017 at 5:00 p.m. in the
3 Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.
4

5 **MEMBERS PRESENT**

6 Paul Cutler, RDA of Centerville City Chair, ACB Chair, Centerville Mayor
7 Tamilyn Fillmore, RDA of Centerville City, ACB Board member
8 William Ince, RDA of Centerville City, ACB Board member
9 Stephanie Ivie, RDA of Centerville City, ACB Board member
10 George McEwan, RDA of Centerville City
11 Robyn Mecham, RDA of Centerville City
12 John Pitt, ACB Board Member, Bountiful City Council (arrived at 5:30 p.m.)
13

14 **MEMBERS ABSENT**

15 John Marc Knight, ACB Board Member, Bountiful City Council
16

17 **STAFF PRESENT**

18 Steve Thacker, RDA Executive Director
19 Jacob Smith, Assistant to the City Manager
20 Lisa Romney, Centerville City Attorney (arrived at 5:17 p.m.)
21 Jansen Davis, CPT Executive Director
22 Marcus Arbuckle, Keddington & Christensen
23 Katie Rust, Recording Secretary
24

25 **VISITORS**

26 Kelly Gibbons, FEA Engineering Associates, LLC
27

28 **HVAC SYSTEM IN THE PERFORMING ARTS CENTER**

29
30 Chair Cutler announced that Bruce Cox, Centerville Parks and Recreation Director, has
31 been assigned as City staff liaison with the Performing Arts Center for facility issues. Kelly
32 Gibbons with FEA Engineering explained the practice of commissioning an HVAC system after
33 installation, and recommissioning after 8-10 years. He reported that no evidence has been
34 found of an original commission report for the HVAC system at the Performing Arts Center. Mr.
35 Gibbons suggested an hourly approach for these HVAC services at this time, and provided
36 budget estimates for commissioning design and implementation fees pertaining to controls
37 commissioning (attached). He also provided a spreadsheet of Theater Controls Commissioning
38 Proposed Scope of Work and Budget (attached). The proposed budget includes estimates for
39 time that would be spent by both FEA Engineering and Harris Services (technician).
40

41 Director McEwan asked if the HVAC system is able to provide historical data. Mr.
42 Gibbons responded that the system can be set up to capture trending data. He added that
43 utility bills can be tracked over time as well. Director Fillmore asked if it is common for the
44 engineering group conducting an audit to continue with implementing the changes needed. Mr.
45 Gibbons responded that he would conduct the audit and supervise Harris Services in providing
46 the maintenance. He commented it can be more efficient to have the maintenance contractor
47 present when problems are found and resolutions agreed on. Mr. Gibbons said he could submit
48 a proposed joint contract for FEA Engineering and Harris Services. Director McEwan said he is
49 in favor of completing a commissioning study, and overlapping it against what is in the existing
50 maintenance agreement with Harris Services. Mr. Gibbons agreed that would be a more
51 traditional approach. The Board discussed the type of contract they would prefer. John Pitt,
52 ACB Director, arrived at 5:30 p.m.

1 Chair Cutler said it appears everyone on the Board is in favor of commissioning the
2 system – the question is when, if ever, the RDA/ACB needs a further report. Director Ivie
3 commented it is painful to add another HVAC cost to the amount already spent on the HVAC
4 maintenance contract with Harris. Director Ince asked if a group was ever held accountable for
5 the fact that the HVAC system has never worked properly. Chair Cutler responded that staff
6 tried, but was unable to pinpoint responsibility. Mr. Thacker stated the commissioning study
7 could be funded by the RDA Fund or the Theatre Reserve Fund (TRF). Chair Cutler said he
8 feels this is the type of expense for which the TRF was created. Mr. Thacker added that the
9 TRF could be reimbursed by the RDA Fund at a later time if desired.

10
11 Director McEwan said he would like to take the more traditional approach and obtain a
12 commission report first before making commitments for maintenance. He commented that, in
13 his experience, projects always cost more than expected. Ms. Romney advised that the
14 RDA/ACB should review and approve the final contract. Director Fillmore asked if the traditional
15 approach would cost more, and Mr. Gibbons responded it would. He said he has done it both
16 ways, and he is confident working with Harris Services. He estimated the traditional approach
17 would cost within 10% of what he already proposed. Director McEwan said he is fine with FEA
18 Engineering managing the work done by Harris, but he would prefer the RDA/ACB to prioritize
19 and authorize the different phases of work. Mr. Gibbons said he would be able to provide
20 updates every two weeks when work begins. Chair Cutler stated he is not willing to
21 micromanage the project, but he would be willing to authorize funds up to a certain amount with
22 direction to complete a certain scope of work and report back. Responding to Director Fillmore,
23 Mr. Gibbons confirmed he could crosscheck the work needed with the existing maintenance
24 agreement.

25
26 Mr. Gibbons stated he would be able to begin the proposed work submitted to the
27 RDA/ACB today in one or two weeks, and would be able to complete the scope of work in about
28 a month. He said the timetable would be similar with the more traditional approach. Director
29 McEwan stated he has two objectives – cost control, and not getting in too deep to get back out.
30 Jan Davis, CPT Executive Director, said he is most concerned about the dampers and
31 communication of the HVAC system. The exact problem will not be known until the analysis is
32 complete. Mr. Gibbons responded that he will communicate with Mr. Thacker and Mr. Davis
33 when red flags are found. Director Mecham commented that when she buys new carpet for her
34 home, she doesn't need to have it cleaned that year. Comparing the HVAC situation to buying
35 new carpet, she asked if money will be saved on maintenance for the rest of the year if
36 everything is working properly. Mr. Gibbons responded by comparing the situation to buying a
37 new car – the oil still needs to be changed and belts checked regularly. Routine servicing is the
38 type of work covered by the existing HVAC maintenance contract.

39
40 Director McEwan asked if the engineering work will be covered by warranty. Mr.
41 Gibbons responded he has never been asked to warranty his work. He stated he is willing to
42 stand behind the work unless changes are made to the system outside his recommendations.

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44 Director Ince made a **motion** to authorize moving forward with the proposed contract,
45 not to exceed \$30,000. Director Ivie seconded the motion, which passed by unanimous vote of
46 the ACB (5-0). Chair Cutler will review and sign the contract when submitted. Director Ivie
47 made a **motion** for the ACB to recommend funding the contract from the Theatre Reserve
48 Fund, with the idea that the amount may be refunded in the future by the RDA Fund. Director
49 Fillmore seconded the motion, which passed by unanimous vote of the ACB (5-0). Director Ivie
50 made a **motion** for the RDA to authorize funding not to exceed \$30,000 from the TRF, with
51 reimbursement in the future from the RDA Fund if possible. Director Fillmore seconded the
52 motion, which passed by unanimous vote of the RDA (6-0). Mr. Gibbons left the work session
53 at 6:00 p.m.

1 **RESTRICTED AND UNRESTRICTED BALANCES IN THE RDA FUND**
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3 Mr. Thacker gave a brief history of the current RDA financial situation, and explained the
4 proposed fund transfers to improve the unrestricted RDA Fund balance. A few years ago the
5 RDA/ACB chose to put CenterPoint facility-construction donations in the amount of \$177,457 in
6 the restricted TRF, on the assumption that the RDA account had a healthy cash balance.
7 Subsequent donations of \$11,500 were also deposited in the TRF. Both sums could have gone
8 into the RDA account. A debt service payment was later made from the TRF in the amount of
9 \$100,693, with a net impact on the TRF of \$88,264. Under the current Lease Agreement, the
10 TRF may not be used for debt service payments. Ms. Romney stated that the only improper
11 transfer was the debt service payment. Putting the \$177,457 into the TRF was a knowing
12 decision made by the RDA/ACB, and Ms. Romney said it is her opinion that once funds are
13 placed in the TRF they are subject to TRF provisions. The argument could be made that the
14 \$177,457 was not base rent and was not required to have been put in the TRF.
15

16 Director Ince made a **motion** for the ACB to recommend adjustments to the restricted
17 TRF in the amounts of \$177,457 and \$11,500 because those amounts were put in the TRF
18 without fully understanding the impact on future expenditures, and at the same time reverse the
19 \$100,693 paid on debt service which should not have been paid on debt service, and record the
20 payment in the unrestricted RDA Fund. Director Ivie seconded the motion, which passed by
21 unanimous vote of the ACB (5-0).
22

23 Director Ince made a **motion** for the RDA to authorize adjustments to the restricted TRF
24 in the amounts of \$177,457 and \$11,500 because those amounts were put in the TRF without
25 fully understanding the impact on future expenditures, and at the same time reverse the
26 \$100,693 paid on debt service which should not have been paid on debt service, and record the
27 payment in the unrestricted RDA Fund. Director Ivie seconded the motion, which passed by
28 unanimous vote of the RDA (6-0).
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30 The Board reviewed proposed transfers of expenditures from the RDA Fund to the TRF
31 and the Centerville Drainage Utility Fund. Chair Cutler made a **motion** for the ACB to
32 recommend the transfer of \$89,311 in expenses from the unrestricted portion of the RDA Fund
33 to the TRF (restricted). Director Pitt seconded the motion, which passed by unanimous vote of
34 the ACB (5-0). Chair Cutler made a **motion** for the RDA to transfer \$89,311 in expenses from
35 unrestricted funds to the TRF. Director Ince seconded the motion, which passed by unanimous
36 vote (6-0). Chair Cutler made a **motion** for the RDA to transfer \$69,175.93 from the RDA Fund
37 to the Drainage Utility Fund. Director Ivie seconded the motion, which passed by unanimous
38 vote of the RDA (6-0).
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40 Mr. Thacker suggested that some of the expenses transferred should be part of the
41 regular maintenance portion of the CPT Budget moving forward. For the remainder of the CPT
42 fiscal year, the expenses will be paid from the RDA Fund.
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44 **ADJOURNMENT**
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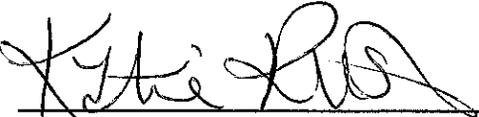
46 At 6:18 p.m., Director McEwan made a **motion** to adjourn the meeting. Director Ivie
47 seconded the motion, which passed by unanimous vote (6-0).
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52 Steve Thacker, RDA Executive Director
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6.20.2017
Date Approved



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Katie Rust, Recording Secretary