

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY, INDIANA
Minutes of Meeting
Monday, February 8, 2016
Indiana Convention Center Boardroom

A Meeting of the Capital Improvement Board of Managers of Marion County, Indiana ("Board") was held on February 8, 2016 in the Indiana Convention Center's Boardroom.

Board Members present included Melina Kennedy, David E. Corbitt, Douglas R. Brown, Jim Dora Jr., Maggie A. Lewis, Brenda Myers, David Ruhmkorff, Michael C. Terrell and Ex-Officio, Leonard Hoops. Board member Mary Ann Fagan was absent. Others in attendance included Barney Levengood, Executive Director, Tim Kuehr, CFO, Mary Solada, General Counsel, Bingham Greenebaum Doll LLP, Kevin Bower, Pacers Sports and Entertainment, ("PS&I"), Bill Benner, PS&I, NaTrina DeBow, City-County Council, James Wallis, Visit Indy ("VI"), Daren Kingi, VI, Chris Gahl, VI, David Sease, SGA, Curt Fritsch, CRF Group, and members of the media. A copy of the list of those who signed in upon arrival is also attached hereto.

Administration of Oath of Office for New Members

Mary Solada, General Counsel for the CIB, introduced Natrina DeBow, the Clerk of the City-County Council, to swear in the Mayoral appointed members of the Board. Ms. Kennedy, Mr. Corbitt, Mr. Dora, Mr. Ruhmkorff and Mr. Terrell took their oaths of office and were sworn in by Ms. DeBow.

Ms. Solada presented the **Election of Officers** Agenda item. Counsel advised the Board that in accordance with state statute, a yearly Election of Officers is necessary after January 15th each year and typically held at the February CIB Meeting. She called for a motion. Upon a motion by Ms. Lewis, to which motion was seconded by Mr. Terrell, and on a vote of 8 to 0 in favor of that motion, the following individuals were elected to serve:

Melina Kennedy, **President**
David E. Corbitt, **Vice President**
Mary Ann Fagan, **Treasurer**
Douglas R. Brown, **Secretary**

Ms. Kennedy introduced the **Approval of Minutes** for the Monday, January 11, 2016 meeting. Upon a motion by Mr. Brown and seconded by Mr. Dora, the Minutes were unanimously approved as presented.

Mr. Kuehr then presented the **Financial Update** to the Board as per the supporting documentation, which is attached and made a part of these minutes. Mr. Kuehr reviewed the financial statements for the month and year with the Board members

explaining variances from budget and answering questions as necessary. Mr. Levensgood asked if there were any questions for Mr. Kuehr regarding the Financial Update and there were none at this time.

Field House Management Report

Mr. Kuehr informed the Board there was an additional report in the packet, attached to and made a part of these Minutes, which includes financial information from Fieldhouse Management, LLC pursuant to Section 6(b) of our agreement with the Pacers and explained this is the Statement of Revenue and Expenses for the quarter and 3 month period ending December 31, 2015. Mr. Kuehr informed the Board this information has been certified by Fieldhouse Management Treasurer, Kevin Bower. Mr. Bower was present at the meeting and available to answer any questions from the Board and there were none.

Encumbrances and Transfers of Budget Dollars

Mr. Kuehr next presented the 2015 **Encumbrances and Transfers of Budget Dollars** summary which is attached to and made a part of these Minutes. Mr. Kuehr explained we are asking the Board to confirm a summary reconciliation of \$5.3 M from character 3, Other Services and Charges to character 4, Capital Outlays. Mr. Kuehr explained the summarized transfers in no way increased the overall Operating Budget for the CIB for either year, it is only a reconciliation summary of transfers between those line items appropriations. He also included a list of projects from 2015 to which the encumbered funds relate. Upon a motion by Ms. Lewis and seconded by Mr. Dora the **Encumbrances and Transfer of Budget Dollars** was unanimously approved as presented. Mr. Ruhmkorff asked how long these encumbrances could be carried over to which Mr. Levensgood replied one year. There were no further questions.

Ms. Kennedy introduced Leonard Hoops who presented the **Visit Indy Update** with the Market Share Performance report and Room-Night Production documents attached to and made a part of these Minutes. Mr. Hoops noted it was announced that Visit Indy set a new record in sales for 2015 with 904,717 Room Nights. He explained even though the 2nd quarter was weak, things picked up in July which explains the good numbers overall for the year. He added generally what Visit Indy does is highly correlated to the taxes and revenue collected by the CIB; not always, but it is a good indicator. Mr. Hoops noted his group at Visit Indy works cohesively with Mr. Levensgood, Ms. Hennessey and the Sales department at the CIB which results in success for both groups with his group booking events and the CIB delivering on these events. Ms. Kennedy thanked him for his report and asked if there were any questions from the Board. There were no questions for Mr. Hoops at this time.

Mr. Levensgood introduced Debbie Hennessey, Convention Center Director and a member of his Executive Staff to present the **ICCLOS Sales Report** which is attached to and made a part of these Minutes. Ms. Hennessey reported on the month of January stating we had occupancy of 59.8% in the Convention Center and 35.5% at Lucas Oil Stadium. She cited significant events in the last month including the Colts vs. the Titans

football game and Monster Jam which had a combined attendance of 110,000. At the Convention Center there were several sporting events including JAMfest Super Nationals, Capitol Sports Volleyball Central Zone Invitational and The American Challenge Cheer Competition. Ms. Hennessey also noted upcoming events for the remainder of February included Water & Wastewater Equipment Show ("WWETT") with estimated attendance of 14,000. Currently a private Corporate event with approximate attendance of 7,000 was taking place within the Center. Also the National Football Scouting Combine will be coming to the Stadium later this month. There were no questions for Ms. Hennessey regarding the ICCLOS Sales Report at this time.

Mr. Levensgood presented the **BLF – Domestic Hot Water Heater** which is attached to and made a part of these Minutes. He explained this project involves Replacement of Existing Steam Hot Water Equipment with Gas Fired Equipment, along with the Addition of Mixing Valves at Branch Lines. This project is being undertaken consistent with the amended Operating Agreement between the CIB and the Pacers. The project was estimated at \$330,000, so consistent with Indiana's Public Procurement Laws the CIB published Invitations for base bid plus three alternates. Determination has been made to accept only alternate #2. The low bid was submitted by Greiner Brothers Mechanical Inc. in the amount of \$372,000. He added Staff and Counsel have reviewed all of the documents and would ask for the Board's approval to award the contract to Greiner Brothers Mechanical Inc. as the lowest responsive and responsible bidder. Ms. Kennedy asked if there were any questions from the Board for Mr. Levensgood. There were none. Upon a motion by Ms. Kennedy and a second by Mr. Brown, a contract with Greiner Brothers Mechanical Inc for BLF Domestic Hot Water Heater was unanimously approved as presented.

The next agenda item was the **BLF – Box Office Renovation** which is attached to and made a part of these Minutes. Mr. Levensgood explained to the Board this project involved a Renovation to include Carpet, Ticket Window Electronic Signage, Cabinets and Painting. This project is being undertaken consistent with the amended Operating Agreement between the CIB and the Pacers. The project was estimated at \$200,000, so consistent with Indiana's Public Procurement Laws the CIB published Invitations for base bid plus two alternates. Determination has been made to decline the alternates. The low bid was submitted by Verkler Construction Inc. in the amount of \$189,000. Mr. Levensgood explained Staff and Counsel have reviewed all the documents and recommend to the Board we award the contract to Verkler Construction Inc. in the amount of \$189,000 as the lowest responsible and responsive bidder. Upon a motion by Mr. Brown and a second by Mr. Terrell, a contract with Verkler Construction Inc. was unanimously approved as presented. Ms. Lewis inquired as to the MBE, WBE and VBE requirements and Mr. Levensgood explained Verkler Construction Inc. met and exceeded the requirements.

Mr. Levensgood then presented the **LOS – Carpet Replacement** to the Board which is attached to and made a part of these Minutes. He explained this project involves Replacement of carpet in certain areas of the Stadium; press box, suite corridors, visitor locker room, meeting rooms, clubs and other areas throughout the building. The project was estimated at \$1,600,000, so consistent with Indiana's Public Procurement Laws the

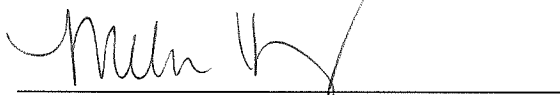
CIB published invitations for base bid and one alternate. The low bid was submitted by E.F. Marburger & Son Inc. in the amount of \$1,069,900. Staff and Counsel have reviewed all the documents and recommend to the Board the CIB award the contract to E.F. Marburger & Son Inc. in the amount of \$1,069,900 as the lowest responsible and responsive Bid. Upon a motion by Mr. Corbitt and a second by Mr. Dora, a contract with E.F. Marburger & Son Inc. was approved as presented with a vote of 6 to 2 with Mr. Ruhmkorff and Mr. Brown casting the dissenting votes.

Mr. Levengood next presented the **Disposal of Obsolete Equipment** which is attached to and made a part of these Minutes. Mr. Levengood noted the list of equipment has been reviewed by Staff and found to have no book value. Pursuant to a motion by Mr. Corbitt and seconded by Mr. Ruhmkorff **Disposal of Obsolete Equipment** was unanimously approved by the Board.


The next topic on the agenda was the February **Claims** which are attached to and made a part of these Minutes. Ms. Kennedy presented these to the Board as per the supporting documentation, which is made a part of these Minutes. Ms. Kennedy recused herself from the line item 10 on Voucher 1474B, which pays the Electricity bill because she is a member of an Advisory Board of Indianapolis Power and Light. There was discussion amongst the Board as to what constitutes needing to recuse oneself from a particular vote with Ms. Kennedy, Ms. Solada and Mr. Levengood answering the Board's questions. Mr. Brown added for the record, his law firm does work for the Indianapolis Colts, so he has a standing recusal on any votes pertaining to the Colts. There were no questions and upon a motion by Ms. Lewis and seconded by Mr. Ruhmkorff, Claims 1511G, 1474B and 1506C were unanimously approved by the Board taking into account the aforementioned recusal.

In **Other Business** Ms Kennedy brought up the subject of the monthly meeting time and date and the possibility of changing it from the current time of second Monday of the month at 3:00 pm to second Friday of the month at 8:30 am with the exception of the March meeting which would be held on the 3rd Friday of the month, March 18th at 8:30am. It was agreed this would be the new time and date going forward. Ms. Kennedy also mentioned Mr. Levengood planned on reaching out to each of the new Board members separately before the next meeting to answer any specific questions they may have about serving on the Capital Improvement Board.

There being no further **Other Business** to address and no **Public Comment**, the meeting was adjourned.



Melina Kennedy, President
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
OF MARION COUNTY, INDIANA



Douglas R. Brown, Secretary
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