

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY
Minutes of Meeting
Friday, October 8, 2021-8:30 am
Indiana Convention Center
ICC Room 241 and Via Teleconference

A Meeting of the Capital Improvement Board of Managers of Marion County, ("Board") was held on October 8, 2021. Because of the Declaration of Public Health Emergency due to the COVID-19 virus, to ensure compliance with the social distancing guidelines, and consistent with the Governor's Orders, this meeting took place in person as well as via teleconference. Board members, David E. Corbitt, David Ruhmkorff, Earl Goode, Sarah Fisher, Maggie A. Lewis and Brenda Myers attended in person, as well as Ex-Officio Leonard Hoops. Board members Melina Kennedy and Mick Terrell attended the meeting via video teleconference and were visibly present for the meeting. Board member Jim Dora Jr. was absent. Others in attendance included Andy Mallon, Executive Director, Mary Solada, General Counsel, Dentons Bingham Greenebaum LLP ("DBG"), Tom Boyle, Director of Operations, Kobi Wright, Business Operations Director and Senior Counsel, Eric Neuburger, Stadium Director, Tim Kuehr, Chief Financial Officer, Monique Wise, Director of Sales and Marketing, Chad Wilke, Director of Event Services, Art Kodroff, Controller, James Wallis, Visit Indy, ("VI"), Chris Gahl, VI, Daren Kingi, VI, Lisa Vielee, Well Done Marketing, and members of the media. (A copy of the list of those who were in attendance on the call is attached hereto.)

Mr. Mallon noted that Mr. Corbitt and Ms. Lewis were running late and it was decided to begin the meeting with an agenda item that did not require a Board approval vote to make use of the time waiting for the remaining Board members to arrive. Ms. Kennedy asked Mr. Kuehr to begin his presentation. Mr. Kuehr presented the **Financial Update** to the Board as per the supporting documentation, which is attached hereto and made a part of these minutes. Mr. Kuehr reviewed the financial statements for the month and year to date with the Board members explaining variances from budget and answering questions as necessary. Ms. Kennedy asked if there were any additional questions for Mr. Kuehr regarding the Financial Update and there were none at this time.

Mr. Mallon informed the Board that Ms. Lewis had arrived and there now was a quorum of Board members attending the meeting in person and the agenda items that required a Board vote could now be presented. Ms. Kennedy introduced Mary Solada, General Counsel, DBG, to present the **Updates to CIB Policy regarding Participation by Electronic Communication and Ratification of Actions taken on September 10, 2021** agenda item, which is attached to and made a part of these Minutes. Ms. Solada commented that it was important to take a step back and remember the procedure for the CIB Board prior to the pandemic. She noted that since the existence of the Board back in 1960 the Board always met in person and electronic voting and participation were not permitted. She explained that during the pandemic there were Governor's orders appropriately put in place to allow for teleconference and electronic participate and voting. Ms. Solada informed the Board that currently there is a new statute defined for local government law which now requires that there be a minimum of 5 Board members physically in the room for there to be a quorum. Additionally, any board members participating virtually must be able to be seen as well as heard for their vote to be counted. Ms. Solada added that there were other stipulations put in place with regard to caps on the number of times a Board member is able to participate in this manner and rules regarding consecutively participating in this manner. She noted that she would not be covering these in their entirety but the Board members could reference these stipulations in the provided copy of the policy included in the Board packet. She

did note that the Board would need to ratify the actions taken for the September CIB meeting because there were only 4 board members physically present and not 5. Ms. Solada instructed the Board to work with the Board liaison, Pam James, with regard to participating virtually in any Board meetings going forward and she would coordinate these actions and assist in facilitating their participation. Ms. Solada did make a point to note that there was not an option for anyone to virtually participate and vote in the annual budget meeting and that board members needed to be physically present to be able to vote on agenda items covered at this meeting. With no further questions regarding this agenda item, Ms. Solada asked the Board for a motion to Update the CIB Policy regarding Participation by Electronic Communication and to Ratify the Actions taken on September 10, 2021. Ms. Lewis motioned to approve the agenda item to Update the CIB Policy regarding Participation by Electronic Communication and to Ratify the Actions taken on September 10, 2021. Ms. Fisher seconded said motion. Ms. Kennedy explained that going forward Mr. Mallon would read through the roll call of Board members to record and document each individual vote. Mr. Mallon proceeded with the roll call with the following results:

Melina Kennedy: Yes
David Corbitt: not yet present
Mick Terrell: Yes
David Ruhmkorff: Yes
Jim Dora-not present
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Brenda Myers: Yes

There were no further comments from the Board and the Updates to CIB Policy regarding Participation by Electronic Communication and Ratification of Actions taken on September 10, 2021 agenda item was unanimously approved as presented.

Ms. Kennedy introduced the **Approval of Minutes** for the Friday, September 10, 2021 CIB meeting. Mr. Goode motioned to approve the September 10, 2021 Minutes. Ms. Lewis seconded said motion. Mr. Mallon read the roll call to poll the Board and document the vote of each Board Member with the following results:

Melina Kennedy: Yes
David Corbitt: not yet present
Mick Terrell: Yes
David Ruhmkorff: Yes
Jim Dora-not present
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Brenda Myers: Yes

There were no further comments from the Board and the Minutes were unanimously approved as presented.

Ms. Kennedy then introduced the **Visit Indy Updates** agenda item as attached hereto and made a part of these Minutes and presented by Leonard Hoops. Mr. Hoops updated the Board on the Hotel Market Share Performance for the previous month and explained the VI Room-Night

Production by Year, Venue and Market Segment, comparing this year's results to past years' results using data and graphs. Mr. Hoops noted that overall August was a decent month all things considered and YTD downtown was at 52% occupancy. Mr. Hoops noted that while the current numbers for downtown are lower than normal for Indianapolis, they are still in the top 50% when compared to the numbers for downtown areas of the rest of the country. Mr. Hoops noted that while downtown Indianapolis is still struggling, Marion county as a whole is doing fairly well with revenue at 83% for August and 67% YTD. He added that the numbers for the non-downtown area remain in high demand and in some cases higher demand than in 2019. With the success of He informed the Board that typically Gen Con anticipated having approximately 70K attendees. He noted that this year they were hoping for around 30K attendees and while the final number has not been confirmed, he believes the number of attendees is closer to 40K. Mr. Hoops informed the Board that Visit Indy is currently at 77% of their target for future room nights and he is hopeful that they will hit their target for the year. Mr. Hoops informed the Board that when the FFA returns to Indianapolis the City can expect to see approximately 50K blue jackets downtown from October 27th through October 30th. Ms. Kennedy asked the Board if there were any further questions for Mr. Hoops and there were none at this time. She thanked Mr. Hoops for his presentation. Mr. Mallon informed the Board that we are beginning to see the after effects of the pandemic. He noted that when people do travel and do come to the events at LOS they are spending a good amount of money. He added that when people are making the decision to go out for dinner they are spending more money at restaurants and seem to have more expendable income at their disposal. He commented that the recent sales figures for the Food & Beverage at LOS for the 3rd Qtr. of this year were the best ones ever which is very encouraging news. At this time Mr. Corbett joined the meeting increasing the total number of Board members present from 5 to 6.

Ms. Kennedy introduced the next agenda item **ICCLOS Sales Report** as attached hereto and made a part of these Minutes. She introduced Monique Wise to present the ICC portion of the report. Ms. Wise informed the Board that the month of September was a good one for the Convention Center noting that the occupancy for the month was actually higher than it was for September of 2019. She explained this was in part due to the success of Gen Con as well as the Do-It-Best Fall Market. She noted that October would also be a very busy month for the Convention Center adding that this week every exhibit hall except for one was full with five in-house clients with the largest being the United Pentecostal Church. She informed the Board that overall 11,000 guests were expected in the Building this week alone. Ms. Wise informed the Board of some other upcoming events including Indiana Comic Con and the much anticipated return of FFA to the City at the end of the month. She noted that they are a long time partner and it was exciting to have them back after not having been here since 2019. Ms. Wise informed the Board of two awards that were recently received by the Facility, both for the 2nd year in a row. The first award is given by Exhibitor Magazine. She explained that the magazine compiles a list of the top 30 event centers in North America from scores and feedback given by meeting planners and exhibitors and ICCLOS is on that list. The second award is the NAFA National Air Filtration Association ("NAFA") Award for clean air for 2020. Ms. Wise explained that while normally this award would not be too exciting to receive, in light of the pandemic and returning to normal business post COVID, this award goes over very well when talking with clients on site visits and to clients planning a meeting. She added that to be able to say our building has received an award for having clean air makes our building stand out from the other convention centers. She added that everyone is very proud of that recognition as well as appreciative to Tom Boyle and his staff for keeping the Facility in such good condition. She congratulated Mr. Boyle and added they are thankful for the efforts and hard work from him and his staff. Ms. Kennedy thanked Ms. Wise for her presentation and asked the Board if there were any questions. There were no questions for Ms. Wise at this time. Ms. Kennedy then introduced Mr. Neuburger to present the Lucas Oil

Stadium (“LOS”) portion of the report. Mr. Neuburger informed the Board that September had been a good month at the Stadium with 2 Colts home games. The first game was on the 12th against the Seattle Seahawks and the second took place on the 19th against the Los Angeles Rams. Mr. Neuburger expressed his appreciation to the Board for their assistance getting the word out about the concessions program for non-profit organizations at the Stadium reporting that interest and participation in the program has increased tremendously and the number of concession stands active for the Colts games went from 71 to 135 which greatly contributed to the positive guest experience for the fans. He informed the Board that the Circle City Classic recently returned to LOS remarking it was nice to have this time honored event back in the building. Mr. Neuburger told the Board that the Stadium held another job fair and interviewed approximately 50 people for various positions necessary to execute events at LOS and also took advantage of some off days to take care of some regular maintenance. He noted that the upcoming month would also be very full with a total of 3 Colts games before the November Board meeting and the return of the Band of America (“BOA”) Regionals and the BOA Grand Nationals to the Stadium as well as a State Band Marching Competition. Other noteworthy upcoming events include the FFA Ceremony with an extensive set up on the field and ongoing meetings in preparation for the CFP coming to Indianapolis in January 2022. Mr. Neuburger also mentioned that he and his staff were slowly getting back into the swing of conducting public tours at the Stadium taking place on Fridays each week. Mr. Neuburger took the opportunity to introduce LOS Sales Manager, Brett Cole, to the Board adding he is an important part of the Leadership Team at the Stadium keeping the building booked and developing relationships with LOS clients. Ms. Kennedy thanked Mr. Neuburger for his report and asked if there were any questions for him. There were no questions at this time.

Mr. Mallon presented the **Resolution for Collective Bargaining Agreements Amendments and Side Letters and Process for Reviewing Non-Union Wages and Salaries** agenda item attached to and made a part of these Minutes. Mr. Mallon explained that the purpose of this resolution is to ratify the actions that have already been done throughout the pandemic with regard to collective bargaining agreement and salaried employees and to clarify how we are going to do these things moving forward. Mr. Mallon reminded the Board that during the pandemic the CIB reduced the salaried staff salary by 20%, the Executive Staff by 25% and his salary was reduced by 30%. He clarified that these reductions have now ended. He explained that during this time it was recognized that the board was not able to weigh in on these salary decisions prior to them taking effect and it was suggested by the SBOA to add steps the CIB’s procedures to amend this situation. The purpose of this Resolution is to ratify all the staffing reductions to salaries and hours, including changes to collective bargaining agreements during the pandemic, and going forward any actions taken by the Executive Director with regard to these decisions would be reviewed and approved by the Executive Committee. The Executive Committee is comprised of the Board President, the Vice President, the Treasurer and the Secretary of the CIB at the time. Mr. Mallon noted that the full board will continue to review the Collective Bargaining Agreements as they are completed and informed the Board that most of the CBAs are coming up for renewal and renegotiation over the next several months. These agreements include the CBA for the Teamsters, the CBA for the Pipefitters and the CBA for the Stage Hands as we move into 2022. Ms. Lewis commented that she felt that these were duties that already were included in the role of the Executive Director and that Mr. Mallon was trusted to make these decisions on behalf of the Board. Mr. Mallon thanked her for her support and reiterated that this was a suggestion from the SBOA given to the CIB during the Annual Review process. Ms. Solada commented that this additional step to the Accounting procedures was added with an abundance of caution. Mr. Corbitt motioned to approve the Resolution for Collective Bargaining Agreements Amendments and Side Letters and Process for Reviewing

Non-Union Wages and Salaries. Mr. Ruhmkorff seconded said motion. Mr. Mallon read the roll call to poll the Board and document the vote of each Board Member with the following results:

Melina Kennedy: Yes
David Corbitt: Yes
Mick Terrell: Yes
David Ruhmkorff: Yes
Jim Dora-not present
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Brenda Myers: Yes

There were no further comments from the Board and the Resolution for Collective Bargaining Agreements Amendments and Side Letters and Process for Reviewing Non-Union Wages and Salaries agenda item was unanimously approved as presented.

Ms. Kennedy introduced the **Claims** as attached hereto and made a part of these Minutes and presented by Andy Mallon. There were no questions from the Board. Mr. Corbitt motioned for approval of the Operating Claims 10484G and Confirming Claims 10472C. Mr. Ruhmkorff seconded said motion. Mr. Mallon read the roll call to poll the Board and document the vote of each Board Member with the following results:

Melina Kennedy: Yes
David Corbitt: Yes
Mick Terrell: Yes
David Ruhmkorff: Yes
Jim Dora-not present
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Brenda Myers: Yes

There were no further comments from the Board and Operating Claims 10484G and Confirming Claims 10472C were unanimously approved as presented. Mr. Mallon next presented the BLF Confirming Construction Claims as attached hereto and made a part of these Minutes. Mr. Corbitt motioned for approval of BLF Confirming Construction Claims B221. Ms. Lewis seconded said motion. Mr. Mallon read the roll call to poll the Board and document the vote of each Board Member with the following results:

Melina Kennedy: Yes
David Corbitt: Yes
Mick Terrell: Yes
David Ruhmkorff: Yes
Jim Dora-not present
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Brenda Myers: Yes

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There were no comments from the Board and the BLF Confirming Construction Claims B221 were unanimously approved as presented.

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

David Ruhmkorff, Secretary
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