

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY
Minutes of Meeting
Friday, May 13, 2022-8:30 am
Meeting Room 130 Indiana Convention Center
and Via Teleconference

A Meeting of the Capital Improvement Board of Managers of Marion County, ("Board") was held on May 13, 2022. Per Indiana law, this meeting took place in person as well as via teleconference. Board members Melina Kennedy, David E. Corbitt, Mick Terrell, Jim Dora Jr., Maggie A. Lewis, and Jaime Bohler Smith attended in person as did Ex-Officio Leonard Hoops. Board member Sarah Fisher attended the meeting virtually. Board member David Ruhmkorff 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, Chief Legal Officer and Business Operations Director, Tim Kuehr, Chief Financial Officer, Monique Wise, Director of Sales and Marketing, Chad Wilke, Director of Event Services, Matt Albrecht, Pacers Sports and Entertainment, Chris Gahl, Visit Indy, ("VI"), Daren Kingi, VI, David Sease, SGA, Scott Berghoff, Indiana House of Representatives, and members of the media. (A copy of the list of those who were in attendance is attached hereto.)

Ms. Kennedy introduced the **Approval of Minutes** for the April 8, 2022, CIB Meeting which are attached to and made a part of these Minutes. Mr. Corbitt motioned to approve the Minutes. Mr. Dora 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
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present

There were no further comments from the Board. The Minutes from the April 8, 2022 CIB Meeting were unanimously approved as presented.

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.

Fieldhouse Management Report

Ms. Kennedy introduced Matt Albrecht of Pacers Sports and Entertainment to present the Fieldhouse Management Report, which is attached to and made a part of these Minutes. This report includes financial information from Fieldhouse Management, LLC as required, pursuant to Section 6(b) of the CIB Operating Agreement with the Pacers. Mr. Albrecht addressed the Board members explaining this is the Statement of Revenue and Expenses for the fiscal 3rd

quarter and three-month period ending March 31, 2022. Mr. Albrecht informed the Board the Fieldhouse hosted a total of 111 events this past season compared to 69 the prior season. He noted that several of these events were larger scale concerts including Elton John, Bon Jovi, Journey and Justin Beiber. There were no further questions regarding the Fieldhouse Management Report at this time. Ms. Kennedy thanked Mr. Albrecht for his presentation and making himself available to the Board.

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 the downtown revenue for hotels was increased and that the numbers for the March downtown revenue were even higher than those in 2019. He explained that these results were a result of several large events recently, including the NCAA tournament, Big Ten related events and the National Truck Show. Mr. Hoops informed the Board that there was positive growth in both the Marion County and non-Marion County as well as downtown and overall positive signs of a recovery. Mr. Hoops informed the Board that the NFL's decision regarding the NFL Combine's return to Indianapolis would be known May 24, 2022 and that he would provide an update at the next CIB meeting. Mr. Hoops stated that he felt confident in the bid that was presented to the NFL by the Community and expected the Combine would return to Indianapolis in future years. He recognized the efforts and hard work of his staff, and in particular Chris Gahl, Susie Townsend and Dawna Moony. Mr. Hoops concluded his presentation by informing the Board that he was proud to announce that Visit Indy had recently been named one of the Indiana Best Places to work by the Indiana Chamber of Commerce. 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.

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 building had hosted 20 events since the April CIB meeting including FDIC, H.T. Hackney Co., M-PACT, LeadingAge Indiana and Tyler Technologies out of Texas. Ms. Wise noted that Tyler Tech had approximately 6,000 attendees for their event and utilized half of the building space. Ms. Wise recognized her local Sales team for working diligently to ensure the building was being utilized in between the larger events and noted several that the building would be hosting several IUPUI graduations in the next month including the School of Informatics, the School of Engineering, the Kelley School of Business and the IUPUI Celebration of Black Graduates. Ms. Wise mentioned significant upcoming events including the American Academy of Physicians Assistants with an anticipated attendance of 8,000, the return of Kiwanis International to the building and the Indiana Economic Development Global Summit, adding that 25 countries will be represented and in attendance for the Summit. She also shared fan favorite event, PopCon, would be returning in mid-June and the Facility would be welcoming in the Association for Professionals in Infection Control and Epidemiology, ("APIC") with an anticipated attendance of 4,000. 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 introduced Mr. Neuburger to present the LOS portion of the Sales Report. Mr. Neuburger informed the Board that since the last meeting the Stadium had hosted not one, but two Monster Jam events, both with strong attendances and also Pathway to Health, an event

providing health care services to the community resulting in the field of LOS covered with medical personnel performing various medical procedures for those in need. He noted that FDIC was in full force at the Stadium providing demonstrations and extending firetrucks with ladders to the roof at the Stadium. Mr. Neunburger shared that the LOS served as an election polling place for the elections earlier in the month and hosted the Colts Select-A-Seat event as well as a Colts Cheerleading event. Mr. Neunburger informed the Board that LOS would be dark for a few months as the LED video boards are changed out and maintenance is done in the suites. He shared that the Colts football schedule had been released and was excited to share that for the first time in 6 years that he has been here that LOS will host Monday night Football, not once but twice with games against the Pittsburgh Steelers and San Diego Chargers this season. Mr. Neunburger was proud to announce to the Board that LOS would be hosting the Big Ten Football Championship in 2022, 2023 and 2024, noting that this victory was a Community wide effort and that everyone should feel collectively proud at being awarded this huge event. Ms. Kennedy asked the Board if there were any questions for Mr. Neunburger and there were none at this time. Ms. Kennedy thanked Mr. Neunburger for his report and moved on to the next agenda item.

Mr. Mallon presented the **Delegation Agreement for Convention Center Expansion** agenda item which is attached to and made a part of these Minutes. Mr. Mallon explained that this is an agreement between the Metropolitan Development Commission and the City of Indianapolis, Marion County.

Mr. Mallon explained that the CIB has been hard at work with Hilton and Kite on the design of project and this is the next portion of agreement and shows the progress that has been made. This agreement will formally delegate the authority and obligation of the MDC, who is putting up the public contribution for this Phase 6 Expansion. They would like the CIB to manage this process.

Mr. Mallon read the following portion into the Minutes from the Delegation Agreement for Convention Center Expansion:

“As a result, this Agreement provides the relevant delegation of obligation and authority from the MDC to the CIB to accomplish the City’s intent to have the CIB manage and administer the Podium Project on behalf of the City and MDC. More specifically this agreement serves to (1) formalize the relationship prescribed by the Interlocal Cooperation Agreement between the MDC and the CIB and (2) delegate the MDC’s authority and responsibility to construct the Podium Project (pursuant to the Downtown Hotels Project Agreement) to the CIB.”

Mr. Mallon clarified that this is a legal document in which the CIB acts as agent of the City to ensure that all parties receive the desired project results. He offered to answer any questions and there were none at this time. Mr. Corbitt motioned to approve the Delegation Agreement for Convention Center Expansion agenda item and Mr. Terrell 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
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes

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Sarah Fisher: Yes

Jaime Bohler Smith: Yes

David Ruhmkorff: Not present

The Delegation Agreement for Convention Center Expansion agenda item was unanimously approved as presented. Mr. Mallon thanked the Board members for their continued support.

Mr. Mallon presented the **Emergency Medical Services Request for Proposals Award** agenda item which is attached to and made a part of these Minutes. Mr. Mallon explained that this item involves choosing a provider for Emergency Medical Care for the facility. Mr. Mallon informed the Board that IU Health, the CIB's current partner, provided the most advantageous proposal of the two proposals received. He explained that the reason that this agreement needed to come before the Board was because the term that was longer than one year. He recognized Kobi Wright and Eric Neuburger for their tireless efforts to negotiate more value into the agreement adding they both have done an excellent job with all of the recent the RFP's brought before the Board. Mr. Neuburger added that the engagement would be for five years. Ms. Kennedy and Mr. Corbitt both announced that they would be recusing themselves from this particular vote. Ms. Lewis motioned to approve the Emergency Medical Services Request for Proposals Award agenda item and Mr. Dora 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: Recused

David Corbitt: Recused

Mick Terrell: Yes

Jim Dora-Yes

Maggie Lewis: Yes

Earl Goode: Yes

Sarah Fisher: Yes

Jaime Bohler Smith: Yes

David Ruhmkorff: Not present

The Emergency Medical Services Request for Proposals Award agenda item was approved as presented on a vote of 6-0 and taking into consideration the aforementioned recusals.

Mr. Mallon presented the **Award of Agreement for Insurance Brokerage and Advisory Services** agenda item which is attached to and made a part of these Minutes. Mr. Mallon explained that this agenda item involved the CIB's process to procure Insurance and Advisory Services and introduced Don Graham of Dentons Bingham Greenebaum LLP, to assist in the presentation of this agenda item. Mr. Graham began by providing some background information to the Board, explaining that the CIB since 2001 has periodically conducted an RFP Process to select the insurance broker responsible to procure and deliver the CIB's insurance and currently this process has been done every three years. Mr. Graham explained that the CIB was assisted in this effort by Steve Pickett of McGowan Insurance, who has served as the Insurance Consultant to the CIB for the last 25 years. Mr. Graham stressed that Mr. Pickett and McGowan Insurance do not place business for the CIB and do not compete with the brokers, noting that they are truly independent advisors. Mr. Graham noted that the CIB issued an RFP in February and met the following month in March with the 5 brokers that participated in the process. Mr. Graham explained that the brokers involved had 3 specific concerns with regard to the proposal process. The first concern was the consolidation of the both the primary and re-insurance markets. The second concern was that the CIB's risk portfolio has increased quite a bit over the

years with the addition of LOS in 2008, the ICC Expansion in 2011 and the ongoing remodel of the Fieldhouse. The third item the brokers expressed concern about was the overall tightening of the insurance market in general. Mr. Graham noted that the incumbent broker provided some of the same concerns. He also stated that at the meeting with the brokers, one of the brokers that had some challenges providing a complete response three years ago to the RFP opined to the CIB that it questioned whether the RFP selection process would be successful given the tightening of the insurance market. Mr. Graham further summarized to the Board that most companies will not take on the entire risk and therefore there is a need for multiple layers of coverage from several agencies. He added that there were challenges in developing complete and competitive insurance packages when the CIB went through this process 3 years ago and the market has become even more challenging since then.

Mr. Graham explained that after receiving feedback on the RFP, the CIB decided to change the RFP RFP process. After consulting with the brokers it was decided that it was in the best interest of the CIB is to have one broker that has access to all markets, therefore eliminating the need to divide the markets and limit the CIB's options for the best overall insurance coverage. It was decided to have the interested parties submit all of their qualifications to serve as the insurance broker for the CIB. In addition, these candidates were asked to include the amount of the brokerage fee that they would charge to serve in this capacity and procure, place and manage the insurance for the CIB. Mr. Graham stated it is important to note that the company chosen would not receive any commissions from the underwriters involved in the process.

Mr. Graham noted that 4 of the 5 companies involved in the process submitted proposal packages and that all four of these candidates were qualified to serve as the CIB's broker if awarded with the contract. He explained that this body of information was reviewed by both Counsel and staff including Mr. Pickett and his associate, Carl Boyer, also with McGowan Insurance. With respect to the Brokerage fee, NFP provided the lowest fee with a proposed brokerage fee of \$69,000 for the 1st year, \$70,000 for the 2nd year and \$71,000 for the 3rd year. Mr. Graham added that if awarded this contract, NFP will be enabled to have access to all of the markets to determine the best package of insurance coverage with the intention of presenting the actual Insurance proposals the Board at a future CIB meeting. Mr. Graham offered to answer any questions at this time. Mr. Goode asked for clarification that this vote was to decide upon a broker and that the actual insurance coverage would be addressed at another meeting. Mr. Graham responded that Mr. Goode was correct. t

Ms. Kennedy announced that she would be recusing herself from this vote.

Mr. Corbitt motioned to approve the Award of Agreement for Insurance Brokerage and Advisory Services agenda item and 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: Recused

David Corbitt: Yes

Mick Terrell: Yes

Jim Dora-Yes

Maggie Lewis: Yes

Earl Goode: Yes

Sarah Fisher: Yes

Jaime Bohler Smith: Yes

David Ruhmkorff: Not present

The Award of Agreement for Insurance Brokerage and Advisory Services agenda item was approved as presented to NFP to serve as the insurance broker for the CIB for the next 3 years on a vote of 7-0 and taking into consideration the aforementioned recusal.

Mr. Mallon presented the **Gainbridge Fieldhouse Artwork Printing & Installation** agenda item which is attached to and made a part of these Minutes. He explained that the purpose of this RFP was for the selection of a qualified "Art" installer with experience in receiving, storing, framing and installation of the art in a high profile public setting. A total of three vendors submitted proposals. After careful consideration and review of each proposal, the committee members from the CIB, Arts Council and Pacers, as well as the Architect, determined the proposal from Diversity Press LLC to be the most advantageous. Mr. Mallon explained that Diversity Press LLC was able to demonstrate their vast amount of experience in this area, including recent projects with the Children's Museum, Butler University and Purdue University. He noted that Diversity Press LLC also submitted the lowest base proposal price of \$25,950 and is 100% MBE. Staff and Council recommend awarding the contract to Diversity Press LLC in the amount of \$25,950.00. Mr. Corbitt motioned to approve the Gainbridge Fieldhouse Artwork Printing & Installation agenda item and Mr. Dora 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
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present

The Gainbridge Fieldhouse Artwork Printing & Installation agenda item was unanimously approved as presented and the contract awarded to Diversity Press LLC in the amount of \$25,950.

Mr. Mallon next presented the **Gainbridge Fieldhouse Artist Agreement** agenda item which is attached to and made a part of these Minutes. He explained that this is a replacement contract for one of the original pieces of artwork previously awarded as a result of the original artist not being able to complete the artwork and fulfill the agreement. The artist selected to create the artwork is Kevin Smola and the amount of the artist contract being requested for approval by the Board at this time is \$7,500. Mr. Corbitt motioned to approve the Gainbridge Fieldhouse Artist Agreement agenda item and Mr. Terrell 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
Jim Dora-Yes

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Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present

The Gainbridge Fieldhouse Artist Agreement agenda item was unanimously approved as presented with replacement artwork contract being awarded to Kevin Smola in the amount of \$7,500.

Ms. Kennedy introduced the next agenda item **Disposal of Obsolete Equipment** as attached hereto and made a part of these Minutes and presented by Andy Mallon. Mr. Mallon noted the list of equipment has been reviewed by Staff and found to have no book value. Ms. Kennedy asked if there were any questions from the Board and there were none at this time. Mr. Goode motioned to approve the Disposal of Obsolete Equipment agenda item and Mr. Corbitt 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
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present

The Disposal of Obsolete Equipment agenda item was unanimously approved as presented.

Ms. Kennedy introduced the **Claims** as attached hereto and made a part of these Minutes. Mr. Mallon presented Operating Claims 11559G, and Confirming Claims 11540C. There were no questions from the Board at this time. Mr. Dora motioned to approve both the Operating Claims and the Confirming Claims and Mr. Corbitt 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
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present

The Operating Claims 11559G, and Confirming Claims 11540C were unanimously approved as presented by the Board. Mr. Mallon next presented the BLF Confirming Construction Claims B228 as attached hereto and made a part of these Minutes. There were no questions from the Board at this time. Mr. Dora motioned to approve the BLF Construction Claims and Mr. Corbitt

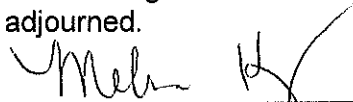
seconded said motion. Mr. Mallon read the roll call to poll the Board and document the vote of each Board Member with the following results:

Melina Kennedy: Yes
David Corbitt: Yes
Mick Terrell: Yes
Jim Dora-Yes
Maggie Lewis: Yes
Earl Goode: Yes
Sarah Fisher: Yes
Jaime Bohler Smith: Yes
David Ruhmkorff: Not present


There were no further comments from the Board. Bankers Life Fieldhouse Vouchers B228 were unanimously approved as presented.

In **Other Business**, Mr. Goode took this opportunity to congratulate fellow Board member, Sarah Fisher, as being announced the Celebrity Race Car Driver for the Indianapolis 500 taking place later in the month. Ms. Fisher will be driving the Pace car that day for the greatest spectacle in racing and taking place at the Indianapolis Motor Speedway.

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
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
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