

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY
Minutes of Meeting
Friday, June 16, 2023-8:30 am
Visit Indy Boardroom (3rd floor of Indiana Convention Center)
and Via Teleconference

A Meeting of the Capital Improvement Board of Managers of Marion County, ("Board") was held on June 16, 2023. Per Indiana law, this meeting took place in person as well as via teleconference. Board members Marci A. Reddick, Mick Terrell, David Ruhmkorff, Earl Goode, Jim Dora Jr., Sarah Fisher, Maggie A. Lewis and Jaime Bohler Smith attended in person. Board member David E. Corbitt was absent as was Ex-Officio Leonard Hoops. 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, Eric Neuburger, Stadium Director, Tim Kuehr, Chief Financial Officer, Monique Wise, Director of Sales and Marketing, Monica Brase, Public Information and Marketing Manager, Joyce Russell, Visit Indy ("VI"), David Sease, SGA, and members of the media. (A copy of the list of those in attendance is attached hereto.)

Ms. Reddick introduced the **Approval of Minutes** for the May 12, 2023, CIB Meeting, which is attached to and made a part of these minutes. Upon a motion by Mr. Ruhmkorff and seconded by Mr. Dora the minutes 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. Mr. Goode inquired as to the status of the ongoing work on the Fieldhouse of the Future project and Mr. Boyle relayed the timeline for completion to the Board and answered all of their questions. Ms. Reddick asked if there were any additional questions for Mr. Kuehr regarding the Financial Update and there were none at this time. Ms. Reddick mentioned that she had taken a walking tour of the Bicentennial Plaza with Mel Raines from the Pacers and the Lilly Endowment Group and commented that it is just going to be a real remarkable place and a keystone part of our City with all of the memories made there and pictures taken with families at events. She remarked that it is truly going to be a public space and that was always the intent of this Board. She stated that the space is there for everyone to enjoy and everyone is welcome there.

Ms. Reddick then introduced the **Visit Indy Updates** agenda item as attached hereto, made a part of these Minutes, and presented by Joyce Russell, Managing Director of Sales for Visit Indy. Ms. Russell reports that the VI Sales team finished at 101% through May booking 336,000 room nights on a goal of 333,000. She noted one of the highlights was booking the National Education Association for June 30th through July 5th of 2027 adding that this group represents 41,000 room nights and would fully utilize both buildings, all of the downtown hotels as well as the new Hilton Signia. She commented that VI was happy to secure this piece of business. Ms. Russell reported that VI exceeded tentative goal for May at 141% noting 1.5 Million new room nights going into the pipeline against a goal of 1.1 Million. Ms. Russell informed the Board that as many of them are aware Visit Indy entertains various guests for the Indy 500 and this year they hosted 19 customers and their guests for the race. She noted that this group also included six CEOs, which is critical to have in attendance because they frequently make the final decision with regard to site selection for the events. She was happy to

report that shortly following the event VI booked the American Health Care Association annual event for October 27 through October 30 and noting that their CEO Mark Parkinson was with VI for the 500 and really liked what he saw which led to the booking. Ms. Russell reported that Marion County produced a record April and was up 4.4% record hotel revenue. She also noted that downtown YTD demand was up 6.1% against the national average, which is 4.3%. She concluded by saying overall Visit Indy's contributed to an overall economic impact YTD for the first four months of approximately \$307 Million. Ms. Reddick asked the Board if there were any further questions for Ms. Russell and there were none at this time. She thanked Ms. Russell for a great report. Mr. Goode jokingly made a motion for Ms. Russell to continue as the spokesperson for Visit Indy moving forward to which Mr. Fishers playfully seconded. After the laughter subsided, Ms. Reddick commented that Leonard probably would not plan to miss any more meetings.

Ms. Reddick 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 occupancy for May was at 49% and the attendance for the month was 156,000. Some of the events that contributed to this total include Indiana Comic Con, the Mini Marathon packet pick-up, Unicorn World, Lego Brick Fest. Several graduations and Cheer events as well as a very successful USA Gymnastics event as well as the National Safety Council. Ms. Wise informed the Board that June began with a great annual repeat customer with School Transportation News as well as a brand new event with the Associated Professional Sleep Society, which includes professionals and researchers in the sleep industry. She reported that the Church of the Nazarene kicked off the week before with an anticipated attendance of 10,000. She informed the Board that the following week the Facility would be hosting the National Athletic Trainer's Convention with approximately 7000 attendees. Following that the Convention Center will host two religious conventions with the United Church of Christ in the North campus with approximately 4,000 anticipated attendance and in the South campus Church of God in Christ with 8,000 anticipated attendance. Ms. Wise informed the Board that the next time the Board meets will be in July and the IBE Summer Celebration will be taking place. She said she was looking forward to reporting back to the Board in July on all of these events and offered to answer any questions. Ms. Reddick 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. Reddick introduced Eric Neuburger to present the LOS portion of the Sales Report. Mr. Neuburger informed the Board that he and his staff have been working with Tom Boyle and his group to address several maintenance issues in the Stadium during this last month. He reported the Colts recycling event for electronics that took place last month was well attended and very successful. Mr. Neuburger informed the Board that the VeeCon event that took place in the Stadium last month and only the 2nd ever of its kind, was indeed unique and unlike any other event that has been to LOS. He noted that these attendees did things that no other attendees have done and overall the attendees had a good time and really enjoyed themselves at the event. He added that there was a great deal of positive publicity surrounding the event and there was hope there would return to the venue for another show in the future. Mr. Neuburger informed the Board about Jared's Epic Blaster Battle, which was a recent event at the Stadium involving over a thousand people of all ages armed with Nerf guns going through obstacle courses set up on the field. The feedback from the attendees was positive and everyone seems to have a great time. The Stadium hosted the Indiana Sports Corporation USA Locker Room Talk Series with USA Swimming President & CEO Tim Hinchey III as well as the USA Swimming Press conference which just took place at the Stadium noting it is exactly 1 year out until the first splash down for those making their way to Paris. Mr. Neuburger informed the Board that Playbook will be back for six different events in the next month and that they were

quickly becoming a nice repeat group to the Stadium adding that people enjoy having the opportunity to bring their youth football to LOS. Another event that is taking place at LOS is the Second Chance workshop for people in the community with the Marion County Prosecutors office followed by another large event working along with the Colts to host the Association of Luxury Suite Directors to highlight what the Stadium has to offer. He noted that a lot of local venues were also taking part in this event. Mr. Neuburger explained that the stretch of maintenance in the building would be followed by a big stretch of training and job fairs with the intent to get ready for the upcoming football season and all the additional activity at the Stadium. Ms. Reddick asked the Board if there were any questions for Mr. Neuburger and there were none at this time. Ms. Reddick thanked Mr. Neuburger for his report and commented that she has also attending the 1 year out press conference for the Olympic Swimming trials. She shared that fellow Board members Earl Goode and Maggie Lewis were also in attendance as was Mr. Neuburger. Ms. Reddick informed the Board that she heard many attendees speaking of how great the CIB's facilities are and that there was a lot of positive comments regarding the work for the CIB. Ms. Reddick mentioned that Ms. Lewis spoke at the event and asked her if she had anything she wanted to add about the event. Ms. Lewis commented how nice it was to hear folks say that when they came to Indianapolis they knew immediately that they wanted to have their event here and it felt really good knowing that this is what the CIB and those who serve on the Board strive to do well and it was really heartwarming to receive all of positive feedback.

Ms. Reddick introduced Mr. Mallon and Mr. Kuehr to present the **Review & Accept 2022 Annual Comprehensive Financial Report (ACFR)** agenda item, which is attached to and made a part of these Minutes. Mr. Kuehr explained that in past years the CIB's audit had been executed by the State Board of Accounts but that this is the second year the SBOA hired the Advisory, Tax and Audit firm of Katz, Sapper & Miller ("KSM") to perform the audit. He introduced Scott Schuster and Trent Parkinson of KSM to present the audit findings to the Board. Mr. Kuehr thanked both of them for their professionalism adding that KSM was easy to work with and he and his staff look forward to working with them in the future.

Mr. Schuster explained to the Board they were contracted to perform the audit and they have completed it. He explained that the SBOA has reviewed these findings and have signed off on the audit. He explained they use general audit standards and that part of this process is to walk through the CIB's internal controls. He explained that they found no weaknesses or deficits in the audit and there were no audit entries. Mr. Schuster stated that the scope and timing of audit went as planned. He stated this was a very clean audit with the CIB staff well prepared and the financial statements in great shape, adding that he cannot say that about too many places. Mr. Schuster emphasized that KSM is independent with regard to engagement. Mr. Mallon thanked him and stated that he was extremely proud of Mr. Kuehr, Mr. Kodroff and the entire Accounting department for their hard work and great efforts. Ms. Reddick asked the Board if there were any questions pertaining to the ACFR and there were none. Ms. Reddick asked the Board to accept these findings in the Audit as presented. Mr. Dora motioned to accept the 2022 Annual Comprehensive Financial Report (ACFR) and Mr. Ruhmkorff seconded said motion. The 2022 Annual Comprehensive Financial Report (ACFR) was unanimously accepted as presented.

Mr. Mallon presented the **Forvis Agreement** agenda item, which is attached to and made a part of these Minutes. He explained that this item pertains to some activity and complaints from the public about one of our vendors that has provided armed security for LOS and ICC for over the last 20+ years. Mr. Mallon informed the Board that over the last 5 years they have had some trouble with the Department of Labor and Protection Plus, Inc. was cited for underpayment for some of the part-time event workers. He reported that the company was fined at that time. The same vendor had a similar violation cited against them in 2022. Mr. Mallon assured the Board

members that the CIB takes these matters very seriously and has had met with the owner, Ray Stanley, of the long time partner, Protection Plus, Inc., and expressed the deep concern of the CIB. He also asked for an explanation of this violation, which has been provided in writing by Mr. Stanley. Mr. Mallon stated that he and his staff and counsel are satisfied that this infraction was not intentional, but as a precaution, the decision has been made to conduct an audit of the contract with Protection Plus, Inc., going back to the time when the last Request for Proposal ("RFP") was issued approximately a year ago, to ensure that there are no underlying reasons for these discrepancies with regard to the payroll violations and oversights. Mr. Mallon noted that Mr. Stanley and Protection Plus, Inc. have since paid every employee that had been shorted in their paycheck. He stressed that the audit is to ensure that everything is being done properly and to give the CIB reassurance that this vendor is following through on their commitments as well as peace of mind that comes with full transparency. Mr. Kuehr added that Forvis is an ongoing consultant for the Accounting department for us that we have used over the years. Mr. Mallon asked the Board for approval of this agreement to move forward with the audit. Ms. Bohler Smith inquired as to the anticipated completion of the audit as well as if the results would be brought back before the Board for review. Mr. Kuehr replied that the audit would be completed this year and he along with Mr. Mallon confirmed that the findings of the Forvis audit would be presented to the Board at a future meeting. Ms. Reddick asked the Board if there were any further questions and there were none at this time. Mr. Ruhmkorff motioned to approve the Forvis Agreement agenda item and Ms. Lewis seconded said motion. The Forvis Agreement agenda item was unanimously approved as presented.

Mr. Mallon presented the **ICCLOS Upgrade of Voice Over IP (VOIP) Phone System** agenda item, which is attached to and made a part of these Minutes. Mr. Mallon explained that the phone system that is currently in ICCLOS was installed in 2008 as part of the Lucas Oil Stadium construction and further upgraded and expanded in 2011 as part of the Phase 5 Convention Center expansion. He explained that the system now is near end of life and is in need of an upgrade while adding that the majority of people in the modern world have already moved over to voice over IP. The CIB has had an ongoing maintenance contract with Beacon Telecom for the software and hardware maintenance over the life of the system. He explained that the CIB will amend the current maintenance agreement to include this upgrade for the cost of \$196,306.08 and extend the term of the agreement to December 31, 2023. Mr. Mallon noted that staff and Counsel recommend the amendment to the agreement with Beacon Telecom in the amount of \$196,306.08. Ms. Reddick asked the Board if there were any further questions and there were none at this time. Ms. Lewis motioned to approve the ICCLOS Upgrade of Voice Over IP (VOIP) Phone System agenda item and Mr. Dora seconded said motion. The ICCLOS Upgrade of Voice Over IP (VOIP) Phone System agenda item was unanimously approved as presented.

Mr. Mallon presented the **ICC Weapons Detection System** agenda item, which is attached to and made a part of these Minutes. Mr. Mallon explained that this item pertains to the CIB's efforts to increase security measures around ICC and LOS by adding an internal weapons detection system. He introduced Eric Neuburger and Paul Suiters, Security Manager for ICCLOS to present this agenda item. Mr. Neuburger noted that Mr. Suiters has been instrumental in this process. Mr. Neuburger explained that the CIB issued invitations to quote under Indiana Code: 5-22-9, and received eight bids for the weapons detection system from various providers. The lowest responsive bid was submitted by GXC for the Open gate product in the amount of \$417,978.00 for 22 gateways or a unit price of \$18,999.00 per gateway. He reminded the Board that Open gate proved to be very effective at the recent 2023 running of the Indianapolis 500 with over 350,000.00 people attending the event. He noted that the Open gate

product is portable and easy to move from one site to another with very little setup time to install and start using. Open gate will deliver and assist with training and calibration of all systems and offers a service agreement for the product that includes software updates as prescribed by CEIA manufacturing. Mr. Neuburger stated Staff and Counsel have reviewed all documents and recommend approval for this products noting the cost saving measures and the enhanced security it will provide for the Indiana Convention Center. There was discussion amongst the Board clarifying several points including the life expectancy of the units, which is 5 years on average, whether or not 22 units would be sufficient for the building, to which the answer was yes as they will mainly be used for the larger scale events such as Big Ten Fan Fest, Gen Con, PRI, whether or not the units would be revenue generators, to which the answer was no as they would be considered a part of the entire building and not an upgrade. Mr. Mallon noted that and the staff has rented these for clients and clients have rented them directly for their events and while they will not be standard for every show, the CIB will now have the opportunity to supplement security as needed or desired by the client. Mr. Dora asked for clarification that short of a client requesting this, it is not the intention of the Convention Center to change its policy of allowing citizens who are exercising their legal constitutional rights to travel through this building to which Mr. Mallon stated was exactly correct. He confirmed the decision of whether or not firearms are allowed in the building is directly controlled and dictated by the client. Ms. Reddick asked if there were any questions from the Board and there were none. Mr. Ruhmkorff motioned to approve the ICC Weapons Detection System agenda item and Ms. Lewis seconded said motion. The ICC Weapons Detection System agenda item was unanimously approved as presented with the contract awarded to GXC for the Open gate product in the amount of \$417,978.00.

Mr. Mallon presented the **LOS Mechanical Modifications to Accommodate Olympic Swim Trials** agenda item, which is attached to and made a part of these Minutes. Mr. Mallon reminded the Board members that the City of Indianapolis will be hosting the 2024 Olympic Swim Trials at Lucas Oil Stadium. He explained that as part of the requirements for the installation of the pools, certain modifications need to occur on the Stadium's hot water system. These modifications will be used in conjunction with equipment provided by the pool manufacturer to fill and maintain the temperature of the pool water throughout the event. He reported that the project was publicly bid under Indiana Code 36-1-12 with the lowest responsive and responsible bid was submitted by General Piping Incorporated in the amount of \$228,125.00. Mr. Mallon also noted that there is no XBE participation for this project as this work is all standard piping and welding work performed by the Prime Contractor. Mr. Mallon reported that Staff and Counsel recommend the contract being awarded to General Piping Incorporated in the amount of \$228,125.00. Ms. Reddick asked if there were any questions from the Board and there were none. Ms. Lewis motioned to approve the LOS Mechanical Modifications to Accommodate Olympic Swim Trials agenda item and Mr. Ruhmkorff seconded said motion. The LOS Mechanical Modifications to Accommodate Olympic Swim Trials agenda item was unanimously approved as presented.

Mr. Mallon presented the **LOS Point of Sale** agenda item, which is attached to and made a part of these Minutes. Mr. Mallon explained that the CIB's current vendor, NCR, for the point of sale system notified the CIB effective December 31, 2023 they will no longer be supporting their large venue solution for point of sale. He explained that this decision has affected many stadiums and convention centers throughout the country. Mr. Mallon informed the Board that the CIB will enter into a short term 1 year transition agreement with MyVenue, who will reconfigure the back of house software program and payment processing to be utilized with the existing equipment. The purpose of the transition is to get the CIB through the upcoming football season

and into the first quarter of 2024. He also explained that the CIB has issued an RFP for the long-term solution, which will be presented to the board at an upcoming meeting. The agreement with MyVenue has an up-front cost of \$103,752.00 and an ongoing monthly maintenance fee of \$21,750.00. Mr. Mallon notes that Staff and Counsel are still negotiating some minor terms and conditions but recommend the award of the contract to MyVenue in the amount of \$103,752.00 and monthly maintenance fee of \$21,750.00. Ms. Reddick asked the Board if there were any further questions and there were none at this time. Mr. Ruhmkorff motioned to approve the **LOS Point of Sale** agenda item and Mr. Dora seconded said motion. The LOS Point of Sale agenda item was unanimously approved as presented.

Mr. Mallon introduced Mr. Neuburger to present the **Ticketmaster Renewal** agenda item, which is attached to and made a part of these Minutes. Mr. Neuburger explained that the CIB has been with Ticketmaster for a number of years as have the Colts. He informed the Board that over the last few years a number of clients have requested additional features and functionality as compared to our current TM agreement. In an effort for our ticket office to be full service Mr. Neuburger and his staff worked with TM to get this renewal proposal created to present to the Board. Mr. Neuburger noted that this proposed renewal will add two new components. New functionality is included which will allow all ticketing to be done in house as is the industry standard, without the assistance of other local sports organizations. This component is called Archtics. This is a system used by many venues and professional sports teams for season tickets and repeat events. The second new component will provide a more robust communication email system to communicate with former ticket purchasers in an effort to communicate with former customers on an ongoing basis with an emphasis on increasing interest and sales. Mr. Neuburger stressed that there is no "out of pocket" cost to the CIB. He noted that there has been strong efforts to keep the cost down for everyone adding that consumer fees will be a small amount lower with this extension. He explained that this is a 5-year extension to our current Ticketmaster agreement with a three-year extension option at the end of that period. Mr. Mallon noted that this feature will enable the CIB to be more competitive with other venues with regard to eventually obtaining the events that are most in demand and overall, our clients, ticket purchasers, and our box office staff will benefit from this extension and enhancement to our current offerings. Ms. Reddick asked the Board if there were any further questions and there were none at this time. Mr. Ruhmkorff motioned to approve the Ticketmaster Renewal agenda item and Ms. Lewis seconded said motion. The Ticketmaster Renewal agenda item was unanimously approved as presented.

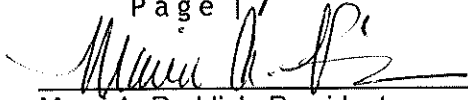
Ms. Reddick introduced the **Claims** as attached hereto and made a part of these Minutes. She then presented Operating Claims 567G and Confirming Claims 560C to the Board for approval. There were no questions from the Board at this time. Upon a motion by Ms. Lewis and seconded by Mr. Ruhmkorff Operating Claims 567G and Confirming Claims 560C were unanimously approved as presented.

In **Other Business**, it was noted that the next meeting of the CIB Board would take place on July 14, 2023.

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

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Marci A. Reddick, President
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
OF MARION COUNTY



David Ruhmkorff, Secretary
THE CAPITAL IMPROVEMENT BOARD
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