MINUTES OF THE 26th MEETING OF THE CONVENTION CENTER AUTHORITY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY

The 26th meeting of the Convention Center Authority of the Metropolitan Government of Nashville and Davidson County (CCA) was held on December 20, 2011 at 8:00 a.m., in Room 209-10 at the Nashville Convention Center, Nashville, Tennessee.

AUTHORITY MEMBERS PRESENT: Marty Dickens, Francis Guess, Vonda McDaniel, Willie McDonald, Luke Simons, Mona Lisa Warren, *Leo Waters, and Vice-Mayor Diane Neighbors, Ex-Officio

AUTHORITY MEMBERS NOT PRESENT: Mark Arnold and Ken Levitan

OTHERS PRESENT: Larry Atema, Charles Robert Bone, Rich Riebeling, Charles Starks, Barbara Solari, Mark Sturtevant, Ryan Johnson, Patrick Holcombe, Gary Schalmo, Natasha Blackshear, Debbie Frank, Kristen Heggie, Kim McDoniel, Lee DeLong, Bob Borello, Peter Heidenreich, and Joey Garrison. In addition other members of the general public were present.

The meeting was opened for business by Chairman Marty Dickens who stated that a quorum was present.

The Authority then took a recess for an executive session at 8:00 a.m.

* Denotes arrival of Leo Waters

The meeting resumed at 8:36 a.m.

ACTION: Appeal of Decisions from the Convention Center Authority of the Metropolitan Government of Nashville and Davidson County – Pursuant to the provisions of § 2.68.030 of the Metropolitan Code of Laws, please take notice that decisions of the Convention Center Authority may be appealed to the Chancery Court of Davidson County for review under a common law writ of certiorari. These appeals must be filed within sixty days after entry of a final decision by the Authority. Any person or other entity considering an appeal should consult with private legal counsel to ensure that any such appeals are timely and that all procedural requirements are met.

Mr. Dickens announced that the next scheduled meeting of the CCA is February 2, 2012 at 8:00am.

ACTION: Vonda McDaniel made a motion to approve the 25th Meeting Minutes of December 1, 2011. The motion was seconded by Francis Guess and approved unanimously by the Authority.

Larry Atema was asked to discuss artist contracts.

ACTION: Luke Simons made a motion to approve the form Music City Center Artist Agreement and authorizing the project staff to negotiate with the individual artists; to approve such changes as necessary for particular artists; and authorizing Larry Atema to execute the agreements and take any actions necessary or appropriate to formalize and finalize those agreements. The motion was seconded by Willie McDonald and approved unanimously by the Authority.

Charles Robert Bone was then asked to discuss the agreements with Commonwealth Development Group and Bone McAllester Norton.

ACTION: Vonda McDaniel made a motion to extend the contract with Commonwealth Development Group through February 4, 2013 with no new terms and to extend the legal services contract with Bone McAllester Norton, PLLC through December 31, 2012 with no new terms and recognizing that the Law Office of Natasha L. Blackshear, PLC is substituted for Gonzalez Saggio & Harlan LLP. The motion was seconded by Mona Lisa Warren and approved unanimously by the Authority.

Larry Atema discussed the issuance of RFPs for art, solar energy, and planning.

ACTION: Mona Lisa Warren made a motion to approve the project staff's issuance of a Request for Proposal to solicit proposals for acquired artwork from artists and authorizing Larry Atema to sign any documents related to the issuance of the RFP. The motion was seconded by Francis Guess and approved unanimously by the Authority.

ACTION: Mona Lisa Warren made a motion to approve the project staff's issuance of a Request for Proposal to solicit proposals for planning services contingent on the awarding of that grant, which is expected, and authorizing Larry Atema to sign any documents related to the issuance of the RFP. The motion was seconded by Willie McDonald and approved unanimously by the Authority.

ACTION: Mona Lisa Warren made a motion to approve the project staff's issuance of a Request for Proposal to solicit proposals for the solar elements of the project and authorizing Larry Atema to sign any documents related to the issuance of the RFP. The motion was seconded by Luke Simons and after discussion approved unanimously by the Authority.

Charles Robert Bone was asked to discuss litigation issues.

ACTION: Francis Guess made a motion authorizing that an appeal of the MDHA/Tower condemnation case and related issues be reviewed and considered and authorizing the Chair to work with MDHA to make a final decision concerning an appeal, provided that the Authority is updated on such matters prior to a final decision being made. The

motion was seconded by Luke Simons and after discussion approved unanimously by the Authority.

Charles Starks was asked to discuss CCA employee benefits.

ACTION: Vonda McDaniel made a motion to approve an amendment to the Interlocal Agreement with the Metropolitan Government that would allow Authority employees to be eligible for additional employee benefits provided through the Metropolitan Government [Short Term Disability (employee funded), Long Term Disability (employee funded), Supplemental Life Insurance (employee funded), Dependent Life (employee funded), Long Term Care (employee funded), and Basic Life Insurance (paid for by CCA at the same level that general metro employees receive)], and authorizing Mr. Dickens to sign such amendment and take any action necessary to formalize that agreement. The motion was seconded by Leo Waters and approved unanimously by the Authority.

Charles Starks then gave a tax collection update. (Attachment #1)

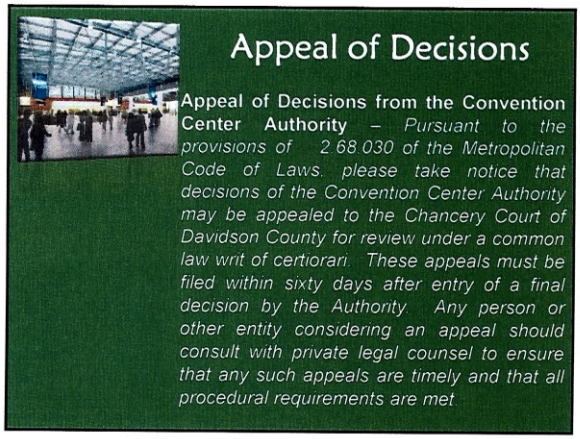
There was closing discussion and with no additional business a motion was made to adjourn, with no objection the CCA adjourned at 9:06 a.m.

Respectfully submitted,

Charles L. Starks
Executive Director
Nashville Convention Center

Approved:

Marty Dickens, Chairman
CCA 26th Meeting Minutes
of December 20, 2011



MCC/Hotel Tax Collection

As of October 31, 2011

	2/5 of 5% Occupancy Tax	Net 1% Occupancy Tax	$2 Room Tax	Contracted Vehicle Tax	Rental Vehicle Tax	Total	Variance to FY 09-10
July	$950,195	$372,222	$950,065	$41,146	$107,934	$2,421,562	23.11%
August	$897,050	$353,000	$887,063	$50,318	$107,305	$2,294,736	40.63%
September	$903,843	$362,054	$846,285	$52,147	$108,239	$2,261,668	25.84%
October	$1,061,177	$400,434	$929,113	$61,800	$106,977	$2,559,501	33.36%
November							
December							
January							
February							
March							
April							
May							
June							
YTD Total	$3,812,265	$1,477,710	$3,611,526	$205,410	$430,455	$9,537,367	30.38%

These numbers are still subject to change by Metro/Division of Accounts Auditors

MCC/Hotel Tax Collection

October Total Tax Collections

	2010	2011	Variance
5% Occupancy Tax	$1,762,848	$2,652,943	50.49%
Gross 1% Occupancy Tax	$352,570	$530,589	50.49%
$2 Room Tax	$726,598	$929,113	27.87%
Contracted Vehicle	$37,687	$61,800	63.98%
Rental Vehicle	$97,273	$106,977	9.98%
$.50 Room Tax	$181,649	$232,279	27.87%
Total Collections	**$3,158,624**	**$4,513,701**	**42.90%**
Total YTD Collections	**$11,954,324**	**$16,586,929**	**38.75%**

MCC Portion of October Tax Collections

	2010	2011	Variance
2/5 of 5% Occupancy Tax	$705,139	$1,061,177	50.49%
Net 1% Occupancy Tax	$352,554	$400,434	13.58%
$2 Room Tax	$726,598	$929,113	27.87%
Contracted Vehicle	$37,687	$61,800	63.98%
Rental Vehicle	$97,273	$106,977	9.98%
MCC Collections	**$1,919,251**	**$2,559,502**	**33.36%**
MCC YTD Collections	**$7,315,228**	**$9,537,367**	**30.38%**

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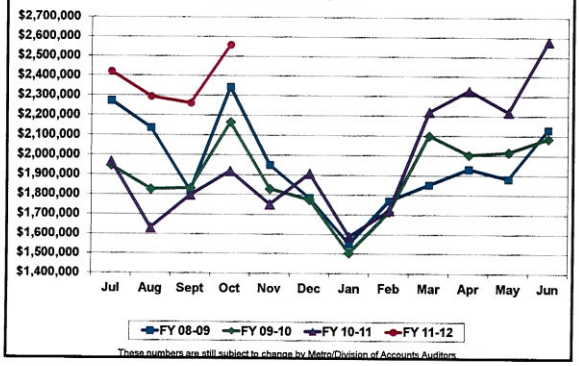
MCC Tax Collections

As of October 31, 2011



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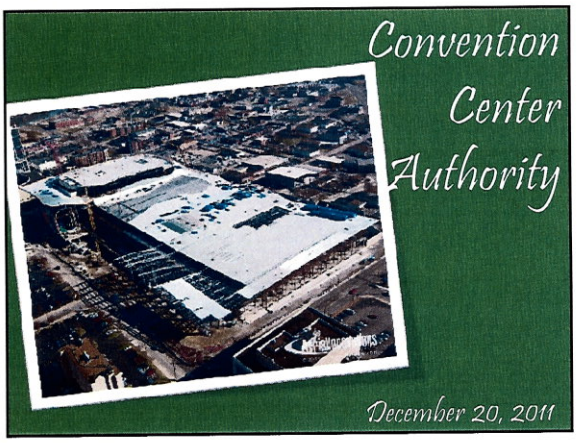
Convention
Center
Authority
December 20, 2011