

# **MINUTES OF THE 35<sup>th</sup> MEETING OF THE CONVENTION CENTER AUTHORITY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY**

The 35<sup>th</sup> meeting of the Convention Center Authority of the Metropolitan Government of Nashville and Davidson County (CCA) was held on December 6, 2012 at 8:02 a.m., in Room 209-10 at the Nashville Convention Center, Nashville, Tennessee.

**AUTHORITY MEMBERS PRESENT:** Francis Guess, \*Ken Levitan, 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 Marty Dickens

**OTHERS PRESENT:** Rich Riebeling, Charles Robert Bone, Charles Starks, Larry Atema, Barbara Solari, Ric Miller, Gary Schalmo, Sharon Hurt, Patrick Holcombe, Peter Heidenreich, Kristen Heggie, Ryan Johnson, Terry Tannery, Stephanie Harris, Roxianne Bethune, Holly McCall, Elisa Putman, Steve Riter, Jenny Davis, Jaquetta White, Buford Manley, Natasha Blackshear, Mark Sturtevant, and Ed Henley

The meeting was opened for business by Vice-Chair Vonda McDaniel who stated that a quorum was present.

**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.

There was discussion regarding the January meeting date which is to be determined.

**ACTION:** Francis Guess made a motion to approve the 34<sup>th</sup> Meeting Minutes of November 1, 2012. The motion was seconded by Luke Simons and approved unanimously by the Authority.

Charles Starks and Charles Robert Bone were asked to give an update on the Food & Beverage contract and there was discussion.

**ACTION:** Francis Guess made a motion to approve the food and beverage operations and services agreement with Centerplate and authorize Mr. Dickens to execute the agreement and take any actions necessary or appropriate to finalize the agreement. The motion was seconded by Leo Waters and approved unanimously by the Authority.

Charles Robert Bone was asked to give a Distributed Antenna System update at which time he reported that the agreement will not be ready until the January meeting. There was discussion.

Ric Miller was then introduced to give an insurance update. (Attachment #1 - He noted the date on the slides should be 1/7/13-4/30/13, not 1/7/14 and slide #10 would be \$25,000 not \$28,000) There was discussion.

**ACTION:** Leo Waters made a motion approving the insurance policies and the renewals through April as presented and authorizing Charles Starks to execute any applications and documents as necessary. The motion was seconded by Willie McDonald and approved unanimously by the Authority.

Charles Robert Bone was asked to give an update on the Nashville Songwriters Foundation and there was discussion.

**ACTION:** Leo Waters made a motion to approve the updated license agreement with the Nashville Songwriters Foundation. The motion was seconded by Luke Simons and approved unanimously by the Authority.

\*Denotes departure of Ken Levitan

Gary Schalmo and Jenny Davis then gave a project update and there was discussion. (Attachment #1)

Charles Starks was asked to give a tax collection report. (Attachment #1) There was discussion. Mr. Starks also reported on sales travel for the month and there was additional discussion.

There was closing discussion and then with no additional business a motion was made to adjourn, with no objection the CCA adjourned at 9:02 a.m.

Respectfully submitted,



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Charles L. Starks  
President & CEO  
Convention Center Authority

Approved:



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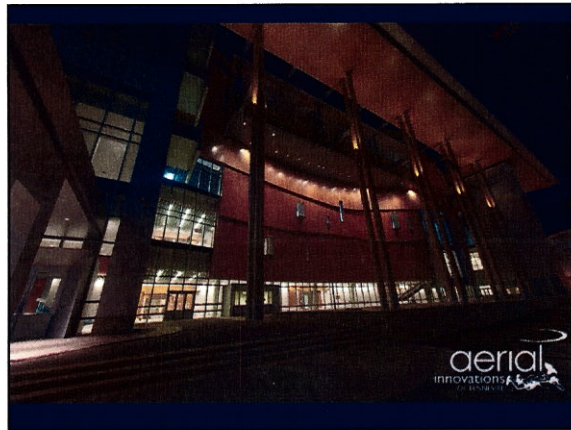
Vonda McDaniel, Vice-Chair  
CCA 35<sup>th</sup> Meeting Minutes  
of December 6, 2012






**Appeal of Decisions**

Appeal of Decisions from the Convention Center Authority – 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.


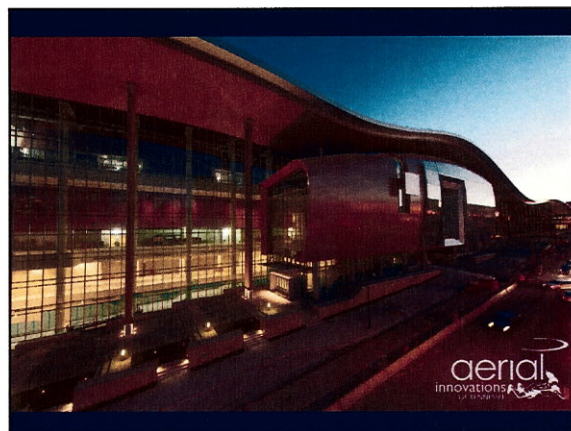


**HAPPY BIRTHDAY!!**

**Vonda McDaniel**  
December 18<sup>th</sup>



A photograph of a single slice of birthday cake on a white plate. The cake is decorated with white frosting and colorful sprinkles. A single lit candle is on top of the slice. The background is dark.



The Convention Center Authority  
of the Metropolitan Government of  
Nashville and Davidson County

Insurance Acquisition Overview

December 4, 2012

Willis

A horizontal strip of three people's faces: a man on the left, a woman in the center, and a man on the right. They are all looking towards the right. Below this strip is a white box containing text. The text is centered and reads: "The Convention Center Authority of the Metropolitan Government of Nashville and Davidson County", "Insurance Acquisition Overview", and "December 4, 2012". In the bottom right corner of the white box is the "Willis" logo.

### Insurance Program

Coverage	Insurer (Att. Best Rating)	Limits of Insurance	1/7/12 - 1/7/13	1/7/13 - 1/7/14
			Expiring Annual Renewal Annual Premium	Expiring Annual Renewal Annual Premium
Property including Inland Marine	CNA (A)	\$60,000 Business Personal Property	\$1,500.00	TBD
General Liability including Employee Benefits Liability	CNA (A)	\$1,000,000 Occurrence/ \$2,000,000 Aggregate	\$2,226.00	TBD
Hired & Non- Owned Automobile	CNA (A)	\$1,000,000 Each Loss	\$344.00	TBD
Workers' Compensation	CNA (A)	Statutory Limits	\$4,427.00	TBD
Umbrella	CNA (A)	\$5,000,000 Occurrence/ \$5,000,000 Aggregate	\$5,061.00	TBD
<b>Total Cost</b>			<b>\$13,548.00</b>	<b>TBD</b>

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### Insurance Program

#### Crime Insurance

Insurance Limits	Expiring Program	Recommended Renewal Program
	1/7/12 - 1/7/13	1/7/13 - 1/7/14
Employee Theft	\$25,000	\$1,000,000
Forgery or Alteration	\$0	\$1,000,000
On Premises	\$10,000	\$500,000
In Transit	\$10,000	\$500,000
Money Orders & Counterfeit Money	\$0	\$100,000
Computer Crime	\$0	\$1,000,000
Funds Transfer Fraud	\$0	\$1,000,000
Deductible/Retention	\$500	\$10,000
<b>Annual Premium</b>	<b>Included in Property Insurance at no additional charge</b>	<b>\$4,682</b>

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### Insurance Program

#### Public Officials Liability

Limits of Liability:	Expiring Program	Recommended Renewal Program
	1/7/12 - 1/7/13	1/7/13 - 1/7/14
	<b>ACE</b>	<b>AVAC</b>
Each Claim	\$5,000,000	\$5,000,000
Policy Aggregate	\$5,000,000	\$5,000,000
<b>Retentions:</b>		
Public Officials	\$0	\$10,000
Public Entity Reimbursement	\$50,000	\$10,000
Employment Practices Liability	\$50,000	\$10,000
<b>Prior Acts Date:</b>	<b>On or after 1/7/10</b>	<b>On or after 1/7/10</b>
<b>Annual Premium</b>	<b>\$19,326</b>	<b>\$28,441</b>
<b>Policy Forms:</b>		

ACE Municipal Advantage - # PF-2356 (0108)  
Signature - CC-1113 (0111)  
Trade or Economic Sanctions-ALL-2101 (1108)  
Notice Amendment-PF-2348 (0211)  
Terrorism Insurance Act TRA 126 (0108)  
Terrorism CAP-PF-1770a (0108)  
Tennessee Amendment-PF-2382 (0108)  
Prior Acts#PF-2363 (0108)  
OFAC-PF1714 (0205)

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### Insurance Program

#### Public Officials Liability - Excess

Limits of Liability:	Expiring Program	Recommended Renewal Program
	n/a	1/7/13 - 1/7/14
		<b>AIG</b>
	n/a	\$6,000,000 excess of \$5,000,000
<b>Annual Premium</b>	<b>n/a</b>	<b>\$28,000 Indication</b>
<b>Policy Forms:</b>	<b>n/a</b>	

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### Market Responses

Contract	Coverage	Limit	Response
Travelers	General Liability, Automobile	Primary	Quoted
American Specialty	General Liability, Automobile, Umbrella	Primary	Quoted
Hartford	Workers Compensation	Primary	Quoted
Farmers Fund	General Liability, Automobile	Primary	No response
Easton Alliance	Workers Compensation, Umbrella	Primary	No response
Liberty	General Liability, Automobile, Workers Compensation, Umbrella	Primary	Declination - new entity, class of business
Bancch	General Liability, Automobile	Primary	Declination - new entity, class of business
Key Risk	Workers Compensation, Umbrella	Primary	Declination - new entity, class of business
Am Trust	Workers Compensation	Primary	Declination - new entity, class of business
Eschew	Workers Compensation	Primary	Declination - new entity
<b>ACE</b>	<b>Public Officials E&amp;O</b>	<b>Primary</b>	<b>Quoted</b>
Professional Governmental Underwriters	Public Officials E&O	Primary	Quoted
Navigator	Public Officials E&O	Excess	Declination - class of business
Hartford	Public Officials E&O	Excess	Declination - not a market
Providence	Public Officials E&O	Excess	No response
AmVins	Public Officials E&O	Excess SOM x SOM	Indication
AIG	Public Officials E&O	Excess SOM x SOM	Indication
ACE	Public Officials E&O	Excess SOM x SOM	Indication
Travelers	Executive Risk	Primary	Declination - want write monoline
AVAC	Executive Risk	Primary	Declination - class of business
Chubb	Executive Risk	Primary	No response
Chubb	Executive Risk	Primary	No response
<b>ACE</b>	<b>Crisis</b>	<b>Primary</b>	<b>Indication</b>
Travelers	Crisis	Primary	Quoted
Swirely	Crisis	Primary	Quoted

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## COMMISSIONING

- Definition:  
"A quality-focused process for enhancing the delivery of a project. The process focuses on verifying and documenting that the facility and all of its systems and assemblies are planned, designed, installed, tested, operated, and maintained to meet the Owner's Project Requirements." Chart

AHJRAJ Guidelines © 2012/13 The Commissioning Process



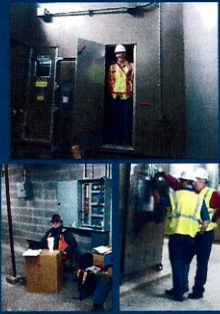
## OVERVIEW SCHEDULE

Activity	Dates	2013			
		December	January	February	March
System Testing/Functional Checkout	8/1/12 - 1/31/13				
Interface Testing	2/1/13 - 3/15/13				
City Final Inspections	3/15/13 - 4/15/13				
City to Process Final Occupancy Paperwork	4/15/13 - 4/30/13				



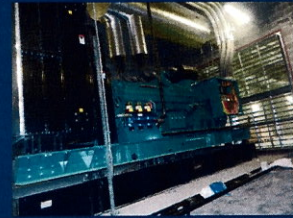
## MECHANICAL – AHU FUNCTIONAL

- 20 out of 62 AHU's are in the process of Functional Commissioning
- Commissioning of an AHU includes checking valves, dampers and control sequences



## ELECTRICAL – GENERATOR TESTING

- East Generator testing is complete
- West Generator is scheduled for next week
- Testing includes load bank, ATS (Automatic Transfer Switch)



## FIRE PROTECTION – FIRE PUMP

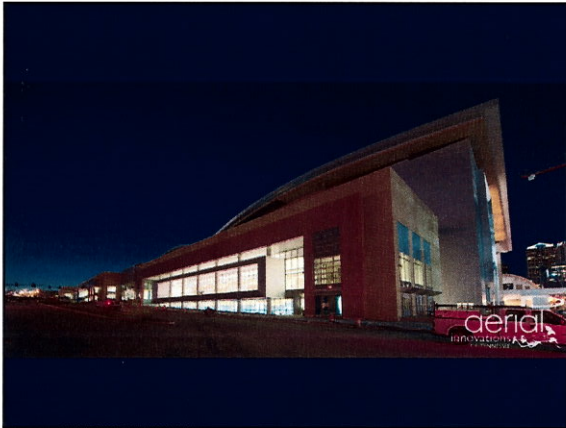
- Fire Pump is scheduled to be tested the first week of January
- Dry and wet system testing and verification is ongoing
- Flow and Tamper are being verified with the Fire Alarm System



## TELECOM/FIRE ALARM/SECURITY

- Owner's Backbone is up for Levels 1-4 and working on upper levels
- Fire Alarm pre-testing to begin next week
- Security Command Center is in process





### MCC/Hotel Tax Collection

As of September 30, 2012

	2/5 of 5% Occupancy Tax	Net 1% Occupancy Tax	\$2 Room Tax	Contracted Vehicle Tax	Rental Vehicle Tax	Total	Variance to FY 11- 12
July	\$980,966	\$396,506	\$939,316	\$40,683	\$108,616	\$2,465,887	1.83%
August	\$924,309	\$374,097	\$893,228	\$61,843	\$119,420	\$2,372,897	3.41%
September	\$964,466	\$387,224	\$881,814	\$46,978	\$101,375	\$2,380,847	6.27%
October							
November							
December							
January							
February							
March							
April							
May							
June							
<b>YTD Total</b>	<b>\$2,869,731</b>	<b>\$1,167,827</b>	<b>\$2,714,358</b>	<b>\$148,404</b>	<b>\$329,311</b>	<b>\$7,219,631</b>	<b>3.46%</b>

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

### MCC/Hotel Tax Collection

*September Total Tax Collections*

	2011	2012	Variance
5% Occupancy Tax	\$2,259,607	\$2,411,139	6.71%
Gross 1% Occupancy Tax	\$451,921	\$482,228	6.71%
\$2 Room Tax	\$845,285	\$881,814	4.32%
Contracted Vehicle	\$52,147	\$45,978	-11.83%
Rental Vehicle	\$108,239	\$101,375	-6.34%
\$.50 Room Tax	\$211,180	\$220,490	4.41%
<b>Total Collections</b>	<b>\$3,928,379</b>	<b>\$4,143,024</b>	<b>5.46%</b>
<b>Total YTD Collections</b>	<b>\$12,073,227</b>	<b>\$12,479,949</b>	<b>3.37%</b>

*MCC Portion of September Tax Collections*

	2011	2012	Variance
2/5 of 5% Occupancy Tax	\$903,843	\$964,456	6.71%
Net 1% Occupancy Tax	\$352,054	\$387,224	9.99%
\$2 Room Tax	\$845,285	\$881,814	4.32%
Contracted Vehicle	\$52,147	\$45,978	-11.83%
Rental Vehicle	\$108,239	\$101,375	-6.34%
<b>MCC Collections</b>	<b>\$2,261,568</b>	<b>\$2,380,847</b>	<b>5.27%</b>
<b>MCC YTD Collections</b>	<b>\$6,977,865</b>	<b>\$7,219,630</b>	<b>3.46%</b>

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