

Minutes: Meeting of the Metropolitan Government Board of Fair Commissioners

Date: July 14, 2020 8:00 a.m. (Electronic Meeting)

On the above referenced date, the July meeting for the Board of Fair Commissioners was held electronically. Those in attendance were Interim-Chair Erin McAnally, Commissioner Caleb Hemmer, Commissioner Jason Bergeron, and Commissioner Sheri Weiner. Also present were Fairgrounds Executive Director Laura Womack and Finance and Administrative Manager Satrice Allen. Metro Attorney's Alex Dickerson and Tom Cross were also in attendance. Ron Gobbell and Tim Debus with Gobbell Hays Partners (GHP) were present, as well as Ed Henley with Pillars Development. Mary Cavarra with the Nashville Soccer Club and the Ownership Group was in attendance. Bob Sargent with Track Enterprises and Randy Dyce with DD Events were present as well. Michael Caldwell with the Metro Health Department and Bill Phillips with the Mayor's Office were also at the meeting.

Chairman McAnally took attendance and then called the meeting to order. Chairman McAnally made a motion stating, "*The proposed agenda constitutes essential business and meeting electronically is necessary to protect the health, safety, and well-being of Tennesseans in light of the COVID-19 outbreak.*" Commissioner Bergeron and Commissioner Weiner both seconded the motion. All were in favor and the motion was passed. Chairman McAnally announced that the public could call in with their comments to the live call-in line and she then read the legal notice.

Chairman McAnally moved to the approval of the May meeting minutes. Commissioner Hemmer made a motion to approve and Commissioner Bergeron seconded the motion. All were in favor and the minutes were passed. She then moved to Public Comment Time.

There was one public comment by Daniel Barron, a local resident. Chairman McAnally then moved to the Financial Report.

Ms. Allen did a brief financial report. Chairman McAnally then moved to the Executive Director's Report.

Director Womack stated that she had four things to report on. She stated that Ned Horton had not been re-appointed to the Board and that the Mayor's Office was considering a nomination and that they should have someone in a few weeks. She thanked Ned for his service for over 10 years and added that they planned to recognize him in person once the Board Meetings were no longer virtual meetings. Secondly, she stated that the election of Board Officers which, because of the Pandemic and the re-appointment of Mr. Horton, usually took place in June would be done at the August meeting once a new Board Member had been appointed. She reported that it had been a while since the by-laws had been updated and suggested that the Board review them for any changes and that she would send them out before the next meeting so that they could put this on the August agenda. She finished her report by stating that July 1st was the deadline for the EOI (Expression of Interest to host the State Fair) to be submitted and that on that Friday coming up the State Commission would be meeting. She added that any information she received from that meeting, especially concerning "next steps", she would pass along to the Board. Chairman McAnally thanked Ned Horton again for his service to the Board and she then moved to Old Business and the Fairgrounds Improvement Project Update item on the agenda.

Mr. Henley went over the project updates and financials. Chairman McAnally announced that the public call-in line was still open for any callers. There were no other calls, so she then moved to the MLS Stadium Update item on the agenda.

Ms. Cavarra gave a brief update about the soccer club, the ownership group, and the stadium. She reported that some of the members of the team had contracted COVID-19 and, of course, safety was their main concern. She stated that they hoped to learn more about the remainder of the season soon. She stated that the construction progress was moving forward and that they were still looking at mid-May of 2022 for completion and would continue to give the Board updates. She added that they had a "virtual kickoff" with the neighborhoods closest to the stadium site and that it went well. Chairman McAnally then moved to New Business and the Event and Review Discussion item on the agenda.

Director Womack thanked everyone for their hard work to make the first race happen. Randy Dyce reported that all went well and then went over the many protocols and procedures that were in place for everyone's safety against COVID. Dr. Michael Caldwell with Metro Health then went over a few details about the race and stated that he was very pleased overall and also glad to be able to educate the public, staff and other business owners. He stated that he felt the race had low risk because: 1) being an outdoor event 2) face masks were worn 3) social distancing was in force and maintained and capacity was limited 4) no alcohol was served. There were a few questions and some discussion from the Board concerning contact info and contact tracing, whether the Fair Board will be notified or not concerning certain things, bar sales, future capacity and timing, overall safety,

whether to continue having races, etc. Mr. Caldwell stated that there was a requirement discrepancy between Davidson County and NASCAR that they would need to address and that how long to keep a mask off after eating or drinking that was reasonable also needed to be looked at. Mr. Dyce stated that there was no alcohol sold on the property and added that they might refigure some seating for next time since they had plenty of room, as well as, adding a contact sheet at the gate. Mr. Caldwell stated that he felt comfortable holding these events with the proper protocols that were in place, especially since they were requiring higher standards already to be safe.

Director Womack then asked the Board about their thoughts concerning next steps and moving forward with events-both outdoor and indoor. There was some discussion and Commissioner Weiner suggested that they might tie re-opening events with Phase 3. Director Womack stated that she felt this was reasonable and that many promoters were only in the pre-planning stages anyway so she felt they would be comfortable with that. There was a question whether each event should be reviewed on an individual basis to re-open and the Board would be notified to make a decision about each event or if the Board should do a special meeting with a list of events to re-open. Commissioner Bergeron stated that he would like for the Board to convene together before these decisions were made. Chairman McAnally then moved to the Contract with Track Enterprises item on the agenda.

Director Womack stated that because there were limitations on attendance due to COVID which would effect Track Enterprise's ability to make their budgeted revenue plus the extra expenses to enforce and maintain all of the safety regulations required, she asked that they be able to amend the contract to give Track Enterprises some flexibility (such as rent based on attendance) to make accommodations for lower attendance. Metro Attorney Alex Dickerson stated that the Board could simply make a motion stating that the Executive Director had the authority to make decisions about this issue or the contract would need to be amended. Commissioner Weiner then made a motion stating, *"I move to give the Executive Director permission to renegotiate existing event contracts on a case by case basis based on attendance requirements."* Commissioner Bergeron seconded the motion. Chairman McAnally asked if they needed to limit the motion to Track Enterprises only and Commissioner Weiner stated that she would like to amend her motion to include all other event contracts/leases. Commissioner Bergeron seconded the amended motion. There was some discussion whether the motion should be restricted only to Track Enterprises contracts. Director Womack reminded everyone that Board had already authorized the Track Enterprises contract which referenced some flexibility due to the Pandemic and scheduling-and that this would be similar concerning rent. She stated that all other events were considered on a case by case basis already and handled administratively and that the speedway contract was not, so the speedway contract was different. Commissioner Weiner stated that she would like to take out the amendment and then made a motion stating, *"I move to give the Executive Director permission to renegotiate existing event contracts, limited to Track Enterprises, on a case by case basis based on attendance requirements."* Commissioner Bergeron seconded the motion. All were in favor and the motion was passed. There were still no public comment callers so Chairman McAnally then moved to the Lease with Walsh Management and the Ground Lease with the Sports Authority item on the agenda.

Mr. Tom Cross gave an explanation about the leases and the changes that had been made. Commissioner Bergeron expressed his concerns about a section of the parcel map. After some discussion about this it was finally suggested that the Board adopt the resolution with an amendment addressing Commissioner Bergeron's concern. Commissioner Weiner then moved to adopt the existing resolution with an amendment proposed by Commissioner Bergeron. Commissioner Hemmer seconded the motion. Commissioner Weiner then withdrew her motion and Commissioner Hemmer seconded the withdraw. Commissioner Bergeron then made a motion stating, *"I would move to approve the resolution with the one change to that resolution being that exhibit A as to the ground development lease be revised to delete the detail included around the speedway parcel and instead just reflect a plain white outline for that parcel on the map and with that change would approve the resolution."* Commissioner Weiner and Commissioner Hemmer both seconded the motion. Commissioner Hemmer asked if there would be any unintended consequences by changing the map and Mr. Cross answered that this resolution/exhibit was before Council but that he could ask them to approve the resolution/exhibit with Commissioner Bergeron's changes. Chairman McAnally also asked since Phase 2 of Fair Park did not exist yet, would that need to be contemplated as well and Commissioner Bergeron stated that it had already been approved by the Board several times and that it was a different matter, so no. Chairman McAnally then called for a vote. All were in favor and the motion was passed.

Commissioner Hemmer then made a motion to adjourn and Commissioner Bergeron seconded the motion. All were in favor and the meeting was dismissed.

Respectfully submitted,

Erin McAnally, Interim Chairman

Laura Womack, Executive Director