

**SPORTS AUTHORITY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE
& DAVIDSON COUNTY**

Minutes of the August 15, 2008 Meeting of the Board of Directors
LP Field- Media/Press Room
9:30 a.m.

Board Members: Cathy Bender Jackson, Lauren Brisky, Mike Hobbs, Kevin P. Lavender, Rusty Lawrence, Steve North, Edward Temple

Staff: Emmett Edwards (Sports Authority), Monica C. Fawknorton (Sports Authority), Theresa Costonis (Legal)

Titans/Cumberland Stadium: Steve Underwood, Don MacLachlan, Walter Overton, Dempsey Henderson

Predators/Powers Management: Hugh Lombardi, Dewayne Smith

Visitors: David Freeman, Larry Thrailkill, Charles Starks, Scott Ramsey, Frank Curry

Mr. Kevin P. Lavender called the meeting to order at 9:30 a.m. and recognized Ms. Monica Fawknorton to read the Metro Code of Laws (Ordinance No. BL2006-1050, § 2.68.030). Minutes of the July meeting were unanimously approved.

Mr. Lavender recognized Mr. Scott Ramsey to give the Sports Council Update. Mr. Ramsey announced that Nashville has been named as one of eight cities chosen as finalists to host a future NCAA Women's Final Four. A final decision will be announced in late November. Upcoming Sports Council events include the SEC/Big East Invitational Basketball Tournament at the Sommet Center in December as well as the 11th annual Music City Bowl on December 31st.

Finance Committee Report

Following Mr. Ramsey's update, Mr. Lavender turned the floor over to Ms. Lauren Brisky to give the Finance Committee Report. Ms. Brisky announced that the Finance Committee met on August 7th and that two items discussed required action by the full board:

- The Cumberland River Compact Civic Event- The organization has requested that parking fees be waived for use of Lot R for its 2nd annual Dragon Boat Festival. The waiver would provide complimentary parking for its volunteers and participants. It was noted that the Finance Committee had unanimously recommended approval of the waiver. **Upon a motion duly seconded and much discussion the Board voted to waive all parking fees associated with the event.**
- The Sommet Center's request for authorization to transfer the arena's cleaning contract to Service Management Systems (SMS). Ms. Brisky noted that the size of the contract requires the approval of the Sports Authority but recommended that the vote be taken after Mr. Hugh Lombardi gives more information in his monthly report to the Board.

Predators Guarantees/Certifications

Mr. Lavender recognized Mr. Larry Thrailkill to address the Board. Mr. Thrailkill reminded the Board that Mr. DelBiaggio's guarantee failed in June and that the Sports

Authority had 60 days to accept a substitute guarantor with an acceptable net worth. This occurred around the same time as the annual certification of net worth. On August 1st Legal received copies of all the guarantees. All were found to be acceptable. Mr. Thrailkill did note that Mr. Freeman's guarantee was changed from an individual one for his portion of the guarantee to a joint and several guarantee of Mr. Freeman and Commodore Trust, the actual owner of the 32.63% interest in the team. All of the guarantees and certifications have been received and only 2 things are lacking in order to recommend approval:

- In regards to Commodore Trust, Counsel's opinion that the guarantees are enforceable against the Trust.
- The signature page notarization from the trustee of the Commodore Trust.

Mr. Thrailkill stated that he would be back once they received the opinion of counsel to present the guarantees. He additionally noted that these certifications are based on reviewed statements and that next years statements will be an audited financial statement.

LP Field Report

Mr. Lavender recognized Mr. Steve Underwood to give the LP Field Report. Mr. Underwood began by stating that that the Titans currently have approximately \$100,000 of un-reimbursed casualty loss items. After mentioning the great success of the CMA Music Festival, Mr. Underwood turned his attention to the summary of capital expenditures provided in the Titans Periodic Report. He then noted that pictures of fallen concrete on stadium ramps had been included in the Report. The fallen concrete was caused by spillage when the original pour was done. Mr. Underwood reported that Mr. Mike Hobbs has been involved in the concrete repair process. He then reminded the Board that aging facilities will have maintenance and repair needs, noting that expansion joints and EIFS (ceiling) repairs must be made as the stadium begins to show its age.

Mr. Underwood continued by reporting that the following reimbursement requests were approved at the Finance Committee Meeting:

1. Replacement of main stadium video screens (remainder of un-reimbursed) - \$620,000.00
2. Sealing and re-striping of LP Field parking lots- \$121,801.59
3. Upgrade & access control of closed circuit TV system- \$91,524.43
4. Replacement of LP Field emergency lighting system- \$108,338.06
5. Portable field surface protection system- \$154,875.00

Upon a motion duly seconded, the Sports Authority voted to recommend approval of the reimbursement requests.

Mr. Underwood reported that the diagrams and the construction contract of the Toyota Tundra Tower were included in the materials dispensed to the Board at the beginning of the meeting. He stated that the Tower has been installed and invited interested Board Members to come out and view it following the meeting. Mr. Underwood additionally stated that the Titans will take complete responsibility for construction of the tower and should Metro Legal wish to prepare a document similar to the one prepared during the Logan's Landing end zone upgrades, the Titans would be please to sign it.

Finally Mr. Underwood reported that InShuttle will be handling the Titans Park and Ride System now that the MTA End Zone Express is no longer available.

Sommet Center Report

Mr. Lavender recognized Mr. Hugh Lombardi to give the Sommet Center Report. Mr. Lombardi thanked the Titans for hosting the September Sports Authority Meeting, noting that the Sommet Center was currently hosting the Church of God Prophecy Convention and its 5,500 participants. Mr. Lombardi reported that August has been a strong month for the arena with Journey, Def Leppard, Springsteen and the PBR at the end of the month.

Mr. Lombardi reported that Rascal Flats will be at the arena on October 15th and would like to hang a banner on the building for its “on sale” date as well as the week of the event. **Upon a motion duly seconded the Board unanimously approved the banner.**

Finally, Mr. Lombardi reported that, in regards to the cleaning contract, Powers Management held a bid conference and eleven companies responded. Four of the eleven companies returned a Request for Proposal (RFP) and Service Management Systems (SMS), a local company with more than 500 employees, was awarded the contract. **The Sports Authority must approve vendors selected for contracts over \$100,000 and, upon a motion duly seconded, the Board unanimously gave its approval to transfer the cleaning contract to SMS.**

There being no other business the meeting adjourned at 10:40 a.m.