MINUTES OF THE 35th MEETING OF THE CONVENTION CENTER AUTHORITY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY

The 35th 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 34th 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,

Charles L. Starks
President & CEO
Convention Center Authority

Approved:

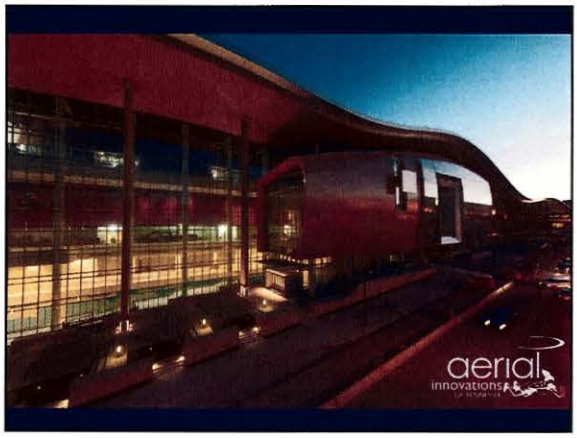
Vonda McDaniel, Vice-Chair
CCA 35th Meeting Minutes
of December 6, 2012

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 18th



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

Insurance Acquisition Overview

December 4, 2012

Willis

Insurance Program

Coverage	Insurer (A.M. Best Rating)	Limits of Insurance	1/7/12 - 1/7/13 Expiring Annual Renewal Annual Premium	1/7/13 - 1/7/14 Expiring Annual Renewal Annual Premium
Property including Inland Marine	C N A (A)	$60,000 Business Personal Property	$1,500.00	TBD
General Liability including Employee Benefits Liability	C N A (A)	$1,000,000 Occurrence/ $2,000,000 Aggregate	$2,226.00	TBD
Hired & Non-Owned Automobile	C N A (A)	$1,000,000 Each Loss	$344.00	TBD
Workers' Compensation	C N A (A)	Statutory Limits	$4,427.00	TBD
Umbrella	C N A (A)	$5,000,000 Occurrence/ $5,000,000 Aggregate	$5,051.00	TBD
	Total Cost		**$13,548.00**	**TBD**

Willis

Insurance Program

Crime Insurance

	Expiring Program 1/7/12 - 1/7/13	Recommended Renewal Program 1/7/13 - 1/7/14
Insurance Limits:	C N A	Travelers
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
Annual Premium	**Included in Property Insurance at no additional charge**	**$4,582**

Willis

Insurance Program

Public Officials Liability

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

ACE Municipie Advantage - # PF-23536 (01/08)
Signatures - CC-1K11g (01/11)
Trade or Economic Sanctions-ALL-21101 (11/06)
Notice Amended-PF-33468 (02/11)
Terrorism Insurance Act TRIA 12b (01/08)
Terrorism CAP-PF-17705s (01/08)
Tennessee Amendatory-PF-23612 (01/08)
Prior Acts-PF-23563 (01/08)
OFAC-PF17914 (02/05)

Willis

Insurance Program

Public Officials Liability - Excess

	Expiring Program n/a	Recommended Renewal Program 1/7/13 - 1/7/14
		AIG
Limits of Liability:	n/a	**$5,000,000 excess of $5,000,000**
Annual Premium	n/a	$28,000 Indication
Policy Forms:	n/a	
		Follow form of underlying

Willis

Market Responses

Carrier	Coverage	Layer	Response
Travelers	General Liability, Automobile, Workers Compensation, Umbrella	Primary	Quoted
American Specialty	General Liability, Automobile, Umbrella	Primary	Quoted
Hartford	Workers Compensation	Primary	Quoted
Fireman's Fund	General Liability, Automobile, Workers Compensation, Umbrella	Primary	No response
Eastern Alliance	Workers Compensation	Primary	No response
Liberty	General Liability, Automobile, Workers Compensation, Umbrella	Primary	Declination - new entity, class of business
Zurich	General Liability, Automobile, Workers Compensation, Umbrella	Primary	Declination - new entity, class of business
Key Risk	Workers Compensation	Primary	Declination - new entity, class of business
AmTrust	Workers Compensation	Primary	Declination - new entity, class of business
Berkshire	Workers Compensation	Primary	Declination - new entity
ACE	Public Officials E&O	Primary	Quoted
Professional Governmental Underwriters	Public Officials E&O	Primary	Quoted
Newgators	Public Officials E&O	Excess	Declination - class of business
Hartford	Public Officials E&O	Excess	Declination - not a market
Philadelphia	Public Officials E&O	Excess	No response
AmWins	Public Officials E&O	Excess $5M x $5M	Indication
AIG	Public Officials E&O	Excess $5M x $5M	Indication
ACE	Public Officials E&O	Excess $5M x $5M	Pending
Travelers	Executive Risk	Primary	Declination - won't write monoline
AWAC	Executive Risk	Primary	Declination - class of business
Chartis	Executive Risk	Primary	No response
Chubb	Executive Risk	Primary	No response
ACE	Crime	Primary	Indication
Travelers	Crime	Primary	Quoted
Berkley	Crime	Primary	Quoted

Willis

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." *From ASHRAE Guideline 0-2005 - The Commissioning Process*

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OVERVIEW SCHEDULE

Activity	Dates	2012 December	2013 January	February	March	April
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					

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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

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ELECTRICAL – GENERATOR TESTING

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

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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 Tampers are being verified with the Fire Alarm System

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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

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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	$396,606	$939,316	$40,583	$108,516	$2,465,887	1.83%
August	$924,309	$374,097	$893,228	$61,843	$119,420	$2,372,897	3.41%
September	$964,456	$387,224	$881,814	$45,978	$101,375	$2,380,847	5.27%
October							
November							
December							
January							
February							
March							
April							
May							
June							
YTD Total	$2,869,731	$1,157,827	$2,714,358	$148,404	$329,311	$7,219,631	3.46%

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%
Total Collections	**$3,928,379**	**$4,143,024**	**5.46%**
Total YTD Collections	**$12,073,227**	**$12,479,949**	**3.37%**

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%
MCC Collections	**$2,261,568**	**$2,380,847**	**5.27%**
MCC YTD Collections	**$6,977,865**	**$7,219,630**	**3.46%**

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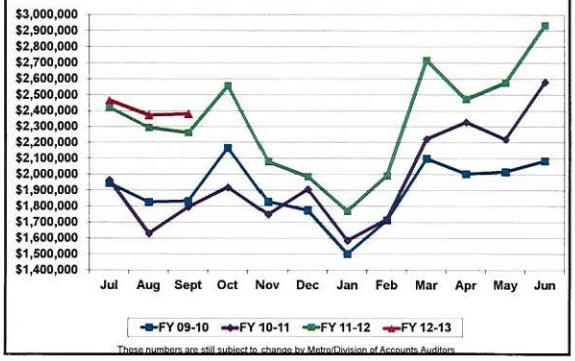
MCC Tax Collections

As of September 30, 2012



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