

**MINUTES OF THE METROPOLITAN ENTERTAINMENT & CONVENTION
AUTHORITY BOARD OF DIRECTORS MEETING – APRIL 12, 2023**

A meeting of the Board of Directors of the Metropolitan Entertainment & Convention Authority (“MECA”), a Nebraska nonprofit corporation, was called to order by Chairwoman Diane Duren at 1:07 p.m. on Wednesday, April 12, 2023.

Roll Call:

Present were: Chairwoman Diane Duren, Ms. Susie Buffett, Mr. Ben Gray, Mr. Tom Kelley, and Mr. Jay Noddle participated by telephone.

As a reminder, during the continuing pandemic, both the City and State had waived applicability of the ‘public meeting’ requirements that would otherwise apply, and therefore all Board members who were attending the meeting by telephone were eligible to participate.

Proof of Publication:

Notice of the meeting was published in *The Daily Record* on April 5, 2023, and in the *Omaha World-Herald* on April 5, 2023.

Approval of Minutes:

Mr. Kelley moved for approval of the minutes of the March 16, 2023, MECA Board Meeting, seconded by Mr. Gray.

Motion carried: 5-0.

President/CEO Report:

Mr. Roger Dixon stated that March was a busy month at CHI Health Center Omaha (CHIHCO). The ice system was repaired, and Disney on Ice went on without issues. Once the ice was removed, the arena was reconfigured for the FEI World Cup, which occupied the facility for nearly ten days. The arena is being turned around again now for the Kane Brown concert on Saturday, April 15. Mr. Dixon extended his gratitude to all who made the events a success.

Other Business:

Convention Center Sales & Marketing Update

Ms. Denise Niebrugge reported that there are currently 127 events on the books, utilizing 255 event days for the current fiscal year. Since the March 16 Board meeting, 8 events with 16 event days and over 1,400 hotel room nights have been added. In addition, 8 license contracts have been signed.

Ms. Niebrugge extended her gratitude to the Operations Department for their excellent clean-up work after the FEI event. Compliments were received from Supportworks, Inc. who were at the facility hosting their annual conference.

Corporate Sales & Marketing Update

Mr. Tom O’Gorman stated suite renewals are nearly complete at CHIHCO. There are about 22 up for renewal, and currently 18 have moved into the renewal process. Suite renewal is extended until the end of April and after that MECA will have the option to open them up to someone new.

Club seat renewals at CHIHCO will begin July through August.

Chairwoman Duren inquired if there is a suite waiting list. Mr. O’Gorman responded, yes and it is quite lengthy since there has not been a suite opening since 2007.

Operations & IT Update

Mr. Kevin Raymond stated that operations is focused on numerous projects for spring, with ten contracts on the agenda for Board approval today. The biggest challenge will be working around events and finding time when the facility is available for upgrades.

MECA continues to coordinate with OPPD and MUD for the construction on MECA Drive, which is on target to have all utilities removed before May 1. Two lanes must be kept open in order to accommodate event traffic. The City of Omaha will take over in May to begin the Bob Kerrey Pedestrian Bridge expansion, commonly referred to as the “Baby Bob”. The majority of the work will take place in July.

Creighton Men’s Baseball is in full swing and planning has begun with the National Collegiate Athletic Association (NCAA) for the Big Ten Baseball Tournament, as well as the Men’s College World Series (MCWS).

Levy Food & Beverage Update

Ms. Chris VanDorn reported that March was a busy month as well for Levy with continuance of a strong financial performance trend. March sales officially put Levy over the budgeted sales target for CHIHCO for the entire fiscal year. Revenues year-to-date are now 105.1% of fiscal 2023 budgeted revenues.

Ms. VanDorn recognized Levy’s entire team of managers, team members and volunteers who navigated the challenges from a catering perspective during the FEI World Cup event with great attitudes, exceeding the client’s expectations. In addition to the 500 plus back-of-the-house catering events, there were patron tables that were built out into the lower bowl of the arena on six different levels, which involved plated meal service for each of the ten sessions that was coordinated to occur when horses were not performing. This event required Levy to plan and execute in many ways that are different from typical catering events. The entire team was willing to do whatever it took to make the event successful.

The installation of the new Point-of-Sale (POS) system was successfully completed at CHIHCO in April ahead of the FEI World Cup. Levy is now developing customized reports. The transition was smooth with essentially no new functionality for the guest to learn to use the system, only subtle improvements that worked to make a difference to their experience and transaction time. A team from MyVenue was on site for event monitoring and assistance for any potential issues during

Kane Brown, and will return back to the stadium for the Big Ten Baseball Tournament and the Men's College World Series.

Significant donations have been made to Levy's partner, Savings Grace Food Rescue. A new report generated showed nearly 10,000 pounds of food was donated in 2022, with approximately 100,000 pounds of food being donated since the partnership began in 2014. Efforts made by Levy's team to repackage food is making a considerable impact in the community to over 40 nonprofit organizations.

Public Relations Update

Ms. Kristyna Engdahl reported that press from around the world attended the FEI World Cup last week with several stories appearing in trade magazines, national outlets like Yahoo! News and coverage from local media. Early morning live shots were welcomed in promotion of the free, family friendly activities in the convention center, and competition coverage ran in publications such as *US Equestrian* and *Horse Illustrated Magazine*. Overall positive feedback was enjoyed about this event.

Looking ahead, media and welcome materials for the Big Ten Baseball Tournament are going into production. Copy and assets have been provided to move those efforts forward.

Concert announcements dominated media monitoring efforts from February, catching over 2,000 mentions and reaching 2.9 billion people through a variety of stories and publications with a total publicity value of \$27 million. The CHI Health Center was mentioned on MSN.com, USA Today, Yahoo! Entertainment and PEOPLE.com. Also, stories about girl's wrestling at the NSAA State Wrestling Championship syndicated across the state, and of course the conclusion of the Creighton Men's Basketball regular season appeared on ESPN.com and CBS Sports.

Committee Updates:

Internal Governance Committee

Mr. Tom Kelley reported that the Internal Governance Committee met on Tuesday, April 11, 2023. In attendance were Ms. Diane Duren, Mr. Tom Kelley, Mr. Roger Dixon, Ms. Diane Mills, Mr. Bob Freeman and Mr. Stephen Curtis, City of Omaha Finance Director.

The Committee reviewed the February Statements, which were strong and in order. After overviews from and discussions with Ms. Mills, the Committee found the report to be reasonable compared to plan and prior periods, and consistent with standard MECA accounting practices.

In addition, the Committee reviewed the bylaws amendment which will be brought before the Board of Directors today for approval. The proposed amendment would increase the Board approval threshold for contracts from \$20,000 to \$50,000.

Real Estate Committee

Mr. Jay Noddle reported that last month there were some concerns expressed about the proposed vehicle maintenance facility for the Streetcar. In two subsequent meetings, the plan was reworked so that it would essentially operate 100% independently from MECA. There will be no shared

access and separate entry gates. The next step is for HDR to prepare architectural concepts for MECA review.

Mr. Noddle also had an opportunity to meet with Trent Demulling, Chair of the Kiewit Luminarium Board of Directors, who was pleased with the progress.

Construction activity in the downtown Omaha neighborhood continues to be very active. There are a few more development projects working their way to the planning board on the north side of Cuming Street.

Lastly, the Mayor's office and several departments within the city are advancing the truck route. There were some questions last month on a change in the truck route, but it has confirmed to be the same. More information will be forthcoming in the next couple of months.

Election of Officers

WHEREAS, the following slate of officers is proposed to serve for the designated terms.

NOW THEREFORE BE IT RESOLVED, that the following are elected as officers of MECA for the indicated terms and until their successors are duly-elected and qualified:

President/CEO:	Roger Dixon – 1 year	(May 1, 2023-April 30, 2024)
Vice Chair:	Jay Noddle - 1 year	(May 1, 2023-April 30, 2024)
Treasurer:	Tom Kelley - 1 year	(May 1, 2023-April 30, 2024)
Secretary:	Ben Gray - 1 year	(May 1, 2023-April 30, 2024)
Assistant-Secretary:	Bob Freeman – 1 year	(May 1, 2023-April 30, 2024)

[Note: Diane Duren remains Chairwoman for the second year of her two-year term.]

Moved by Ms. Buffett, seconded by Mr. Gray.

Motion carried: 5-0

First Amendment to Amended and Restated Bylaws

WHEREAS, the Board has determined to be in the best interests of MECA to change the threshold of contract approvals to \$50,000;

NOW THEREFORE, Bylaw Section 8.1 is hereby amended by deleting it in its entirety and replacing it with the following:

8.1 Contracts. The corporation shall approve or ratify by resolution any contract in excess of \$50,000. The Board of Directors may authorize by resolution an officer or agent of the corporation, in addition to the officers so authorized to sign these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general

or confined to specific instances. The President/CEO shall notify the Board of Directors in writing of all contracts entered into between \$20,000-\$50,000 that the Board of Directors has not specifically approved.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Gray seconded by Mr. Kelley.

Motion carried: 5-0

Contract Approvals:

Chairwoman Duren indicated there are ten contracts requiring Board approval.

US Foods, Inc.

RESOLVED, that the Advertising/Sponsorship Agreement between MECA and US Foods, Inc. for advertising at CHI Health Center Omaha and Charles Schwab Field Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized to execute this agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Ms. Buffett seconded by Mr. Gray.

Motion carried: 5-0

Creighton University

RESOLVED, that the Agreement between Creighton University and MECA for renewal of the lease of the Arena at CHI Health Center Omaha for Creighton University Basketball games, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Kelley seconded by Ms. Buffett.

Motion carried: 5-0

Kiewit Building Group, Inc.

RESOLVED, that the Agreement between MECA and Kiewit Building Group, Inc., to provide all labor, equipment and materials for roof modification at CHI Health Center Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Gray seconded by Ms. Buffett.

Motion carried: 5-0

DLR Group, Inc.

RESOLVED, that the Agreement between DLR Group, Inc., to provide architectural and engineering services to renovate the existing men's basketball locker room space into an event lounge at CHI Health Center Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Ms. Buffett seconded by Mr. Kelley.

Motion carried: 5-0

TRI Project Solutions

RESOLVED, that the Agreement between MECA and TRI Project Solutions to provide services to facilitate the renovation of the existing men's basketball locker room space into an event lounge at CHI Health Center Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Mr. Kelley inquired if TRI Project Solutions has been utilized in the past and if they are local. Mr. Dixon responded that they have not worked on the MECA campus before, but they are local.

Moved by Mr. Kelley seconded by Mr. Gray.

Motion carried: 5-0

Commercial Flooring Systems

RESOLVED, that the Agreement between MECA and Commercial Flooring Systems for carpet replacement in the convention center at CHI Health Center Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Mr. Noddle asked how many bids were received on this project. Mr. Raymond responded that only one bid was received. Although multiple companies attended the pre-bid meeting, only one

elected to submit a formal bid. Mr. Noddle inquired if Mr. Raymond could contact the companies attending the pre-bid meeting and inquire if there was something in MECA's bid procedures or documents that may be causing vendors not to bid. Mr. Raymond stated that the size and scope, as well as the event schedule, may have deterred companies from bidding but he would make further inquiries.

Moved by Ms. Buffett seconded by Mr. Gray.

Motion carried: 5-0

Mulhall's

RESOLVED, that the Agreement between MECA and Mulhall's for mulch replenishment at CHI Health Center Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Gray seconded by Mr. Kelley.

Motion carried: 5-0

Event Security Consulting & Operations, Inc.

RESOLVED, that the Agreement between MECA and Event Security Consulting & Operations, Inc. for the rental and support of OpenGate metal detectors at Charles Schwab Field Omaha for the duration of the 2023 NCAA® Men's College World Series, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Kelley seconded by Ms. Buffett.

Motion carried: 5-0

Miller Electric Company

RESOLVED, that the Agreement between MECA and Miller Electric Company for testing and inspection of the electrical distribution system at Charles Schwab Field Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Gray seconded by Ms. Buffett.

Motion carried: 5-0

Otis Elevator Company

RESOLVED, that the Agreement between MECA and Otis Elevator Company to provide monthly maintenance and service for elevators at Charles Schwab Field Omaha, as more fully described on the attached summary, is hereby approved, and Roger Dixon as President/CEO is authorized on behalf of MECA to execute the Agreement following its finalization in a form reasonably approved by counsel.

Chairwoman Duren invited public and Board comment and asked for a motion.

Moved by Mr. Kelley seconded by Ms. Buffett.

Motion carried: 5-0

Next Board Meeting

The next Board of Directors Meeting is scheduled for Tuesday, May 16, 2023, at 2:15 p.m. in the MECA Board Room.

Executive Session

Chairwoman Duren stated the time is 1:39 p.m. and invited a Motion to enter into closed Executive Session for purposes of discussing personnel, real estate and potential claims matters.

A Motion to go into Executive Session for these specified purposes was made by Mr. Gray, seconded by Mr. Kelley.

Motion carried: 5-0.

Adjournment

At 1:47 p.m. a motion was made to come out of Executive Session, and to adjourn, made by Mr. Gray, seconded by Ms. Buffett.

Motion carried: 5-0

Adjournment 1:47 p.m.