

MINUTES
ABILENE-TAYLOR COUNTY EVENTS VENUE DISTRICT

Public notice having been posted, a meeting of the Board of Directors of the Abilene-Taylor County Events Venue District was held on Thursday, July 29, 2010, in the Basement Conference Room of City Hall, 555 Walnut, Abilene, Texas, at 3:30 p.m.

Board Members Present: Norm Archibald, Mayor, City of Abilene
 George Newman, Judge, Taylor County
 David Polnick, Retired Superintendent, AISD
 Stan Egger, Commissioner, Taylor County
 Robert Briley, Councilmember, City of Abilene

Others Present: Representing City of Abilene: Larry Gilley, City Manager;
 David Vela, Assistant City Manager; Dan Santee, City Attorney;
 Mindy Patterson, Director of Finance; Danette Dunlap, City
 Secretary; and Linda Smith, Finance Secretary
 Representing Abilene Chamber of Commerce: Mike McMahan
 Representing Media: Jared Fields (Abilene Reporter-News),
 Derek Rasor (KTXS), and Marc Gustafson (KTAB/KRBC)

1. The meeting was called to order at 3:32 p.m. by Norm Archibald, President.
2. The Board meeting minutes for June 21, 2010 were presented for approval. A motion was made by David Polnick to approve the minutes of the June 21, 2010 Board meeting. Stan Egger seconded the motion, and the motion carried.
3. The next item was presentation of the FY 2009 audit report. Mindy Patterson commented that the Abilene-Taylor County Events Venue District's audit was also part of the City of Abilene's audit, which is prepared by Davis Kinard & Co. Ms. Patterson presented the audit report to the Board. She reported that the audit cost is \$300. A motion was made by Stan Egger to accept the FY 2009 audit report and to authorize payment of \$300. Robert Briley seconded the motion, and the motion carried.
4. The Board discussed the release of funds from the AISD-Shotwell Stadium Improvement reserve. David Polnick reported that the AISD Board approved two construction projects at Shotwell this year. The projects are the re-roofing of the press box at a cost of approximately \$59,600 and the concrete work on the north side of the stadium under the scoreboard at a cost of approximately \$83,900. Dr. Polnick requested release of \$55,000 of the \$58,437 that is available in the reserve fund as of June 2010 for the concrete project. Stan Egger commented that he opposed the AISD-Shotwell reserve because at the first two meetings of the Venue District Board it was discussed that the Expo Center and Frontier *Texas!* would split the money. The Expo Center would receive 40% and Frontier *Texas!* would receive 60%, and these percentages were to be looked at in the future. Then the Shotwell parking lot was included. Mr. Egger noted that the money allotted to Shotwell was to be used for the parking lot project to pay the debt, and the intent was not to set funds aside for future use. He remarked that is the reason he is against approving the use of the excess funds for Shotwell. Mr. Egger commented that the appointment of a fifth director should be a neutral person from the business community. George Newman commented that he agrees with Mr. Egger, and there should not be revenue allocated to Shotwell for additional projects, because that is not the

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original intent. He reported that the fifth director has not been a joint appointment the last few years. Norm Archibald commented that he was misinformed about the joint appointment. The Board continued discussion regarding the original intent of the Venue District allocation. Robert Briley asked how the past members would feel about the allocation. The Board discussed talking to the original members and to form a committee to discuss the original intent of the allocation. Mr. Egger asked that the Board abide by the By-Laws and appoint a fifth director that is not involved with the three entities. Mayor Archibald remarked that he felt the appointment of a director should be based on the three entities that have an interest in the District. Mr. Egger commented that funds from the Venue District to Frontier *Texas!* and the Expo Center help promote the area without raising taxes. Mr. Briley commented that he would like to talk to the original Board members to find out their thoughts on the original intentions when the Board first started. He asked Dan Santee to explain the By-Laws regarding the appointment of the fifth director. Mr. Santee commented that there had not been an appointment the last two years. The By-Laws allow a director to stay until someone else is appointed. Since there was not an appointment, the current director can stay on the Board until that person is replaced. He reported that a committee could be formed to discuss this issue. Also, to change the By-Laws it takes a 4-5 majority vote.

Mr. Briley asked Dr. Polnick about the setting of Shotwell's allocation. Dr. Polnick reported that the Board originally set the percent. When there was more money collected than anticipated, AISD asked for reimbursement for capital projects. Mayor Archibald remarked that there was a need for capital projects when setting up the venue district. Dr. Polnick commented that the sale of bonds paid for approximately 2/3 of the parking lot project. The percent allocated was greater than needed for the debt payment. The Board allocated the excess funds to AISD. Judge Newman commented that at the beginning, the Expo Center needed operating funds. There was not a lack of need for capital projects, but they were limited by the percent. Mr. Briley commented the entities have benefited from these funds. Mayor Archibald commented that out-of-town visitors drive the venue tax. Dr. Polnick commented that he would soon be ready to leave the Board. He remarked that the money was set aside by the Board, and he respectfully requested this item be approved. Mr. Egger said he would reconsider his vote since the money had already been allocated to AISD, and hopefully next year the percent would be lowered. A motion was made by Norm Archibald to approve the release of funds in the amount of \$55,000 to AISD for the capital improvement project at Shotwell. Stan Egger seconded the motion. The following voted for the motion: Norm Archibald, Robert Briley, Stan Egger, and David Polnick. The following voted against the motion: George Newman. The motion carried.

5. Mindy Patterson presented the revised FY 2010 and proposed FY 2011 budgets. She remarked the percentages were approved at the June 21, 2010 Board meeting. Ms. Patterson reported that the principal payment will increase from \$50,000 to \$55,000 for FY 2011. Norm Archibald asked if the Board approved allocation changes during the year, how it would affect the budget. Ms. Patterson commented that if changes to the budget were approved during the year, they would be in effect upon approval by the Board. The Board discussed if there was a change in the allocation, could it be retroactive. Ms. Patterson remarked that would have to be researched. She stated that the

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budgets will need to be presented for review to the City Council and Taylor County before October 1, 2010. Following the discussion, a motion was made by Mayor Archibald to approve the revised FY 2010 and proposed FY 2011 budgets as presented, subject to possible change during the year. Robert Briley seconded the motion. The following voted for the motion: Norm Archibald, Robert Briley, and David Polnick. The following voted against the motion: George Newman and Stan Egger. The motion carried.

6. The Board continued the discussion of the By-Laws regarding the joint appointment of the fifth director and agreed to appoint a committee to discuss this issue. Mayor Archibald asked that Stan Egger join him on the committee along with previous members. Mr. Egger agreed to serve on the committee. Mayor Archibald, by oral resolution, made a motion to appoint a committee to discuss the intent and opportunities relating to the AISD-Shotwell Stadium funding with the original founders. Robert Briley seconded the motion, and the motion carried.
7. There being no further business, the meeting adjourned at 4:40 p.m.

Linda Smith, Recording Secretary for
Robert Briley, Secretary

Norm Archibald, President