



**MINNESOTA SPORTS FACILITIES AUTHORITY
MEETING AGENDA
August 25, 2017, 9:00 A.M.**

**U.S. Bank Stadium – Medtronic Club
401 Chicago Avenue, Minneapolis, MN 55415**

1. CALL TO ORDER
2. APPROVAL OF PRIOR MEETING MINUTES
 - a. Regular Meeting - July 21, 2017
 - b. Special Meeting - August 3, 2017
3. BUSINESS
 - a. Action Items
 - I. Approve Amendment to Summit Academy Agreement
 - II. Approve Amendment to RSM Agreement
 - III. Approve Contract for Armark Cooking and Holding Equipment
 - IV. Approve Property Insurance Program
 - V. Approve Use of MSFA Suites by SMG
 - b. Reports
 - I. Equity Hiring Report
 - II. Executive Director's Report
4. PUBLIC COMMENTS
5. DISCUSSION / NEW BUSINESS
6. ANNOUNCEMENT OF NEXT MEETING – September 29, 2017
7. ADJOURNMENT

**Please note: Only limited copies of materials will be available at Board meetings in order to preserve resources and reduce waste.*



**MINNESOTA SPORTS FACILITIES AUTHORITY
Minutes of July 21, 2017 Meeting**

**U.S. Bank Stadium - Hyundai Club
401 Chicago Avenue, Minneapolis, MN 55415**

1. **CALL TO ORDER**

Chair Blatz called the meeting of the Minnesota Sports Facilities Authority (“MSFA” or “Authority”) to order at 9:00 A.M.

2. **ROLL CALL**

Commissioners present: Kathleen Blatz, Tony Sertich, Barbara Butts Williams and Laura Bishop
Commissioner absent: Bill McCarthy

3. **ADOPTION OF AGENDA**

Prior to approving the meeting agenda, Governor Mark Dayton addressed the Board and thanked Chair Blatz for her service to the MSFA. He acknowledged that she arrived in a time of difficulty, and her credentials and integrity helped the MSFA regain the public’s trust. Governor Dayton then presented Chair Blatz with a proclamation designating July 21, 2017 “*Chief Justice Blatz Day in Minnesota*”.

Following Governor Dayton’s remarks, Chair Blatz presented the proposed agenda for the meeting. She recommended revising the agenda to include an additional action item for the appointment of a MSFA representative to the Stadium Design and Construction (“SDC”) Group. Chair Blatz and Executive Director Rick Evans were designated as the MSFA representatives in April 2017; however, with the appointment of Michael Vekich as Chair effective July 22, 2017, Chair Blatz suggested that the Board consider appointing Mr. Vekich to replace her on the SDC Group. Commissioner Sertich moved approval of the agenda as revised. That motion was seconded by Commissioner Butts Williams and unanimously adopted.

4. **APPROVAL OF PRIOR MEETING MINUTES**

Chair Blatz confirmed that the Commissioners had received and reviewed the draft minutes of the MSFA’s prior meeting. Commissioner Butts Williams moved to approve the June 22, 2017 meeting

minutes as presented. That motion was seconded by Commissioner Sertich and unanimously adopted. See, Exhibit A.

5. **CHAIR'S REPORT**

Chair Blatz welcomed new Chair Michael Vekich, and new Commissioner Laura Bishop. Chair Blatz stated that both individuals have impressive backgrounds and qualifications, and that they will bring great leadership to the MSFA.

Chair Blatz noted that Mr. Vekich had deep experience in both the private and public sectors. His many accomplishments include membership on BNCCORP's Board of Directors, service as President of the National Association of Corporate Directors, and service as Chair of the Minnesota State Board of Trustees.

Ms. Bishop is Chief Corporate Responsibility and Sustainability Officer for Best Buy Co., Inc. In that capacity, she is responsible for developing and implementing Best Buy's goals, programming and policies related to environmental, social and community initiatives. Ms. Bishop spent much of her career in the public sector, and previously worked for the White House, the U.S. Department of State at the U.S. Embassy in Switzerland, the State of Minnesota, and the United States Senate. Commissioner Bishop's MSFA position is effective immediately, and Chair Vekich's term will begin July 22, 2017.

Chair Blatz reported that the X-Games recently were hosted at U.S. Bank Stadium ("Stadium"), and nearly 400 million viewers will watch the event on television throughout the year. She stated over 110,000 people attended the event at the Stadium to witness the competition. Chair Blatz then announced that ESPN will be bringing the X-Games back to Minneapolis in the summer of 2018, and the Stadium once again will be the host site.

Chair Blatz reported that the Stadium's construction close-out is still progressing. She stated crews will begin working on the exterior metal panels beginning July 24, 2017. Fortunately, only 10% of the panels are damaged, and it is estimated that it will take approximately two weeks to complete the repairs. There are also budgeted capital improvements that will begin inside the Stadium and the MSFA is reviewing responses to recent requests for proposals for the work. Chair Blatz stated that a special Board meeting may be necessary in the coming weeks to consider any contracts that exceed \$250,000.

Chair Blatz noted that a year ago the Stadium officially opened its doors to the public. Since the grand opening in 2016, the Stadium has hosted over 600 events and more than 1.6 million people have visited the facility. These events include, but are not limited to, football, amateur baseball, professional soccer, weddings and concerts. The Stadium launched a tour program last fall that has brought over 88,000 visitors from around the world. Chair Blatz then thanked SMG, Aramark Entertainment, LLC ("Aramark"), and the Minnesota Vikings for their work and accomplishments over the past year. She stated that she is impressed with their dedication to fan experience and commitment to continuous improvement.

6. **BUSINESS**

a. **Action Items**

i. **Adopt Chair's Duties and Responsibilities**

Chair Blatz presented a memorandum listing the duties and responsibilities of the MSFA Chair. See, Exhibit B

Commissioner Butts Williams thanked Chair Blatz for putting together the list of duties and responsibilities for both the Chair and the Executive Director. Commissioner Butts Williams reviewed both roles, and conveyed her support for each position's proposed responsibilities. She also recommended that the MSFA create a similar memorandum for the duties of the Commissioners. Chair Blatz responded that a rough draft of the Commissioners' roles has been created, but that it needed additional work. She noted that when the memorandum is complete, it will be presented to the Board for final review and approval.

Following discussion, Commissioner Bishop moved and Commissioner Butts Williams seconded the motion to approve the Chair's duties and responsibilities as presented. Following further discussion, that motion was unanimously approved and adopted.

ii. **Approve Chair's Annual Compensation**

Chair Blatz presented a memorandum and recommendation providing that the part-time position of MSFA Chair have an annual salary of \$60,000. See, Exhibit C. Commissioner Sertich moved and Commissioner Butts Williams seconded the motion to approve the following recommendation, which was unanimously adopted:

Effective July 22, 2017, the MSFA Chair's annual compensation shall be \$60,000.

iii. **Adopt Executive Director's Duties and Responsibilities**

Chair Blatz presented a memorandum listing the duties and responsibilities of the MSFA's Executive Director. Following discussion, Commissioner Sertich moved and Commissioner Butts Williams seconded the motion to approve the Executive Director's duties and responsibilities as presented, which was unanimously adopted. See, Exhibit D.

iv. **Adopt Code of Ethics Policies and Procedures**

Chair Blatz presented a memorandum and recommendation regarding the MSFA's Code of Ethics. See, Exhibit E. Commissioner Butts Williams moved and Commissioner Bishop seconded the motion to approve the following recommendation, which was unanimously adopted:

The Minnesota Sports Facilities Authority ("MSFA" or "Authority") was created by Minnesota Laws 2012, Chapter 299 ("Act"). The Authority controls, operates and is responsible for the management of U.S. Bank Stadium. The purpose of this policy is to comply with the State of Minnesota's executive branch Code of Ethics to ensure that MSFA Commissioners and staff do not receive any benefits or privileges due to their affiliation with the Authority.

v. Adopt Political Activities Policies and Procedures

Chair Blatz presented a memorandum and recommendation relating to policies and procedures regarding the MSFA staff's and Commissioners' involvement in political activities. See, Exhibit F. Following discussion, Commissioner Sertich moved and Commissioner Butts Williams seconded the motion to approve the following recommendation, which was unanimously adopted:

MSFA employees and MSFA Commissioners may exercise their individual rights as citizens to participate in the activities of their community, except where due to their public employment, conflicting interests may exist.

vi. Approve Marketing Plan for MSFA Suites

Chair Blatz presented a memorandum and recommendation to approve a marketing plan for the MSFA suites in the Stadium. See, Exhibit G. She explained that SMG, as operator of the Stadium, leads the effort to market the Stadium. SMG's focus is on attracting new business to the Stadium, as well as working to secure repeat business from previous users and promoters. Chair Blatz stated the MSFA will supervise SMG's marketing efforts and, of course, will assist in promoting the Stadium. Part of the new marketing plan will give SMG discretion to sell one suite for non-Viking events, in addition to the right to use the other suite for marketing purposes.

Chair Blatz noted that the Minnesota Vikings have expressed concerns about the MSFA allowing SMG to sell a suite for non-Viking events, and to otherwise manage the use of both suites. She called on Lester Bagley, Executive Vice President for the Minnesota Vikings, to address the Team's concerns. Mr. Bagley stated that allowing the MSFA to sell the suites would be a unilateral change and violation of the MSFA-Minnesota Vikings' *Use Agreement*. Jay Lindgren, MSFA legal counsel, disagreed with Mr. Bagley and stated that the Vikings only have exclusive control of the Stadium suites during NFL events; therefore, selling the suites for MSFA events would not breach the *Use Agreement*. Mr. Bagley concluded his remarks by thanking Chair Blatz for her work over the past five months, and stated that the Vikings would miss her leadership.

Following discussion regarding the Vikings' concerns, Chair Blatz stated that if the Board adopts the proposed marketing plan, a meeting will be held between incoming Chair Vekich, MSFA staff and counsel, and representatives of the Vikings to further discuss implementation of the plan. If the MSFA decides that changes to the plan are needed, such changes will be addressed at a future meeting of the Board.

Commissioner Butts Williams questioned the language "if desired" in the memorandum explaining the marketing plan. She stated that there may be better language that could be incorporated that is more definite and clear. Mr. Lindgren suggested that the memorandum delete the phrase "if desired" and replace it with "at SMG's discretion". All Commissioners agreed with that revision.

Commissioner Bishop noted that Commissioners should attend some of the events at the Stadium and asked how this proposed change in suite management might affect Commissioners' work on event days. Chair Blatz responded that SMG understands that the MSFA will be participating in marketing the Stadium and that two MSFA Commissioners will be able to attend events in each suite at the same time. This is to ensure

there will not be a quorum of Commissioners present in one suite at the same time, thereby potentially violating the State's Open Meeting Law.

Commissioner Butts Williams moved and Commissioner Sertich seconded the motion to approve the following recommendation, which was unanimously adopted:

The MSFA grants SMG the authority to use the tickets for the MSFA suites in U.S. Bank Stadium for marketing purposes during NFL events and non-NFL events, and to sell the suite(s) for MSFA events at SMG's discretion.

vii. Authorize Negotiation and Execution of Contract with Employment Assistant Firm

Chair Blatz presented a memorandum and recommendation to authorize MSFA staff to negotiate a contract with Summit Academy OIC to continue to conduct outreach programs for potential employees at the Stadium. See, Exhibit H.

Commissioner Butts Williams asked if the change in the MSFA's fiscal year will impact contracts that need renewal, and Mr. Lindgren stated that the change will not affect any of the contracts. Following discussion, Commissioner Sertich moved and Commissioner Butts Williams seconded the motion to approve the following recommendation, which was unanimously adopted:

The MSFA authorizes the Executive Director to negotiate and execute a contract not to exceed \$100,000 covering the period July 1, 2017 – June 30, 2018 with Summit Academy OIC to serve as the MSFA's employment assistance firm.

viii. Appointment of MSFA Representative to SDC Group

Chair Blatz presented a memorandum and recommendation to appoint Michael Vekich to replace her as one of the MSFA representatives on the SDC Group. See, Exhibit I. Commissioner Bishop moved and Commissioner Butts Williams seconded the motion to approve the following recommendation, which was unanimously adopted:

The Minnesota Sports Facilities Authority appoints Chair Michael Vekich as an Authority Representative to the SDC Group, effective July 22, 2017, and authorizes the Executive Director to provide written notice of this appointment to the Minnesota Vikings.

7. PUBLIC COMMENTS / DISCUSSION

There were no public comments.

Commissioner Butts Williams thanked Chair Blatz for all her work on behalf of the MSFA, and stated that she set a great example for all to follow. Commissioner Sertich agreed, and stated that Chair Blatz served both the MSFA and the public well. Although he is sad to see her leave, Commissioner Sertich stated that he is looking forward to working with the new Chair, Michael Vekich.

Chair Blatz thanked Commissioners Butts Williams and Sertich for their kind words. She stated that she respected the leadership supplied by her colleagues and was grateful for their service on behalf of the public. Chair Blatz stated that her only disappointment was that she will not be able to work with Commissioner Bishop at the MSFA, but that she will admire her work from afar. She then expressed gratitude to the MSFA staff, consultants and partners for their tremendous work during her time at the Authority. Finally, Chair Blatz thanked the public for their support, care and the concerns they communicated to the MSFA during her tenure. She stated that the public's voice is integral to the work of the MSFA, and the efforts made by the public to be heard and involved are much appreciated.

8. **ANNOUNCEMENT OF NEXT MEETING**

Chair Blatz announced that the next MSFA meeting will be held August 25, 2017 at 9:00 A.M. at U.S. Bank Stadium.

9. **ADJOURNMENT**

There being no further business to come before the MSFA, the meeting was adjourned at approximately 10:00 A.M.

Approved and adopted the 25th day of August 2017, by the Minnesota Sports Facilities Authority.

TONY SERTICH, Secretary/Treasurer

RICHARD G. EVANS, Executive Director



**MINNESOTA SPORTS FACILITIES AUTHORITY
Minutes of August 3, 2017 Special Meeting**

**U.S. Bank Stadium - Medtronic Club
401 Chicago Avenue, Minneapolis, MN 55415**

1. **CALL TO ORDER**

Chair Vekich called the meeting of the Minnesota Sports Facilities Authority (“MSFA” or “Authority”) to order at 8:00 A.M.

2. **ROLL CALL**

Commissioners present: Mike Vekich, Bill McCarthy, Laura Bishop and Barbara Butts Williams.
Commissioner absent: Tony Sertich.

3. **ADOPTION OF AGENDA**

Chair Vekich presented the proposed agenda for the meeting. Commissioner Butts Williams moved approval of the agenda as presented. That motion was seconded by Commissioner Bishop and unanimously adopted.

4. **BUSINESS**

a. Action Items

i. Award Contracts for Women’s Locker Room Build-Out, Hyundai Club Kitchen Equipment Build-out and Video Production Room Cooling.

Chair Vekich asked Rick Evans, MSFA Executive Director, to review and explain the three construction contracts under consideration by the Board. Mr. Evans reminded the Board that pursuant to the MSFA’s capital projects procurement procedure, all projects costing more than \$250,000 must be approved by the Board. He then explained in detail the specifics of each of the contracts being recommended to the Board. See, Exhibit A.

Commissioner McCarthy asked if there currently is a kitchen in the Hyundai Club, and Mr. Evans responded that there are two (east and west) concession areas. He stated this project will expand the food and

beverage options in the club by adding kitchen equipment to the existing food preparation space within the east concession area.

Commissioner Butts Williams asked whether new capital procurement projects are covered under the MSFA's original construction policies and procedures, and Mr. Evans stated that they are separate since the construction phase has been completed, and the transition to operations has begun. Commissioner Butts Williams then asked if equity hiring goals have been considered and incorporated into the capital improvement projects, and Mr. Evans stated that the MSFA's hiring goals are set forth in all new requests for proposals. He stated that during the construction phase there were aggressive equity goals that were exceeded, and noted that the MSFA is working to meet and exceed those same goals for capital improvement projects.

Commissioner McCarthy moved and Commissioner Bishop seconded the motion to approve the following recommendation, which was unanimously adopted:

Recommended Motion: The MSFA accepts the proposals and awards the contract for the Women's Locker Room Buildout, Hyundai Club Kitchen Equipment Buildout, and Video Production Room Cooling project to LS Black Constructors, Inc. for a total contract value of \$1,297,500. The MSFA authorizes the Chair and Executive Director to enter into a contract with LS Black Constructors, Inc. for those projects.

ii. Approve Stadium Master Project Budget Adjustments

Mr. Evans explained that during construction of U.S. Bank Stadium ("Stadium"), the Minnesota Vikings agreed to initially contribute \$700,000 for team-funded enhancements, and an additional \$750,000 for sponsorship power/data fund project costs. As of August 3, 2017, all of the team-funded enhancements and sponsorship power/data fund costs have been paid and the remaining unspent balances are:

Team-funded enhancements	\$403,556.89
Sponsorship power/data fund	<u>\$474,499.43</u>
Total remaining balance	\$878,056.32

Accordingly, the Vikings have requested that the Master Project Budget be reduced by \$878,056.32 since those funds are no longer needed to complete construction of the Stadium. See, Exhibit B.

Commissioner McCarthy asked if this was part of the Stadium construction budget, and Mr. Evans stated that it was. Mr. Evans then discussed relevant line items included in Table 1 ("Stadium Master Project Budget Summary") of the memorandum. Following further discussion, Commissioner Butts Williams moved and Commissioner McCarthy seconded the motion to approve the following motion, which was unanimously adopted:

Recommended Motion: The MSFA approves a Master Project Budget decrease of \$878,056.32 to the Additional Team Contribution Sources of Funds, with a decrease of \$403,556.89 to the Team Funded

Enhancements and \$474,499.43 to the Sponsorship Power/Data Fund line items within the Other Project Costs Uses of Funds.

5. **ANNOUNCEMENT OF NEXT MEETING**

Chair Vekich announced that the next MSFA meeting will be held August 25, 2017 at 9:00 A.M. in the Medtronic Club at U.S. Bank Stadium. He mentioned that the MSFA may move future regularly-scheduled Board meetings to the Medtronic Club.

6. **ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made, seconded and unanimously adopted, this special meeting of the Board was adjourned at 8:20 A.M.

Approved and adopted the 25th day of August 2017, by the Minnesota Sports Facilities Authority.

TONY SERTICH, Secretary/Treasurer

RICHARD G. EVANS, Executive Director



MEMORANDUM

To: MSFA Commissioners
From: Rick Evans, Executive Director
Date: August 21, 2017
Subject: Authorize Amendment of Agreement with Employment Assistance Firm

Minn. Stat. §473J.12 requires that the MSFA “. . . contract with an employment assistance firm, preferably minority-owned, or owned by a disabled individual or a woman, to create an employment program to recruit, hire, and retain minorities for the stadium facility.”

In July 2017, the Board authorized MSFA staff to negotiate and execute an agreement with Summit Academy OIC (“Summit”) to provide services as the MSFA’s employment assistance firm for the twelve-month period from July 1, 2017 through June 30, 2018. While negotiating that agreement, staff learned that Summit had provided ongoing employment assistance services to SMG, Monterrey Security and Aramark during the five-month period preceding July 2017, for which it had not been compensated. Accordingly, the MSFA staff requests permission to negotiate a final agreement with Summit Academy OIC to continue providing outreach programs for potential employees at U.S. Bank Stadium.

Recommended Motion: *The MSFA authorizes the Executive Director to negotiate and execute an agreement not to exceed \$125,000 covering the period July 1, 2017 – June 30, 2018 with Summit Academy OIC to serve as the MSFA’s employment assistance firm.*



MEMORANDUM

To: MSFA Commissioners
From: Rick Evans, Executive Director
Date: August 21, 2017
Subject: Amendment to RSM US LLP Contract

The MSFA has a contract with RSM US, LLP (“RSM”) for information technology consulting services specific to Microsoft Dynamics GP Support, as well as advisory services related to governmental and construction accounting and reporting. It is anticipated RSM’s fees will reach the maximum fee of \$100,000 allowed under the existing contract prior to the end of the current term of the agreement, which runs from January 1 through December 31, 2017. RSM bills their services on an hourly fee basis. In order to continue the services provided in the existing contract, the MSFA needs to amend the existing agreement to increase the contract amount by \$125,000.

RSM provides consulting and advisory services to the MSFA in the following areas:

- * Research Governmental Accounting Standards Board Statements
- * Accounting assistance for U.S. Bank Stadium Construction Trust accounts and Stadium Builders Licenses accounts
- * Development of initial capital asset inventory reports
- * Accounting assistance for the Commemorative Brick Program
- * Monthly reconciliation of cash and investment accounts
- * Technology consulting services for Microsoft Dynamics GP Support

Recommended Motion: The MSFA authorizes the Chair and Executive Director to execute an amendment to the contract with RSM US LLP for \$125,000.



MEMORANDUM

To: MSFA Commissioners
From: Rick Evans
Date: August 25, 2017
Subject: Cooking and Holding Equipment RFP

Aramark's Cooking and Holding Equipment RFP includes items that will be utilized throughout the Stadium at general concession stands and in club locations. The RFP includes the following large equipment items:

- Convection ovens
- Heated shelf food warmer
- Combination ovens
- Water filtration system
- Heating elements
- Banquet cart
- Multiple fryers and grills
- Associated fire and safety items

These items will increase Aramark's culinary capacity in multiple areas of the Stadium, which will lead to enhanced food quality and increased speed of service. The items also will elevate Aramark's food and beverage offerings and help deliver the best-in-class service that we strive to achieve. By utilizing these additional resources, Aramark will be able to increase production volume and expand food offerings that will provide an overall improved guest experience.

Aramark received two RFP responses, one from the Stadium's original concessions equipment vendor, Stafford-Smith, Inc. and the other from Wasserstrom & Sons. After reviewing the two responses, Aramark has recommended moving forward with the lower bid from Stafford-Smith, who proved to be the successful bidder in multiple areas including price, previous successful installations, detailed bid documents, and execution plan. Stafford-Smith's knowledge of the Stadium, already existing equipment, and the other Stadium partners will prove to be a benefit as the equipment covered by this RFP needs to be manufactured and installed under an accelerated timeline.

Recommended Motion: The MSFA Board accepts the proposal and awards the contract for Stadium concessions cooking and holding equipment to Stafford-Smith, Inc. for a total value of \$273,700.46. The Board authorizes the Chair and Executive Director to enter into a contract with Stafford-Smith to purchase that equipment.



MEMORANDUM

To: MSFA Commissioners
From: Mary Fox-Stroman, Director of Finance
Date: August 25, 2017
Subject: 2017-18 Property Insurance Program

At the May 2017 Board meeting, staff presented the 2017-18 casualty insurance program to the MSFA. Today we are presenting the property insurance program.

Willis Towers Watson marketed the property policy for U.S. Bank Stadium for the policy period from September 18, 2016 to September 18, 2017. AIG offered the best quote and included a three-year pricing commitment in their quote. The premium for the first policy year was \$320,000 for a total insurable value of \$941,060,171.

AIG offered a proposal for the second policy year for an estimated premium of \$337,321 including broker fees for the policy period from September 18, 2017 to September 18, 2018. This premium is based on a guaranteed rate which was agreed upon as a part of the terms and conditions bound on September 18, 2016. For the 2017-18 policy year the total insurable values are \$992,891,353. The overall policy limit remains at \$1.2 billion which includes real and personal property and business interruption coverage. This policy also includes boiler and machinery equipment and terrorism coverage subject to a \$100,000 deductible. Terrorism insurance coverage is included in the property program subject to the full policy limit of \$1.2 billion.

Recommended Motion: The MSFA Executive Director, in consultation with the Chair, is authorized to finalize negotiations and execute contracts for the property insurance program for the period September 18, 2017 to September 18, 2018 at U.S. Bank Stadium.



MEMORANDUM

To: MSFA Commissioners
From: Rick Evans, Executive Director
Date: August 21, 2017
Subject: Use of Authority Suites by SMG

The Authority has adopted a Policy and Purpose for Usage of MSFA Suites (“Suite Policy”). The Suite Policy authorizes SMG, as U.S. Bank Stadium (“Stadium”) operator, to utilize the two Authority Suites for marketing of the Stadium in a manner consistent with the Suite Policy. At the request of MSFA staff, SMG has prepared a detailed procedure on how and when the Authority Suites may be used for Authority Events (*e.g.*, concerts, etc.) and for Vikings games. The proposed SMG procedures are attached (“SMG Procedures”) and address:

1. Use of the suites for marketing purposes during Authority and Vikings games;
2. “Sale” of the Authority Suites at market rates for Authority Events (but never for Vikings games); and
3. Confirmation that public funds will never be used for alcoholic beverages served in the Authority Suites, but that guests may directly purchase alcoholic beverages.

As stated in the Suite Policy, marketing of the Stadium serves an important public purpose of attracting future events to the Stadium for the benefit of the State and region. The SMG Procedures provide specific protocols for use of the Authority Suites for marketing and related purposes consistent with the Suite Policy. The *Stadium Use Agreement* between the Vikings and the Authority provides that the two Authority Suites are owned by the Authority and available for any “legal purpose.” The Use Agreement also provides that the Vikings will provide the appropriate number of tickets corresponding to the Authority Suites for all Vikings events. In addition, the Use Agreement gives the Vikings the exclusive right to sell tickets for its events. The Authority has consistently followed this restriction and has never sold the tickets provided by the Vikings. The SMG Procedures clearly reflect this contractual obligation.

The Authority has consistently taken the position that Minnesota law prohibits the use of public funds to pay for alcoholic beverages. With the adoption of the SMG Procedures, the Authority has the opportunity to affirm and expand this prohibition. MSFA staff recommends that alcoholic beverages may only be purchased directly from vendors or suite attendants by guests attending events in the Authority Suites. The Authority or SMG will not directly provide the alcoholic beverages and then seek reimbursement from guests for such beverages. This position is specified in the SMG Procedures. The SMG Procedures allow public funds, up to \$500 per suite for each event, to be used for providing food and non-alcoholic beverages to marketing guests attending an event in an Authority suite. In order to attract major events, marketing guests need to be able to experience the full range of benefits and services available in the Stadium.

The Authority Suites are public assets. MSFA Staff believes that use of the Authority Suites for (1) marketing/promotion purposes, and (2) generating revenue during Authority Events, in the manner outlined in the SMG Procedures, are appropriate uses of these public assets and consistent with all contractual and statutory requirements. Accordingly, staff recommends Board approval of the SMG Procedures, including confirmation that neither the Authority nor SMG are authorized to sell the Authority Suites during Vikings events.

Recommended Motion: *The Minnesota Sports Facilities Authority (1) approves the SMG Procedures regarding use of the Authority Suites (including sale of the Authority Suites for market rates during Authority Events); (2) publicly affirms the language in the Stadium Use Agreement that the Authority or its agents will not sell the Authority Suites (or the corresponding tickets) for Vikings events; and (3) confirms that alcoholic beverages may be served in the Authority Suites, but only by direct purchase by guests.*



DRAFT 08/21/17

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Policy and Purpose for Usage of MSFA Suites by Authority Board Members, Staff and SMG

I. Background and Legislative Goals for the Authority

The Legislature found in the Stadium Legislation that there is a public purpose for the MSFA to conduct events for professional football and a broad range of other civic, community, athletic, educational, cultural, and commercial activities. The Legislature specifically tasked the Authority to achieve two main goals in operating and maintaining the facility:

- 1) Maximizing access for public and amateur sports, community and civic events as well as other public events in type and on terms consistent with those held at the previous stadium,¹ and;
- 2) Operating the facility “in a first-class manner, similar to and consistent with other comparable NFL stadiums.”² In addition, the Board has tasked staff to develop short and long term Capital Plans to ensure that the facility stays in good repair and that necessary improvements such as technology upgrades or acquisition of additional stadium infrastructure should be foreseen and properly budgeted.

Successful marketing is a key component of reaching these goals. The Authority finds that in order to meet the twin goals of community and amateur sports access at affordable rates, as well as keeping the facility in a first class and competitive state, requires an aggressive and on-going marketing effort to attract and retain commercial spectator events as well as mega-events such as the Super Bowl and NCAA Men’s Final Four that will maximize revenues. The Authority is responsible for ensuring that the facility is wisely managed and effectively marketed, to allow for the maximum return and public benefit of the Minnesota taxpayers’ significant investment into the facility.

II. The Authority’s Opportunity to Use Suites to Further Legislative Goals

Through its Use Agreement with the Minnesota Vikings and other relevant agreements, the Authority has control of two suites – at no cost to the Authority or the public – whose purpose is to enable the Authority and SMG to successfully market the facility to potential and current commercial events. In addition, the Authority will need to market to other mega events as well as community and amateur sports entities during NFL and other significant events.

Consistent with their obligations to effectively manage and market the facility and achieve a maximum return on Minnesota taxpayers’ substantial investment in this facility, the MSFA Board, staff, and SMG staff will actively participate in such marketing activities and efforts during Authority events.

The Authority recognizes that there are a limited number of individuals or groups that may book the stadium for a particular type of event, such as a high-attendance sporting event. However, the Authority believes that

¹ Minn. Stat. § 473J.13, subd. 3.

² Minn. Stat. § 473J.13, subd. 1.

certain aspects of the facility – including its infrastructure, concessionaire services, day-of-event services (such as security, etc.), and other aspects – remain relatively constant even when the type of event varies. As such, the Authority has determined that use of the suites is a critical tool in its marketing plan, whether the potential user plans to host a high-attendance sporting event or some other type of event (such as a concert).

III. Restrictions on Suite Access for Marketing Purposes

The Authority's suites are to be used to fulfill its Legislatively-assigned purposes, including effective marketing of the facility and overseeing operation of the facility in a first-class manner. When distributing tickets for the suite, these purposes must be kept in mind.

Depending upon the circumstances, it may be appropriate to invite the following people to attend an event in one of the Authority's suites:

Authority board members and executives. Authority board members and executives may use the suite to actively participate in marketing activities with external invitees. While attending the game, the Authority board member or executive must observe the operation of the stadium and must pay attention to any facts or issues that would allow the Authority to better fulfill its purpose, including: operations, crowd management, facilities, upkeep, staffing, and opportunities for alternative uses or improvement. He or she must communicate any concerns or suggestions, based on his or her observations at these games, to Authority staff and/or the Authority Board.

Other Authority personnel and SMG personnel. In certain situations, it may be appropriate for other Authority personnel to attend to further support this marketing role by, for example, assisting with hosting external invitees and/or acting as a resource of information about the region, community or facility to further the marketing goal. It may also be appropriate for certain SMG staff to attend to assist in this marketing effort.

Users and potential users of the facility. As has been the historical practice, Authority and SMG staff are strongly encouraged to invite potential users to observe the operation of the facility to allow the potential user to see the capabilities and operations of the facility during an event individuals or groups considering whether to book the facility for an upcoming event. In limited circumstances, it may be appropriate to invite individuals/groups who have already entered an agreement to host an event at the facility if (1) allowing the individual to observe the operation of the facility during an event would resolve specific, significant challenges or issues related to the upcoming event, or (2) the Authority board member or executive has reasonably determined that allowing the individual to observe the operation of the facility for this specific event would assist in efforts to convince the individual to book additional upcoming events at the facility.

Community member groups. Certain local coordinator or community member groups – such as the Convention Bureau, Meet Minneapolis and others – can also substantially further the Authority's public goals of effective marketing of the facility. These groups are dedicated to the success of the Twin Cities, including success as a destination for large events drawing crowds from around the county. Allowing these groups to observe the operation of the facility and connect with potential users of the facility could be a significant component in encouraging outside groups to book the facility, or in providing the groups with sufficient information to allow them to refer outside users to the facility as a potential venue.

Public officials. Authority board members and executives should be sensitive that various legal and perception issues may limit the willingness of public officials to attend marketing events within the Authority suites. It is,

however, appropriate under Minnesota law (specifically, the Campaign Finance and Public Disclosure statute, Minnesota Statutes, Chapter 10A) for Authority board members or executives to invite public officials to Authority suites if attendance otherwise meets the requirements of this policy.

IV. Procedure for Use of Suites for Marketing

The Authority adopts the following procedures, in order to ensure that the Authority suites are being used for the maximum possible benefit.

Access to Tickets. Tickets for each event will be available to Board Members and the CEO/Executive Director for marketing purposes. The Authority will work with SMG to invite potential and recurring users to the event, along with mega-event customers and community users as well. Should either the CEO/Executive Director or an individual Board Member not be able to personally attend an event then their ticket(s) will be returned to the Authority for re-distribution.

Maintaining a Record of Attendees. The Authority will maintain a list of the individuals who use the Authority’s suites. This list shall include: the date and type of event, the name of the individual attending, the individual’s employer or organization, the Authority board member or employee who issued the invitation, and the public purpose for that individual’s presence. By way of example only, below is a sample of entries that could be maintained:

Event	Invitee	Company	Host	Public purpose
12/1/16	Board Member 1	MSFA	n/a	Marketing
12/1/16 Vikings Game	John Smith	XYZ Events Co.	Board Member 1	Potential user of the facility
12/1/16 Vikings Game	Jane Doe	Minneapolis Civic Tourism Group, LLC	Board Member 2	Provide regional and city background and assist in marketing the facility to XYZ Events Co.

Responsibility of Board or Staff Member Using Suite. Each time an Authority board member or executive uses the suite, he or she must individually assess – using his or her background, experience, and knowledge about the marketing goals – whether his or her use of suite tickets serves a public purpose, keeping in mind the public purposes described in this policy and in the Stadium Bill. Each individual must think through the goals outlined for the Authority, and make clear in his or her own mind the public purpose that would be served. In particular, the authorized person must consider the individuals to whom it extends an invitation to use one of the tickets allocated to each member, and determine that inviting that person serves a public purpose. Any member or executive who has questions or wants counsel as to whether a particular use is appropriate should contact Jay Lindgren, the Authority’s General Counsel.

V. Expenditures for Food and Beverage During Events

Although the Authority is entitled to access the suites free of charge, pursuant to certain contracts, any provision of food or beverages in the suite requires an additional expenditure. Expenditure of funds for food serves important public goals. One characteristic of U.S. Bank Stadium that makes it particularly attractive to events is its world-class catering, and the participation of local chefs and

restaurants. Aramark, the Authority and the Vikings have worked to establish a partnership with “Minnesota’s top chefs and premier restaurants [that] will establish U.S. Bank Stadium as a leader in dining experience within the Minnesota sports landscape and across the sports and entertainment industry.”³ Showcasing the unique food options available at the facility is a crucial component to an effective marketing plan.⁴ Providing food also serves a public purpose by supporting the goal of the meeting. The events often occur around mealtimes and it is not possible to reschedule the marketing event to a different time. Providing food allows the marketing meeting to continue without interruption and demonstrates the capabilities of the stadium to individuals and entities considering booking future events at the stadium. Of course, food expenditures must be reasonable; excessive food expenses do not serve a public purpose. Any member or employee who has questions or wants counsel as to whether a particular expenditure is appropriate should contact Jay Lindgren, the Authority’s General Counsel. Alcoholic beverages will not be purchased or reimbursed by the Authority.

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Deleted: and a process will be established for user reimbursement or purchase of these beverages similar to the practices implemented at the Metrodome

VI. Implementation of This Policy

This policy has been adopted to ensure that the Authority’s suites are used in a manner that will allow for the maximum return and public benefit of the Minnesota taxpayers’ significant investment into the facility. Any member or executive who has questions or wants counsel as to whether a particular use is appropriate should contact Jay Lindgren, the Authority’s General Counsel.

³ “Vikings, Aramark and MSFA Unveil Culinary Roster for U.S. Bank Stadium, May 24, 2016, available at <http://www.vikings.com/news/new-stadium/article-1/Vikings-Aramark-and-MSFA-Unveil-Culinary-Roster-for-US-Bank-Stadium/60273a7f-916e-431d-9290-e1a6f9b2203c> (Aramark President describing effort to “design an unprecedented and innovative dining experience at U.S. Bank Stadium that showcases the distinctive tastes and flavors of Minnesota and the very best from its burgeoning restaurant scene” and MSFA chair stating partnership with “Minnesota’s top chefs and premier restaurants will establish U.S. Bank Stadium as a leader in dining experience within the Minnesota sports landscape and across the sports and entertainment industry” and noting that “[t]hese Minnesota partnerships are an integral component of the stellar dining program being developed by Aramark, to complement the world-class status of the new stadium”).

⁴ See, e.g., “Inside the Vikings Stadium’s Medtronic Club,” *Finance & Commerce*, July 12, 2016, available at <http://finance-commerce.com/2016/07/inside-the-vikings-stadiums-medtronic-club/> (news outlet describing in detail the food offerings at U.S. Bank Stadium); “U.S. Bank Stadium’s World-Class Dining Experience to Showcase Minneapolis-St. Paul’s Premier Local Brands and Small Businesses,” July 12, 2016, available at <http://www.usbankstadium.com/news/detail/us-bank-stadiums-world-class-dining-experience-to-showcase-minneapolis-st-pauls-premier-local-brands-and-small-businesses> (““The unique line-up of local partners contributing to the food and beverage offerings at U.S. Bank Stadium fits directly into our vision of providing the best overall customer experience for our guests through all aspects of our operations,” said Patrick Talty, SMG General Manager at U.S. Bank Stadium.”).

MEMORDANDUM

TO: Minnesota Sports Facilities Authority
Rick Evans, Executive Director

FROM: Jerry Goldman, SMG Assistant General Manager

DATE: August 14, 2017

Pursuant to the *Policy and Purpose for Usage of MSFA Suites* ("Suite Policy") adopted by the MSFA Board, SMG plans to use the two Authority suites at U.S. Bank Stadium ("Stadium") in the following manner:

Authority Events

1. Sale of the MSFA Suites for Authority Events. Sale of the suite(s) to an interested party will be at reasonable market value. All food and beverage will be the responsibility of the individual or group purchasing the suite. SMG will submit the name of purchasing entity/individual and total cost paid for the suite to the MSFA Executive Director within 72 hours of the event.
2. Marketing of U.S. Bank Stadium. SMG will invite individuals or groups considering whether to book the Stadium for an upcoming event to observe the operation of the Stadium. SMG will also invite individuals or groups to the Stadium who already have entered into an agreement to host an event in the Stadium for the purpose of soliciting repeat business. SMG will engage with community groups such as Meet Minneapolis, Sports Minneapolis, and other Minnesota tourism-related organizations to invite individuals or groups that represent direct business opportunities to the Stadium. Consistent with the Suite Policy, SMG will maintain complete and accurate records of all suite attendees and the public purpose for using a suite. This list will be delivered to the MSFA Executive Director within 72 hours of the use of a suite.

Vikings Games

1. No Sale for Vikings Games. SMG will not sell the suites for Vikings Games.
2. Marketing of U.S. Bank Stadium. SMG will invite individuals or groups considering whether to book the Stadium for an upcoming event to the Stadium to observe the operation of the Stadium. SMG will also invite individuals or groups to the Stadium who already have entered into an agreement to host an event in the Stadium for the purpose of soliciting repeat business. SMG will engage with community groups such as Meet Minneapolis, Sports Minneapolis, and other Minnesota tourism-related organizations to

invite individuals or groups that represent direct business opportunities to the Stadium. For Vikings games, SMG will expand this invitation to Youth Sports, Rollerblading, Running Clubs and similar community users of the Stadium. SMG will maintain complete and accurate records of all suite attendees and the public purpose of using a suite. This list will be delivered to the MSFA Executive Director within 72 hours of the use of the suite. There will be 2 tickets per game for use by MSFA Commissioners in a manner consistent with the Suite Policy.

Food and Beverage

For both Authority events and Vikings games, SMG requests an allowance of up to \$500 per suite for food and beverage. Consistent with MSFA policy, alcoholic beverages may only be directly purchased by suite guests. No public funds will be used to provide alcoholic beverages. Catering plays an important role in attracting clients to the Stadium. This is an opportunity for Aramark to showcase their catering potential and impress current and potential clients. Food and beverage costs will be an SMG marketing operating cost.

SMG Suites Chaperones

For every event, SMG will have 1-2 suite chaperones per suite to entertain guests. Chaperones will be full time SMG employees such as the GM, AGM, Directors and Managers.



MEMORANDUM

To: MSFA Commissioners
From: Alex Tittle, MSFA Equity Consultant
Date: August 23, 2017
Subject: Equity Program Update

The Equity Plan for U. S. Bank Stadium (“Stadium”) operations was developed based on the unique assessment of a stadium that has not received a full season of operational activity. The project reports were assessed by the Equity Consultant as they were provided by SMG and Aramark. *The next Stadium Equity public meeting will be on November 15, 2017.*

- **Stadium Operations**
 - Equity Consultant – facilitate efforts to audit critical activity from Aramark and SMG
 - Reporting – Provide quarterly reports to the board and community on stadium equity related activity
 - Workforce – Labor hours, related wages and zip codes of employees (part-time and full-time)
 - Targeted Business – Procurement activity which identifies expenses relative to operations from the Stadium Concessionaire and Manager
 - Employment Assistance Firm (“EAF”) – Activity from the supportive consultant(s) which aid in outreach and recruiting; not limited to job/career fairs as needed

- **EAF** activity has yielded the following results to support the Stadium hiring activity **from January 1 to July 1, 2017:**
 - Summit Academy OIC
 - Recruited 96 minorities and 28 women
 - 3 job fairs

- **Total WORKFORCE** on the Stadium Project, **as of July 31, 2017**
 - 58% Minority (106,623 hours)
 - 51% Women (103,019 hours)
 - 42% Veteran (11,265 hours)

- **Total TARGETED BUSINESS Construction** activity, **as of July 31, 2017**
 - MBE: \$2,242,418 (51%)
 - WBE: \$78,301 (2%)
 - VBE: \$76,164 (2%)
 - **Total Targeted Business: (\$2,396,883) *available spend**