

## GREEN BAY/BROWN COUNTY PROFESSIONAL FOOTBALL STADIUM DISTRICT

Pursuant to Section 19.84, Wis. Stats., a meeting of the Green Bay/Brown County Professional Football Stadium District Board was held on **Monday, December 12, 2022**, at 2:00 p.m.

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PRESENT: Leah Weycker, Keith Lucius, Mark Graul, Chad Weininger, and Barbara Dorff

EXCUSED: Bill Galvin, Sen. Cowles

ALSO PRESENT: Brian Dworak, Ken Kaszubowski, Aaron Popkey, Brad Toll, Joel Everts, Patrick Buckley, and Bill Vande Castle.

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1. CALL MEETING TO ORDER

The meeting was called to order by Chair Weycker at approximately 2:00 p.m.

2. ROLL CALL

Roll call was taken. All Board members were present except Bill Galvin and Sen. Cowles who were excused.

3. PLEDGE OF ALLEGIANCE

The Board recited the Pledge of Allegiance.

4. APPROVE/MODIFY AGENDA

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY KEITH LUCIUS TO APPROVE THE AGENDA. A vote was taken. MOTION CARRIED UNANIMOUSLY.

5. REQUEST FOR APPROVAL OF THE MINUTES – SEPTEMBER 26, 2022

A MOTION WAS MADE BY KEITH LUCIUS AND SECONDED BY BARBARA DORFF TO APPROVE THE MINUTES. A vote was taken. MOTION CARRIED UNANIMOUSLY.

6. COMMUNICATIONS:

A. November 7, 2022, *Business News* Article “The NFL Draft: Green Bay’s Super Bowl”

Mr. Dworak included this article as it referenced the NFL Draft discussion at the last meeting and Mr. Webb and Mr. Popkey were quoted about the funding the District approved and the economic impact a draft would bring to this area.

B. Late Communications (if any)

There were no late communications.

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY CHAD WEININGER TO RECEIVE THE COMMUNICATION AND PLACE ON FILE. A vote was taken. MOTION CARRIED UNANIMOUSLY.

## 7. SPECIAL EVENTS &amp; ECONOMIC DEVELOPMENT FUND UPDATE:

- A. Mr. Dworak presented the Special Events and Economic Development Fund update. The first page is the fund statement and again, this is the entire history bringing us to a current bank balance of just under \$1.3 million. At the very bottom of the page, is the listing of events that have been approved by the Board but have not yet been paid out and that includes a line item for the NFL Draft, which is 50% of the soccer match monies from this past summer. So that will be a line where the District will accumulate those funds for events going forward and for those committed funds to the Draft event. If you take that committed amount of \$400,000 out of the current bank balance, there's just under \$900,000 in funds available and that does not account for what is in the 2023 proposed budget which has a transfer out of this account of about \$72,000 for 2023 District operations. Also Discover Green Bay has two requests on the agenda and there are a couple of items not accounted for in there right now, but that is the fund as it stands today. Mr. Graul mentioned he saw we transferred just over \$1 million to the District for operations over the life of this fund. Mr. Dworak agreed and said there is no detail about the amount each year it is just the accumulated total. Mr. Graul asked how far back that goes. Mr. Dworak said it probably goes back to year 3 or 4 of the District. There were a couple earlier years that there was a bigger number that legislation permitted the District to use funds for operations from the escrow monies, but from year 3 on it was \$100,000 a year so there would have been some additional amounts needed to fund that.

Mr. Dworak asked if there were any other questions on the fund statement. There were none.

## B. WIAA VOLLEYBALL TOURNAMENT POST EVENT INFORMATION

Mr. Everts presented the post-event information on the WIAA volleyball tournament which was held in early November. It was the second year post COVID of having the event back, and it was the third year that we've had the combined tournament -- 2019 was the first year that we had both boys and girls tournaments at the same venue and the same weekend. Everything was very successful again and they got great crowds. Ms. Weycker was one of the Rush to Resch check presenters as well as Mr. Buckley who was present at the meeting and Mary Kardoskee from Ashwaubenon. There was a unique experience this year in that two of the schools tied in selling the most tickets for the division. Discover Green Bay ended up providing the additional \$1,000 to the second school. Everything is pretty much as it's been in the last couple of years. He provided the ticket history numbers of each of the schools. There is kind of a noteworthy thing on the tie. The coach of the one team was eleven tickets short ended up buying the remaining eleven tickets so that they could tie. They really wanted to win that \$1,000 apparently and a \$10 ticket was a good investment because he spent \$110 to make \$1,000.

Mr. Toll added that WIAA appreciates the support of the Stadium District for this event, as well as the basketball in spring. It's made a big difference in ticket sales for the events, and they got some great crowds this year – even record-breaking crowds.

Mr. Lucius asked at what point do these events just become self-sustaining and no longer need support from groups like the District. He feels that when WIAA does events in Madison it's just that's where it is, and nobody pays them to be there. He asked if at some point does this just become tradition that volleyball and girls' basketball events are here and would that support just go away. Mr. Toll answered that it certainly can go away but it's something that we've done historically now every year. He explained how it benefits our community is the

dollars are used to incent schools to sell tickets. If that went away, he doesn't know if they would have the same number of visitors to our community. He said they don't know who's going to be here for the tournament until typically the Sunday before they all show up. Discover Green Bay struggled in the beginning to try and find radio stations in these towns and searched for ways to promote attendance. They tried to get the message out and encourage people other than parents to leave their towns and come to Green Bay and rally their teams and enjoy the events and businesses in our area. That's how the idea was born to have the schools actually sell the tickets and the way to do that was to incent the schools with that \$1,000 incentive for volleyball and \$2,000 for basketball. It's made a huge difference in attendance, and it seems kids in the schools really appreciate it. In a lot of cases, they use the money to pay for a fan bus to bring additional students which creates an opportunity for kids that may not have the opportunity to get to the tournament and to travel to Green Bay with the group. He added it's something they've done to support the event here in town and he doesn't know if they would leave or not. He kind of doubts it, because they create a pretty amazing experience, and it has certainly been very beneficial to the area over the years. Mr. Lucius said it sounds like what you're saying is the event probably would sustain itself, but the number of people visiting would most likely go down if the District wasn't participating in this way and offering this incentive. Mr. Toll agreed and said they would lose sales tax revenue and WIAA would lose ticket revenue. Chair Weycker asked what the District's contribution was this year. Mr. Toll said it was \$5,000. She pointed out that it shows \$82,000 was contributed accumulatively and it was confusing.

Mr. Vande Castle commented on the WIAA events from a soccer standpoint. He said that years ago the schools used to get sort of a stipend for kids to show up for the soccer tournament down in Milwaukee. They stopped doing that and now nobody stays anymore. They spread the tournament out over three days and the first couple years the tournament was held with the stipend they did stay all three days. But now everybody goes down there to Milwaukee to play and then comes back home. There is no incentive to stay anymore.

Mr. Toll said they've worked hard to make it a very festive atmosphere. Discover Green Bay buys decals to go on all the elevator doors. They buy signage that welcomes the schools to the hotel. They want the teams to feel like this is something special that it is an accomplishment to come to the state tournament and win a state championship. Mr. Everts added that each championship team also gets personalized Jibbitz which are charms that go on Crocs shoes.

#### C. FUNDING REQUESTS FROM DISCOVER GREEN BAY – NHPA WORLD TOURNAMENT AND USHL COMBINES

Mr. Everts gave a little history on the horseshoe event. They've been looking at this event for years and brought the person that runs this event to Green Bay. They showed her the facilities and the Resch Expo. She was very, very interested in booking the event in our facility without really any discussion. They are looking at hosting either a 2024 or 2025 national world horseshoe event. It is about a 2-week long event in June to about early July. It would be multiple events within the two weeks so it's not all the participants pitching at one time. There are about 500 or so participants pitching at any one time. It's a unique event and it requires a lot. The RFP alone has probably about two and a half pages of what they have to provide as a host, including the free facility. With the newness of the Resch Expo, they are working through coming up with some funding sources. He is currently working on the state grant through the state department of tourism. They will work on a hotel room rebate for all of those that attend to help pay for some of the costs. They may be able to provide some funds themselves so

they're starting the process to put everything together to go after this and complete a proposal and show they are able to support this financially. They know they can do it from a hotel room standpoint and the facilities are more than big enough. It just comes down to checking all their boxes on what they require for us to host it. He asked if the Board had any questions.

Mr. Graul asked if this was a new type of event request. Mr. Everts said the event has only been in Wisconsin in 2003 in Eau Claire. They looked at Stevens Point a few years ago but things didn't work out. He reported that the state horseshoe association will also be involved in the event.

Chair Weycker asked what the funding request of \$50,000 would be used for. Mr. Everts said it will help with the facility cost – this request would probably cover half the cost. There is also a bid fee to host the event. They can choose one or the other – cash or complimentary hotel rooms. This would bring a lot of people into town and some choose to camp. They are here an average of five days. He's reported lower numbers than in the past. He looked at the last couple years and some of the numbers before COVID. There's potential for up to 1,400 people but he is assuming 800-900.

Mr. Weininger asked for clarification on the cost of the event. Is it either the \$20,000 for the bid fee or for free use of the Resch Expo and complimentary hotel rooms or a combination? Mr. Everts answered it would be a free facility regardless. They would need a \$40,000 bid fee and they would use those funds to pay for the rooms or a \$20,000 bid fee and we find them hotel rooms. So the total costs will be \$200,000. Mr. Everts agreed and stated it would be an estimated \$2 million economic impact.

Mr. Everts presented the request for the USHL combine event. He said they've been working with the Gamblers, Cornerstone, and PMI to host the combine. It is an opportunity for future USHL and Gamblers players to come to Green Bay to try out in front of USHL, college, and NHL scouts. He added there are three events a year and this is a three-year request. So this is technically a request for nine different events over three years. Each one is a different age group with a little bit of a different size so he combined them into one annual request of \$15,000 per year for three years equaling \$45,000. He tried to clarify each individual year as well as individual requests. It would be approximately 1,000 players a year and about 1,700 or more hotel room nights with an economic impact of \$875,000 each year. He said they've had discussions with some of the parents of players and Mr. Buckley had some sons go through this experience. He is hoping they can get a really good look at this event. The Gamblers are putting in their bid in late January. Discover Green Bay and Gamblers were submitting a 5-year bid but they were only submitting for 3 years to the District for the initial request. They are competing against a facility in Chicago who has ice time cut in half basically so if they charged the normal rates it would be \$200 an hour and theirs would be at about \$100 an hour. The Chicago facility also has a bar on site so we're thinking they're offsetting some of their costs with the food and beverage coming from that facility.

Mr. Toll added that if the first three years of the combine go well, they'd most likely be able to get the next two years. Mr. Graul asked about the Gamblers putting in the bid and whether or not it was a for sure thing. He also wondered if the horseshoe event was a for sure thing. Neither were coming for sure. If they don't win the bids, they wouldn't need the District's funds.

Mr. Lucius asked if there's any chance this conflicts with when the Packers are playing because it's summer/early fall and we'll probably have training camp going on. Mr. Everts said the smaller combine event is during that time period in the fall. The other two are during the summer. Therefore, they don't envision an issue. Mr. Lucius asked if fall means August or September. If you have a preseason game that might be a hotel room issue. Mr. Toll said that often hotels will take guaranteed business.

Chair Weycker asked if there were any other questions from the Board. She asked Mr. Dworak about the budgeted amount of \$72,000 coming out of the \$891,000. He said that was proposed for District operations in 2023. Similar to what you see on the bottom of the statement approved not paid \$34,000 is for 2022 operations yet. There's nothing in that dollar amount for 2023 funding. Mr. Lucius asked if you look forward to each year in that range up to \$100,000, is that correct? Mr. Dworak said that what they've needed from the Economic Development Fund each year has been in the mid to upper \$60,000's to low \$70,000's. He doesn't envision that amount will change dramatically until 2031 when the District will no longer receive the \$100,000 from escrow for District operations. For the next 7 or 8 years it should be right around the \$70,000 mark – give or take – depending on where the District is at for staffing and what the needs of the District are. Mr. Lucius said that means, looking at the balance, there's enough money to cover that and still have enough money left over for these proposals even if there aren't any more events at Lambeau or any other revenues coming in. He wanted to make sure he understands that. He's trying to think what the District's available balance is and keeping that in mind. Chair Weycker said that with lots of new members they've always tried to sit on the \$1 million dollar reserve in the budget. Mr. Dworak agreed that was the standard for a long time. Obviously, the last couple of years with the football game in 2020 getting pushed back to 2026 caused the District's funding to go below that threshold.

Ms. Dorff asked if they see the fund getting back up to that amount. Mr. Dworak said there's been a potential concert talked about in 2023 which I think that is still on the table. If that were the case, 50% of the fees – for a concert event tends to be a little bit lower because in order to get those concerts, it's not a 10% ticket tax fee it's a 5% ticket tax, the District has also committed 50% of that to the funding of a potential Draft. He added if you looked at a concert event of that has been like \$300,000 for the recent ones, \$150,000 of that would get committed to the draft and then \$150,000 would be available for the District to use. Ms. Dorff asked if they had less than \$1 million and the District's mission is to do these things would they just not do these until they get the \$1 million. Mr. Graul said that they are now asking the District for 12-13 percent of the balance for these events and he feels they are great events and wants to support them but he thinks it's fair to say that he would be very hesitant to approve anything going forward until there is a guarantee there is revenue coming back to the fund. He asked if Discover Green Bay would be comfortable with that. Mr. Toll agreed these are great events and there's no guarantee they'd get them. He said over the last few years they've been more critical of anything they bring to the Board because they understand there's very limited funds and only so many will get funded. He is very comfortable with these requests.

Mr. Dworak asked about the hockey event and when it starts. He said funds are needed in 2023 for the hockey event. Mr. Lucius asked about the horseshoe event funding years. Mr. Everts said it would be for one year – 2025 because of an availability conflict. Mr. Lucius said that money wouldn't be spent until that year just reserved funds.

Mr. Graul asked about the timeline for when the bids are awarded for the events. Mr. Everts said the combine would be awarded end of January and the horseshoe event probably late March or April.

Chair Weycker asked if there were any more comments.

Mr. Graul asked if the events should be taken together on the motion. Mr. Dworak said they could move to approve both.

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY BARBARA DORFF TO APPROVE FUNDING REQUEST FROM DISCOVER GREEN BAY FOR THE NHPA WORLD TOURNAMENT AND USHL COMBINES. A vote was taken. MOTION CARRIED UNANIMOUSLY.

Ms. Dorff told the Board Mr. Galvin will not be attending and asked to be excused.

#### 8. SIGMA PRESENTATION – ANNUAL MAINTENANCE AUDIT

Mr. Dworak presented the handout for the presentation and Mr. Kaszubowski will walk them through it. This is going to be a summary and the full report was emailed to everyone last week.

Mr. Kaszubowski said that unfortunately the three people that we have on staff who conducted this assessment this past summer are all sick. This particular report -- the maintenance monitoring assessment -- is something that's been done for many years. It's one piece of maintenance monitoring requirements that are in the Lease between the entities. The Packers submit maintenance monitoring quarterly as well and there is also an operations review that is conducted that Sigma will report on at a later meeting. The objective of this report is to fulfill those obligations. Sigma developed this program, and they look at a couple of different components. One being record-keeping to make sure the Packers are organized to succeed in terms of maintaining the facility and the second component is to let their eyes evaluate how that maintenance is going. Last year's report had 112 items denoted on Sigma's assessment, and all of those were addressed by the time they did the 2022 assessment with the exception of a handful and those are things that are addressed by the Packers on a rotating basis such as painting different areas every year. This year the 3-person team found about 98 items. When they find the items, they give a heads up to Mike Moynihan and his staff. Oftentimes, they tackle these things in a couple of weeks. A couple of things that were worth noting were nothing big. The first one noted on page 3 of the report is the suite windows and the loss of the seal or movement of the seal and they found more than typically seen in the past. They talked a little bit about why that's happening with the Packers and would like to get those seals replaced and possibly either look at a different seal or a different piece because this is clearly due to something to do with expansion and contraction within the building in the window system itself. There were some cup holders missing - not that that's very interesting at all but we have never really seen that before, so he doesn't know what was happening there. He said that the exposed steel corrodes, and this stadium is not unlike all the other stadiums that exist in outdoor exposed conditions. Through the Packers and Sigma affiliation with Stadium Managers Association they get a chance to network with other people. In this particular case, they shared what they've learned at the Milwaukee stadium where they've used a Sherwin Williams system that has worked well in these situations. This is done in an effort to reduce the manifestation of all these ticky tack things. You will never eliminate corrosion, but you can always do better to control it. They also shared a little trick they developed in corrosion that occurs at the

bottom of a steel column that's sitting on a horizontal surface. Things move and settle and a trick is to build up some epoxy around that particular low point so the water doesn't sit at the bottom of the column.

He reported they saw a little bit more block cracking and movement than in the past. There was a discussion with the Packers about why it's happening. All buildings move and cracks occur. There's no congruent expansion and contraction with all these different building systems--metals, concrete, all those types of things. One thought was that possibly with the pile-driving activities associated with the CRIC that vibration might have made some other things move. They talked to them about future projects and maybe they look at vibration monitoring or some settlement monitoring just to kind of know what's the causation effect. Preventing it is a whole different arena, but they did take note that there was quite a bit more of this type of damage that occurred this year. He added that they found a couple of trip hazards that needed to be taken care of because they constituted an ADA issue. He noted the issues with the guard shack that's been there for a while, and they are going to get on that. There were also some aesthetic issues found like grout cracking and countertop laminate damage that can be taken care of easily. In summary, the landing point for us is that this facility continues to be extremely well maintained--especially when we hear some of the stories from other stadiums around the country. With respect to that and to improve upon that record, the Packers are also looking at modifying their computerized maintenance management software system because it's kind of gotten a little burdensome for them. They actually sent out a query to all the Stadium Managers Association participants to see what other facilities use. They want to find the one that fits best for what they want to do in terms of tracking, reporting, and managing.

Mr. Dworak said the full report is always shared with the Team and it is part of the collaborative effort to make sure the items Sigma identifies are addressed and monitored to make sure the facility can continue to be maintained to the highest standards. Mr. Dworak asked for a motion to approve the report.

Mr. Graul asked if they were approving the summary or the full report. Mr. Dworak said the full report was sent in an email to all the Board members. It was a large document in pdf format. Some Board members reported they didn't get the email. Mr. Weininger asked if there would be an issue if they approve only the summary. Mr. Dworak said they could approve the presentation which is the item on the agenda. It was decided a motion to approve the summary would be appropriate.

A MOTION WAS MADE BY KEITH LUCIUS AND SECONDED BY MARK GRAUL TO APPROVE THE SIGMA ANNUAL MAINTENANCE AUDIT SUMMARY. A vote was taken. MOTION CARRIED UNANIMOUSLY.

9. CONSIDERATION OF RESOLUTION 115 – AUTHORIZING EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING REGARDING LEASE PROVISIONS FOR PROPERTY INSURANCE

Mr. Dworak gave a background on the resolution. There's a provision in the Lease that all three entities -- City, Team, and District -- meet once a year to review the coverages required. A meeting held in November was attended by the three entities and their insurance representatives. They talked about coverages and property limits as it relates to any capital improvements that might have changed the value of the property since the past year. In 2021, there was discussion where the Packers and the City were going to explore increasing deductibles on their policies as perhaps a means of reducing the premium they paid. Right now the Lease limits that to a \$100,000 deductible and anything beyond that would require an amendment or a change to the Lease. They ultimately did not make any of those

changes in the past year and the basic insurance plan that was reviewed had no changes from the prior year. The City then initiated a discussion around potentially exploring whether the Packers could hold the property insurance for the complex. Under the current lease agreement, the City is required to hold the property insurance for the Lambeau Field Complex which they then pay for and then the Packers reimburse the City. Ultimately right now the way it works is the Packers are paying for it and the City is holding it having been the property owner prior to all of the entities coming together into the current complex. The City's rationale for doing that was that it is a pretty unique property. Given the context of all the other property that the city of Green Bay has under their portfolio and insurance plan they at least wanted the ability to go out and explore whether they could get better rates on the rest of their property insurance if this complex were to be taken out. The intent of this was the Packers are already paying for this insurance and are also required under the Lease to maintain property and contents insurance for their leasehold improvements, so it seemed to make sense for all of the property of the complex to be under one insurance program. The same entity is paying for that insurance right now and there are still protections for the District and the City within the language around any loss or any payment from those insurance policies. Everyone in the room at that point in time seemed to think it was a good idea. This change will ultimately be formalized in the Lease agreement but in the context of expediting the process to allow the City to explore this for their January 1 renewal and knowing that there are other conversations regarding lease changes already happening, the parties agreed to put the insurance change into a memorandum of understanding transferring the responsibilities of the insurance program from the City to the Team. That's kind of the long-winded background of how we got here.

Mr. Dworak went on to report that there is a draft MOU that was circulated between the Team, the City, and the District. The Packers and the District are generally on board. It basically recites all the same things that are in this resolution with regard to Lease Section 22.1. The District has not heard back from the City of Green Bay yet so there isn't a final MOU.

Mr. Weininger asked if there was a definite advantage to the City if the Packers hold that insurance coverage and what is the cost difference. Is it the exact same coverage or is it different. Mr. Dworak said it would be required to be the same coverage. Mr. Weininger asked if it would be the same deductible. Mr. Dworak said it would be the same unless the Packers came back and wanted to incorporate a change which is a separate change and they did not talk about that as part of this particular MOU. The cost difference wasn't known at the time and maybe this is something where the cost differential isn't there, and maybe because he hasn't heard back from the City and he doesn't know where they are in the process yet. However, he knows that their policies renew January 1<sup>st</sup>, so he thinks they're out there trying to figure out whether it does make sense and see if they can get a better deal or not. Again, they held this meeting in November and there was really no conversation or discussion around it for five weeks and then it circled back to say they were ready to move forward on this or at least get this process moving. The Packers also have to maintain \$50 million general liability policy and this MOU is only covering the property insurance of the complex. Chair Weycker said it seems to be really a discussion between the Packers and the City but what you're asking us to approve today is for you to sign it once those parties agree on the memorandum of understanding. Mr. Dworak agreed he would sign it once all three parties have agreed on the language.

A MOTION WAS MADE BY BARBARA DORFF AND SECONDED BY KEITH LUCIUS TO APPROVE RESOLUTION 115. A roll call vote was taken. 5 ayes – Weycker, Dorff, Graul, Lucius, Weininger – 0 nays – MOTION CARRIED.

## 10. DIRECTOR'S REPORT



Chair Weycker asked Mr. Vande Castle if the Board would need to change anything because they essentially have Sigma acting as Executive Director, but the bylaws wouldn't have to change if we addressed Mr. Dworak as Executive Director from this point forward. She asked if the Board objected to that and there were no objections.

Mr. Dworak presented the fund statement which is simply an accounting of the fund balances as they stood at the end of October. The November reports weren't quite ready to be final before we sent out the packets. The 8257 Fund currently holds \$47 million. That's the escrow for the annual amounts that go to the O&M Fund. If everyone kind of remembers the flow of funds chart, the Operations and Maintenance Fund held at the end of that month about \$300,000—net of a \$10 million payment to the Team that is part of the next line item that he talked about and then the Special Events and Economic Development Fund which they reviewed earlier holds just under \$1.3 of which about \$400,000 of that is committed but not paid. He asked if there were any questions on the fund statement.

He went on to discuss the interim O&M request from the Packers. It's their first request for funds for the 2022 calendar year. They made a request of \$10 million that again with \$300,000 left in that account was just under what was available in that account to be dispersed and they provided a certified statement along with the detail which was one of the emails that went out to everyone but there is a copy of all the detail in your packets. It's the same detail and unfortunately that copy in the packet was difficult to enlarge to have a more print-friendly version. This is a request where when it comes in the staff takes a look at it and looks through all of the detail to make sure everything is reasonable. As he's said before, the definition of operations and maintenance expenses at the complex is very broad in the Lease so there is a lot of leeway given to what is included in that overall pot. He talked to the Packers about a couple of line items in here. There's one particular line item that was \$790,000 fixture replacement which probably belongs in capital expenditures as opposed to an operations and maintenance expense. But, for the most part, everything else that was in there was consistent with operations and maintenance expenses. He added that when they get to a final request that new request probably won't include a ton of new detail and it will include much of the same. It will probably be about a \$13 million total for the whole year because there's three more home games held after this request and each home game was about \$1 million worth of ticket tax and that would get added into it for this year and next year's items.

Mr. Graul asked if the total line item overall is \$15.9 million. Mr. Dworak agreed. Mr. Graul asked how much the District Board is going to give the Packers this year. Mr. Dworak said they've projected the final ticket tax numbers to be approximately \$13.4 million. Mr. Graul stated that essentially this is the Packers saying they know how much they will be given and are listing \$15 million worth of stuff that would cover. He also stated the summary was confusing to him because there are repeats of so many of the same line items, for instance, internal labor and benefits is on here three times. He asked for an explanation. Mr. Dworak asked which page he was looking at – Mr. Graul answered page number 10-3. Mr. Dworak said if you look at the next page which is a little bit more detailed version of things that roll up into that and there are multiple labor and salaries line items. If you look at the numbers next to the description of that category like vehicle repair and maintenance there's a number eight next to it. Mr. Graul said that still didn't explain what the difference is between internal labor and the categories. Mr. Weininger asked if they use a chargeback model to see if it charges back to a specific person. Mr. Dworak said they are using this detail which is ledger detail for their payroll and haven't gone and drilled into this all the way back to a specific person. Mr. Graul said contracted labor was listed twice and wanted to find out what the differences are.

Mr. Lucius said if you look at the next page contracted labor for 10 looks like it's cleaning and 14 looks like event staff. He said he reads this as seeing salaries in multiple places because you have

different groups of people depending on whether it's a game day event or something else. It's an accounting method for keeping track of these expenses. Mr. Graul said he understands that, but he was confused about the multiple items. Mr. Dworak said it was a good point that the same categories shouldn't show up here, it should really be the more detailed version. Maybe they should change the title on here. It would be good to clean up that front page to have the Team make it more clear on that document.

Mr. Graul asked about a couple more detail items like several entries for Tiletown. He's assuming that means the Tiletown facilities across the street. He was wondering how that was an appropriate. He pointed out some entries on page 6 under health insurance for Tiletown. Mr. Dworak sees that and mentioned there were credits coming out of this as well. Mr. Graul asked again if it was appropriate for funds from this to go to Tiletown. Mr. Dworak said that operations and maintenance expenses are intended to be for the Lambeau Field Complex, therefore, Tiletown expenses would not be eligible. Chair Weycker agreed there are some credited expenses on the detail. Mr. Graul just wanted to understand the entries and credits. He looked back to last year's version and there were items for The Turn in that detail also. He said they need to look more closely at the expenditures to be sure they are not from outside the complex. He asked Mr. Dworak to talk to the Packers and report back to the Board on these questions.

Mr. Graul also asked about the 1919 restaurant and whether that is considered part of the facility and if it was by the Packers or Delaware North. Mr. Dworak said it was operated by Delaware North – Mr. Popkey said the Packers own it and they hire Delaware North to operate it.

Mr. Graul said he appreciated this detail and if it would be possible to get this document in an excel file – this document and future years. Mr. Dworak said they could do that. He said an update will be distributed to the Board.

There were no other questions on the O&M request and detail.

Mr. Dworak reported on the Capital Projects Fund/District User Fees statement. This really has no change from the prior report. The bulk of this activity happens late spring and early summer as the season ticket transactions take place. Again, this is the Capital Improvements Fund and if the Packers were planning something in the next year that they wanted to request the District to fund from this, the District would be including it in the budget. There's about \$2 million available here because the District wanted to maintain a \$2 million balance in this fund in case there was something that came up that needed attention.

Mr. Dworak reported on the brick and tile sales. He presented three monthly reports which show sales tracking about 15% ahead of last year's sales. So there continues to be demand for that program. Numbers are usually good at the end of the year with November and December typically being the busiest months. Mr. Popkey suggested that because there is no more space for tiles and they are no longer available that they should refer to this program as just the Lambeau Field Brick sale. Mr. Dworak agreed.

Mr. Dworak presented the 2023 quarterly meeting dates which are consistent with past meeting dates. He asked if anybody would require a change, and none were requested at this time.

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY KEITH LUCIUS TO APPROVE THE DIRECTOR'S REPORT. A vote was taken. MOTION CARRIED UNANIMOUSLY.

## 11. SEPTEMBER AND OCTOBER 2022 FINANCIAL REPORTS

Mr. Dworak presented the financial reports with a focus on October to give year-to-date numbers. The first three pages are a consolidated look at everything that rolls up into one statement. He gave a couple of highlights – one was the projected variance of ticket fees. The only thing that is really a true expense here is under the operations account. Everything else going through the 8257 Fund, the Capital Improvements Fund, or the O&M Fund are pass throughs. If there's less revenue than projected in the budget, it only means there is less expense going out the other side. The user fees on the first line item are up because of additional ticket season tickets that were transferred. The second line item is the ticket tax collected on game receipts which is down a little bit from what we budgeted in part because we ended up with two January games in 2023 so there was one less home game. Mr. Lucius asked about the London game. Mr. Popkey said that was considered a neutral site game, but Mr. Dworak agreed they did lose a home game that would have contributed another million dollars to that fund.

Mr. Dworak mentioned that the miscellaneous category shows interest is up because interest rates are up. There weren't a lot of other changes to report on that global statement. The District Operating Fund which starts on page 11-4 shows budgeted and actual to projected. These first three categories show transfers in from the 8257 Fund which is time allocated for the Administrative Specialist's time spent working on the brick program. Another transfer in is from O&M under an agreement with the Packers where the District is able to take funds out of the O&M account to pay for the District's liability insurance. Another transfer in is from Economic Development Fund covers the balance of all the other funds coming in and the \$100,000 escrow from that. There was nothing significant to report under the District Operating Fund.

Mr. Graul asked about the total expenses of the District are \$19.488 million and if that includes the \$5.1 million transfer to the repairs and maintenance is the same thing as the O&M Fund. That is also accounted for above where you have \$13 million, so it's double counted. Mr. Dworak said some are double depending on what monies are being transferred between funds. Mr. Graul asked if the real number would be closer to \$14 million. Mr. Dworak said that is accurate.

Mr. Dworak asked if anyone had any questions on Capital Project Fund. He stated that all these things will be discussed further when they go through the budget, so he suggested they move on to looked at that.

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY KEITH LUCIUS TO APPROVE THE FINANCIAL REPORTS. A vote was taken. MOTION CARRIED.

## 12. CONSIDERATION OF RESOLUTION 114 - AUTHORIZING APPROVAL OF AND ADOPTION OF 2023 BUDGET

Mr. Dworak referred to the budget highlights that were handed out in addition to the assumptions and financials in the packets. He reiterated that for the most part of all the District's funds (whether it's the 8257 Fund, the Operations and Maintenance Fund, or the Capital Improvements Fund) the District is only obligated to spend or provide funds where those funds are available. If the ticket tax number is at \$13.4 million for the budget, assuming a certain number of home games and we have one less or one more and we don't have those funds we're not obligated to pay more than what we have available at that time. The real number for the budget is under the District Operating Fund. The Administrative Specialist remains a District employee for next year with a budgeted 3% increase. Again, 60% of that position's payroll cost is covered by the brick program with a transfer in from another fund and reduces how much the District needs to use from the Economic Development Fund. If you look at the

budget that represents \$39,173 that's transferring into that fund. There's a transfer in from O&M that represents the liability insurance that is covered from the Operations and Maintenance Fund agreement with the Team and then the transfer in from the Special Event and Economic Development Fund which is \$72,000 which basically closes the gap between the \$100,000 escrow and all the other incoming transfers to fund the District operations. So again, the salaries are proposed at a 3% increase and there are some related fringe benefits that go along with that. The retirement contribution is up slightly this year based on the State pool. There is probably about \$5,000 of general office expenses and really no change in those year-over-year. Insurance is also consistent with the prior year. The other significant portion of the budget is the Sigma management services and maintenance monitoring. That number is up year-over-year about 6% and that really represents some additional hours being worked due to Mr. Webb stepping back a little bit and Mr. Dworak being involved more with some overlap. He feels it may help to have two people looking at all the financials and the bank statements every month and it would somewhat address the auditors concern about separation of duties.

Mr. Graul asked why the expenses on the operating fund are greater than the revenue. Mr. Dworak explained that the gap there is the principal on the escrow. There's an escrow that is set aside that allows the District to use \$100,000 a year and there's principal on the escrow that comes due and becomes available that's already in the fund. It's not technically counted as revenue in the operating fund which makes it look unbalanced. There is an actual escrow set up in the operating fund that funds the District through 2031. The \$20,000 in interest that you see is part of the \$100,000 and then it's the principal that comes due that just becomes available to use as opposed to being a revenue in the fund. Mr. Graul thought he saw it was like a \$30,000 gap between revenue and expenses. Mr. Dworak said it would be about \$70,000. He referenced the 2023 budget financials on the operating fund shows \$150,000 in revenues versus \$235,000 in total expenses. The difference between those two numbers is that escrow principal that will become available. Mr. Graul asked if that escrow principal will go down over time as the escrow decreases. Mr. Dworak explained it is very much like the operations. There's a specific treasury strip that comes due every year to specifically fund and ensure that the District has \$100,000 in that year. The overall balances come down over time. Mr. Graul asked about the contract with Sigma and whether that is a signed contract with specific clauses and costs per year. Mr. Dworak explained it was a multi-year extension that was agreed to. Mr. Graul couldn't remember if that is something that's subject to annual budget. Mr. Dworak said it is subject to the annual budget. The first year in the initial agreement a budget was included in there, but then the language of that was that each year will be subject to additional budget review. It's a good point to probably mention that this would be the final budget year for the final year of that current extension so the contract will be discussed in early 2023 as it relates to where we go from there. The current contract goes through the end of 2023.

Mr. Dworak went on to discuss the Capital Projects Fund. He said this is where we get into making some assumptions as it relates to ticket fees that are going to take place in terms of transferring. They've kind of split the difference between two years ago and the most recent one. Again these user fees simply go into a fund that becomes available at some point in time for specific capital projects that are budgeted and planned for with the Team. There are some bank fees that come out of this but really not anything significant to report on this fund.

He discussed the Special Revenue Fund which is the 8257 Fund. This is where the main part of the escrow takes place. There are several inflows into this fund. The first \$500,000 of the ticket tax comes in here. There are also license plate and brick fees and interest which comes into the fund on an annual basis. There are some modest expenses that come out of this from again the brick program and most of this gets transferred out into the operations and maintenance fund.

Mr. Graul asked for a refresher regarding these funds. He asked about the money in the escrow account which is the 8257 Fund. He asked if every year an amount is transferred and goes into the Operations & Maintenance Fund which is 90% of what the District spends. That amount is set via statute and Lease. So there is an initial amount that was required as part of the statute and then, going forward, it was subject to a percentage increase that I think the average was like 2.5%. He asked what is statutorily prescribed and what is in the Lease for that amount. Mr. Dworak said the Lease follows what is listed in the statutes that says it goes up by x amount each year. Mr. Dworak agreed the statute is that specific and the Lease mirrors the statute from that perspective. It talks about the 3% for the municipal labor component and the 2% for everything else. He added that those numbers aren't always exact based on how much labor the City has. For example, in the last three years if you just took a 3% increase on the City labor, 2020 was kind of an anomaly year as it related to labor because there was really no City labor. He thinks those things have continued to tick up based on those percentages, but they haven't always been exact based on what was there if that makes sense. Mr. Graul stated that the fund won't last forever, and there's an inflection point as to what we do here, other than pass through the ticket tax. Mr. Dworak agreed and stated 2031 is when all of the escrows that were required to be funded will be expired. The lease agreement still continues beyond that, but there's no funding mechanism for this baseline other than the ticket tax. The District loses its \$100,000 at that time as well.

Mr. Dworak went on to discuss the Special Revenue Fund. These funds go in and this is where the projected amount for the escrow coming out is \$5.2 million in early 2023. It's a slight increase which follows the 2.2% or 2.3 percent average increase year over year.

Mr. Dworak then discussed the Operations & Maintenance Fund. This is where we have the ticket tax fees that come into this fund. There is some interest and the transfer in from the 8257 Fund that gets the District to the \$13.5 million available. There are a handful of expenses that come out of this, including the qualified bank fees that include all the transaction fees for the ticket fee, the seat license transfers, which where the money is deposited into different accounts. When this was set up, the Team wanted to have that Capital Improvements Fund remain as whole as possible and elected to work with the District on an agreement that allowed those fees to come out of the Operation & Maintenance Fund, which is a bigger pot than have it come out of the Capital Improvements Fund.

Chair Weycker asked if they have every gone out for to look at bank fees because they just seem awfully steep. Mr. Dworak said it has always been with Associated and thinks there's a solid relationship there between them. He explained that most of those fees occur when someone is getting a new user fee at the \$2,100 a seat – the user fees are almost all processed by credit card. Therefore, one million dollars of user fees at 3 percent adds up and that's really what that is. That's not Associated taking a management fee our otherwise. This line item is almost all credit card fees.

Mr. Dworak asked if there were any questions and went on to the Special Events – Economic Development Fund. This is where there is a placeholder in here for a special event in 2023. There is also a placeholder in this budget for the economic development grants and incentives. Prior to today \$31,000 of those were already previously approved. There's another \$15,000 that goes into that now if Discover Green Bay is successful in getting the hockey combine and there's additional there if there's something else. That only gets spent if there's something approved by the District Board and then there's the fund transfer.

Mr. Graul asked why there is a separate Special Events Fund and Economic Development Fund. Mr. Dworak said they are now one in the same but that at one point in time they were separate funds. He said he can look at consolidating them.

There were no other comments or any other notes on the budget from Mr. Dworak and he offered to answer more questions if there were any.

Mr. Weininger asked about the level of approval for total expense and total revenue if you approve that amount and if it exceeds what happens. Mr. Dworak said if it is within the operating fund they wouldn't come back to the Board. If there are other more significant things he would reach out to the Treasurer and the Chair to confirm if anything needs to be changed or will be back to in front of the board.

Mr. Graul stated he never liked the language in number 4 that says in consultation with the Treasurer and Chairperson. He'd prefer to say with approval of the Chairperson or the Treasurer which would just allow the Board to have some more say on any changes on these rather than just the Executive Director be authorized to take action as he deems necessary. He understands this is just formal language but he never liked it.

Ms. Dorff asked if there's management and the whole system with City Council is the Board governs and the staff would carry out things they approve because it is impossible for the Board to meet at the drop of a hat. What if it's changed to approval and if one of them is out of country, we can't get something approved. Mr. Dworak said he doesn't think it would be changed to have approval of full Board. Mr. Graul said consultation could mean you could consult them and still do whatever he wanted to do anyway. Not saying he would but he's taking the literal meaning. Chair Weycker asked why they would need number 4 at all. Mr. Graul agreed it could be removed but others have felt differently in the past.

Mr. Weininger said there are two sets of parameters of control. This statement means the Executive Director would make changes within their control but still needs to consult and must come back to the Board if it's above the revenue.

Chair Weycker said the last sentence says to carry out the intent and accomplish the purpose of this resolution so it's referring to the budget that was presented. She feels it is probably okay. Mr. Graul said he is not worried about it practically, but he literally doesn't like it. He agreed to leave it as is.

**A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY KEITH LUCIUS TO APPROVE RESOLUTION 114 AUTHORIZING APPROVAL OF AND ADOPTION OF 2023 BUDGET**

Roll call vote was taken. 5 ayes – Weycker, Dorff, Graul, Lucius, Weininger – 0 nays – MOTION CARRIED.

### 13. OTHER MATTERS AUTHORIZED BY LAW

Mr. Graul asked about a resolution that was approved two meetings ago authorizing the Executive Director to talk to an attorney to potentially represent the Board with any lease negotiations. He asked for an update. Mr. Dworak said there were conversations with Ms. Patteson and they are on track for that but it would require a process with the City in the first part of 2023. By the time of the March Board meeting, they will have certainty as to whether they will have this attorney or the District has to find another path. Mr. Graul asked if there has been any more talk about the negotiations. Mr. Dworak said there haven't been any Lease negotiations since the last meeting in September.

14. MOTION TO ADJOURN

A MOTION WAS MADE BY MARK GRAUL AND SECONDED BY KEITH LUCIUS TO ADJOURN THE MEETING. A vote was taken. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at approximately 3:50 P.M.

Respectfully submitted,

Diane Roskom  
Administrative Specialist