

APRIL 25, 1990

The Manatee County Convention and Civic Center Authority met in REGULAR SESSION at the Civic Center, Palmetto, Florida, Wednesday, April 25, 1990, at 5:32 p.m.

Present were members:

Russell A. McInerney, Chairman
P. Allen Schofield, Vice-Chairman
Donald Brittain
Walter Grace
Joel Kramer
Barbara Turner
Eugene Wiseman

Also present were:

John Graham, Director
Kim Umana, Finance Director,
representing R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

The meeting was called to order by Chairman McInerney.

MINUTES

Motion was made by Mr. Schofield, seconded by Mr. Brittain and carried unanimously, to approve the Minutes of March 28, 1990.

FINANCIAL REPORT

Mr. Brittain reviewed the comparison of FY 1990 to FY 1989 revenue and expenses and comparison of revenue and expenses to budget projections.

Motion was made by Mr. Wiseman, seconded by Mr. Kramer and carried unanimously, to accept the report.

CONSENT AGENDA

Motion was made by Mr. Wiseman, seconded by Mr. Brittain and carried unanimously, to approve the Consent Agenda. Items approved:

APG Electric - Replace electronic cards for main panel	\$ 1,194.00
Arthur J. Gallagher & Company - Crime Insurance Policy	3,966.00
FPL - February	10,391.75
Hawn Amex, Inc. - Lawn Maintenance	1,568.50
Printing Professionals - Menus	1,605.90
Manatee County - Cash for Wrestling Promotion	5,000.00
Sysco Food Services - Food	1,071.99
Inter City Meats, Inc. - Food	1,304.62
Helping Hands Temporary Service - Temporary Help	1,030.50

AIR CONDITIONER

Mr. McInerney announced that an air conditioner unit had blown a part spilling oil on the roof. Another air conditioner is not working properly.

Mr. Kramer questioned if HAZMAT had been advised of the oil spill, which could cause problems if it washed into the water system.

Motion - Notify Authorities

Motion was made by Mr. Kramer and seconded by Ms. Turner to notify the proper authorities to check the spill.

Discussion: Only three quarts of oil on the roof; oil sunk into the tar roof.

Motion - Amended

Mr. Schofield moved to amend the motion to include notifying roofers. Motion was seconded by Mr. Wiseman and carried unanimously.

Vote on the amended motion carried unanimously.

APRIL 25, 1990

(Cont'd)

CENTER HALL - WALL TRACKING

Mr. McInerney stated that the track for the wall that divides Center Hall must be replaced in the next six months at an estimated cost of \$48,500.

John Graham, Director, stated the panels are some of the heaviest made and the track should be 1/4 inch, not 1/8 inch wide.

Discussion: Minor repairs will not last; factor repairs in the budget; place on future agenda; budget due to County May 15, 1990.

Disposition: Hold a special meeting May 2, 1990.

REFUNDS

Mr. McInerney submitted two requests for refunds from **Oster DeSears** in the amount of \$147.47 due to overpayment of tax; and **The Gathering** in the amount of \$180 due to overpayment.

Motion was made by Mr. Schofield, seconded by Mr. Kramer and carried unanimously, to approve the requests.

PERSONNEL - LAYOFFS

Mr. McInerney relayed a request by the Director to lay off Suzanne Quick, Assistant Director, from May 15 to September 15, 1990 in order to reduce costs \$11,700.

Motion was made by Mr. Kramer, seconded by Ms. Turner and carried unanimously, to table the matter until later in the meeting.

UTILIZATION

Mr. Graham presented the Utilization Report for March, 1990.

ORGANIZATIONAL CHART

Mr. Kramer moved to table discussion of a proposed organizational chart until after further review after discussion of the layoff of Ms. Quick. Motion was seconded by Mr. Schofield and carried unanimously.

INDEMNIFICATION AND REIMBURSEMENT RIGHTS

Mr. Schofield submitted a resolution wherein any present/former Authority member, director, or employee shall be reimbursed by the Authority for the amount of damages adjudicated against him/her based upon performance of duties.

Discussion: Enabling Act; individuals are sued even if not proper party; counsel review resolution; individual liability, etc.

Motion was made by Mr. Schofield and seconded by Mr. Wiseman to adopt the resolution.

Discussion: Does not cover individuals if guilty of a crime; opinion of Authority counsel, etc.

Motion was withdrawn.

Disposition: Cliff Walters, Authority counsel, to review resolution.

AUDIT

Mr. McInerney stated the Audit performed by the Clerk of Circuit Court (discussed in a work session 4/23/90) is to be used as a management tool to correct problems stated therein. He stated attempts to save money/cut costs have, at times, cost more than they saved.

Mr. Kramer stated the Audit shows a lack of control, which can no longer be acceptable.

Mr. Grace stated the Audit reveals mismanagement and no supervision.

APRIL 25, 1990

(Cont'd)

Motion - Termination

Mr. Grace moved to remove from office the Executive Director, Assistant Director, Business Manager and the Event Coordinator, immediately at the close of business of April 25, 1990, at the present time, all this with termination pay. Motion was seconded by Mr. Wiseman.

Discussion: Who would run the Center; County cooperation; allegations made in December by William Orr not addressed in Audit; Director is under contract; address only agenda items; County cannot pay severance pay, etc.

Voting "Aye" were Mr. Grace, Ms. Turner and Mr. Kramer. Voting "Nay" were Mr. Schofield, Mr. Brittain, Mr. Wiseman and Mr. McInerney. Motion failed.

Mr. Wiseman read a statement into the record regarding the 14 points of the Audit.

Mr. Graham referred to a statement made at the work session April 23, 1990 wherein he requested a liaison Authority member be appointed and he be given 90 days in which to correct problems shown in the Audit findings.

Motion - Staffing

Motion was made by Mr. Wiseman and seconded by Mr. Schofield to leave the entire staff in place and give the Director a period of time to review staffing structure and report any overstaffing and/or removing employees from the Center. Voting "Aye" were Mr. Wiseman, Mr. Schofield, Mr. Brittain, Mr. Kramer and Mr. McInerney. Voting "Nay" was Ms. Turner and Mr. Grace. Motion carried.

RESIGNATION

Mr. Grace stated he resigned from the Authority.

Recess/Reconvene. All members present, except Mr. Grace.

AUDIT (Cont'd)

Items addressed in the Audit and discussed in the April 23, 1990 work session:

1. TICKETS FOR EVENTS ARE NOT PRENUMBERED OR CONTROLLED TO ALLOW DETERMINATION OF THE NUMBER OF TICKETS SOLD

Motion was made by Mr. Schofield, seconded by Mr. Wiseman and carried unanimously, to put all tickets for promotions of the Convention and Civic Center on Ticketmaster except flea markets, have numbered tickets and have certified statements as to how the tickets are used.

2. INTERNAL CONTROLS FOR CUSTOMER BILLING AND REVENUE COLLECTION ARE INADEQUATE

Mr. Schofield moved to use the Clerk's system for billing as soon as possible. Motion was seconded by Mr. Brittain and carried unanimously.

Richard Orienti, Internal Audit Supervisor, and Kim Umana, County Finance Director, stated the Clerk's Office would help in any way.

3. BOX OFFICE AND EVENT FILE DOCUMENTATION IS INSUFFICIENT TO PROVIDE AN AUDIT TRAIL OF REVENUE AND EXPENDITURES ASSOCIATED WITH EVENTS

Mr. Graham stated that all information will be consolidated into the event file, including financial information.

Motion was made by Mr. Schofield, seconded by Mr. Wiseman and carried unanimously, to assign an appropriate staff member to work with the Clerk's Office and establish what documentation is necessary in the files to conform to the audit trails.

4. TWO PURCHASES ABOVE \$5,000, WHICH REQUIRE CIVIC CENTER AUTHORITY APPROVAL, HAD NO EVIDENCE OF COMPETITIVE BIDDING AND WERE NOT APPROVED BY THE AUTHORITY

APRIL 25, 1990

(Cont'd)

Following discussion regarding the Board of County Commissioners approving expenses over \$5,000, it was determined that the Enabling Act had been amended to allow the Authority to approve the expenses.

Discussion: Bills being paid in increments lower than \$5,000; on-going payments except for food service and routine utility bills should be approved; adhering to the policy, etc.

Motion was made by Mr. Schofield, seconded by Mr. Kramer and carried unanimously, that any contravention of the policy would be brought before the Authority to consider dismissal of the employee.

5. PURCHASE ORDERS FOR PURCHASES BELOW \$5,000 SHOW NO EVIDENCE OF COMPETITIVE BUYING, WHICH VIOLATE CIVIC CENTER POLICIES AND PROCEDURES

Mr. McInerney expressed the need to develop an in-house purchasing position. He stated there are two aspects to purchasing, kitchen and administrative.

Discussion: Purchasing done by maintenance, kitchen and office staff; requisitions are approved by the Director; form prepared to document bids; Authority liaison review procedures, etc.

Motion was made by Mr. Brittain, seconded by Mr. Schofield and carried unanimously, to review the purchasing procedures, update if necessary, and proper documentation is put into effect immediately.

6. CIVIC CENTER MISSION, PURPOSE AND MARKETING STRATEGIES ARE NOT CLEARLY DEFINED. SALES MANAGER EMPLOYED BY THE CIVIC CENTER IS SEVERELY RESTRICTED BY LACK OF CLEARLY STATED MARKETING STRATEGY. INTERNAL AUDIT OFFERS COMPARISONS OF TWO OTHER MARKETING STRATEGIES.

Discussion: Authority members need to prepare mission statement; marketing should be part of the Director's report; what contacts made by sales staff, etc.

Disposition: No action until after work session regarding mission statement.

7. THREE EMPLOYEES WERE PAID FOR MORE HOURS THAN SHOWN ON TIME CARDS, 14 EMPLOYEES WERE PAID WITH NO TIME CARD, 3 EMPLOYEES PAID FROM HOURS WRITTEN ON SCRAPS OF PAPER, AND MAJORITY OF TIME CARDS NOT SIGNED BY DEPARTMENT SUPERVISORS.

Discussion: Six of the individuals cited were found not to be Center employees; better control of salaried employees' time; liaison and Clerk's Office to help with control, etc.

Disposition: No action taken until Director meets with liaison.

8. PERSONNEL FILES DO NOT ALWAYS CONTAIN REQUIRED DOCUMENTATION.

Mr. McInerney stated that problems have been resolved. A check list is being prepared to be attached to a personnel file.

Disposition: Personnel Policy being prepared for Authority approval.

9. THE CIVIC CENTER BOX OFFICE IS NOT ALWAYS STAFFED DURING SCHEDULED HOURS OF OPERATION.

Discussion: Written procedure for manning of Box Office for Authority approval; hours of operation; investigate cost of intercom system from Box Office to Administrative Office within thirty days, etc.

Motion was made by Mr. Schofield, seconded by Mr. Brittain and carried unanimously, to man the Box Office during scheduled hours of operation.

10. AUTHORIZATION AND NUMBER OF COMPLIMENTARY TICKETS ISSUED TO EMPLOYEES AND THE PUBLIC ARE NOT RESTRICTED.

Mr. McInerney stated that inasmuch as most tickets will be on Ticketmaster, employees signing up for complimentary tickets will be given a printed ticket marked "Comp". It will allow for better

APRIL 25, 1990

(Cont'd)

control. Employees are to be notified to stay in the area or seat assigned, not to move to a better seat.

Discussion: Better identifying seats and rows; who can authorize complimentary tickets, etc.

Disposition: No action taken.

11. COLLECTION EFFORTS FOR ACCOUNTS RECEIVABLE DO NOT ALWAYS CONFORM TO COLLECTION POLICIES AND PROCEDURES, DOCUMENTATION OF COLLECTION EFFORTS NOT MAINTAINED FROM 4/28/88-8/16/89, DOCUMENTATION OF COLLECTION LOG FROM 8/16/89-2/28/90 NOT COMPLETE, AND 3 ACCOUNTS TOTALING \$6,560.20 ARE FOR RECEIVABLES DATING FROM 5/20/85 TO 8/7/89 WITHOUT BEING CHARGED OFF.

Mr. Graham stated that collection of outstanding accounts receivable will be brought to the Authority or the liaison for approval. A resolution must be prepared for official write-off.

Disposition: No action taken.

12. CIVIC CENTER OVERSTAFFED BASED ON AUDITORS' OBSERVATIONS. CURRENT POLICY FOR SALARIED EMPLOYEES PAY CODES HAVE NOT BEEN APPROVED BY THE CIVIC CENTER AUTHORITY AND COULD BE EASILY ABUSED. AUDITORS QUESTION THE CLAIM THAT SALARIED EMPLOYEES WORK LONG HOURS, BASED ON AUDITORS' OBSERVATIONS AND TIME CARD TESTING.

Mr. McInerney stated this Audit finding should be discussed in the meeting scheduled for preparation of the Budget (5/2/90).

13. POLICIES AND PROCEDURES WERE NOT WRITTEN FOR KEY OPERATIONAL FUNCTIONS PERFORMED AT THE CIVIC CENTER.

Mr. Orienti stated that job responsibilities and flow of the paper work should be better defined.

Mr. Graham stated that all policies are being reviewed.

14. CIVIC CENTER EMPLOYEES LACK COMPUTER SKILLS NEEDED TO OPERATE THE CIVIC CENTER'S PERSONAL COMPUTER, RESULTING IN LOGS, CARD FILE, REGISTERS AND THE EVENT CALENDAR BEING MANUALLY PREPARED.

Mr. McInerney requested the Director contact County Data Information Services to schedule classes for employees to learn to operate the personal computer.

AIR CONDITIONER - ELECTRIC BILLS

Mr. McInerney stated the Audit found that the Center pays \$60,000 a year more in electricity than a similar Center in St. Lucie County. He requested bids be obtained to change the air conditioning system in the Conference Wing in order to provide cooling only to the rooms being used.

Mr. Kramer stated there should be ways to cut into the existing system without a large expenditure (approximate cost of \$50,000).

Discussion: Return on investment; certain rooms could be dampered; Energy Management Division scheduled to review the building; have outside vendors bid on the change, etc.

(Depart Mr. McInerney; Mr. Schofield presiding.)

Disposition: Have energy audit by the County; have commercial firms make proposals.

(Enter Mr. McInerney, presiding)

AUDIT (Cont'd)

Discussion followed as to: Expertise of managers/department heads; need to define mission statement; concepts to promote the building, etc.

Recess/Reconvene. All members present except Mr. Grace.

APRIL 25, 1990

(Cont'd)

PERSONNEL - LAYOFFS

(Continued from earlier in the meeting)

Regarding the proposed layoff of Assistant Director Suzanne Quick, questions arose regarding health insurance, vacation time, other benefits and seniority.

Mr. Graham stated vacation and sick time do not accrue and the employee must pay for the health insurance.

Disposition: Continue to May 2, 1990 meeting to investigate benefits and seniority.

AUTHORITY LIAISON

The Chair appointed Mr. Brittain as liaison to the Director to review policies/procedures and findings brought out by the Audit. Mr. Wiseman would help if needed.

INSURANCE

Mr. Graham submitted a letter from the County Attorney's Office outlining Manatee County's claims reporting procedures and flood insurance update.

SOUTHEAST TECHNICAL SERVICES

Mr. Graham referred to a letter from Southeast Technical Services (SETS) wherein a request was made to rent Center Staging to SETS. No action was taken.

AUDITORS - DRUGS

Ms. Turner requested the Internal Auditors continue investigating use of drugs and other activities in the early morning hours at the Center. Upon request, she refused to divulge her source of information.

MARRIED AUTHORITY MEMBERS


Ms. Turner relayed a request made a year ago to check the legality of having two members who are married to each other on the Authority. Inasmuch as an opinion was never provided, Ms. Turner submitted an opinion from the Attorney General which states husband and wife are not prohibited from serving on the same Board/Authority.

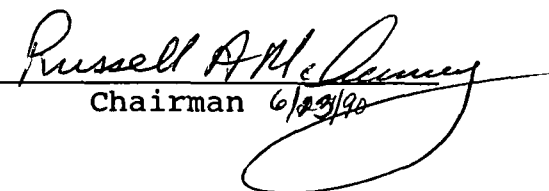
RECORD S9-48MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk
Adj: 9:09 p.m.
/sgf


Chairman 6/29/90