

AUSTIN CONVENTION ENTERPRISES, INC.
AGENDA AND NOTICE OF MEETING

Austin Convention Enterprises, Inc., a Texas non-profit public facility corporation (the “Corporation”), will hold a regular meeting of its board of directors (the “Board”). The meeting will be held telephonically, per the Governor of Texas’ temporary suspension of open meeting laws, at 11:00 A.M., November 19, 2020, for the following purposes:

1. Call to Order; determination of quorum.
2. Registered public speaker comments.
3. Approve minutes for the November 9, 2020 Corporation Board meeting.
4. Receive information from Joe Bolash, General Manager of the Hilton Austin hotel (the “Hotel”), and Chad Sorensen and Joe DeFrank of CHMWarnick, Operations Monitor for the Corporation, on operating performance of, and cash flow from, the Hotel. Receive information from John Roberts, Advisor to the Board, on projected usage of Corporation reserves. Consider possible action related to same.
5. Receive information from John Roberts regarding 2020 cash flow projections for the Corporation administrative account. Consider amending the 2020 administrative budget for Corporation.
6. Receive report from Joe DeFrank and Joe Bolash regarding the projected schedule and process for reviewing the Hotel operating and capital budgets for 2021. Appoint a Board member to review such budgets prior to presenting the final recommended budget to the Board in December.
7. Receive information from David Dawson, Winstead PC, general counsel to the Corporation, Chad Sorensen and Joe DeFrank regarding the ongoing negotiations to extend and amend the management agreement with Hilton, and the status of negotiations for fee relief related to the current management agreement. Receive information on the Hotel estimated useful life report from Terracon and ratify the cost related thereto. Approve the negotiated management agreement extension and authorize Phillip Schmandt to approve last detail changes and execute the final agreement.
8. Receive information from John Roberts regarding the status of a business interruption claim with Affiliated FM related to the COVID-19 pandemic.
9. Review the status of contracts with third party entities and consider possible action related to same.
 - a. John Roberts, advisor to the board – contract expires 12.31.20
 - b. Melava Consulting (Teo Gomez), facilities consultant – contract expires 12.31.20.
 - c. Patricia White, accountant – contract has no term, but does have right to terminate with 30 day notice. Consider adding payroll filing to scope of work.
 - d. CHM Warnick, operations monitor – contract term expires 6.30.21.
 - e. Winstead PC, general counsel to the Corporation – contract has no term, but does have right to terminate with 30 day notice.
 - f. RSM, auditor for the Corporation – first year was 2014.

- g. Brown and Brown – contract expires 2.14.23, but does have right to terminate with 30 day notice.
 - h. The Arbitrage Group – performs bond rebate calculation. No term to agreement. Annually renewable.
 - i. Standard and Poors – contract for term of the bonds, but does have termination rights. Fees are \$65,000 per year.
 - j. Capital Corporate Services – annually renewable contract for registered agent services
10. Consider actions related to the engagement of a President or Chief Executive Officer for Corporation.
 11. Receive information from Bruce Mills, asset manager for Austin Convention Condominium Association (“ACCA”), regarding ACCA issues including the ongoing review of subterranean voids found around the Hotel building site. Consider possible action related to same.
 12. Receive information from David Dawson regarding the status of the application for receivership of ACCA and consider possible actions related to same.

The Corporation reserves the right to go into executive session, if necessary, (i) pursuant to Section 551.071 of the Texas Government Code to receive advice from Legal Counsel regarding any item on this agenda, or (ii) pursuant to Section 551.074 of the Texas Government Code to deliberate regarding item 10 of this agenda.

To attend the meeting, the public can call 844-992-4726 and enter passcode 131 785 9670 for audio. The public can also go to the Corporation website, www.austinconventionenterprises.com, Meetings tab, and log in to the WebEx video portal per the instructions on that page. Use the same passcode if requested. If you have problems logging in, email John Roberts at john.roberts@austince.org for assistance.

PROCESS FOR REGISTERING TO SPEAK AT CORPORATION BOARD MEETINGS

To speak to the Board of the Corporation at a scheduled meeting, individuals must register at least 24 hours before such meeting. To register, email john.roberts@austince.org and provide name, address, phone number and topic. Handouts may be provided with your email registration request and if registration is completed, the handout will be provided to the Board prior to the meeting.

The registration will not be complete until registrant receives a confirmation email. Speaking time will be limited to three minutes. Speakers may not assign their time to another speaker. If there are five or more speakers on a given subject whose interests are aligned or who become repetitive, the Board may designate in its discretion three representatives to present that point of view.

Speakers will speak in the order they are confirmed, although the Board reserves the right to have all speakers on a particular agenda item address the Board sequentially. Speakers will be called upon at the time as indicated per this agenda. A speaker forfeits his or her right to speak if not available when called. The Board is not required to respond to speakers.

NOTICE REGARDING FUTURE POSTINGS FOR CORPORATION MEETINGS

The Corporation has developed a web site, austinconventionenterprises.com. Notices regarding the Corporation, including time, location and agendas for board meetings are made on this web site. Notices for board meetings will also continue to be made by the office of the City Clerk.

THE CORPORATION AND THE CITY OF AUSTIN ARE COMMITTED TO COMPLYING WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS, INCLUDING EQUAL ACCESS TO COMMUNICATIONS, WILL BE PROVIDED UPON REQUEST. PLEASE CALL 512-974-7600 (VOICE), OR RELAY TEXAS 1-800-735-2989 (TDD/TT) FOR MORE INFORMATION.

Posted: November____, 2020

Time: _____

Posted By: _____