

# BOARD OF DIRECTORS MEETING NEW YORK CONVENTION CENTER OPERATING CORP.

655 West 34<sup>th</sup> Street New York, NY 10001-1188

#### **MINUTES**

MEMBERS PRESENT

Lee H. Perlman, Chairman Quenia Abreu - Webex

Hugh L. Carey II

Joseph F. Chan

Fred W. Dixon

Brian O'Dwyer Ronald Goldstock

Steven C. Koppel

Gary Lavine

**OTHERS PRESENT:** 

DATE:

**December 5, 2022** 

Time:

1:00 p.m.

Location:

**Large Conference Room** 

and Audio/Video Webex

**STAFF:** 

Alan E. Steel, CEO

Bradley A. Siciliano, President

Doreen Guerin, SVP, Sales & Marketing

Mark S. Sims, SVP & CFO

Christine McMahon, SVP, Labor Relations and Show Operations

Sonia Low, VP, General Counsel and Corporate Secretary

Timothy Gaburungyi, SVP & CIO

Kenneth Sanchez, Chief Sustainability Officer and SVP, Facilities Management

Kenneth Dixon, SVP of Security & Safety Solutions

Tony Sclafani, SVP & CCO

Shane Beardsley, VP Guest Experiences

Melissa Kanes, Paralegal

**ABSENT**:

Christine Ferer Andrew Murstein Joseph Spinnato **Guests/Visitors:** 

Robin Stout, President, NY Convention Center Development Corporation



Call to Order	The meeting of the Board of Directors for the New York Convention Center Operating Corporation (CCOC) was		
	called to order at 1:00 p.m. A quorum was present. The meeting was presided over by Lee H. Perlman,		
	Chairman.		
Agenda	Discussion		
I.	Approval of the Minutes of September 28, 2022 (Attachment 22-64)		
Approval of the			
Minutes	A motion was made and seconded to approve the minutes of the Board of Directors meeting held on September		
	28, 2022. The following resolution passed by unanimous vote:		
	D 14 N 4740		
	Resolution No. 1549 NOW THEREFORE BE IT DESCU VED that the minutes of the Decod of Directors meeting held on		
	<b>NOW THEREFORE BE IT RESOLVED</b> that the minutes of the Board of Directors meeting held on September 28, 2022, are hereby approved.		
	September 26, 2022, are nereby approved.		
II.	Before proceeding further, Mr. Perlman asked the Directors whether anyone had any potential conflict of interest		
Corporate	with respect to any of the items on the agenda and requested that they make an appropriate disclosure on the		
Matters	record and the individual with such conflict would recuse themselves from any discussion or vote with regards to		
	such item or items. No one identifying any conflict at this time, the meeting proceeded.		
	CEO's Report - Alan Steel (Attachment 22-65)		
	Mr. Steel reported on the Javits Center's first full year of event operations since the pandemic occurred. In 2022,		
	there were a total of 121 events booked, 37 of which were new events, and many of which were corporate events		
	as compared to those types of events booked in the previous year. Management expects steady growth in shows		
	to continue in 2023 and anticipates event activity to reach pre-pandemic levels in 2024.		
	Mr. Steel next presented a slide on NYC's hotel performance which showed weekly room demand and		
	percentage recovered from September to November as compared to the same data and period in 2019 (which was		
	used as a benchmark year). Mr. Steel also presented a chart showing the projected growth in number of NYC's		
	visitors for business and leisure purposes from pre-pandemic levels in 2018 through 2024. Although the numbers are still not back to pre-pandemic levels, there has been a steady growth since 2020.		
	are sun not back to pre-pandenne levels, there has been a steady growth since 2020.		
	On recent events, Mr. Steel mentioned the following list of shows to the Directors:		
	New York Comic Con		
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# II. Corporate Matters (Continued)

- International Gynecologic Cancer Society Annual Meeting\*
- Amazon Unboxed\*
- YPO Edge\*
- Obama Foundation Democracy Forum\*
- NYC Marathon Expo
- HX: The Hotel Experience
- Boutique Design New York
- Anime NYC
- Greater New York Dental Meeting

#### \* Represents New Event

Mr. Steel then provided an update on the Democratic National Convention host committee process. He informed the Board that New York City had been selected as one of the finalists to serve as the host city for the 2024 Democratic National Convention. If New York City is selected to be the host city, the Javits Center would serve as ancillary meeting space for the Democratic National Convention and State Committees and other organizations attending the convention. Currently, the Democratic National Convention is engaged in dual contractual negotiations with the finalists over contractual terms and labor contract issues. The decision is expected to be announced in the first quarter of 2023.

Mr. Steel also provided an update on the building's integrated fire alarm system. Mr. Steel noted that the FDNY is returning this month to inspect the system. Once the FDNY gives final approval of the fire alarm system, the Javits Center will request a final Certificate of Occupancy from DASNY, which process is expected to take two to three months.

Mr. Steel then reported on union negotiations. The Javits Center recently negotiated a new contract with Local 3 of International Brotherhood of Electrical Workers. This contract includes increased flexibility in work schedules to accommodate changes in the Javits Center's events business. Mr. Steel further explained that the Javits Center's 11 collective bargaining agreements (CBAs) have all been current since 2016, and this is attributable to the work led by Bradley Siciliano and Christine McMahon. Four CBAs are set to expire in 2023, and are currently being negotiated.



### II. Corporate Matters (Continued)

Next, Mr. Steel provided an update on the RFP process for services relating to the Javits Center's outside marquee. An RFP was issued in April 2022 for outdoor and indoor digital advertising services and digital display equipment. The Javits Center received five disparate proposals and narrowed them to two finalists to provide more specific information. The Javits Center selected New Tradition. New Tradition will commence services in January. Mr. Steel noted that the Board authorized the Audit & Finance Committee at the last meeting to approve the procurement of services relating to the marquee.

Mr. Steel then presented to the Board a self-checkout kiosk displayed in the corner of the conference room. Mr. Steel stated that more than twenty new self-checkout and express order kiosks have been installed in the Crystal Palace in collaboration with Cultivated. These self-checkout kiosks, utilized during shows in early October, are designed to increase efficiency of meal purchases and improve the overall experience for exhibitors and attendees. In addition, mobile ordering is now available so that customers are able to pick up their meals when ready, further reducing wait times. The self-checkout kiosk is part of Levy's original agreement with the Javits Center to enhance the culinary program with advanced technology and elevated hospitality.

Mr. Steel reported on the first full year of the roof-to-table program. The program has resulted in 137,000 meals being served using products grown on the farm. Mr. Steel stated that 45% of the catering menu uses farm produce ingredients (79 out of 175 dishes), and includes the following dishes: antipasti di verdure, kale salad, cauliflower kung pao, horiatiki Greek salad and Cultivated vegetable crudites.

Mr. Steel also reported that a recent cybersecurity training was held for administrative managers. Led by the New York State Cyber Security Office, all administrative managers participated in a cybersecurity tabletop exercise in November to better prepare for potential attacks. This training is part of the Javits Center's ongoing cybersecurity efforts to equip staff with knowledge and skills to prevent a cyberattack. This training featured a simulated incident which provided hands-on training for participants and highlighted potential gaps in incident response planning.

Mr. Steel informed the Directors of the new restroom alert system implemented in public restrooms to solicit feedback and enhance overall customer experience. Since September 2022, 667 restroom checks have been conducted as a result of the comments received. A similar program was introduced to obtain feedback on the culinary program.

Mr. Steel then discussed the annual employee service awards ceremony that was held last week in the River Pavilion to honor the work of veteran employees of the Javits Center. At this ceremony, more than 250



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# II. Corporate Matters (Continued)

employees were recognized for years of service including those with 5, 10, 15, 20, 25, 30 and 35 years. This was the first time hosting the ceremony since 2019.

Last, Mr. Steel reported on the King's Glove Award that was awarded to a Javits Center senior management employee. In October, the New York chapter of International Association of Events and Exhibitions (NYIAEE) awarded the King's Glove Award to Mike Ruberry, VP of Set-Up and Event Solutions, who recently retired. Mr. Ruberry's career spanned more than 40 years, including six years at the Javits Center where he helped to lead operations during the pandemic as well as the efforts to repurpose event materials. Other King's Glove Award recipients include former CCDC President Barbara Lampen and Alan Steel.

# III. Committee Reports

#### Audit & Finance Committees - Ronald Goldstock and Gary Lavine, Committee Chairmen

It was reported that the Audit and Finance Committees met prior to the Board meeting on November 16, 2022 to review the marquee RFP, and they met today to discuss the procurement summaries and general items introduced by Mr. Sims for the Members' consideration.

#### **Financial Report:**

#### **Procurement Summaries for Approval (Attachments 22-66 through 22-76)**

Mr. Sims presented the Board with a packet of individual procurements for approval. Mr. Perlman advised the members that by voting to approve the listed procurements, the Board would be passing separate resolutions reflecting each procurement individually, and the minutes will reflect that each procurement was the subject of a separate resolution.

#### Approval of Contract – Brightview Landscape Services (Attachment 22-66)

Mr. Sims presented a procurement summary seeking Board approval to award a contract to Brightview Landscape Services to provide snow and ice removal services at the Javits Center. The contract term is for the 2022-2025 winter seasons (November 2022 – March 2025) with an option to renew for the 2026-2027 winter season. The cost of the contract is a fixed price of \$1,044,203 (Year 1: \$331,230; Year 2: \$347,792, and Year 3: \$365,181) up to a cumulative total of 30 inches of snowfall per season.

A motion was made and seconded. The following resolution passed by unanimous vote:



#### Resolution No. 1550

NOW THEREFORE BE IT RESOLVED that the award of a contract to Brightview Landscape Services to provide snow and ice removal services at the Javits Center for a contract term of 3 years at a total cost of \$1,044,203 for the contract period November 2022 – March 2025 is hereby approved.

#### Approval of Contract – Federal Express (Attachment 22-67)

Mr. Sims presented a procurement summary seeking Board approval to award a contract for the Business Center Concessionaire at the Jacob K. Javits Convention Center (Javits Center). The term of this contract shall be for a period of 5 years, commencing on the date the contract is approved by the New York State comptroller. The concessionaire would pay Javits Center a percentage of its gross receipts. The parties may, by mutual consent and upon the further approval of the New York State Comptroller, renew the agreement for one additional two-year period.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1551

NOW THEREFORE BE IT RESOLVED that the award of a contract to Federal Express for the Business Center Concessionaire for a period of 5 years commencing on the date the contract is approved by the New York State comptroller, is hereby approved.

#### Approval of Contract – Canon Solutions of America (Attachment 22-68)

Mr. Sims presented a procurement summary seeking Board approval to award a contract for lease and maintenance of multi-function copiers at the Jacob K. Javits Convention Center (Javits Center) to Canon Solutions of America for a period of 3 years from December 6, 2022- December 5, 2025, at a total cost of \$146,052 (lease \$107,892 and maintenance \$38,160), with an option to renew for 2 additional years.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1552

NOW THEREFORE BE IT RESOLVED that the award of a contract to Canon Solutions of America for lease and maintenance of multi-function copiers for a period of 3 years at a total cost of \$146,052 for the contract period December 6, 2022 – December 5, 2025 with the option to renew for 2 additional years, is hereby approved.



#### Approval of Contract – AT&T, Astound Business Solutions and Crown Castle (Attachment 22-69)

Mr. Sims presented a procurement summary seeking Board approval to award a contract for Internet and Voice Over Internet Protocol (VOIP) services for the Javits Center to AT&T, Astound Business Solutions and Crown Castle for a period of 3 years, with an option to renew for 2 additional years. The total cost of the Internet and Voice Internet Protocol Services is \$355,063. The contract period is January 1, 2023 – December 31, 2025.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1553

NOW THEREFORE BE IT RESOLVED that the award of a contract to AT&T, Astound Business Solutions and Crown Castle for Internet and Voice Over Internet Protocol (VOIP) for a period of 3 years with an option to renew for 2 additional years, at a total cost of \$355,063 for the contract period January 1, 2023 – December 31, 2025, is hereby approved.

#### Approval of Contract – Anexinet Corp./Artic Wolf Solutions (Attachment 22-70)

Mr. Sims presented a procurement summary seeking Board approval to award a contract to Anexinet Corp./Artic Wolf Solutions to provide security information and emergency management (SIEM) services to the Jacob K. Javits Convention Center (Javits Center). The contract term is for 3 years from January 1, 2023 - December 31, 2025 at a total cost of \$404,207.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1554

NOW THEREFORE BE IT RESOLVED that the award of a contract to provide security information and emergency management (SIEM) services to the Javits Center at a total cost of \$404,207 for the contract period January 1, 2023 - December 31, 2025, is hereby approved.

#### Approval of Contract – Nalco Water (Attachment 22-71)

Mr. Sims presented a procurement summary seeking Board approval to award a contract to Nalco Water to provide monthly water treatment services at the Javits Center. The term of the contract is for a period of 3 years from December 1, 2022 - November 30, 2025, at a total cost of \$140,768 (Year 1: \$45,543, Year 2: \$46,909, Year 3: \$48,316).

A motion was made and seconded. The following resolution passed by unanimous vote:



#### Resolution No. 1555

NOW THEREFORE BE IT RESOLVED that the award of a contract to Nalco Water to provide water treatment services at the Javits Center for a period of 3 years at a total cost of \$140,768 for contract period December 1, 2022 - November 30, 2025 is hereby approved.

#### Approval of Contract – Platinum, Inc (Attachment 22-72)

Mr. Sims presented a procurement summary seeking Board approval to award a contract to Platinum, Inc. (Platinum) for restoration and maintenance of the terrazzo flooring for the Javits Center south building. The term of the contract is for 3 years for a total cost of \$678,723 (\$226,241 annually over three years). The contract term is from December 1, 2022 - November 30, 2025.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1556

NOW THEREFORE BE IT RESOLVED that the award of a contract to Platinum for restoration and maintenance of the terrazzo flooring for Javits Center south building for a period of 3 years for a total cost of \$678,723 for the contract period December 1, 2022 - November 30, 2025 is hereby approved.

#### Approval of Contract – Wilkstone, LLC (Attachment 22-73)

Mr. Sims presented a procurement summary seeking Board approval to award a contract to Wilkstone, LLC on an emergency basis for repair of the 11th Avenue terrazzo stairs at the Javits Center at a total cost of \$135,000 from December 6, 2022 - December 31, 2022.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1557

NOW THEREFORE BE IT RESOLVED that the award of a contract to Wilkstone, LLC on an emergency basis for the repair work of the 11th Avenue terrazzo stairs at a total cost of \$135,000 for contract period December 6, 2022 - December 31, 2022, is hereby approved.

#### <u>Approval of Contract – Enclos Corporation (Attachment 22-74)</u>

Mr. Sims presented a procurement summary seeking Board approval to award a single source contract to provide glass reglazing services at three locations at the Jacob K. Javits Convention Center (Javits Center) which includes: Crystal Palace, West River Pavilion, and the north vertical wall of the main entrance cube. The



contract is for 3 months from December 6, 2022 – February 5, 2023 at an estimated total cost of \$581,361.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### **Resolution No. 1558**

NOW THEREFORE BE IT RESOLVED that the award of a contract to Enclos Corporation to provide glass reglazing services at three locations at the Javits Center for a total cost of \$581,361 for the contract period December 6, 2022 - February 5, 2023, is hereby approved.

#### <u>Approval of Contract – New York Green Roofs (Attachment 22-75)</u>

Mr. Sims presented a procurement summary seeking Board approval to award a single source contract to New York Green Roofs, LLC (NY Green Roofs) for green roof maintenance and irrigation at the Javits Center. The contract is for three years at an estimated cost of \$254,940 (\$84,980 per year). The contract term is from December 1, 2022 - November 30, 2025.

A motion was made and seconded. The following resolution passed by unanimous vote:

#### Resolution No. 1559

NOW THEREFORE BE IT RESOLVED that the award of a contract to NY Green Roofs for green roof maintenance and irrigation at the Javits Center for a total cost of \$254,940 for the contract period December 1, 2022 - November 30, 2025, is hereby approved.

#### Approval of Contract - A&F Electrical Testing, Inc. (Attachment 22-76)

Mr. Sims presented a procurement summary seeking Board approval to award a single source contract to A&F Electrical Testing, Inc. to provide electrical maintenance testing services at the North building of the Jacob K. Javits Convention Center (Javits Center). The contract is for a period of 1 year at a cost of \$305,850. The contract period is from January 1, 2023 - December 31, 2023.

A motion was made and seconded. The following resolution passed by unanimous vote:

### Resolution No. 1560

NOW THEREFORE BE IT RESOLVED that the award of a contract to A&F Electrical Testing, Inc. to provide electrical maintenance testing services at the North building of the Javits Center at a total cost of \$305,850 for 1 year from January 1, 2023 – December 31, 2023, is hereby approved.



Mr. Sims noted that the Board had previously granted to the Audit & Finance Committees the authority to review and approve, on the full Board's behalf, the procurement contract issued by the Jacob K. Javits Convention Center (Javits Center) for an integrated commercial digital display and advertising solution for its outdoor digital displays utilized for advertising. Mr. Sims updated the Board on the award of a contract to New Tradition for such services for a period of fifteen years with an option to renew for two additional 5-year periods at the discretion of the Javits Center, for the period commencing approximately March 15, 2023 - March 14, 2038. The Javits Center will receive revenue share based on adjusted gross revenue received from advertising sold by vendor.

#### Review of Procurement Summaries – (Attachments 22-77 through 22-83)

Mr. Sims stated that previously approved service procurement contracts that extended for more than one year was being submitted for annual Board review as required by CCOC's procurement guidelines. The procurement summaries were included with the packet sent to the Board in advance of the meeting.

#### **Procurement Contracts for Review:**

Recycle Track Systems, Inc., MTS Integratrak, Inc., Application Software Technology, LLC, Sun Life Financial Group., Delta Dental of New York, Inc., Marsh USA, Inc., Legal Services (Attachments 22-77 through 22-83).

Vendor	# of Years	Amount/Year
Recycle Track Systems, Inc.	4/4	\$700,000
MTS Integratrak, Inc.	3/3	\$9,900
Application Software Technology, LLC	5/5	\$25,400
Sun Life Financial Group	2/2	\$131,158
Delta Dental of New York, Inc	2/2	\$124,466
Marsh USA, Inc.	2/2	\$290,000
Legal Services	3/3	\$1,200,000



#### Financial Update: (Attachment 22-84)

Mr. Sims presented the Board with a statement of revenues and expenses for the month-to-date and year-to-date (YTD) as of October 31, 2022. He reported that the Javits Center had a total of 13 events during October 2022, six of which were recurring events and seven of which were new events. For the month of October, he stated that the revenue was \$6.4 million better than plan primarily due to \$6.3 million of higher revenue from 5 events which performed better than plan, partially offset by \$3.3 million of cancelled or underperforming events and \$82,000 from two unplanned events. Expenses were approximately \$3.7 million more than plan due to \$2.9 million higher than plan driven by an increase in event labor, partially offset by approximately \$300,000 favorable pension and OPEB expenses relative to budget for the two unplanned events and \$142,000 favorable to plan in facility costs mainly attributable to general maintenance and utilities. The operating surplus and net surplus were approximately \$3.7 million and \$3.8 million, respectively, which were more favorable to plan due to the net of revenue and expenses previously described.

Mr. Sims also reported the revenues and expenses as of October 31, 2022 YTD. He stated that the Javits Center had a total of 62 events from April 2022 to October 2022, 41 of which were recurring events and 21 of which were new events. He reported that revenue was \$17.4 million better than plan primarily due to \$16.9 million to \$20 million from 33 events that were favorable to budget, partially offset by an unfavorable budget variance of \$3 million from 14 events, \$861,000 reduction from two cancelled events, \$361,000 unfavorable budget from 14 unplanned events and \$1.2 million food and beverage commission. Expenses were \$4.7 million higher than plan due to \$5.5 million over plan due to an increase in event labor, partially offset by approximately \$2.2 favorable pension and OPEB expenses relative to budget, and \$679,000 under plan in facility costs most due to utility and general maintenance. The operating surplus and net surplus were \$12.8 million and \$13.5 million respectively, which was more favorable to plan due to the net of revenue and expenses previously described.

There was a general discussion about the operating surplus and net surplus as compared to budget for the period year-to-date October 31, 2022. Regarding the outlook for the fiscal year ending March 2023, revenues originally planned for \$143 million will now be approximately \$165 million or approximately \$22 million better than budget, mostly due to 26 unplanned events and higher revenue sharing from the food and beverage partner, Cultivated. Expenses originally planned for \$164 million will now be approximately \$170 million or \$6 million more than budget. Operating expenses would have been higher without partially offsetting lower OPEB and pension expenses. Net surplus (loss) originally planned for a \$27 million loss will now be an approximately \$10 million loss or an approximately \$17 million better than budget.



Mr. Perlman stated that this is a testament to the Javits Center management team for the job that they have done throughout the pandemic to the present.

#### B. Human Resources/EEO - Hugh L. Carey, II, Committee Chairman

No report

# C. Facilities - Joseph Chan, Committee Chairman

No report.

#### D. Sales & Marketing - Doreen Guerin, SVP, Sales & Marketing (Attachment 22-85)

Ms. Guerin reported on behalf of the Sales & Marketing Committee and confirmed that there were 121 events at the Javits Center for 2022, and that corporate and special events have begun to take on a new segment and profile of the type of events being held at the Javits Center. Ms. Guerin also presented a comparison of events by type in 2018 as compared to that in 2022. The percentage of corporate events in 2018 was 6% as compared to 21% in 2022. The percentage increase in corporate events is primarily due to the addition of the expansion space (North Javits). This space elevated the profile of new events in 2022, 37 of which were corporate events. In 2021, there were 9 corporate and conference events whereas in 2022, there were 31 corporate and conference events, all of which were hosted in North Javits. While some of these events are one-day events, others are multiple day events.

The Board held a general discussion on the increase in corporate events and the amount of work involved in hosting these events as compared to that for public and trade shows. The Board also discussed the comeback of the Javits Center and reiterated the success of the senior management in assisting with the transition of the Javits Center coming back from the start of a pandemic to operating events for a full year and discussed communications strategies and social media to be able to share this success story and the changes that have occurred. Mr. Perlman emphasized that the New York community must recognize the success of the Javits Convention Center's comeback and its contributions since the start of the pandemic. NYC is close to reaching the numbers pre pandemic for business and visitors, and the Javits Center is a significant contributor.

#### E. Governance - Ronald Goldstock, Committee Chairman

No report.



# Approved 2/9/23

IV. Other Business	Bradley Siciliano stated that CCOC is looking for new board members and will be working on how to move forward to fill the seats.	
	Mr. Steel invited the Board to the annual holiday party on Monday, December 12th, and mentioned that business partners and customers of the Javits Center are also invited to attend.	
V. Adjournment	By motion and agreement, the meeting was adjourned at 1:43 p.m. with the next meeting to be held on January 25, 2023.	