

CITY OF ELKHART LERNER BOARD MEETING AGENDA

Common Council Chambers
10:00 a.m., Wednesday, October 9, 2024

<https://signin.webex.com/join>

Meeting Number: 2303 160 1906, Meeting Password: Lerner24
1-415-655-0001

1. ROLL CALL
2. APPROVE AGENDA
3. MINUTES Regular Meeting September 11, 2024
4. TREASURER'S REPORT
 - Financial Report August 31, 2024- Michelle Adams (Kruggel, Lawton, and Co.)
 - Claims and Allowance Docket
5. PRESIDENT'S REPORT
 - 100 Year Celebration
6. FRIENDS OF THE LERNER
7. CRYSTAL BALLROOM CATERING REPORT
8. PREMIER ARTS REPORT
9. GENERAL MANAGER'S REPORT
 - Conway Entertainment Group Update
10. NEW BUSINESS
 - Contract with Majority Builders- Stage Rigging Point
 - Ratify TM1 Engagement Domain Authorization
11. PUBLIC PARTICIPATION
12. ADJOURNMENT

LERNER THEATRE BOARD
Wednesday, September 11, 2024

President Gary Boyn called the Regular Meeting of the Lerner Theatre Board to order at 10:00 a.m. on Wednesday, September 11, 2024. The Clerk of the Board, Nancy Wilson called the roll. Gary Boyn, Diana Lawson, Jamie Arce, Dina Harris, and Dallas Bergl attended in-person. Carrie Berghoff was absent. There is one vacancy on the Lerner Governing Board. This being the anniversary of the 9-11 tragedy, Gary Boyn took a moment of silence to honor everyone that was harmed or injured, and all of the survivors of that, and to recognize the marvelous job that was done on that day and the days after by the emergency and municipal staffs of New York. Everyone stood and observed a moment of silence.

1. AGENDA

On motion by Dallas Bergl, seconded by Dina Harris and carried 5-0, the agenda was approved as presented.

2. MINUTES: Regular Meeting August 14, 2024

On motion by Dina Harris, seconded by Diana Lawson and carried 5-0, the Board approved the minutes from August 14, 2024.

3. TREASURER'S REPORT

Financials July 31, 2024

Michelle Adams of Kruggel, Lawton and Co. attended on WebEx. The July 31, 2024 financial report was submitted to the Board for review. Total operational expenses of \$1,013,450 were covered by a City contribution of \$460,825 (45%) and a Lerner contribution of \$552,625 (55%). This compared with 2023 City's contribution of 63% and the Lerner's contribution of 37%. The net income from Theatre operations only (shown as Gross Profit) at the end of the period was \$496,564 which was an increase of \$177,168 from 2023. The YTD net income for all Lerner operations (including City expenses) at the end of the period was \$122,508 which was an improvement of \$201,583 from the net loss on last year's statement of (\$79,075). On budgeted City Operational Expenses alone we were under-budget by \$437,738 year-to-date. On motion by Dina Harris, seconded by Dallas Bergl and carried 5-0, the Financials from July 31, 2024 were approved. Dallas commented on a substantial swing from last year, the City's contribution was \$633,242 and this year the City's contribution was \$460,825, a swing of \$200,00.00, and the net income reflects the same thing, up \$200,000.00. That is an impressive swing, and we hope to continue that progress and we move through the rest of the year and into 2025.

Claims and Allowance Docket

On motion by Dallas Bergl, seconded by Dina Harris and carried 5-0, the Board approved the claims and allowance docket totaling \$43,622.99 as listed on the register consisting of 5 pages, prepared on September 9, 2024 at 7:57 a.m.

4. PRESIDENT'S REPORT

Gary Boyn said the Conway Entertainment Group Contract is an agenda item the Board will discuss later. He and Diana met with them and were very impressed with the presentation, and he looked forward to discussing what they have in mind.

Diana Lawson gave an update on the 100-year celebration planning. The first committee meeting was held September 10, 2024 at 9:00 a.m. in the Cittadine Room and was well attended. Diana thanked the Mayor for honoring her with the challenge to manage this initiative. The committee is off and running and Diana

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said she will give an update every month. We are going to have an excellent year that kicks off on November 24, 2024 on the same date with the same Buster Keaton silent movie that was on the screen 100 years ago!

5. CRYSTAL BALLROOM CATERING

Leah Ramanujan presented the report August Month End report. On motion by Dina Harris, seconded by Carrie Berghoff and carried 6-0, the Crystal Ballroom report for July was accepted and placed on file. She said we are having a fantastic year in the Ballroom, and it looks like it will be the second best ever! She said they are working in great unison with the Lerner staff. Gary asked how bookings are looking for 2025, and Leah said June 2025 is almost fully booked already.

6. PREMIER ARTS

The Director of Premier Arts Craig Gibson said they are a proud partner of the Lerner and they are looking forward to the 100-year celebration! They are going to kick off the festivities by doing the windows a little early so they will be ready for people. The windows celebrate all of the decades of the Lerner, from the Lerner to the Warner, to the Elco, and back to the Lerner. They will be really special and of course they will add a little Christmas to them. Premier Arts is creating a new musical that will be the holiday feature next year that surrounds the opening of the Lerner. The Premier Arts School started with 100 more kids than last year! He noted that normally during transitional periods there are hiccups, but this time there have been no hiccups. Deen and Sarah along with Kurt in the Ballroom have made it seamless. With the new leadership coming in, he said he is looking forward to moving into the next phase. Diana said Premier Arts has been with us since the beginning as our resident theatre company and we really appreciate them and the partnership.

7. DIRECTOR OF EVENTS REPORT

The Director of Events Report has been inserted in the minutes as presented.

DIRECTOR OF EVENTS

PREPARED BY: SARAH MACER

Activity (Sept-November)	As % of 90 days	
52 Events	58%	Activity in theatre
26 Ticketed Events	29%	Ticketed events
14 Non-Ticketed Events	16%	Non-Ticketed events
12 Rehearsal Dates	13%	Rehearsal Space

Compare to 2023 Board Report Ticketed Events: 29

Compare to 2023 Board Report Non-Ticketed Events +Rehearsals: 34

- I know I've said it a few times, but where did August go? This month started with a busy weekend full of people downtown enjoying the Grand Prix along with our American ELO band in the theatre. We were given a week to relax and then dove back into it with the Elkhart Black Expo's Leroy Robinson Soul Festival; we hosted the Leroy Robinson African American Arts and Cultural Pavilion in the lobby where different community artists showcased their works and then that Friday had the Southern Soul Music Festival starring Calvin Richardson and Friends. We ended the month with the entertaining Celia

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Weiss and a free Lunchtime Live concert during the day followed by Dancing Queen outside on the Central Green for Lerner on the Lawn.

- The Annual Volunteer Banquet was a beautiful event celebrating our Volunteers. The Ballroom outdid themselves with the amazing food and service. Thank you Dallas, for your generous gift and Diana and Dina, it was lovely seeing the two of you. I want to personally thank Deen and Tristin for getting up there and speaking with me and to Brittany for putting in a lot of extra work helping both with the Peer Committee and to make that night a success.
- DLZ came to do their ADA walkthrough that Public Works lined up for the city and we look forward to seeing them again next week for the second half of their inspection. We're excited to hear what they find and to see if they have any suggestions as to what we can do to make visiting our building a better experience for all.

Accomplished in August:

- Facility Occupancy numbers were sent off to the other city departments for life safety of those visiting The Lerner. Google Calendar and Prism are both updated
- Deen and I met with Bradley, Jamie and the Mayor to go over the budget and talk through the upcoming year
- I am still working on facilitating shows with Deen and the rest team. It has been slower and I'm grateful for that time to put some new practices in place where more of the team is included in the process rather than one person having all of the information.
- Monthly meetings of the 100 year have begun and we've reached out to individual committees. We're ready to bring the whole group together in September.
- All of the usual tasks associated with my position have been completed; Show Closings sheets have been completed for each show and the show closing schedule for the month was sent to KL.

Updates for August:

100 Year Planning:

We will be meeting on the 10th of September with the entire group to begin diving into plans for the 100 years. The committees are set, other members are being invited along to help and we're on our way.

Budget:

When September hits, that means it's almost time for budget. Jamie has been doing a great job keeping Deen and I included and updated on any invoices that have popped up along with expenses that weren't on our radar. I'll be working with the Mayor's staff in the next few weeks to get details in place about the vision they have for the public presentations on stage and we look forward to hosting the event.

Volunteer Banquet:

The Banquet was a success and it was a wonderful evening with everyone that was

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able to attend. The Chef that cooked the meal outdid himself and everyone loved the food. It was some of the best I've had from the Ballroom and their food is always lovely. Deen and Jacob brought the newly lit ELCO sign to the Ballroom for a photo opportunity and it was an amazing evening celebrating our incredible Volunteers. We truly cannot do it without them.

Event Planning:

As we've been working on cleaning up tasks and starting new processes we are excited for shows to start up. In September we'll have the Chicago Flyhouse work in the theatre making sure that's ready to go along with our annual Emergency Training for our staff and volunteers. We'll return to Wellfield for our annual Symphony event hosted at the gardens and have the City budget hearings on stage. Throw in a few events on the stage and it's a good kick off before we get slammed in the fall.

TECHNICAL AND FACILITIES DIRECTOR

PREPARED BY: DEEN TUGGLE

Overview

In the words of Taylor Swift, "August slipped away into a moment in time." Where did the month go? This month we started off with a Friend of The Lerner show, The American ELO. During this time, I was on vacation and my assistant Jacob was able to step up and lead the charge. He did a great job, and everything went smooth. After that, DLZ came in to do an ADA review of the building. They will finish that up in September. We then hosted two events for the Elkhart chapter of Indiana Black Expo. We had a lovely arts and culture event in the lobby, followed by the Leroy Robinson Southern Soul and Soul Music Festival. After that, my tech staff was able to make my vision a reality by completing the ELCO sign revitalization and modernizing it to be all LED. The reception has been spectacular, and we even had it on display for our annual Volunteer Recognition Banquet, held in the Crystal Ballroom. The evening was spectacular, and our volunteers really enjoyed their time. August has given us a lot of time to work on routine maintenance throughout the building as well as deep cleaning. We will wrap the month up with the lovely Celia Weiss and then an ABBA tribute for Lerner on the Lawn. It's time to disco!

Accomplished in August:

- ELCO sign revitalization.
- Black Expo events.
- Volunteer Banquet.

Upcoming tasks:

- Chicago Flyhouse rigging work.
- Annual emergency preparedness training.
- Budget hearings! :)

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OPERATIONS MANAGER
PREPARED BY: WAYNE NEFF

Overview August:

I have been working with the new facility manager on the new Maintenance software that Deen was able to implement. The group was able to catch up with many repairs and cleaning items needed.

Accomplished in August:

- Trained new facility's manager on change 220 volt plugs.
- Helped the new auto flush system, many questions.
- Taught team how to do a deep clean on the A/C units.

Upcoming Tasks:

- Teaching facility manager how to work on the ac units.
- Have roof drains that are going to be adjusted on two roofs.
- Drains in the roof have to be worked on for better drainage.

COMMUNICATIONS & MARKETING COORDINATOR
PREPARED BY: JENNA BROUILLETTE

And just like that, August is in the books! We've finished up the Lerner's Tasty Tuesdays series with the goal of bringing people downtown to enjoy lunch and shop at local businesses as well as hosted the Leroy Robinson Southern Soul and Soul Music Fest. At the beginning of the month, we hosted Evil Woman - The American ELO, and are ending the month with Dancing Queen: An ABBA Salute for this month's Lerner on the Lawn!

Administratively, I've been working to advertise for our upcoming shows and prepare for our centennial celebration! We've got a great team working towards this celebration, and the passion shared for The Lerner and its value is a refreshing experience! Additionally, we were honored to celebrate our volunteers with a banquet at the end of August.

Here is a snapshot of The Lerner Theatre's Socials as of 8/28/24:

	May 2024	June 2024	July 2024	August 2024	1-Month Change
Total Audience	36,932	36,347	36,402	36,484	0.3% Increase
Total Impressions	777,487	828,948	328,338	466,095	13.5% Increase
Total Engagement	23,497	28,159	13,789	19,622	13.3% Increase

Additional Social Context: *At the beginning of June 2024, The City of Elkhart announced the following regarding meetings and social platforms. "The City of*

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Elkhart utilizes its Facebook pages to share information and engage with our constituents. We will continue to use all city pages with that goal in mind, however, commenting on future posts will not be allowed.”

As a City-Owned building, this policy affects our pages as well, effectively impacting show announcements, promotions, information sharing, and interaction with patrons (positive or negative). We are currently navigating this constraint and seeing significant challenges to our social data as this limits engagement with our posts and impressions as well.

Additionally, with fewer shows in July and August, it is normal for The Lerner to see a dip in numbers during these months.

Done in August

- Finished up our weekly food truck events!
- Continued internal meetings to plan and organize the 100th anniversary celebration
- Annual Volunteer Banquet!

Goals for September

- Work with Holly to update our website and create a more comprehensive accessibility page for the Lerner Website
- Distribute the Year in Review and Community Update for the year
- Continue as a liaison to the Lerner’s 100 year celebration committees in the areas of History+Renovation and Communications.

MEDIA SPECIALIST

PREPARED BY: HOLLY COWAN

The month of August I’ve been working on some back burner items for The Lerner. I was able to create a new seating map showing off the pit seating for use in our Usher and Box Office manuals. I have also created a Google Form for our volunteers to fill out. This form will help give the floor managers feedback so that we know where our volunteers are struggling and what questions they may have.

In August we celebrated the Lerner Volunteer Banquet! In the weeks leading up to the event, I worked on printing the table tents, drink vouchers and award certificates in-house. I spent the evening taking photographs of the event and the newly renovated ELCO letter signs.

In August I was also able to floor manage the Leroy Robinson: African American Arts & Culture Pavilion for the Indiana Black Expo. This event was much different compared to our usual shows. We had several artists setting up tables to display their work. I was able to take photographs of the artists and their works during this event. I would love to be part of more art related events moving forward. I think this will be a great connection for the theater and will help us promote the arts further in the city.

Accomplishments in August

- Working on graphics and announce emails for upcoming shows

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- 2023 Year End Report and Community Update are ready to print after quote is approved
- Created new seat map for training manuals
- Created a new volunteer survey to get feedback

Upcoming Goals for September

- Create a new page for the website about our accessibility offerings
- New page for the website about artwork on display in The Lerner
- Ongoing – update The Lerner Website and Friends of The Lerner Website information
- Work on 100th celebration branding ideas
- Design a new Know Before You Go social graphic and email

BOX OFFICE MANAGER
 PREPARED BY: TRISTIN TUBBS

Box Office Manager Accomplishments for August 2024

- Hired 2 new Box Office Team Members and 1 new Usher
- Successfully built 5 shows, with 3 of those on-sales in one week!
- Continued to help Jenna with our Friends of the Lerner Endowment Program - We are looking to reinstate the program for our 100 Year Anniversary!

Box Office Assistant Manager Accomplishments for August 2024

- Completed 2 Box Office Orientations and 2 Usher Orientations
- Helped host the Annual Volunteer Banquet
- Finished updating Box Office Operations Manual

Box Office Manager Goals for September 2024

- Complete the new Box Office Operations Manual
- Schedule a Mandatory Box Office Meeting to go over the new Box Office Operations Manual
- Continue to work with Jenna on our FOL Endowment Program and help out with the 100 Year Anniversary

Box Office Assistant Manager Goals for September 2024

- Make all Box Office SOP's uniform and complete updates
- Train new Box Office staff

Date	Time	Event Name	On Sale Date	Sale Sold	Revenue w/Hist. Fee	Net Revenue	Hist. Fee	Total Revenue
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8/3/2024	7:30 PM	Evil Woman - The American ELO	5/30/2024	111	\$3,335.00	\$3,002.00	\$333.00	\$3,335.00
8/16/2024	7:00 PM	The Calvin Richardson Experience	4/17/2024	187	\$4,810.00	\$4,249.00	\$561.00	\$4,810.00
9/8/2024	4:00 PM	Elkhart County Symphony - Rhythms in Bloom	7/24/2024	165	\$1,868.20	\$1,373.20	\$495.00	\$1,868.20
9/8/2024	4:00 PM	Elkhart County Symphony - Rhythms in Bloom (Original Event - Now not used)	7/24/2024	2	\$64.00	\$58.00	\$6.00	\$64.00
9/14/2024	8:00 PM	4192: An Evening with Pete Rose Live!	4/1/2024	77	\$4,343.00	\$4,112.00	\$231.00	\$4,343.00
9/19/2024	7:30 PM	Kimball Organ - The Cat and The Canary	2/1/2024	13	\$172.50	\$133.50	\$39.00	\$172.50
9/27/2024	8:00 PM	Home Free - Crazy(er) Life Tour	6/21/2024	61	\$3,581.25	\$3,398.25	\$183.00	\$3,581.25
10/5/2024	7:00 PM	The Voices of Rock Radio	4/12/2024	58	\$2,852.40	\$2,678.40	\$174.00	\$2,852.40
10/6/2024	7:00 PM	The Mersey Beatles	4/23/2024	10	\$462.00	\$432.00	\$30.00	\$462.00
10/18/2024	7:30 PM	Premier Arts: School of Rock	1/1/2024	0	\$0.00	\$0.00	\$0.00	\$0.00
10/19/2024	7:30 PM	Premier Arts: School of Rock	1/1/2024	7	\$181.00	\$160.00	\$21.00	\$181.00
10/20/2024	2:00 PM	Premier Arts: School of Rock	1/1/2024	3	\$64.00	\$55.00	\$9.00	\$64.00
10/23/2024	6:00 PM	Sesame Street Live! - Say Hello	6/28/2024	69	\$3,236.50	\$3,029.50	\$207.00	\$3,236.50
10/25/2024	7:30 PM	Judy Collins	6/21/2024	41	\$2,330.00	\$2,207.00	\$123.00	\$2,330.00
11/1/2024	7:30 PM	Finding Nemo Jr	3/27/2024	9	\$122.00	\$95.00	\$27.00	\$122.00
11/2/2024	2:00 PM	Finding Nemo Jr	3/27/2024	10	\$215.00	\$185.00	\$30.00	\$215.00
11/6/2024	7:30 PM	A Taste of Ireland	8/29/2024	13	\$908.00	\$869.00	\$39.00	\$908.00
11/7/2024	7:00 PM	World Ballet Series: Swan Lake	4/2/2024	71	\$4,483.00	\$4,270.00	\$213.00	\$4,483.00
11/8/2024	7:00 PM	Jeremy Camp Deeper Waters Tour	8/22/2024	285	\$13,918.50	\$13,063.50	\$855.00	\$13,918.50
11/9/2024	7:00 PM	Ginger Billy	6/21/2024	73	\$2,927.20	\$2,708.20	\$219.00	\$2,927.20
11/15/2024	7:30 PM	DAYBREAK: The	8/15/2024	32	\$1,364.00	\$1,268.00	\$96.00	\$1,364.00

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LERNER SERVICES COORDINATOR
PREPARED BY: DIANA GALVES

In August, The Lerner had a few performances as well as a few events in the Ballroom.

Accomplished in August:

- Lerner services staff vacuumed/shampooed all Dressing rooms 1 thru 4 including Green room dressing room.
- Lerner services staff vacuumed/shampooed the whole Ballroom carpet per request of Navarra.
- Lerner services staff vacuumed/shampooed the Ballroom hallway.
- Lerner services staff vacuumed/shampooed the Cittadine room carpet.
- Lerner services staff started working on polishing brass railings and kick plates.

Upcoming Tasks:

- Lerner services will continue to work on polishing brass railings and kick plated.
- Continue daily cleaning and maintenance throughout the Lerner.

FACILITIES MANAGER
PREPARED BY: TIM GARDNER

August:

- 1) All Auto flushers replaced and fully functional. We have now a couple of toilets that weep a little, from being kicked. Got the correct bladder vacuum assemblies to repair those, and those will be all finished by end of August.
- 2) Both Main street window flashings have been repaired and painted.
- 3) Replaced many bulbs in Cittadine Room and Ballroom. Reported to me last week that more are out, will address those before months end.
- 4) RTU4 is the last unit to clean, but all other RTU's have had a deep clean of all the inner and outer coils (set up as a PM measure in Asset program) and filters changed

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- 5) Inventory completed
- 6) Cleaned/repared sump pump in Organ/Piano Storage
- 7) Premier Arts (rear entrance door) fixed sag in hinges

Sept. Goals

- 1) From Aug. bulbs in Lerner Blade Sign.
- 2) Repair Ballroom doors, will need major hinge work
- 3) Work on sidewalk outside of box office to get ready for fall, remove ice melt residue and work on more testing/repairs to terrazzo.

7. NEW BUSINESS

Contract with Conway Entertainment

Chief of Staff Bradley Tracey presented the Conway Entertainment contract to the Board for approval. Blake McDaniel, Scott Welch, and Sherry May were present from Conway Entertainment. Blake said he is a small town guy stuck in the big city of Nashville, Tn., where he has been for 24 years. He talked about his experience in the music industry and his vision for the Lerner. Scott talked about his experience as a tour manager for several bands. They said our theatre is a jewel, and they have been amazed at how well the community loves that building. He said the Lerner should have world class entertainment and it should make money. That is why they are here. Sherry talked about her experience and background. She is from Memphis, Tn. where she successfully managed an outdoor theatre in a City-owned botanic gardens. She thanked the Board for the opportunity. Gary Boyn clarified that Sherry May will be the interim General Manager, and will be helping the existing staff operate, and evaluate how the operation runs and look for ways to improve things and come up, along with Blake and Scott, an operational plan for the next 100 years. Hopefully when we get a new GM, they can walk in the door and take over, because they will have a plan to work from and don't have to figure it out from day one. On motion by Dina Harris, seconded by Diana Lawson and carried 5-0, the Board approved a contract with Conway Entertainment in an amount not to exceed \$30,000.00.

Interim General Manager

On motion by Dina Harris, seconded by Diana Lawson and carried 5-0, the Board approved a contract with Sherry May in an amount not to exceed \$10,000.00/month and \$2,500.00/month for lodging, and gave the Board President authority to sign the final agreement implementing the suggestions made, after final Legal approval.

8. PUBLIC PARTICIPATION

Mayor Rod Roberson thanked the Board for their deliberations over the contracts presented, as well as their involvement during the transitional period over the last ninety days. There have been some tough times and some challenging times, but we have seen those as opportunities for the Lerner. The City sees the

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importance of this venue, and we see the relationship you (the Board) have with it just as important. The Mayor has three things he wants to see as an administration regarding the Lerner. He wants to make sure that the transition happens as smoothly as possible. The Mayor said he has a distinct eye on the future and where we would like to see the Lerner go. It's not just the Lerner. It's the way we speak to Arts Culture and that relationship to our City. We all know the impact of the Lerner has driven, it has driven what we feel is a corner we have to turn with Quality of Place and Quality of Life in our City in a very distinct way. Our population growth can be tracked to when we re-opened the Lerner in 2010 in a profound way, and that is important to us. The Mayor is excited about the level of talent being discussed. Elkhart is a different place for multiple different reasons, and being able to provide this level of talent, being able to support it with a venue like the Lerner, being able to see the future in a manner where it's not just Earth, Wind, & Fire, it is a wonderful kaleidoscope of opportunities. People who drive right by here on a regular basis stopping to perform and provide a level of entertainment for our community we have never had. He said he truly believes after talking with the Conway Entertainment Group and Sherry May that this relationship is a beginning. The third goal is to continue to accelerate the future of Elkhart towards the population growth, utilizing Quality of Place & Quality of Life as the concept that drives it. That is what our downtown plan says, that's what everything we do as an administration says, and that's what was articulated in a periodical that was a monthly periodical done by the Elkhart Truth that was published in October of 1924. It indicated that Elkhart was moving forward from 1924, and that was 100 years ago! They were thinking back then how progressive we were and how large we were as a City in the Midwest, doing the things that we were doing at that time. It is just amazing that we can say we were a progressive City 100 years ago moving around Arts and Culture, and we are moving around it right now. He thanked the Board for their efforts and for what they do. It is right in line with where we need to go, to pass the baton to the next generation. He added he appreciates the relationship we are fostering with Conway, but he wanted to make sure he let the Board know that the administration is in strong support of what the Lerner Governing Board does, and he really believes that at the end of this search, which they also said they are committed to looking at local talent, it's not just national talent to fill that space with the skill set, capabilities, qualities, and they can help mold into where we are moving as well. This is a wonderful time to say that we have an opportunity in front of us that we can seize. The Mayor said he doesn't miss many lay-ups, and we want to make sure we don't miss one now. Gary Boyn followed by saying the article the Mayor mentioned from 100 years ago, he recalled yesterday the History Committee asked for a copy of that, and he was sure it will be used in various ways.

9. ADJOURNMENT

On motion by Dina Harris seconded by Jamie Arce and carried 5-0, the Lerner Theatre Governing Board was adjourned at 11:03 a.m.

_____ Gary Boyn, President

Attest: _____ Nancy Wilson, Clerk of the Board

The Lerner Theatre

To: The Lerner Governing Board

From: Michelle Adams (Kruggel, Lawton and Co)

Subject: Notes regarding the August 31, 2024 Financial Statements

Attached are the year-to-date financial statements for The Lerner for the period ending August 31, 2024.

The net income from theatre operations only (shown as Gross Profit) at the end of the period is \$511,444, which is an increase of \$163,651 from the Gross Profit on last year's statement of \$347,793.

The year-to-date net income for all Lerner operations (including city expenses) at the end of the period is \$48,149 which is an improvement of \$135,378 from the net loss on last year's statement of (\$87,229).

On budgeted city Operational Expenses alone are under-budget by \$469,983 year-to-date.

Total Operational Expenses of \$1,188,518 were covered by a City contribution of \$618,517 (52%) and a Lerner contribution of \$570,001 (48%). This compares with last year's City contribution of 64% and the Lerner's contribution of 36%.

There were 2 shows and events in August that generated the following profit:

- Calvin Richardson - \$ 5,399.28
- Evil Woman - \$2,351.13

The Lerner Theatre

Financial Analysis Through August 31, 2024

	<u>2024</u>		<u>2023</u>		<u>Diff</u>
<i>City Operational Expenses</i>					
Staff & Related	834,767		690,310		144,457
Other	<u>353,752</u>		<u>436,808</u>		<u>(83,056)</u>
Total Expenses to be Covered	1,188,518		1,127,117		61,401
Less: City Subsidy (Budgeted)	<u>666,667</u>		<u>633,333</u>		<u>33,333</u>
Net City Operational Expenses	521,852		493,784		28,068
<i>Lerner Box Office Operations</i>					
Income	616,168		481,198		134,970
COGS	<u>104,724</u>		<u>133,405</u>		<u>(28,681)</u>
Gross Profit (Loss)	511,444		347,793		163,651
Lerner Labor Expense	<u>58,557</u>		<u>58,762</u>		<u>(205)</u>
Lerner Contribution from Operations	570,001		406,555		163,446
<i>Additional Subsidy Sources</i>					
City Subsidy (Un-Budgeted)	-		87,229		
Lerner Excess Contribution	48,149		-		
How the Operational Expenses Are Covered:					
City Contribution	618,517	52%	720,562	64%	
Lerner Contribution	<u>570,001</u>	48%	<u>406,555</u>	36%	
Total Expenses to be Covered	1,188,518	100%	1,127,117	100%	

The Lerner Theatre

P&L - Total Theatre - Summary Comparison

January - August, 2024

	TOTAL			
	JAN - AUG, 2024	JAN - AUG, 2023 (PY)	CHANGE	% CHANGE
Income				
Theatre Income	616,167.57	481,197.55	134,970.02	28.05 %
Total Income	\$616,167.57	\$481,197.55	\$134,970.02	28.05 %
Cost of Goods Sold				
Cost of Sales	104,724.34	133,404.66	-28,680.32	-21.50 %
Total Cost of Goods Sold	\$104,724.34	\$133,404.66	\$ -28,680.32	-21.50 %
GROSS PROFIT	\$511,443.23	\$347,792.89	\$163,650.34	47.05 %
Expenses				
City Accts by Submission Date	1,188,518.23	1,127,117.35	61,400.88	5.45 %
Total Expenses	\$1,188,518.23	\$1,127,117.35	\$61,400.88	5.45 %
NET OPERATING INCOME	\$ -677,075.00	\$ -779,324.46	\$102,249.46	13.12 %
Other Expenses				
5000000 City Contribution Toward Budget	-666,666.64	-633,333.36	-33,333.28	-5.26 %
99998 Show Labor Exp Incl in Budget	-58,557.36	-58,762.19	204.83	0.35 %
Total Other Expenses	\$ -725,224.00	\$ -692,095.55	\$ -33,128.45	-4.79 %
NET OTHER INCOME	\$725,224.00	\$692,095.55	\$33,128.45	4.79 %
NET INCOME	\$48,149.00	\$ -87,228.91	\$135,377.91	155.20 %

The Lerner Theatre
P&L - Total Theatre - Detailed Comparison
 January - August, 2024

	TOTAL			
	JAN - AUG, 2024	JAN - AUG, 2023 (PY)	CHANGE	% CHANGE
Income				
Theatre Income				
4000 Ticket Sales Collected	1,022,166.44	690,854.01	331,312.43	47.96 %
4001 Ticket Sales Due/Paid	-1,022,166.44	-690,854.01	-331,312.43	-47.96 %
4010 Facility Rental - Theatre	63,544.53	43,729.65	19,814.88	45.31 %
40200 Ticket Processing Fees	2,096.79	2,864.89	-768.10	-26.81 %
40201 Mailing Fee		818.75	-818.75	-100.00 %
40202 Phone Order Convenience Fee		1,004.00	-1,004.00	-100.00 %
40203 Historical Facility Fee	72,293.00	61,110.50	11,182.50	18.30 %
40204 Box Office Fee	52,358.82	32,095.97	20,262.85	63.13 %
40205 Blended Ticket Transaction Fee	24,378.48	32,637.18	-8,258.70	-25.30 %
40206 Web Ticket Fees	96,124.40	78,886.50	17,237.90	21.85 %
40208 Convenience Fees	86,434.65	56,745.00	29,689.65	52.32 %
Total 40200 Ticket Processing Fees	333,686.14	266,162.79	67,523.35	25.37 %
4050 Equipment Rental	20,479.50	22,220.00	-1,740.50	-7.83 %
4060 Outside Lighting & Advertising	0.00	50.00	-50.00	-100.00 %
4070 Catering	500.00	0.00	500.00	
4080 Concessions Commissions	1,089.50		1,089.50	
4090 Merchandise Commissions	5,136.04	1,924.00	3,212.04	166.95 %
4129 Contributions - FOL Volunteers		110.00	-110.00	-100.00 %
4140 Miscellaneous Income	14,101.99	5,456.90	8,645.09	158.42 %
Event Labor				
4030 Stagehands, Etc.	37,947.93	31,667.36	6,280.57	19.83 %
4040 Front of House	20,908.82	19,066.29	1,842.53	9.66 %
Total Event Labor	58,856.75	50,733.65	8,123.10	16.01 %
Non-Ticketed Event Revenue				
41314 Crystal Ballroom Events	118,773.12	90,810.56	27,962.56	30.79 %
Total Non-Ticketed Event Revenue	118,773.12	90,810.56	27,962.56	30.79 %
Total Theatre Income	616,167.57	481,197.55	134,970.02	28.05 %
Total Income	\$616,167.57	\$481,197.55	\$134,970.02	28.05 %
Cost of Goods Sold				
Cost of Sales				
5025 Merchant Ticket Fees	34,735.50	42,339.25	-7,603.75	-17.96 %
5030 Ticket CC Processing Expense	58,446.73	33,323.88	25,122.85	75.39 %

The Lerner Theatre

P&L - Total Theatre - Detailed Comparison

January - August, 2024

	TOTAL			
	JAN - AUG, 2024	JAN - AUG, 2023 (PY)	CHANGE	% CHANGE
5035 Merchant Account Fees	-47,015.34	-1,170.75	-45,844.59	-3,915.83 %
5080 Advertising Expense		150.00	-150.00	-100.00 %
Direct Labor - Events				
5050 Stage Labor	41,438.72	44,324.39	-2,885.67	-6.51 %
5060 Front of House Labor	17,118.73	14,437.89	2,680.84	18.57 %
Total Direct Labor - Events	58,557.45	58,762.28	-204.83	-0.35 %
Total Cost of Sales	104,724.34	133,404.66	-28,680.32	-21.50 %
Total Cost of Goods Sold	\$104,724.34	\$133,404.66	\$ -28,680.32	-21.50 %
GROSS PROFIT	\$511,443.23	\$347,792.89	\$163,650.34	47.05 %
Expenses				
City Accts by Submission Date				
Capital Outlay				
4420400 Building & Structure	3,975.00	16,454.38	-12,479.38	-75.84 %
4440100 Furniture & Fixtures		75,435.00	-75,435.00	-100.00 %
4440500 Other Equipment-Capital Expense	33,720.42	16,106.22	17,614.20	109.36 %
Total Capital Outlay	37,695.42	107,995.60	-70,300.18	-65.10 %
Other Services/Charges				
4310400 Professional Services	30,712.00	20,000.30	10,711.70	53.56 %
4320300 Travel	4,463.81	1,058.74	3,405.07	321.62 %
4320400 Telephone/Communications	15,773.72	13,153.63	2,620.09	19.92 %
4330300 Advertising/Marketing	30,364.60	41,779.49	-11,414.89	-27.32 %
4330301 Promotions	235.67	161.43	74.24	45.99 %
4340200 Liability Insurance	28,150.00	56,300.00	-28,150.00	-50.00 %
4350100 Electricity	97,676.50	74,309.27	23,367.23	31.45 %
4350200 Natural Gas	8,957.57	10,166.54	-1,208.97	-11.89 %
4350400 Water & Sewer	1,831.32	1,749.94	81.38	4.65 %
4360100 Repairs & Maintenance-Building	41,398.14	69,158.24	-27,760.10	-40.14 %
4360200 Equipment Repair		2,966.00	-2,966.00	-100.00 %
4370200 Equipment Leases	416.81	513.44	-96.63	-18.82 %
4390200 Postage	684.92	1,065.03	-380.11	-35.69 %
4390300 Subscriptions	3,392.74	3,002.00	390.74	13.02 %
4390800 Memberships & Dues	1,636.00	1,185.88	450.12	37.96 %
4390910 Education	13,194.19	10,873.78	2,320.41	21.34 %
4390912 Contract Services	1,550.75		1,550.75	
Total Other Services/Charges	280,438.74	307,443.71	-27,004.97	-8.78 %

The Lerner Theatre

P&L - Total Theatre - Detailed Comparison

January - August, 2024

	TOTAL			
	JAN - AUG, 2024	JAN - AUG, 2023 (PY)	CHANGE	% CHANGE
Personnel Services				
4110130 Full Time	543,923.73	446,477.38	97,446.35	21.83 %
4110150 Part Time	95,414.11	75,415.59	19,998.52	26.52 %
4110160 Overtime Wages	893.47	401.01	492.46	122.80 %
4130100 Employer's Social Security	38,491.22	30,967.91	7,523.31	24.29 %
4130200 Employer's Medicare	9,002.09	7,242.45	1,759.64	24.30 %
4130300 Employer's PERF	76,785.18	62,809.69	13,975.49	22.25 %
4130500 Employer's Group & Life	70,256.70	66,995.73	3,260.97	4.87 %
Total Personnel Services	834,766.50	690,309.76	144,456.74	20.93 %
Supplies				
4210200 Stationary & Print	377.28	821.42	-444.14	-54.07 %
4210500 Office Supplies	1,093.04	1,147.20	-54.16	-4.72 %
4220150 Operating Supplies	12,713.36	4,075.62	8,637.74	211.94 %
4220310 Household, Laundry	7,760.46	5,825.01	1,935.45	33.23 %
4230200 Repair Parts	2,429.34	3,440.46	-1,011.12	-29.39 %
4230300 Small Tools/Minor Equipment	11,244.09	6,058.57	5,185.52	85.59 %
Total Supplies	35,617.57	21,368.28	14,249.29	66.68 %
Total City Accts by Submission Date	1,188,518.23	1,127,117.35	61,400.88	5.45 %
Total Expenses	\$1,188,518.23	\$1,127,117.35	\$61,400.88	5.45 %
NET OPERATING INCOME	\$ -677,075.00	\$ -779,324.46	\$102,249.46	13.12 %
Other Expenses				
5000000 City Contribution Toward Budget	-666,666.64	-633,333.36	-33,333.28	-5.26 %
99998 Show Labor Exp Incl in Budget	-58,557.36	-58,762.19	204.83	0.35 %
Total Other Expenses	\$ -725,224.00	\$ -692,095.55	\$ -33,128.45	-4.79 %
NET OTHER INCOME	\$725,224.00	\$692,095.55	\$33,128.45	4.79 %
NET INCOME	\$48,149.00	\$ -87,228.91	\$135,377.91	155.20 %

The Lerner Theatre

Budget vs. Actuals: FY_2024 - FY24 P&L

January - August, 2024

	TOTAL		
	ACTUAL	BUDGET	OVER BUDGET
Income			
Total Income			\$0.00
GROSS PROFIT	\$0.00	\$0.00	\$0.00
Expenses			
City Accts by Submission Date			
Capital Outlay			
4420400 Building & Structure	3,975.00	133,333.36	-129,358.36
4440100 Furniture & Fixtures		2,183.36	-2,183.36
4440500 Other Equipment-Capital Expense	33,720.42	61,376.80	-27,656.38
Total Capital Outlay	37,695.42	196,893.52	-159,198.10
Other Services/Charges			
4310400 Professional Services	30,712.00	28,466.64	2,245.36
4320300 Travel	4,463.81	9,133.36	-4,669.55
4320400 Telephone/Communications	15,773.72	16,764.00	-990.28
4330300 Advertising/Marketing	30,364.60	46,773.36	-16,408.76
4330301 Promotions	235.67	3,333.36	-3,097.69
4340200 Liability Insurance	28,150.00	37,533.36	-9,383.36
4350100 Electricity	97,676.50	90,640.00	7,036.50
4350200 Natural Gas	8,957.57	13,566.64	-4,609.07
4350400 Water & Sewer	1,831.32	2,346.64	-515.32
4360100 Repairs & Maintenance-Building	41,398.14	105,332.00	-63,933.86
4360200 Equipment Repair		1,333.36	-1,333.36
4370200 Equipment Leases	416.81	2,133.36	-1,716.55
4390200 Postage	684.92	933.36	-248.44
4390300 Subscriptions	3,392.74	1,974.64	1,418.10
4390800 Memberships & Dues	1,636.00	1,156.64	479.36
4390900 Other Services & Charges	0.00	33,333.36	-33,333.36
4390910 Education	13,194.19	20,366.64	-7,172.45
4390912 Contract Services	1,550.75	5,933.36	-4,382.61
4390930 Processing Fees		34,000.00	-34,000.00
Total Other Services/Charges	280,438.74	455,054.08	-174,615.34
Personnel Services			
4110130 Full Time	543,923.73	568,800.00	-24,876.27
4110150 Part Time	95,414.11	150,666.64	-55,252.53
4110160 Overtime Wages	893.47	3,866.64	-2,973.17
4130100 Employer's Social Security	38,491.22	44,866.64	-6,375.42
4130200 Employer's Medicare	9,002.09	10,533.36	-1,531.27
4130300 Employer's PERF	76,785.18	82,533.36	-5,748.18
4130500 Employer's Group & Life	70,256.70	101,600.00	-31,343.30
Total Personnel Services	834,766.50	962,866.64	-128,100.14
Supplies			
4210200 Stationary & Print	377.28	633.36	-256.08

The Lerner Theatre

Budget vs. Actuals: FY_2024 - FY24 P&L

January - August, 2024

	TOTAL		
	ACTUAL	BUDGET	OVER BUDGET
4210500 Office Supplies	1,093.04	3,000.00	-1,906.96
4220150 Operating Supplies	12,713.36	17,853.20	-5,139.84
4220310 Household, Laundry	7,760.46	6,333.36	1,427.10
4230200 Repair Parts	2,429.34	2,800.00	-370.66
4230300 Small Tools/Minor Equipment	11,244.09	13,066.64	-1,822.55
Total Supplies	35,617.57	43,686.56	-8,068.99
Total City Accts by Submission Date	1,188,518.23	1,658,500.80	-469,982.57
Total Expenses	\$1,188,518.23	\$1,658,500.80	\$ -469,982.57
NET OPERATING INCOME	\$ -1,188,518.23	\$ -1,658,500.80	\$469,982.57
Other Expenses			
5000000 City Contribution Toward Budget	-666,666.64	-666,666.64	0.00
Total Other Expenses	\$ -666,666.64	\$ -666,666.64	\$0.00
NET OTHER INCOME	\$666,666.64	\$666,666.64	\$0.00
NET INCOME	\$ -521,851.59	\$ -991,834.16	\$469,982.57

The Lerner Theatre
Elkhart Black Expo: Calvin Richardson
All Dates

	TOTAL
Income	
Theatre Income	
4000 Ticket Sales Collected	17,667.00
4001 Ticket Sales Due/Paid	-17,667.00
4010 Facility Rental - Theatre	1,175.00
40200 Ticket Processing Fees	77.70
40203 Historical Facility Fee	666.00
40204 Box Office Fee	883.35
40206 Web Ticket Fees	1,961.95
40208 Convenience Fees	888.00
Total 40200 Ticket Processing Fees	4,477.00
4050 Equipment Rental	745.00
4140 Miscellaneous Income	338.85
Event Labor	
4030 Stagehands, Etc.	1,274.00
4040 Front of House	496.00
Total Event Labor	1,770.00
Total Theatre Income	8,505.85
Total Income	\$8,505.85
Cost of Goods Sold	
Cost of Sales	
5025 Merchant Ticket Fees	832.50
5030 Ticket CC Processing Expense	720.45
Direct Labor - Events	
5050 Stage Labor	1,119.49
5060 Front of House Labor	434.13
Total Direct Labor - Events	1,553.62
Total Cost of Sales	3,106.57
Total Cost of Goods Sold	\$3,106.57
GROSS PROFIT	\$5,399.28
Expenses	
Hourly Costs	0.00
Total Expenses	\$0.00
NET OPERATING INCOME	\$5,399.28
NET INCOME	\$5,399.28

The Lerner Theatre
 Friends of the Lerner: Evil Woman
 All Dates

	TOTAL
Income	
Theatre Income	
4000 Ticket Sales Collected	9,891.00
4001 Ticket Sales Due/Paid	-9,891.00
4010 Facility Rental - Theatre	300.00
40200 Ticket Processing Fees	0.00
40203 Historical Facility Fee	894.00
40204 Box Office Fee	296.73
40206 Web Ticket Fees	1,105.90
40208 Convenience Fees	1,745.00
Total 40200 Ticket Processing Fees	4,041.63
4090 Merchandise Commissions	-63.00
Event Labor	
4030 Stagehands, Etc.	450.55
4040 Front of House	219.26
Total Event Labor	669.81
Total Theatre Income	4,948.44
Total Income	\$4,948.44
Cost of Goods Sold	
Cost of Sales	
5025 Merchant Ticket Fees	1,117.50
5030 Ticket CC Processing Expense	536.43
Direct Labor - Events	
5050 Stage Labor	737.82
5060 Front of House Labor	205.56
Total Direct Labor - Events	943.38
Total Cost of Sales	2,597.31
Total Cost of Goods Sold	\$2,597.31
GROSS PROFIT	\$2,351.13
Expenses	
Hourly Costs	0.00
Total Expenses	\$0.00
NET OPERATING INCOME	\$2,351.13
NET INCOME	\$2,351.13

LERNER THEATRE GOVERNING BOARD

CLAIM AND ALLOWANCE DOCKET

I HEREBY CERTIFY THAT EACH OF THE ABOVE LISTED VOUCHERS AND INVOICES OR BILLS ATTACHED THERETO ARE TRUE AND CORRECT AND I HAVE AUDITED SAME IN ACCORDANCE WITH IC 5-11-10-1.6. I ALSO HEREBY CERTIFY THAT THESE VOUCHERS AND INVOICES REPRESENT GOODS AND/OR SERVICES THAT ARE FOR THE BENEFIT OF THE CITY OF ELKHART AND THAT APPROPRIATIONS FOR THESE EXPENDITURES HAVE BEEN DULY MADE OR OTHERWISE AUTHORIZED BY THE CITY COUNCIL AND OTHER APPROPRIATE AUTHORITY.

October 7th

,2024



JAMIE ARCE - CONTROLLER

IN RELIANCE ON THE ABOVE CERTIFICATION, CLAIMS IN THE TOTAL AMOUNT OF \$27,142.01 AS LISTED ON THE REGISTER ATTACHED HERETO CONSISTING OF 4 PAGES, ARE HEREBY APPROVED EXCLUDING ANY CLAIMS WITHHELD AS SHOWN ON THE SEPARATE SUMMARY OF PENDING CLAIMS.

EXECUTED THIS 9TH DAY OF OCTOBER 2024 BY:

PRESIDENT

GARY BOYN

VICE PRESIDENT

DINA HARRIS

TREASURER

DALLAS BERGL

MEMBER

VACANT

MEMBER

DIANA LAWSON

MEMBER

JAMIE ARCE

MEMBER

CARRIE BERGHOFF

ORIGINAL COPY MUST BE RETAINED IN THE CONTROLLER'S OFFICE



City of Elkhart

City of Elkhart

Expense Approval Report

By Fund

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 2511 - LERNER THEATRE					
KONE INC	871486329	10/09/2024	Maintenance Period:10/1-12/	2511-5-502-4360100	1,561.17
Menard, INC	62951	10/09/2024	Frog Tape 1.88"x60yd. Green	2511-5-502-4230200	59.97
Menard, INC	62951	10/09/2024	Frog Tape 1.88"x60yd. Green	2511-5-502-4230300	26.94
LIVING GRAPHICS INC.	00043574	10/09/2024	30 Posters (Sesame St, Daybre	2511-5-502-4330300	185.40
LIVING GRAPHICS INC.	00043606	10/09/2024	125 each of Takeaway Cards:	2511-5-502-4210200	63.25
LIVING GRAPHICS INC.	00043606	10/09/2024	125 each of Takeaway Cards:	2511-5-502-4330300	162.49
ELKHART LIONS CLUB	05050	10/09/2024	1/2 Page Advertising for Prom	2511-5-502-4330300	200.00
KENNETH J SELNER	109238	10/09/2024	Master Padlock (3)	2511-5-502-4220150	6.00
JOHNSON CONTROLS	1-132865003024	10/09/2024	System is running but not allo	2511-5-502-4360100	593.05
JOHNSON CONTROLS	1-132915394087	10/09/2024	IP Address changed on their S	2511-5-502-4360100	1,039.45
SHOFF SECURITY SERVICES , I	152662	10/09/2024	Monthly monitoring of Burgla	2511-5-502-4390912	122.00
AMAZON CAPITAL SERVICES I	17XK-1X71-43PN	10/09/2024	Febreeze Air Mist Air Freshen	2511-5-502-4220310	5.48
AMAZON CAPITAL SERVICES I	1GK4-XCMW-MF7H	10/09/2024	2025 Desk Calendar-Large Des	2511-5-502-4210500	59.63
AMAZON CAPITAL SERVICES I	1GK4-XCMW-MF7H	10/09/2024	2025 Desk Calendar-Large Des	2511-5-502-4220310	-4.70
AMAZON CAPITAL SERVICES I	1GK4-XCMW-MF7H	10/09/2024	2025 Desk Calendar-Large Des	2511-5-502-4220310	98.60
AMAZON CAPITAL SERVICES I	1MGY-KVHG-WVGC	10/09/2024	Bloom Daily planners 2025 De	2511-5-502-4210500	57.00
AMAZON CAPITAL SERVICES I	1MGY-KVHG-WVGC	10/09/2024	Bloom Daily planners 2025 De	2511-5-502-4220150	175.77
AMAZON CAPITAL SERVICES I	1MGY-KVHG-WVGC	10/09/2024	Bloom Daily planners 2025 De	2511-5-502-4220150	5.95
AMAZON CAPITAL SERVICES I	1MGY-KVHG-WVGC	10/09/2024	Bloom Daily planners 2025 De	2511-5-502-4230300	18.28
AMAZON CAPITAL SERVICES I	1XN9-WJTF-4WJH	10/09/2024	CREDIT: mCover Case Compati	2511-5-502-4210500	-18.95
KRUGGEL, LAWTON & COMPA	379817	10/09/2024	Accounting invoice for service	2511-5-502-4310400	2,500.00
KULTURECITY	3958	10/09/2024	Sensory Accessibility-Year Two	2511-5-502-4310400	500.00
SERVICE PRINTERS, INC.	46368011	10/09/2024	Five Various Marquee Posters:	2511-5-502-4330300	125.00
RICOH USA, INC	5070231254	10/09/2024	Copier September 2024 Color	2511-5-502-4370200	120.30
JP ENTERPRISES, INC	56805	10/09/2024	name badges, magnets, deliv	2511-5-502-4220150	31.00
Menard, INC	61267	10/09/2024	Old Style White Vinegar-128 o	2511-5-502-4220310	2.12
Menard, INC	61267	10/09/2024	Old Style White Vinegar-128 o	2511-5-502-4230300	63.93
EYEDART STUDIO LLC	6184	10/09/2024	Digital Ads/Promotion: Cat an	2511-5-502-4330300	200.00
EYEDART STUDIO LLC	6186	10/09/2024	Digital Ads/Promotion: Home	2511-5-502-4330300	60.00
Menard, INC	61949	10/09/2024	NIBCO 3/4" Socket Sch 40 PVC	2511-5-502-4230200	3.69
Menard, INC	61949	10/09/2024	NIBCO 3/4" Socket Sch 40 PVC	2511-5-502-4230300	49.49
Menard, INC	61962	10/09/2024	Glacier Mist Natural Spring Bo	2511-5-502-4220150	5.78
EYEDART STUDIO LLC	6197	10/09/2024	Digital Ads/Promotion, Adver	2511-5-502-4330300	1,730.00
Menard, INC	62554	10/09/2024	Loctite Power Grab Ultimate C	2511-5-502-4230300	98.85
Menard, INC	62696	10/09/2024	Bestt Liebco Master 4"x3/8" H	2511-5-502-4220310	2.98
Menard, INC	62696	10/09/2024	Bestt Liebco Master 4"x3/8" H	2511-5-502-4230200	31.19
Menard, INC	62696	10/09/2024	Bestt Liebco Master 4"x3/8" H	2511-5-502-4230300	17.98
PAXTON MEDIA GROUP	71031186	10/09/2024	Silent Film Series Ads-Month	2511-5-502-4330300	525.00
FULL COMPASS SYSTEMS LTD.	INC02570509	10/09/2024	DM NVX 4K60 4:2:0 Network	2511-5-502-4230300	805.53
FULL COMPASS SYSTEMS LTD.	INC02572014	10/09/2024	Gaffers Tape 55 yds Black(3),	2511-5-502-4230300	100.95
MID-CITY SUPPLY CO INC	S4656546.001	10/09/2024	Nu-Calgon 4190-09 Cal-Green	2511-5-502-4360100	104.34
MID-CITY SUPPLY CO INC	S4658933.001	10/09/2024	Sloan V551A Vacuum Repair K	2511-5-502-4360100	28.60
MID-CITY SUPPLY CO INC	S4660791.001	10/09/2024	Facet HE40-STD2 20x25x2 ME	2511-5-502-4360100	711.46
MID-CITY SUPPLY CO INC	S4662178.001	10/09/2024	S40 3/4x10' PVC Pipe (PE) (23	2511-5-502-4360100	108.10
MID-CITY SUPPLY CO INC	S4665433.001	10/09/2024	S40 1 PVC 90 ELL (406-010) (1	2511-5-502-4360100	13.20
MID-CITY SUPPLY CO INC	S4668948.001	10/09/2024	IPS 80600 (RTB01) Roof Top Bl	2511-5-502-4360100	232.40
STEPHANIE KROL PUBLIC RELA	SEPT2024	10/09/2024	Publicity work for September	2511-5-502-4330300	1,250.00
HERRMAN & GOETZ INC	SRVCE000000100149	10/09/2024	Provided labor and material t	2511-5-502-4360100	855.48
Fund 2511 - LERNER THEATRE Total:					14,694.15
Grand Total:					14,694.15

Fund Summary

Fund	Expense Amount
2511 - LERNER THEATRE	<u>14,694.15</u>
Grand Total:	14,694.15

Account Summary

Account Number	Account Name	Expense Amount
2511-5-502-4210200	Stationary & Printing	63.25
2511-5-502-4210500	Office Supplies	97.68
2511-5-502-4220150	Operating Supplies	224.50
2511-5-502-4220310	Household, Laundry, & C	104.48
2511-5-502-4230200	Repair Parts	94.85
2511-5-502-4230300	Small Tools & Minor Equ	1,181.95
2511-5-502-4310400	Professional Services	3,000.00
2511-5-502-4330300	Advertising/marketing	4,437.89
2511-5-502-4360100	Repairs & Maint - Bldg	5,247.25
2511-5-502-4370200	Equipment Leases	120.30
2511-5-502-4390912	Contract Services	<u>122.00</u>
	Grand Total:	14,694.15

Project Account Summary

Project Account Key	Expense Amount
None	<u>14,694.15</u>
Grand Total:	14,694.15



City of Elkhart

City of Elkhart

Expense Approval Report

By Fund

Payment Dates 9/7/2024 - 10/4/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 2511 - LERNER THEATRE					
COMCAST BUSINESS	8/23/2024	09/13/2024	Monthly service charges for s	2511-5-502-4320400	269.12
NORTHERN INDIANA PUBLIC S	INV0004519	09/20/2024	0517660086 410 S Main St	2511-5-502-4350200	296.87
INDIANA MICHIGAN POWER C	INV0004534	09/20/2024	04680727429 410 S Main St	2511-5-502-4350100	11,401.33
ELKHART PUBLIC UTILITIES	INV0004596	09/27/2024	3148906100 410 S Main St	2511-5-502-4350400	201.38
COMCAST BUSINESS	9-23-2024	10/04/2024	Monthly service charges for s	2511-5-502-4320400	134.56
FRONTIER NORTH INC.	9-25-2024	10/04/2024	9/25-10/24/2024 Elevator, Se	2511-5-502-4320400	144.60
Fund 2511 - LERNER THEATRE Total:					12,447.86
Grand Total:					12,447.86

Report Summary

Fund Summary

Fund	Payment Amount
2511 - LERNER THEATRE	<u>12,447.86</u>
Grand Total:	12,447.86

Account Summary

Account Number	Account Name	Payment Amount
2511-5-502-4320400	Telephone & Communic	548.28
2511-5-502-4350100	Electricity	11,401.33
2511-5-502-4350200	Natural Gas	296.87
2511-5-502-4350400	Water & Sewer	<u>201.38</u>
Grand Total:		12,447.86

Project Account Summary

Project Account Key	Payment Amount
None	<u>12,447.86</u>
Grand Total:	12,447.86

Crystal Ballroom Catering, LLC
Commission Report for September and YTD 2024

	July 2024		August 2024		September 2024		YTD 2024		September 2023		September 2022		September 2021		September 2020	
	Guests	Events	Guests	Events	Guests	Events	Guests	Events	Guests	Events	Guests	Events	Guests	Events	Guests	Events
Ballroom Sales																
09/05/2024 Bashor House																
09/12/2024 Humane Society																
09/13/2024 Chupp & Szumski																
09/14/2024 Reed & Kenney																
09/17/2024 USB																
09/21/2024 Awake and Alive																
09/21/2024 City Budget Hearing																
09/25/2024 Cancer Resources																
09/27/2024 Lerner																
Total Food Sales-Ballroom																
09/05/2024 Bashor House																
09/12/2024 Humane Society																
09/13/2024 Chupp & Szumski																
09/14/2024 Reed & Kenney																
09/17/2024 USB																
09/21/2024 Awake and Alive																
09/25/2024 Cancer Resources																
Total Bar Sales-Ballroom																
09/19/2024 Silent Movie																
09/27/2024 Home Free																
Concession Sales																
09/19/2024 Silent Movie																
09/27/2024 Home Free																
Total Food Sales-Concessions																
09/19/2024 Silent Movie																
09/27/2024 Home Free																
Total Bar Sales-Concessions																
09/19/2024 Silent Movie																
09/27/2024 Home Free																
Room Rents																
Total Commission Sales																
Commissions																
Commissions Payable:																

\$ 31,268.36

Lerner Theatre Board Report

October 2024

Activity (October - December)	As % of 90 days	
55 Events	61%	Activity in theatre
30 Ticketed Events	33%	Ticketed events
6 Non-Ticketed Events	0.7%	Non-Ticketed events
19 Rehearsal Dates	21%	Rehearsal Space

Compare to 2023 Board Report Ticketed Events: 26

Compare to 2023 Board Report Non-Ticketed Events +Rehearsals: 36

- The Year End Review is being sent out. Holly and Jenna did a great job on this and have the bones for next year’s Year End Review in place. We are hoping to be back on schedule for the next Year End Review and have that sent off closer to February/March
- October has officially kicked off and with it we had two shows already. Rachel has done a great job stepping up and closing shows and we’ve had our first reminder of long shifts and busy weekends. The tech department did a great job and a shout out to Jacob for two shows and only a few calls//messages to Deen from all of us while he was out.
- Our 100 year celebration plans continue and we’re hoping to loop in more of The Lerner team and downtown business/community members to prepare for a year of celebration.

DIRECTOR OF EVENTS

PREPARED BY: SARAH MACER

Accomplished in September:

- All of Facility Occupancy numbers were sent off to the city departments for life safety of everyone visiting The Lerner. Also, the Google Calendar and Prism are both updated based off from conversations with Sherry, Blake and Scott.
- I am still working on facilitating shows with Deen and the rest team. We are picking up speed and with more shows I’m grateful for some of the newer practices we have in place; so more of the team is included in the process rather than one person having all of the information.
- Our monthly meetings of the 100 year are continuing and we’re working on setting up routine meetings for our individual committees. The first meeting of all happened in September and we’ll be meeting bimonthly from now on.

- DLZ had their second walkthrough and we're looking forward to the report from them once we receive that from Public Works
- All of the usual tasks associated with my position have been completed; Show Closings sheets have been completed for each show and the show closing schedule for the month was sent to KL.

Updates for September:

100 Year Planning:

Our meetings have continued with Diana's guidance and we're all starting to move through our roles as liaisons for the various committees we're on. The first meeting with everyone in attendance was well received and we have a lot of excited, interested parties. We are looking forward to our first official event in November on 11.24.24 where we have the Silent Movie: The Navigator; which was the first event we EVER had in the building.

Budget:

Deen did an amazing job presenting The Lerner budget and sitting through the Councils questions. There are somethings we can update and elaborate on for the Council with the Mayor's assistance but it was a great day. Jamie was a huge help and we loved working with Angie with the City Council, Leah with the Ballroom for catering (always) and the rest of the Department Heads to make sure it was an easy day for all that had to speak.

KultureCity:

We will be entering our second year and start the training of full, part time and Volunteers here soon!

Event Planning:

We're getting into show season! October is the official kick off to "busy" and we're off and running with advancing shows and working through those details. We'll have a lot of weekends coming up where we have multiple shows and we've been working on getting new Volunteers, Ushers and Box Office staff ready.

TECHNICAL AND FACILITIES DIRECTOR

PREPARED BY: DEEN TUGGLE

Due to a sudden family death, Deen will give a verbal report at the board meeting.

COMMUNICATIONS & MARKETING COORDINATOR

PREPARED BY: JENNA BROUILLETTE

September has been primarily a month to work behind the scenes and prepare for the busy show season ahead. Administratively, I've been continuing to work to advertise for our upcoming shows and prepare for our centennial celebration! We've got a great team working towards this celebration, and the passion shared for The Lerner and its value for the community is a refreshing experience! We completed the month with Lerner on the Lawn and Home Free, both fantastic groups full of talent.

We are also in the process of distributing The Lerner's Year in Review documents and updating our Lerner website to be more ADA accessible – both great projects that we look forward to completing.

Here is a snapshot of The Lerner Theatre's Socials as of 9/30/24:

	July 2024	August 2024	September 2024	1-Month Change
Total Audience	36,402	36,484	36,462	0.3% Increase
Total Impressions	328,338	466,095	510,956	24.4% Increase
Total Engagement	13,789	19,622	19,949	15.2% Increase

Additional Social Context: *Beginning June 2024, The City of Elkhart announced the following regarding meetings and social platforms. "The City of Elkhart utilizes its Facebook pages to share information and engage with our constituents. We will continue to use all city pages with that goal in mind, however, commenting on future posts will not be allowed."*

As a City-Owned building, this policy affects our pages as well, effectively impacting show announcements, promotions, information sharing, and interaction with patrons (positive or negative). We are currently navigating this constraint and seeing significant long-term challenges to our social data as this limits engagement with our posts and impressions as well.

Done in September

- Finalized Year In Review Documentation
- Continued internal meetings to plan and organize the 100th anniversary celebration
- Began discussions about making The Lerner website more accessible

Goals for October

- Work with Holly to update our website and create a more comprehensive accessibility page for the Lerner Website
- Complete the Lerner on the Lawn season with it's fifth Free Concert
- Continue as a liaison to the Lerner's 100 year celebration committees in the areas of History+Renovation and Communications.

MEDIA SPECIALIST

PREPARED BY: HOLLY COWAN

The month of September we have started to get more shows on the books so I have resumed my responsibilities with floor managing. I've also been able to continue working on some back burner items.

I'm happy to announce that the printing of the 2023 Year End Report and Community Update has finally been completed! These pieces will begin to be distributed soon and will be available to view on our website. In the upcoming months I will begin to draft the 2024 report with new information and the events we've done this year.

Jenna and I have also begun to look into accessibility features on our website. We have a meeting scheduled to discuss issues and expectations in the following week. I'm looking forward to digging into this and starting to revamp our site. It also sounds like Friends of the Lerner are reviewing their website and will be sending along changes and edits.

This week I'll be meeting with the communication committee for our 100 Year Celebration to discuss branding moving forward in November. I'm excited to hear from the team and to continue moving with this project.

Accomplishments in September

- Working on graphics and announce emails for upcoming shows
- 2023 Year End Report and Community Update is printed and being mailed! Once we officially receive these pieces we will have them posted to our website to replace the old 2020 report
- Created rough draft of new Know Before You Go email
- Started to draft holiday card for this year
- Donations pages are officially up on our website and functional
- Made some small edits to the FOL website to update information with more changes to come

Upcoming Goals for October

- Create a new page for the website about our accessibility
- New page for the website about artwork on display in The Lerner
- Ongoing – update The Lerner Website and Friends of The Lerner Website information
- Begin working on accessibility features for our websites
- Design a new Know Before You Go social graphic and email
- Create branding for 100 Year Celebration

BOX OFFICE MANAGER

PREPARED BY: TRISTIN TUBBS

Box Office Manager Accomplishments for September 2024

- Successfully built 6 shows - The Price is Right Live! is coming back to The Lerner!
- Continued to help Jenna with our Friends of the Lerner Endowment Program - We are looking to reinstate the program for our 100 Year Anniversary!
 - I am now the liaison between The Lerner Theatre and the Friends of the Lerner
- Became the primary contact for FOL and will start handling donations towards the non-profit

Box Office Assistant Manager Accomplishments for September 2024

- All box office staff are trained and ready to work solo shifts
- Closed the balcony for Mersey Beatles and was able to move everyone down to main floor
- All audits were done and sent to controller's office
- Finished updating box office manual

Box Office Manager Goals for October 2024

- Complete the new Box Office Operations Manual
- Schedule a Mandatory Box Office Meeting to go over the new Box Office Operations Manual
- Continue to work with Jenna on our FOL Endowment Program and help out with the 100 Year Anniversary
- Continue to be a liaison for the FOL
- Start sending out donation letters

Box Office Assistant Manager Goals for October 2024

- Lead a solo national tour
- Make sure box office is staffed for upcoming events
- Continue to stay up to date on audits

Date	Time	Event Name	On Sale Date	Sold	Revenue w/Hist. Fee	Net Revenue	Hist. Fee	Total Revenue
9/8/2024	4:00 PM	Elkhart County Symphony - Rhythms in Bloom	7/24/2024	183	\$2,327.00	\$1,778.00	\$549.00	\$2,327.00
9/8/2024	4:00 PM	Elkhart County Symphony - Rhythms in Bloom (Original Event - Now not used)	7/24/2024	11	\$232.00	\$199.00	\$33.00	\$232.00
9/14/2024	8:00 PM	4192: An Evening with Pete Rose Live!	4/1/2024	94	\$2,728.00	\$2,446.00	\$282.00	\$2,728.00
9/19/2024	7:30 PM	Kimball Organ - The Cat and The Canary	2/1/2024	138	\$1,771.25	\$1,357.25	\$414.00	\$1,771.25
9/27/2024	8:00 PM	Home Free - Crazy(er) Life Tour	6/21/2024	162	\$6,690.35	\$6,204.35	\$486.00	\$6,690.35
10/5/2024	7:00 PM	The Voices of Crazy Radio	4/12/2024	168	\$5,239.00	\$4,735.00	\$504.00	\$5,239.00
10/6/2024	7:00 PM	The Mersey Beatles	4/23/2024	38	\$1,958.00	\$1,844.00	\$114.00	\$1,958.00
10/18/2024	7:30 PM	Premier Arts: School of Rock	1/1/2024	118	\$2,733.00	\$2,379.00	\$354.00	\$2,733.00
10/19/2024	7:30 PM	Premier Arts: School of Rock	1/1/2024	110	\$1,700.00	\$1,370.00	\$330.00	\$1,700.00
10/20/2024	2:00 PM	Premier Arts: School of Rock	1/1/2024	89	\$1,967.00	\$1,700.00	\$267.00	\$1,967.00
10/23/2024	6:00 PM	Sesame Street Live! - Say Hello	6/28/2024	120	\$4,648.40	\$4,288.40	\$360.00	\$4,648.40
10/25/2024	7:30 PM	Judy Collins	6/21/2024	36	\$1,616.00	\$1,508.00	\$108.00	\$1,616.00
10/26/2024	4:00 PM	95.3 MNC NOISE!	9/11/2024	32	\$2,126.00	\$2,030.00	\$96.00	\$2,126.00
11/1/2024	7:30 PM	Finding Nemo Jr	3/27/2024	42	\$984.00	\$984.00	\$0.00	\$984.00
11/2/2024	10:00 AM	Premier Arts Academy: Finding Nemo Jr	9/9/2024	130	\$1,800.00	\$1,410.00	\$390.00	\$1,800.00
11/2/2024	2:00 PM	Finding Nemo Jr	3/27/2024	138	\$3,112.00	\$2,698.00	\$414.00	\$3,112.00
11/2/2024	6:00 PM	Premier Arts Academy: Finding Nemo Jr	9/9/2024	91	\$1,275.00	\$1,002.00	\$273.00	\$1,275.00
11/6/2024	7:30 PM	A Taste of Ireland	8/29/2024	220	\$13,757.00	\$13,097.00	\$660.00	\$13,757.00
11/7/2024	7:00 PM	World Ballet Series: Swan Lake	4/2/2024	54	\$3,387.00	\$3,225.00	\$162.00	\$3,387.00
11/8/2024	7:00 PM	Jeremy Camp Deeper Waters Tour	8/22/2024	263	\$12,419.50	\$11,630.50	\$789.00	\$12,419.50
11/9/2024	7:00 PM	Ginger Billy	6/21/2024	51	\$2,322.00	\$2,169.00	\$153.00	\$2,322.00
11/15/2024	7:30 PM	DAYBREAK: The Music and Passion of Barry Manilow	8/15/2024	11	\$598.00	\$565.00	\$33.00	\$598.00
11/17/2024	4:00 PM	Elkhart County Symphony - Mahler Symphony Number 2	7/24/2024	42	\$547.00	\$421.00	\$126.00	\$547.00
11/23/2024	7:00 PM	Joe Gatto: Let's Get Into It	6/21/2024	45	\$3,023.50	\$2,888.50	\$135.00	\$3,023.50
11/24/2024	3:00 PM	Kimball Organ - The Navigator	2/1/2024	3	\$35.00	\$26.00	\$9.00	\$35.00
12/4/2024	7:00 PM	Christmas in the Air	8/15/2024	3	\$158.00	\$149.00	\$9.00	\$158.00
12/5/2024	7:00 PM	Charlie Berens: Good Old Fashioned Tour	6/21/2024	79	\$3,732.00	\$3,495.00	\$237.00	\$3,732.00
12/6/2024	7:30 PM	The Rat Pack is Back for The Holidays	3/1/2024	12	\$674.00	\$638.00	\$36.00	\$674.00
12/7/2024	6:00 PM	Hometown Jams: Night Ranger	8/14/2024	109	\$6,702.51	\$6,375.51	\$327.00	\$6,702.51
12/13/2024	7:30 PM	Premier Arts: Elf the Musical	1/1/2024	34	\$519.00	\$417.00	\$102.00	\$519.00
12/14/2024	2:00 PM	Premier Arts: Elf the Musical All-Youth Performance	1/1/2024	22	\$407.00	\$341.00	\$66.00	\$407.00
12/14/2024	7:30 PM	Premier Arts: Elf the Musical	1/1/2024	16	\$129.00	\$81.00	\$48.00	\$129.00
12/15/2024	2:00 PM	Premier Arts: Elf the Musical	1/1/2024	41	\$900.00	\$777.00	\$123.00	\$900.00
2/2/2025	4:00 PM	Elkhart County Symphony - Mahler Symphony Number 2	7/24/2024	12	\$379.00	\$343.00	\$36.00	\$379.00
2/2/2025	4:00 PM	Elkhart County Symphony - Mahler Symphony Number 2 (Original Event - Now not used)	7/24/2024	0	\$0.00	\$0.00	\$0.00	\$0.00
3/30/2025	4:00 PM	Elkhart County Symphony - Passion and Poetry	7/24/2024	12	\$379.00	\$343.00	\$36.00	\$379.00
5/18/2025	4:00 PM	Elkhart County Symphony - Rebel Symphnoire	7/24/2024	12	\$379.00	\$343.00	\$36.00	\$379.00
11/16/2025	3:00 PM	Snow Queen	9/18/2024	4	\$293.90	\$281.90	\$12.00	\$293.90
Total Ticket Revenue					\$93,648.41			

LERNER SERVICES COORDINATOR

PREPARED BY: DIANA GALVES

In September the Lerner didn't have many performances. The Ballroom, on the other hand, had several Weddings as well as several banquets.

Accomplished in September:

Due to not having many performances Lerner services staff worked with the Facility Manager with maintenance.

- Lerner services staff worked with the Facility Manager cleaning the algae off the three roofs.

- Lerner services staff worked with the Facility Manager sanding and painting three ticket podiums.
- Lerner services staff worked with the Facility Manager sanding, painting ally hand rails, sweeping, and cleaning ally of debris.

Upcoming Tasks:

- Preparing for a busy October with performances and Ballroom events.
- Continue daily cleaning and maintenance throughout the Lerner.

FACILITIES MANAGER

PREPARED BY: TIM GARDNER

September:

Plumbed all RTU drains into roof drains to eliminate extra build up on roof from RTU's. Already am seeing the benefits of this, as the drains are not backing up, the condensate tray's within the units are staying cleaner. The roof is also staying cleaner without the slimy build up that the draining RTU's caused, which was a slip/fall hazard for anyone on the roof.

Rubber flashing on all RTU's also had come loose. Re-glued all the units, which will help keep the interior of the units cleaner as air flow will no longer come from underneath the units.

Repaired all lobby door handles. Looked into getting shear pins replaced as these are no longer offered by the company that they were purchased from. In the meantime just reset all pins into the bases so the door handles are secure.

Repaired and did full touch up of City Podium. Corner molding had been ripped off after moving unit.

Painted and lacquered ticket booths for front lobby.

Goals for October:

Blade sign lighting is an issue. We are looking into bulbs as we can no longer get the same bulbs or even similar bulbs that are in the sign. If I counted correctly, there are over 760 orange bulbs alone on that sign.

Still need to fix hinge issue on ball room doors. Now that I have the ballroom's full calendar I hope to get this done in Oct.

Start prep for the winter on box office walk way.



Monday, October 7, 2024

To: The Lerner Governing Board
From: Deen Tuggle, Technical & Facilities Director
Subject: Majority Builders – Stage Rigging Point
Date: October 7, 2024

The City of Elkhart, through its Lerner Governing Board, seeks to enter into a contractual agreement with Majority Builders for the removal and replacement of a structural rigging point in the Lerner Theatre.

I ask the Lerner Governing Board to approve this Majority Builders contract. The contract has been reviewed by City Legal.

Respectfully submitted,

Deen Tuggle
Technical & Facilities Director
The Lerner Theatre

CONTRACT FOR THE INSTALLATION OF RIGGING POINTS

This Agreement is made and entered into this ____ of _____, 2024, between the **CITY OF ELKHART, INDIANA** ("CITY"), by and through the Lerner Governing Board, located at 229 S. Second Street, Elkhart, Indiana 46516 and **MAJORITY BUILDERS, INC** ("CONTRACTOR"), located at 62900 U.S. 31 S. South Bend, IN, 46614.

RECITALS:

WHEREAS, the Lerner Theater Board needs to replace two existing stage rigging points at the Lerner Theater, ("**Premises**"); and

WHEREAS, the Lerner Theater desires to retain the services of a competent contractor with the necessary equipment, expertise, and personnel to perform the required repairs.

WHEREAS, the CONTRACTOR represents that it has the requisite expertise and ability to complete this project and guarantees that CONTRACTOR is properly bonded;

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and promises herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

SECTION 1. Scope of Services.

CONTRACTOR agrees to furnish the services listed in the Proposal to Create Stage Rigging Points dated October 4th, 2024, attached to this Contract as Exhibit A.

SECTION 2. Schedule.

Services described in Section 1 shall commence within a reasonable amount of time from when CITY approval of this Agreement is communicated to CONTRACTOR.

SECTION 3. Payment.

In consideration for the services rendered under this contract, the CITY agrees to pay to the CONTRACTOR the sum of Seventeen Thousand Three Hundred Ninety-Four dollars (\$17,394.00) upon inspection and approval by the City, under the terms and conditions described in the attached Exhibit A. No payment shall be made until the City's inspection reveals that the work is entirely completed, and no advance payment will be made.

SECTION 4. Indemnification.

Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to Indemnify and hold harmless the other Party, and its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and cost of any kind or amount whatsoever, which result from or arise out of any act or omission of the Indemnifying party, its respective affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with Agreement. This Indemnification will survive the termination of the Agreement.

SECTION 5. Assignment.

Neither this agreement nor any interest of CONTRACTOR herein may be assigned, sublet, or transferred to a third party without prior written consent of the CITY.

SECTION 6. Governing Law.

This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana and any suit based thereon must be brought in the Superior or Circuit Court of Elkhart County, Indiana.

SECTION 7. Compliance with State and Local Law.

CONTRACTOR agrees to comply with all federal, state and local laws, rules, regulations, or ordinances that are applicable at the time of CONTRACTOR'S services pursuant to this Agreement are rendered, and all provisions required thereby to be included herein are hereby incorporated by reference.

SECTION 8. E-Verify Compliance.

All terms defined in LC. § 22-5-1.7 et seq. are adopted and incorporated into this section. Pursuant to LC. § 22-5-1.7 et seq., CONTRACTOR shall enroll in and verify the work eligibility status of all of its newly-hired employees using the E-Verify program, if it has not already done so as of the date of this Agreement CONTRACTOR is further required to execute an affidavit affirming that: (i) it is enrolled and is participating in the E-verify program, and (ii) does not knowingly employ any unauthorized aliens. In support of the affidavit, CONTRACTOR shall provide the CITY with documentation that it has enrolled and is participating in the E-Verify program. This Agreement shall not take effect until said affidavit is signed by CONTRACTOR and delivered to the CITY's authorized representative.

Should CONTRACTOR subcontract for the performance of any work under this Agreement, the CONTRACTOR shall require any subcontractor(s) to certify by affidavit that: (i) the subcontractor does not knowingly employ or contract with any unauthorized aliens, and (ii) has enrolled and is participating in the E-verify program. CONTRACTOR shall maintain a copy of such certification for the duration of the term of any subcontract. CONTRACTOR shall also deliver a copy of the certification to the CITY within seven (7) days of the effective date of the subcontract.

If Contractor, or any subcontractor of Contractor, knowingly employs or contracts with any unauthorized aliens, or retains an employee or contract with a person that the CONTRACTOR or subcontractor subsequently learns is an unauthorized alien, CONTRACTOR shall terminate the employment of or contract with the unauthorized alien within thirty (30) days ("Cure Period"). Should the CONTRACTOR or any subcontractor of CONTRACTOR fail to cure within the Cure Period, the CITY has the right to terminate this Agreement without consequence.

The E-Verify requirements of this Agreement will not apply should the E-Verify program cease to exist.

SECTION 9. Supplement.

This Agreement may only be amended, supplemented or modified by a written document executed in the same manner as this Agreement.

SECTION 10. Entire Agreement.

This Agreement constitutes the entire agreement of the parties, and, unless specified otherwise herein, no representations, inducement, promises, or prior agreements, oral or written between the parties, or made by any agent on behalf of the parties or otherwise, shall be of any force and effect.

SECTION 11. Authority.

The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

SECTION 12. Nondiscrimination.

CONTRACTOR shall not be in violation of Elkhart City Ordinance No. 4101, for the duration of this agreement. Should CONTRACTOR be in violation of any of the aforementioned provisions, such shall be considered a material breach of this agreement.

SECTION 13. Severability.

In the event that any portion of this Agreement is found to be invalid it shall be deemed severed and the remainder of this Agreement shall remain in full force and effect as if the severed portion did not exist.

SECTION 14. Council Appropriation.

In the event funds for the payment of services pursuant to this Agreement are not appropriated by the Elkhart City Common Council, then, the CITY shall have the right to terminate this Agreement without penalty by giving prior written notice to CONTRACTOR.

IN WITNESS WHEREOF, the parties have duly executed this Agreement pursuant to all the required authorization as of the date first set forth above.

Gary D. Boyn, President

Signature of Contractor

Lerner Governing Board

City of Elkhart, Indiana

Print Name

October 4, 2024



Lerner Theater
410 South Main Street
Elkhart, IN

Attention: Deen Tuggle, Technical & Facilities Director

Reference: Proposal to Create Stage Rigging Points

Dear Deen,

We propose to furnish the necessary labor, equipment and material to remove two existing stage rigging points and install two new rigging points as per our conversations, jobsite visit and Structural Investigation & Evaluation by JPR dated August 28, 2024 (7 pages).

Scope of Work

- Field verify existing conditions and measurements.
- Provide temporary welding/cutting protection.
- Removal of existing rigging materials.
- Supply new painted fabricated rigging steel to rigging area.
- Layout for new rigging locations.
- Use planks laid upon existing structure to provide access to new rigging connection locations.
- Drill existing beams and install two new rigging plates, beams, and connection hardware.
- Clean up of our debris and removal from the rigging platform.
- Sales tax exempt.

Total Cost \$17,394.00

Thank you for the opportunity to provide this proposal. Please contact us if you have any questions.

Sincerely,

David Paston
Vice President
Majority Builders, Inc.

Accepted: _____ Date: _____

Amount Accepted: _____



Wednesday, September 18th, 2024

To: The Lerner Theatre Governing Board
From: Jenna Brouillette, Communications and Marketing Coordinator
Subject: TM1 Engagement Domain Authorization
Date: September 18, 2024

The Lerner Theatre utilizes TM1 Engagement for notifying our email base for announces, reschedules, promotional discounts, and other show information. Third Party Email providers, such as TM1, occasionally encounter challenges with address holders such as Yahoo and Google to deliver email addresses under a different 'sender' address than the third party. For example, our emails show to send from "info@thelerner.com" - and address holders recognize TM1 as different than info@thelerner.com so they block the delivery unless they can verify that we have authorized TM1 to perform as info@thelerner.com.

The form attached allows TM1 to perform a Domain Verification Process to ensure that Lerner Emails can be delivered to our patrons through TM1. There are no fees for this domain verification or authentication service.

I ask the Lerner Governing Board to ratify the TM1 Engagement Authorization.

Respectfully submitted,

Jenna Brouillette
Communications and Marketing Coordinator
The Lerner Theatre

tm/1 Engagement

7060 Hollywood Blvd
Hollywood, CA 90028

TM1 Engagement Authorization Form

Client: The Lerner Theater
Contact: Jenna Brouillette
Address: 410 S. Main Street Elkhart IN 46516
PHONE #: 574-293-4469
Email: jenna@thelerner.com
TM CDD
Email: info@thelerner.com

PURCHASE ORDER #:
(IF APPLICABLE)

Client # _____

Site # _____

Domain to be Authenticated: _____

DATE: _____

PRODUCT/SERVICE: Domain Authentication
EFFECTIVE PERIOD: _____

COMMENTS: Once received, DNS records will be provided (includes SPF, DKIM, DMARC) for implementation.

By signing this Authorization Form, you are agreeing to pay for the above approved marketing spend.

Additional user license fee will be billed upfront annually.

Premium Automations Package fee will be billed upfront annually.

Professional Services will be billed in total upon signature, unless otherwise noted in comments section above.

AGREED AND ACCEPTED

Sheryl D. Boyer, President
Client Lerner Governing Board

September 18, 2024
Date

I confirm that I am authorized to sign this Form on behalf of my company.