

**REDEVELOPMENT AGENCY OF THE
CITY OF OAKLAND
AGENDA REPORT**

OFFICE OF THE AGENCY ADMINISTRATOR
2007 MAR 30 PM 5:49

TO: Office of the Agency Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: April 3, 2007

RE: Five Resolution Options:

OPTION 1) Authorizing the Agency Administrator to Negotiate and Execute a Three-Year Agreement with Rink Management Services Corporation for Management and Operation of the Oakland Ice Center for a Base Monthly Fee not to Exceed \$4,900, Plus an Annual Incentive Fee not to Exceed 20 percent of Net Revenue Adjusted for Any Deferred Expenses that May be Earned during the Previous Year in Excess of \$7,603, Pursuant to Specific Criteria;
OPTION 2) A Resolution Authorizing a Three-Year Operations and Management Agreement with San Jose Arena Management, LLC for the Oakland Ice Center for a Negotiated Annual Fee based on a Percentage of Net Revenue, Pursuant to Specific Criteria;
OPTION 3) A Resolution Authorizing Staff to Reject all Current Bids for Management of the Oakland Ice Center, Close the Current Request for Proposals Process and Negotiate with either Rink Management Services Corporation or San Jose Arena Management, LLC and Returning to Council for Approval of the Final Contract;
OPTION 4) A Resolution Authorizing Staff to Reject all Current Bids for Management of the Oakland Ice Center, Close the Current Request for Proposals Process and to Release a New Request for Proposals for Management of the Oakland Ice Center, within 6 months; and
OPTION 5) A Resolution Authorizing Negotiation and Execution of a Six-Month Extension of the Existing Management Agreement with Ice Specialty Entertainment, Inc.

SUMMARY

During its meetings of February 20, 2007 and March 6, 2007, City Council was unable to achieve consensus on approving either of two competing resolutions authorizing an agreement for management of the Oakland Ice Center (OIC). The first resolution would have authorized a management agreement with Rink Management Services Corporation (RMSC), and the second resolution would have authorized a management agreement with San Jose Arena Management, LLC (SJAM). Both resolutions noted above have been included in this package.

The current management company, Ice Specialty Entertainment, Inc., dba, Iceplex of Oakland (ISE), has agreed to continue operating the OIC on a month-to-month basis pending the selection

Item: _____
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April 3, 2007

of a new management company. The delay in selecting a new management company, however, is affecting the implementation of planned improvements to the OIC's operations that staff expected to be made in coordination with a new management company. It also caused the owner of the pro shop in the OIC that sells ice skating merchandise to give notice of termination of his month-to-month lease effective March 31, 2007, because of the uncertainty regarding renewal of his lease under potentially new OIC management. The pending pro shop closure would adversely impact the operation of the OIC and is one of the challenges arising from the delay in appointing a new management company.

In the event that Council is unable to reach a consensus on either Option No.1 or Option No. 2, authorizing staff to negotiate with either SJAM or RMSC for a new management company for the OIC, staff is proposing three more options for consideration. The third option is approval of an alternate resolution that would authorize staff to 1) reject all bids received in response to the April 2006 Request for Proposal (RFP), 2) close the RFP process, and 3) negotiate specific terms of a new management agreement for the OIC with either RMSC or SJAM, as selected by the Council, before returning to City Council for its approval of an agreement with one of those companies. The fourth option is approval of an alternate resolution would authorize staff to 1) reject all bids received in response to the April 2006 RFP, 2) close the RFP process, and 3) issue a new RFP for management of the OIC within the next 6 months based upon Council-approved criteria. The fifth option is approval of an alternative resolution that would authorize staff to 1) reject all bids received in response to the April 2006 RFP, 2) close the RFP process, and 3) negotiate and execute a six-month extension of the existing management agreement with ISE, thereby allowing time for staff to pursue alternative options one or two depending on Council direction.

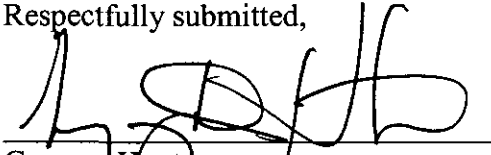
RECOMMENDATION

Staff recommends approval of option four, the proposed alternative resolution that rejects all bids, closes the RFP process, and authorizes issuance of a new RFP within six months according to new criteria established by Council. Staff recommends the fourth option, because it would give Council the opportunity to establish specific evaluation criteria in the new RFP to ensure that potential respondents submit proposals that adequately address the Council's goals and objectives regarding operation of the OIC. Some of the specific evaluation criteria that several Council members have articulated are as follows: 1) assurance that a reasonable balance is maintained in programming various activities at the OIC, 2) limits on fee increases without Council approval, 3) fee discounts for Oakland residents, 4) creation of a performance benchmark for Oakland resident participation in OIC activities, 5) free transportation for Oakland public school field trips to the OIC, and 6) creation of a community advisory board to advise the Agency and the selected OIC manager on policy issues related to operation of the OIC.

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April 3, 2007

Lastly, the current manger of the OIC, ISE, is managing the OIC on a month-to-month agreement with the Agency. If the Council directs staff to initiate a new RFP process as recommended, or pursue negotiations with either RMSC or SJAM before returning to City Council for its approval of a final agreement with one of those companies, it is important to present ISE with a contract extension of at least six-months duration, which will give ISE a greater incentive than it now has to address the challenges and opportunities currently facing the OIC. The extended agreement would also provide for further extensions on a month-to-month basis if a new RFP process, or negotiations with SJAM or RMSC, require additional time for completion.

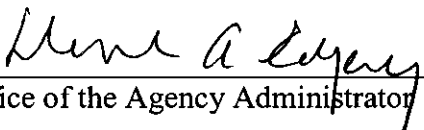
Respectfully submitted,



Gregory Hunter
Interim Director for Redevelopment,
Economic Development, Housing and
Community Development

Prepared by:
Jens Hillmer
Urban Economic
Coordinator

APPROVED AND FORWARDED TO THE
CITY COUNCIL:


Office of the Agency Administrator

Item: _____
ORA/City Council
April 3, 2007

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 OCT 12 PM 5:09

APPROVED AS TO FORM AND LEGALITY


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

A Resolution Authorizing the Agency Administrator to Negotiate and Execute a Three-Year Agreement with Rink Management Services Corporation for Management and Operation of the Oakland Ice Center for a Base Monthly Fee not to Exceed \$4,900, Plus an Annual Incentive Fee not to Exceed 20 Percent of Net Revenue Adjusted for any Deferred Expenses that May be Earned during the Previous Year in Excess of \$7,603, Pursuant to Specific Criteria

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC ; and

WHEREAS, pursuant to Agency Resolution No. 97-12 C.M.S., the Redevelopment Agency is authorized to enter into contracts necessary to manage operate the OIC; and

WHEREAS, the management agreement that the Agency entered into with the current manager of the OIC in March 2000, expired in March 2002, and has been continued on a month-to-month basis since its expiration, as provided in the agreement; and

WHEREAS, even though the financial performance of the OIC improved markedly during the fiscal year ending June 30, 2006, in comparison to the previous four fiscal years, Agency staff decided to solicit other potential managers of the OIC in hopes of further improving financial performance and the generating recreational and other economic benefits to Oakland residents; and

WHEREAS, in furtherance of that goal, Agency staff issued a Request for Proposals (RFP) in April 2006, to the specialized group of firms experienced in managing ice skating facilities; and

WHEREAS, four qualified firms responded to the RFP, and an RFP Review Committee was established to review and evaluate the qualifications and RFP responses from these firms; and

WHEREAS, following a multi-step review process, the RFP Committee and Agency staff ranked Rink Management Services Corp. (RMSC) as the best qualified of the four responding firms to manage the OIC; and

WHEREAS, the \$4,900 monthly, or \$58,800 annually, base management fee (Base Fee), and the annual incentive fee equal to 20 percent of net revenues, after adjustment for any deferred expense, if any generated by the OIC in the previous year, which are greater than \$7,603 after deduction of the Base Fee (Incentive Fee) that have been proposed by RMSC, are considered reasonable and competitive compared to management fees that are standard in the industry, and those proposed by the other three RFP respondents; now, therefore, be it

RESOLVED: That the Agency Administrator is hereby authorized to negotiate and enter into a three-year agreement with RMSC for the management and operation of the OIC consistent with the terms set forth above ("Management Agreement") for a monthly Base Fee not to exceed \$4,900, plus an annual Incentive Fee not to exceed 20 percent of net revenue adjusted for any deferred expense in excess of \$7,603, generated by the OIC in the preceding fiscal year, after deduction of the Base Fee; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary with respect to the Management Agreement consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND CHAIRPERSON DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland

OFFICE OF THE CITY CLERK
2007 FEB -1 AM 10:04

APPROVED AS TO FORM AND LEGALITY


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

Resolution Authorizing a Three-Year Operations and Management Agreement with San Jose Arena Management, LLC for the Oakland Ice Center for a Negotiated Annual Fee based on a Percentage of Net Revenue, Pursuant to Specific Criteria

WHEREAS, on May 2, 1997, the Redevelopment Agency of the City of Oakland (Agency) acquired the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan; and

WHEREAS, pursuant to Agency Resolution No. 97-12 C.M.S., the Agency is authorized to enter into contracts necessary to manage and operate the OIC; and

WHEREAS, the current management agreement for the facility expired in March of 2002, and has been continued on a month-to-month basis since its expiration, as provided in the agreement; and

WHEREAS, although the financial performance of the OIC has improved during the last fiscal year, in April of 2006 Agency staff issued a Request for Proposals (RFP) to firms specializing in ice skating facilities management, with the goal to further improve OIC's financial performance and to create additional recreational and other economic benefits for Oakland residents; and

WHEREAS, four qualified firms responded to the RFP, and an RFP Review Committee was established to review and evaluate the qualifications and RFP responses from these firms; and

WHEREAS, following a multi-step review process, the RFP Committee and Agency staff ranked Rink Management Services Corp. (RMSC) as the most qualified and San Jose Arena Management, LLC (SJAM) as the second most qualified of the four responding firms to manage the OIC; and

WHEREAS, on October 24, 2006, the Community and Economic Development Committee directed Agency staff to obtain and analyze additional information from RMSC and SJAM in the following areas:

1. The assumptions and calculations supporting the two-year income and expense pro forma statement submitted by RMSC and SJAM;
2. The impact of the marketing power of the San Jose Sharks organization that SJAM would bring to OIC;
3. Community outreach/marketing programs proposed by RMSC and SJAM;
4. The advantages and disadvantages to the Agency of SJAM's no-base management fee proposal; and
5. The success of RMSC and SJAM in turning around the operational, programmatic, and financial performance of an ice skating facility similar to OIC, following their assumption of management of those respective facilities; and

WHEREAS, staff obtained the additional information, re-evaluated the ranking of RMSC and SJAM, and determined that RMSC still ranked higher, but by a smaller margin; and

WHEREAS, on January 23, 2007, Community and Economic Development recommended that an alternate resolution be forwarded to the City Council authorizing the Agency Administrator to negotiate and execute a 3-year agreement with SJAM instead of RMSC because Committee members found that 1) SJAM's no-base incentive-only management fee would cost the Agency less money if projected revenues are not generated by the OIC, and 2) SJAM's affiliation with the San Jose Sharks National Hockey League franchise should bring name recognition and branding opportunities to the OIC that could increase usage and revenues; and

WHEREAS, SJAM's incentive-only fee proposal is considered reasonable and competitive compared to management fees that are standard in the industry, and those proposed by the other three RFP respondents; now, therefore be it

RESOLVED: That the Agency Administrator is hereby authorized to negotiate and enter into a three-year agreement ("Management Agreement") with SJAM for the management and operation of the OIC consistent with the terms set forth below:

1. The benchmark net revenue (Benchmark Revenue) used to calculate the SJAM's fee shall be the net revenue generated by the OIC, adjusted for any deferred expenses, during the 12-month period ending on the last complete month prior to SJAM's assumption of management of the OIC;
2. The Incentive Management fee that SJAM shall receive during each year of SJAM's management of the OIC shall consist solely of a percentage ("Incentive Percentage") of the net revenue generated by the OIC, adjusted for any deferred expenses, that is in excess of the Benchmark Revenue;
3. The Incentive Percentage shall be subject to negotiation between the Agency Administrator and SJAM;

4. The Agency Administrator shall deposit annual net revenue after deducting payment of SJAM's incentive fee, into a capital improvement reserve for the OIC, with the timing and amounts of such deposits at the sole discretion of the Agency Administrator;
5. SJAM shall complete, within one hundred and twenty (120) days of execution of the Management Agreement, at least \$30,000 of maintenance and clean-up activities ("Initial Facility Clean-up") at the OIC to be determined in consultation with Agency staff;
6. The Agency shall only be required to reimburse SJAM a maximum of \$30,000 for the cost of Initial Facility Clean-up payable only if the Agency's share of net revenue from the OIC after deduction of the Incentive Fee is sufficient to make such reimbursement during the initial 3-year term of the Management Agreement;
7. The Management Agreement shall require that SJAM maintain a balanced and diverse program of hockey, figure skating, public skating, ice dancing and other ice-related activities at the OIC; and
8. SJAM shall offer free admission for Oakland Unified School District students at such dates and times to be determined in consultation with Agency staff; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary with respect to the Management Agreement consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND CHAIRPERSON DE LA FUENTE

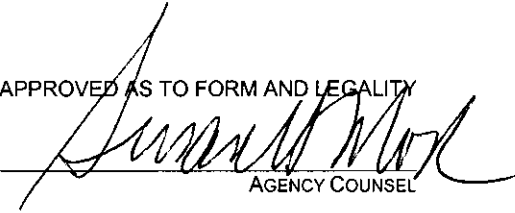
NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland

2007 MAR 02 PM 5:49


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

Resolution Rejecting All Bids Received in Response to the April 2006 Request for Proposals for Management of the Oakland Ice Center, Closing the Request for Proposals Process, and Authorizing Negotiation of Terms for a Two-Year Operations and Management Agreement with Either Rink Management Services Corporation or San Jose Arena Management, LLC for the Oakland Ice Center Pursuant to Specific Criteria and Returning to Council For Approval of the Final Contract.

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

WHEREAS, Agency staff decided to solicit potential managers of the OIC in hopes of improving its financial performance and generating recreational and other economic benefits for Oakland residents; and

WHEREAS, in furtherance of that goal, Agency staff issued a Request for Proposals (RFP) in April 2006, to a specialized group of firms experienced in managing ice skating facilities; and

WHEREAS, four qualified firms responded to the RFP, and, following a multi-step review process, staff recommended that the Agency authorize the Agency Administrator to negotiate and execute an agreement with Rink Management Services Corporation (RMSC); and

WHEREAS, the Redevelopment Agency and Council's Community and Economic Development on January 23, 2007 recommended that an alternate resolution be forwarded to the City Council authorizing the Agency Administrator to negotiate and execute a 3-year agreement with SJAM instead of RMSC; and

WHEREAS, during Council meetings held on February 20, 2007 and March 6, 2007, the City Council did not reach a decision on either the original resolution introduced on October 24, 2006, authorizing negotiation and execution of a management agreement with RMSC, or the alternate Resolution authorizing the Agency Administrator to negotiate and execute a 3-year agreement with San Jose Arena Management, LLC (SJAM), the company that ranked the second highest in the RFP evaluation process; and

WHEREAS, continued operation of the OIC under the current month-to-month management agreement with Ice Specialty Entertainment, Inc. (ISE) is unfavorable to the effective operation of the OIC and prevents implementation of the improvements to the OIC's operations that are expected from the selection of a new manager of the OIC; now, therefore be it

RESOLVED: The Agency hereby rejects all bids received pursuant to the release of the RFP; and be it further

RESOLVED: That the Agency hereby closes the RFP process; and be it further

RESOLVED: That the Agency Administrator is hereby authorized to negotiate specific terms of a new 2-year management agreement with either RMSC or SJAM, as selected by the City Council, and present the final contract to the City Council at the conclusion of negotiations for review and approval; and be it further

RESOLVED: That the Agency Administrator include the following guidelines and terms in the negotiation of a management agreement with either RMSC or SJAM:

- a) Maintenance of a reasonable balance of activities at the OIC
- b) Certain limits on user fee increases without Council approval
- c) Fee discounts for Oakland residents
- d) Creation of performance benchmarks for participation by Oakland residents in OIC programs
- e) Free transportation for Oakland public school field trips to the OIC
- f) Creation of a community advisory board to advise the Agency and selected manager on policy issues regarding operation of the OIC;

and be it further

RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary consistent with this Resolution and its basic purposes; and be it further

RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND CHAIRPERSON
 DE LA FUENTE

NOES-

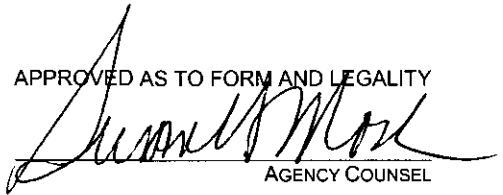
ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland

OFFICE OF THE CITY CLERK
20071227 PM 01:50:50

APPROVED AS TO FORM AND LEGALITY


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

Resolution Rejecting All Bids Received in Response to the April 2006 Request for Proposals for Management of the Oakland Ice Center, Closing the Request for Proposal Process, and Authorizing Issuance of a New Request for Proposals for a Two-Year Operations and Management Agreement for the Oakland Ice Center Pursuant to Specific Criteria

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

WHEREAS, Agency staff decided to solicit potential managers of the OIC in hopes of improving its financial performance and generating recreational and other economic benefits for Oakland residents; and

WHEREAS, in furtherance of that goal, Agency staff issued a Request for Proposals (RFP) in April 2006, to a specialized group of firms experienced in managing ice skating facilities; and

WHEREAS, four qualified firms responded to the RFP, and, following a multi-step review process, staff recommended that the Agency authorize the Agency Administrator to enter into negotiations with Rink Management Services Corporation (RMSC); and

WHEREAS, the Redevelopment Agency and Council's Community and Economic Development on January 23, 2007 recommended that an alternate resolution be forwarded to the City Council authorizing the Agency Administrator to negotiate and execute a 3-year agreement with SJAM instead of RMSC; and

WHEREAS, during Council meetings held on February 20, 2007 and March 6, 2007, the City Council did not reach a decision on either the original resolution introduced on October 24, 2006, authorizing negotiation and execution of a management agreement with RMSC, or the alternate Resolution authorizing the Agency Administrator to negotiate and execute a 3-year

agreement with San Jose Arena Management, LLC (SJAM), the company that ranked the second highest in the RFP evaluation process; and

WHEREAS, continued operation of the OIC under the current month-to-month management agreement with Ice Specialty Entertainment, Inc. (ISE) is unfavorable to the effective operation of the OIC and prevents implementation of the improvements to the OIC's operations that are expected from the selection of a new manager of the OIC; now, therefore be it

RESOLVED: The Agency hereby rejects all bids received pursuant to the release of the RFP; and be it further

RESOLVED: That the Agency hereby closes the current RFP process; and be it further

RESOLVED: That the Agency Administrator is hereby authorized to prepare and issue a new request for proposals for management of the OIC pursuant to specific criteria within six (6) months after passage of this Resolution; and be it further

RESOLVED: That the Agency Administrator is hereby authorized to include the following criteria in the new request for proposals:

- a) Maintenance of a reasonable balance of activities at the OIC
- b) Certain limits on user fee increases without Council approval
- c) Fee discounts for Oakland residents
- d) Creation of performance benchmarks for participation by Oakland residents in OIC programs
- e) Free transportation for Oakland public field trips to the OIC
- f) Creation of a community advisory board to advise the Agency and selected manager on policy issues regarding operation of the OIC;

and be it further

RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

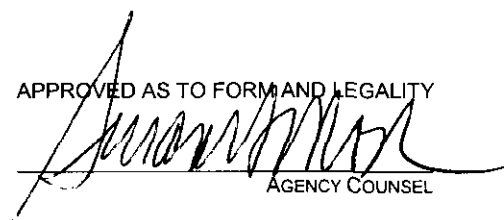
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND CHAIRPERSON
 DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland



AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

Resolution Rejecting All Bids Received in Response to the April 2006 Request for Proposals for Management of the Oakland Ice Center, Closing the Request for Proposals Process, and Authorizing Negotiation and Execution of a Six-Month Extension of the Existing Management Agreement with Ice Specialty Entertainment, Inc. for the Oakland Ice Center

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

WHEREAS, pursuant to Agency Resolution No. 97-12 C.M.S., the Redevelopment Agency is authorized to enter into contracts necessary to manage and operate the OIC; and

WHEREAS, in March 2000 the Agency entered into a management agreement with the current manager of the OIC, Ice Specialty Entertainment, Inc. (ISE), which expired in March 2002, and has been continued on a month-to-month basis since its expiration, as provided in the agreement; and

WHEREAS, Agency staff decided to solicit potential managers of the OIC in hopes of improving its financial performance and generating recreational and other economic benefits for Oakland residents; and

WHEREAS, in furtherance of that goal, Agency staff issued a Request for Proposals (RFP) in April 2006, to a specialized group of firms experienced in managing ice skating facilities; and

WHEREAS, four qualified firms responded to the RFP, and, following a multi-step review process, staff recommended that the Agency authorize the Agency Administrator to enter into negotiations with Rink Management Services Corporation (RMSC); and

WHEREAS, the Redevelopment Agency and Council's Community and Economic Development on January 23, 2007 recommended that an alternate resolution be forwarded to

the City Council authorizing the Agency Administrator to negotiate and execute a 3-year agreement with SJAM instead of RMSC; and

WHEREAS, during Council meetings held on February 20, 2007 and March 6, 2007, the City Council did not reach a decision on either the original resolution introduced on October 24, 2006, authorizing negotiation and execution of a management agreement with RMSC, or the alternate Resolution authorizing the Agency Administrator to negotiate and execute a 3-year agreement with San Jose Arena Management, LLC (SJAM), the company that ranked the second highest in the RFP evaluation process; and

WHEREAS, continued operation of the OIC under the current month-to-month management agreement with Ice Specialty Entertainment, Inc. (ISE) is unfavorable to the effective operation of the OIC and prevents implementation of the improvements to the OIC's operations that are expected from the selection of a new manager of the OIC; now, therefore be it

RESOLVED: The Agency hereby rejects all bids received pursuant to the release of the RFP; and be it further

RESOLVED: That the Agency hereby closes the current RFP process; and be it further

RESOLVED: That the Agency Administrator is hereby authorized to negotiate and execute an extension of the existing agreement for a term of six (6) months, with ISE for management of the OIC, with month-to-month extensions thereafter, if necessary; and be it further

RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary consistent with this Resolution and its basic purposes; and be it

RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND CHAIRPERSON
 DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland