

FILED
OFFICE OF THE CITY CLERK
OAKLAND

22 MAY -5 PM 5:01

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89179 C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPROPRIATE ADDITIONAL FUNDS IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) TO RESTORE AN OPERATING RESERVE AT THE GEORGE P. SCOTLAN MEMORIAL CONVENTION CENTER LOCATED AT 550 10TH STREET PURSUANT TO THE TERMS OF AN AMENDED AND RESTATED MANAGEMENT AGREEMENT WITH INTEGRATIVE SERVICES CORPORATION

WHEREAS, the City of Oakland (City) owns the George P. Scotlan Memorial Convention Center (Convention Center) located at 550 10th Street, which also includes a public parking garage (Garage); and

WHEREAS, the Convention Center is attached to the Oakland Marriott City Center hotel (Marriott) located at 1001 Broadway; and

WHEREAS, on January 26, 2017, as authorized by City Council Resolution No. 86525 C.M.S., dated December 13, 2016, the City and Integrative Services Corporation (ISC) entered into that certain Amended and Restated Oakland Convention Center and Convention Center Garage Management Agreement for the Management and Operation of the George P. Scotlan Memorial Convention Center (Management Agreement), which provides for coordinated use and operation of the Convention Center, the Garage, and the Marriott; and

WHEREAS, on March 16, 2020, the County of Alameda issued a shelter-in-place order in response to the Covid-19 epidemic, effectively closing operation of the Convention Center, but not of the Garage; and

WHEREAS, on March 16, 2021, pursuant to Resolution No. 88560 C.M.S., the City Council authorized (1) the use of capital reserves, in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000), for the payment of operating expenses during Fiscal Year 2020-21, and (2) an increase in the annual set-aside for capital reserves from six percent (6%) to eight percent (8%) for four years; and

WHEREAS, the first confirmed case of the COVID-19 Omicron variant in the United States was detected in San Francisco on December 1, 2021; and



WHEREAS, COVID-19 continues to pose a significant challenge to the operation and financial health of the Convention Center, particularly given the emergence of the Delta variant in the Summer of 2021, and the spreading omicron variant and its subvariants; and

WHEREAS, per the terms of the Management Agreement, ISC has requested that the City restore its Two Hundred Thousand Dollars (\$200,000) operating reserve to cover on-going operating deficits at the Convention and ensure the uninterrupted and efficient operation of the Convention Center, and any such allocation of additional funds is subject to approval by the City Council in its sole and absolute discretion; now, therefore, be it

RESOLVED: That the City Administrator is authorized to appropriate additional funds in the amount of Two Hundred Thousand Dollars (\$200,000) to restore the operating reserve at the Convention Center pursuant to the terms of the Management Agreement with ISC from General Purpose Fund (1010), Central District Redevelopment Organization (85245), Miscellaneous Contract Services Account (54919), DP900 Administrative Project (1000021), Fiscal Management Program (IP51); and be it

FURTHER RESOLVED: That the City finds and determines, after independent review and consideration, that the authorization to restore the operating reserve is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (common sense exemption); and be it

FURTHER RESOLVED: That any and all documents necessary to effectuate the intent of this Resolution shall be reviewed and approved as to form and legality by the City Attorney prior to execution by the City Administrator or his or her designee and a copy shall be filed with the City Clerk; and be it

FURTHER RESOLVED: That the City Administrator is further authorized to negotiate and enter into other agreements and take whatever action is necessary and consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 17 2022

PASSED BY THE FOLLOWING VOTE:

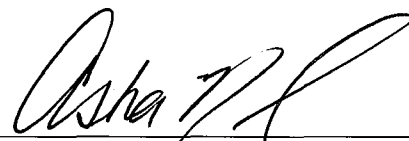
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS *-8*

NOES *-0*

ABSENT *-0*

ABSTENTION *-0*

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California