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FILED
OFFICE OF THE CITY CLERK
OAKLAND

H.C.

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 902192 C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A SECOND AMENDMENT TO AN AMENDED AND RESTATED MANAGEMENT AGREEMENT WITH INTEGRATIVE SERVICES CORPORATION FOR THE MANAGEMENT AND OPERATION OF THE GEORGE P. SCOTLAN MEMORIAL CONVENTION CENTER, AUTHORIZING THE USE OF CAPITAL RESERVES, IN AN AMOUNT NOT TO EXCEED \$350,000, FOR THE PAYMENT OF OPERATING EXPENSES

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, ISC has experienced significant operating shortfalls at the Convention Center and the Garage that have depleted the Convention Center’s operating reserve; and

WHEREAS, on April 30, 2021, pursuant to Resolution No. 88560 C.M.S., dated March 16, 2021, the City and ISC entered into a first amendment (First Amendment) to the Management Agreement, which authorized (1) the use of capital reserves, in an amount not to exceed \$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 6 percent to 8 percent for 4 years or until April 2025; and

WHEREAS, the City and ISC wish to amend the Management Agreement to authorize the use by ISC an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000) from the Convention Center's capital reserve for the payment of operating expenses, notwithstanding Section 6.2 of the Original Agreement which provides that the capital reserve shall be used for capital expenses, emergency capital expenditures and purchase of furniture, furnishings, fixtures and equipment (FF&E) used to furnish, equip or decorate the Convention Center and Garage; now, therefore, be it

RESOLVED: That the City Administrator or designee is authorized, without returning to the City Council, to negotiate and execute a Second Amendment to the Management Agreement with ISC authorizing ISC to reallocate an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000) from the Convention Center's capital reserve for the payment of operating expenses; and be it

FURTHER RESOLVED: That the City finds and determines, after independent review and consideration, that the authorization to enter into the Second Amendment to the Original Agreement with ISC 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 or his or her designee 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 07 2024**

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID AND
PRESIDENT FORTUNATO BAS - 8

NOES – 0

ABSENT – 0

ABSTENTION – 0

ATTEST:



ASHA REED

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

