

OAKLAND CITY COUNCIL

RESOLUTION NO. 78187 C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Shaw
FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 OCT -2 PM 1:34

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A TWO-YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE OAKLAND CONVENTION AND VISITORS BUREAU TO PROVIDE VISITOR MARKETING SERVICES IN AN AMOUNT NOT TO EXCEED \$900,000 FOR FISCAL YEAR 2003-04 AND NOT TO EXCEED \$650,000 FOR FISCAL YEAR 2004-05 AND TO PAY OCVB UP TO FIFTY PERCENT OF THE AMOUNT OF THE CITY'S TRANSIENT OCCUPANCY TAX THAT EXCEEDS \$10,262,773 EACH FISCAL YEAR.

WHEREAS, the City of Oakland has requested that the Oakland Convention and Visitors Bureau perform visitor marketing functions in accordance with terms and conditions set forth in an Agreement; and,

WHEREAS, the visitor marketing functions will assist the City in achieving its overall marketing strategy; and,

WHEREAS, the Oakland Convention and Visitors Bureau will effectively and efficiently market Oakland as an overnight leisure and convention destination, thereby increasing Transient Occupancy Tax revenues, increasing revenues for the local hospitality industry, and increasing employment opportunities for Oakland residents; and,

WHEREAS, funding in the amount of \$900,000 has been appropriated in the FY 2003-04 non-departmental citywide budget and \$650,000 has been appropriated in the FY 2004-05 non-departmental citywide budget; and,

WHEREAS, if the OCVB exceeds each of the established economic value benchmarks which total \$6 million and the City's TOT collections exceed budget projections of \$10,262,733, the City will pay the OCVB an incentive equal to 50 percent of TOT collections over \$10,262,733, not to exceed 11 percent of total TOT receipts for the fiscal year; and,

WHEREAS, these additional revenues beyond budgeted revenues are currently unallocated and will not affect the City's baseline; and,

WHEREAS, the City Council finds that this contract is for services of a professional nature and that services under this contract will be temporary; and,

WHEREAS, the City Council finds that this agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, payment to the Oakland Convention and Visitors Bureau will be in quarterly payments each fiscal year tied to the OCVB's successful achievement of detailed performance standards; now, therefore, be it

RESOLVED: that the Oakland City Council hereby authorizes the City Manager to enter into a management agreement with the Oakland Convention and Visitors Bureau to perform visitor marketing services for the term beginning July 1, 2003, and ending June 30, 2005, in an amount not to exceed \$900,000 in FY 2003-04 and \$650,000 in FY 2004-05; and be it

FURTHER RESOLVED: that the Oakland City Council hereby authorizes payment of an incentive of 50 percent of TOT revenues over the budgeted amount of \$10,262,733, if the OCVB exceeds each of the established economic value benchmarks and the City's TOT collections exceed budget projections; and be it

FURTHER RESOLVED: that the City Manager is hereby authorized to approve any subsequent amendments to said Agreement, or extensions of said Agreement, or to otherwise modify said Agreement, with the exception of those amendments, extensions, or modifications related to an increase in compensation or allocation of additional funds; and be it

FURTHER RESOLVED: that a copy of said Agreement shall be approved as to form and legality by the Office of the City Attorney and a copy will be filed in the Office of the City Clerk.

NOV 04 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003 _____

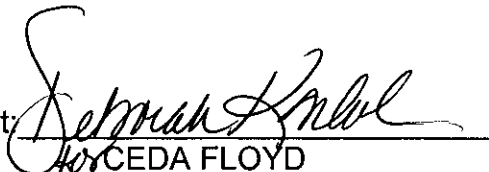
PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, ~~BRUNNER~~, CHANG, NADEL, REID, QUAN, WAN AND
PRESIDENT DE LA FUENTE -7

NOES - 0

ABSENT - 4

ABSTENTION - Brunner - 1

Attest: 
JOCEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California