



AGENDA MEMORANDUM

Action Item for the City Council Meeting June 15, 2021

DATE: June 7, 2021

TO: Peter Zaroni, City Manager

FROM: Brett Oetting, President & CEO of Visit Corpus Christi
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THROUGH: Heather Hurlbert, Director of Finance & Business Analysis
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**Amended and Restated Management Service Agreement with the Corpus Christi Area
Convention & Visitors Bureau (CCCVB)**

CAPTION:

Motion authorizing the amended and restated Management Services Agreement between the Corpus Christi Area Convention and Visitors' Bureau and the City of Corpus Christi, Texas.

SUMMARY:

The purpose of this item is to amend and restate the Management Service Agreement.

BACKGROUND AND FINDINGS:

The City and the Corpus Christi Area Convention and Visitors' Bureau (the "CCCVB") most recently entered into a management services agreement on October 15, 2019 and the parties now wish to amend the agreement to better meet the needs of both entities through the amended and restated agreement.

Below is a summary of the proposed changes.

Remove 1.1 (L). perform additional duties as agreed upon by both parties which are consistent with the organizations mission statement such as the Memorandum of Agreement for the exploration of opportunities to expand tourism and economic development relationships with the Corpus Christi Sister Cities.

Revised 8.2. The City shall allocate the percentage of the HOT revenue referenced in Section 8.1 above collected to fund this Agreement. Each year during the City's annual budget process, the City and CCCVB shall work collaboratively to forecast the total HOT collections for the upcoming year and will appropriate the HOT Share referenced in Section 8.1 to the CCCVB. This

appropriation is subject to approval by City Council in accordance with the provisions and requirements of the Tax Code and shall be paid equally in monthly installments (1/12 of the appropriated budget) beginning on October 1st of each fiscal year.

Upon conclusion of each fiscal year, and completion of the City's independent annual audit, the annual amount appropriated in support of CCCVB for the fiscal year immediately closed will be compared to the HOT Share allocated. Any surplus or deficit may be considered for additional adjustment to CCCVB as part of the mid-year budget adjustment process.

Both parties understand if HOT collections fall below budgeted amounts, this will result in a decrease in allocation to CCCVB in the same % as the decreased collection. It will be the responsibility of CCCVB to adjust any budget shortfalls accordingly.

Revised 10.5. The CCCVB will make recommendations to the City Council for lodging, attraction and restaurant industry and community at-large directors as directors' terms expire but the CCCVB always shall nominate one more individual per category than the total number of positions available. Appointments will be made by City Council from the provided list with consideration of nominations by the CCCVB Nominations and Executive Committee's and Board.

Revised 10.6. Unexcused absences from more than 25 percent of regularly scheduled meetings during a term year must result in an automatic vacancy, which vacancy for lodging, attraction, restaurant industry and community at-large directors must be promptly reported to the City Council. The CCCVB Nominations Committee and Board shall go through the process outlined in 10.5 prior to the next scheduled board meeting to make new recommendations for the vacant position. An absence must be unexcused unless excused by the board for good cause no later than its next meeting after the absence. Any member, otherwise eligible, may not be precluded from reappointment by reason of the automatic vacancy.

Revised 10.8 first paragraph. The Board of Directors will operate under bylaws which must be consistent with the terms of this Agreement. The current bylaws are attached hereto as Exhibit C. Any changes to the bylaws must be presented to the City Manager at least two weeks prior to the adoption of the bylaws by the Board of Directors. The City Manager may reasonably object to changes that are not consistent with this Agreement prior to the Board meeting for approval of the changes. The Board of Directors may approve rules of procedure to govern the conduct of its meetings, which will not require City Council approval.

Added 13.10. The CCCVB must create a Legislative Agenda, which will be approved in accordance with all State law requirements prior to the start of any Legislative Session of the Texas Legislature. The CCCVB will create a Legislative Committee with the responsibility of drafting the Legislative Agenda. The City's Director of Intergovernmental Relations will be given a seat on the Legislative Committee and invited to participate in all meetings of the Legislative Committee related to the drafting and adoption of the Legislative Agenda. The President & CEO of the CCCVB must present the final Legislative Agenda to the City Council prior to the start of any Legislative Session of the Texas Legislature. The CCCVB will provide the City with information related to lobbying that is required for the City to meet its reporting obligations under Texas law.

ALTERNATIVES:

City Council could choose not to approve the amended and restated Management Services Agreement or make recommendation.

FISCAL IMPACT:

There is no financial impact associated with this item.

Funding Detail:

Fund:	N/A
Organization/Activity:	N/A
Mission Element:	N/A
Project # (CIP Only):	N/A
Account:	N/A

RECOMMENDATION:

Staff recommends approving the amended and restated Management Services Agreement.

LIST OF SUPPORTING DOCUMENTS:

Amended and restated Management Service Agreement- redline
Amended and restated Management Service Agreement- clean copy