

Meeting Date: 4/19/2016

Report Type: Consent

Report ID: 2016-00406

Title: First Amendment to Economic Development Agreement with Greater Sacramento Area Economic Council

Location: Citywide

Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to execute a First Amendment to Economic Development Agreement (City Agreements 2015-1025) with Greater Sacramento Area Economic Council (Greater Sacramento).

Contact: Melissa Anguiano, Economic Development Manager, (916) 808-5864, Economic Development Department

Presenter: None

Department: Economic Development Dept

Division: Citywide Development

Dept ID:

Attachments:

1-Description/Analysis

2-Amendment to Greater Sacramento Agreement Final (2015-1025)

City Attorney Review

Approved as to Form

Michael Sparks

4/6/2016 10:54:17 AM

Approvals/Acknowledgements

Department Director or Designee: Larry Burkhardt - 3/31/2016 2:47:47 PM

Description/Analysis

Issue Detail: Greater Sacramento is the region's economic development organization focused on retaining, attracting, growing, and creating sustainable businesses and jobs throughout the six-county region. On June 21, 2015, City Council approved an Economic Development Agreement with Greater Sacramento. The agreement outlines the services Greater Sacramento provides, and the role it plays as the City's partner to create new jobs and foster prosperity that benefits the citizens and businesses of Sacramento alike.

On February 2, 2016, the Greater Sacramento Board of Directors approved changes to its bylaws to clarify the manner in which representatives from cities and counties join the Greater Sacramento Board of Directors. Since Board of Director representation is outlined in the Economic Development Agreement, the First Amendment to Economic Development Agreement modifies the language to reflect the approved bylaw changes.

Policy Considerations: The recommendation in this report is consistent with the adopted 2013 Economic Development Strategy goal to invest in building Sacramento and the objective to "Encourage strategic investments and initiatives that lead to economic development, job growth and enhance the quality of life in Sacramento."

Economic Impacts: None.

Environmental Considerations: The recommendations are administrative, organizational, and fiscal matters that do not constitute a "project" under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential to cause significant effect on the environment.

Sustainability: None.

Commission/Committee Action: None.

Rationale for Recommendation: The First Amendment to Economic Development Agreement will ensure the agreement is consistent with bylaw changes recently approved by the Greater Sacramento Board of Directors.

Financial Considerations: The City's Greater Sacramento membership dues for FY2015/16 were \$190,048. Dues are based on \$0.40 per capita applied to the City's population, as reported by the California Department of Finance Demographic Research Unit. Funding for these dues were built into the FY2015/16 approved budget so sufficient resources are available.

Local Business Enterprise (LBE): None.

**FIRST AMENDMENT TO ECONOMIC DEVELOPMENT AGREEMENT
(City Agreement 2015-1025)**

This agreement, dated _____, 2016, for purposes of identification, is between the **City of Sacramento** (the “**City**”), a California municipal corporation, and the **Greater Sacramento Area Economic Council** (“**Greater Sacramento**”), a California non-profit corporation.

Background

The City and Greater Sacramento are parties to an Economic Development Agreement, which is dated August 6, 2015, and identified as City Agreement 2015-1025 (the “**Agreement**”).

The parties desire to amend the Agreement to clarify the manner in which representatives from cities and counties join the Greater Sacramento Board of Directors. This amendment will ensure the Agreement is consistent with the recent Greater Sacramento bylaw changes approved by the Greater Sacramento Board of Directors.

With these background facts in mind, the City and Greater Sacramento agree as follows:

1. Amendments to Section III. Section III.A is hereby amended to read as follows:

A. BOARD OF DIRECTORS REPRESENTATION: The Public Jurisdiction shall have a single voting representative on the Greater Sacramento Board of Directors so long as such Director will not cause Greater Sacramento to exceed the maximum number of authorized Directors. The Director under this paragraph shall be the highest-ranking non-elected official with the governmental entity. This highest-ranking non-elected official shall be permitted to delegate his or her position as Director to the highest-ranking elected official with the governmental entity to serve as an alternate to the Director. Any such Director will be qualified to serve on the Board of Directors only if the Public Jurisdiction remains current on its annual contribution at an amount equal to or greater than its full formula allocation as determined from time to time by the Board of Directors and laid out in this contract in Section III.F.1., and as long as the Public Jurisdiction makes a long-term commitment to assist and carry out the mission and purpose of Greater Sacramento and fulfills the additional requirements set forth in this Agreement.

2. Effective date. This agreement is effective on the date both parties have signed it, as indicated by the dates in the signature blocks below.

3. Integration and modification. This agreement sets forth the parties’ entire understanding regarding the matters set forth above and is intended to be their final, complete, and exclusive expression of those matters. It supersedes all prior or contemporaneous agreements, representations, and negotiations—written, oral, express, or implied—and may be modified only by another written agreement signed by both parties.

4. Counterparts. The parties may sign this agreement in counterparts, each of which is considered an original, but all of which constitute the same agreement. Facsimiles, pdfs, and photocopies of signature pages of the agreement have the same binding effect as originals.

(Signature Page Follows)

City of Sacramento

By: _____
John F. Shirey
City Manager

Date: _____, 2016

Approved as to Form
Sacramento City Attorney

By: 
Michael Sparks
Senior Deputy City Attorney

Attest:

By: _____
Assistant City Clerk

Greater Sacramento Area Economic Council

By: 
Barry Broome
President and Chief Executive Officer

Date: March 25, 2016