



Legislation Text

File #: 15-214, **Version:** 1

Adopt City Council Resolution Approving Professional Services Agreement with the Mendocino Coast Chamber of Commerce (Chamber) to Carry Out Fort Bragg Promotional Activities and Authorizing City Manager to Execute Same Upon Execution by Chamber (Amount Not to Exceed \$72,570; Account 110-4391-0319)

Since November 22, 2010, support and oversight for the Fort Bragg Promotion Committee (CFBPC) has been provided by the Mendocino Coast Chamber of Commerce pursuant to a Professional Services Agreement (PSA). The original 2010 PSA has been amended and extended each year to adjust for new fiscal year timelines and funding and updated Annual Marketing Plans. On May 6, 2015, the Finance and Administration Committee (FAC) met with CFBPC members and members of the public to review the CFBPC 2015-16 Annual Marketing Plan and Budget and to discuss alternatives and suggestions for future administration of the CFBPC. The FAC recommends that the City continue to contract with the Chamber for the administration of the CFBPC. After hearing CFBPC members, staff, and community input, the FAC recommended modifications be made to the Consultant Scope of Work to provide greater transparency for CFBPC meetings and activities; clarity regarding member protocols; closer oversight of contract management, and improved Marketing Plan and Budget performance monitoring.

Rather than amending the existing PSA, a new PSA is proposed for Fiscal Year 2015-16 to guide Chamber activities related to the CFBPC. The PSA is substantially the same as the 2010 PSA, as amended through June 30, 2015 to reflect current term and "not to exceed" amounts. However, the detailed Scope of Work provided in Attachment A to the PSA has been updated to include changes recommended by the FAC. The "One Year Marketing Plan" for FY 2015-16, which is Attachment B to the PSA, is scheduled for consideration of approval by City Council as a Conduct of Business item on the June 22, 2015 agenda (prior to consideration of this consent calendar item).

The following modifications are incorporated into the PSA to address concerns noted at the May 6, 2015, FAC meeting.

- Scope of work is changed to refer to the FY 2015-16 One-Year Marketing Plan and budget.
- Payment amount is changed to "not to exceed" \$72,570 for FY 2015-16. As per prior year calculations, this amount is comprised of \$66,570 (calculated at 4% of the FY 2013-14 transient occupancy tax collections) plus one-half of the \$1,000 per month chamber Administration fee (one-half of \$12,000 for FY 2014-15 or \$6,000).
- Term and time of completion is extended to June 30, 2016.
- As per prior amendments, the administrative cost per the Agreement is not to exceed \$12,000, and administrative cost is included in and to be reimbursed from the FY 2015-16 total \$72,570 "not to exceed amount" of the Agreement.
- Chamber of Commerce Standard Guidelines for committees, which have been required since the original 2010 PSA was approved, shall be posted on FortBragg.com. Per prior terms, Standard Guidelines should include CFBPC Goals, Desired Member Skills/Requirements, Expected Time Commitment, Duties, Grounds for Removal from Committee, and Election of Officers (PSA Attachment 1, Section I-C).

- Other documents that explain the purpose and activities of the CFBPC shall be posted at the FortBragg.com website, including the PSA, CFBPC Bylaws, Agendas, Minutes, Marketing Plan and Budget, and CFBPC member lists (PSA Attachment 1, Section III-C).
- Chamber is to ensure that CFBPC regular and special meeting agendas are consistently and timely posted so that members of the public can access this information, and the Chamber shall ensure that meetings are open to the public (except for discussions of confidential matters).
- Chamber and CFBPC will provide regular reports to the City's Community Development Committee. Previously, the CFBPC reported to the Finance and Administration Committee (PSA Attachment 1, Section IV).
- Clarification is provided to ensure that any subcontracts using CFBPC funding include sufficient oversight, standard terminology including termination clauses, and that scopes of work include timelines, milestones, and clear schedules of charges so that progress can be monitored and accountability is ensured (PSA Attachment 1, section V-B).
- CFBPC's responsibility for maintenance of the FortBragg.com website is clarified to emphasize that all of its components, including the Business Directory, must be regularly and accurately updated (PSA Attachment 1, Section V-D).

Other terms of the PSA and Scope of Work are substantially similar to the prior version. The PSA Recitals include an existing provision that "*Consultant represents and warrants that it will perform such professional and promotional services for the City in a manner that benefits all businesses within the City without regard to whether or not they are members of the Mendocino Coast Chamber of Commerce*", which addresses a concern raised at the May FAC meeting. Other terms addressed in the Scope of Work include description of the Chamber's administrative role and responsibilities; required approval processes, and reporting requirements.