

APPROVED
BY THE CITY COUNCIL

FEB 9 1999

OFFICE OF THE
CITY CLERK



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OFFICE OF THE
CITY MANAGER

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 101
915 I STREET
SACRAMENTO, CA
95814-2684

February 3, 1999

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City Council
Sacramento, CA

Honorable Members in Session:

SUBJECT: Adoption of Resolution Establishing Appointment Procedures for the Board of Directors of the Sacramento Convention Center Hotel Corporation

LOCATION: Citywide/Downtown

RECOMMENDATION: Recommend that City Council adopt the attached resolution which sets forth the appointment process for the Board of Directors of the Sacramento Hotel Corporation

CONTACT PERSONS: BETTY MASUOKA, Deputy City Manager . 264-5704

FOR COUNCIL MEETING OF: February 9, 1999 (afternoon)

SUMMARY:

On December 7, 1998, the City Council approved the Convention Center Hotel project, certified the EIR and authorized staff to finalize the necessary documents to implement the project, including documents required to establish the 115 corporation which will legally own the project.

On February 16, 1999, staff will present to the City Council the Articles of Incorporation and Bylaws for the proposed corporation. This report and the attached resolution, which establishes the appointment process for the Board of Directors of the 115 corporation, precedes the incorporation documents due to the time required for review by the Secretary of State's Office as well as time needed for the proposed appointment process. It is not

intended that council action establishing the appointment procedure have any effect upon the council's ultimate decision of whether or nor to approve the By Laws and Incorporation documents for the 115 Corporation.

On February 23, 1999, staff will present, for City Council approval, the project documents which include the bond documents.

FINANCIAL CONSIDERATIONS:

Any costs associated with the formation of the 115 corporation will be included in the cost of bond issuance, assuming that the council approves the project. Any on going costs associated with the 115 corporation will be funded from the project revenues. There will be no cost to the General Fund.

POLICY CONSIDERATIONS:

The attached resolution implements approvals previously granted by the City Council.

Respectfully Submitted,



BETTY MASUOKA
Deputy City Manager

Recommendation Approved:



WHE
William H. Edgar
City Manager

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BY THE CITY COUNCIL

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OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99- 052

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION ESTABLISHING APPOINTMENT PROCEDURES FOR THE BOARD OF DIRECTORS OF THE SACRAMENTO CONVENTION CENTER HOTEL CORPORATION

WHEREAS:

A. On December 7, 1998, the City Council approved the Sacramento Convention Center Hotel Project (the "project"), certified the Environmental Impact Report, and directed staff to finalize the necessary documents to implement the project; and

B. In order to finance the project, it is necessary that the appointment procedure for the Sacramento Hotel Corporation (the "corporation") be established prior to City Council approval of the proposed by laws and articles of incorporation, since if the project documents are approved on February 23, 1999, the board must be in place in order to take certain actions immediately thereafter; and

C. Because the appointment procedures set forth in Title 60, Chapter 60.01 do not apply to the corporation, and because of the need to make appointments to the board of the corporation in an expeditious manner in order to accommodate the financing of the project if the City Council approves the project, it is necessary to establish by resolution the appointment procedures for initial appointments to the corporation's board, and for board vacancies in the future.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

1. In the event that the City Council approves the project, the following procedures shall apply to the initial appointments to the corporation board, which consists of three initial board members:

a. The City Manager shall submit to the Mayor the names and resumes of at least three persons qualified to serve on the board of directors.

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RESOLUTION NO. _____

DATE ADOPTED: _____

b. The Mayor, subject to confirmation by the City Council, shall appoint the initial three board members from those persons whose names and resumes were submitted by the City Manager, and shall report the appointments to the City Clerk.

c. The City Clerk shall place the matter of the confirmation of the appointment of the initial board members on the agenda of the next meeting of the City Council following the appointments made by the Mayor.

2. In the event that the corporation board is, pursuant to applicable provisions of the corporation's articles of incorporation and/or bylaws, expanded to five members, the appointment and confirmation procedures specified in section 1 of this resolution shall apply.

3. In the event of a vacancy on the corporation board, the board shall in accordance with procedures specified in the corporation's bylaws, appoint a person to fill each vacancy, subject to confirmation by the City Council.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO. _____

DATE ADOPTED: _____

RESOLUTION NO. 99-

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MAYOR

ATTEST:

CITY CLERK

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From: Valerie Burrowes
To: Karla Rockberg, Lina Sime
Date: Tue, Feb 2, 1999 11:23 AM
Subject: Agenda Addition

Please add the following to the agenda under staff reports:

Establishment of appointment procedure for the Board of Directors for the Sacramento Convention Center Hotel Corporation

RECOMMENDATION OF STAFF: ADOPT RESOLUTION