

Ordinance No. 184963

* Authorize an agreement with Travel Portland for the promotion of convention business and tourism and provide for payment as required by City Charter.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On May 28, 2008, City Council passed Ordinance 181845 approving a three year contract with Travel Portland for the provision of convention and tourism services, establishing reporting and service measurement goals and approving related funding. A primary purpose of this contract was to provide for disbursing transient lodging tax revenues to Travel Portland for providing these services as required by City Charter. Necessarily, the contract had no upper payment limit because payments are dependent upon the actual transient lodging tax collections each year.
2. The contract was recently amended by the Portland Bureau of Transportation via Ordinances 182859 and 183894 to add services for the Downtown Marketing Initiative, appropriately established a maximum payment amount for the services and extend the contract term for two additional years. However, by amending the contract and establishing a maximum payment authorization, the Revenue Bureau's ability to pay the 1% transient lodging tax required by City Charter was inadvertently limited. Therefore, these amendments created an administrative need for a separate contract to pay the 1% tax for the promotion of convention business and tourism services required by City Charter.
3. City Charter Section 7-113 directs the City to negotiate contracts with a non-profit corporation(s) whose primary purpose is the promotion, solicitation, procurement and service of convention business and tourism in the City of Portland.
4. The City has determined that such services are in the public interest and will be for a public purpose for the benefit of the City and that securing convention and tourism business produces revenue for the City by increasing business license taxes and transient lodging taxes, and revenue for City owned properties such as the Performing Arts Center.
5. The promotion of convention business and tourism is a highly specialized service requiring expertise and the confidence of participating local businesses. Travel Portland (formerly known as the Portland Oregon Visitors Association – POVA) has demonstrated its expertise through prior contracts with the City, authorized by Ordinances numbered

154720, 158721, 162143, 165571, 170317, 173432, 176591, 179383
and 181845.

184963

6. Travel Portland has a unique position as a promoter of convention business and tourism as demonstrated by the number of local businesses that are members of the organization.
7. Travel Portland is a non-profit corporation organized for the primary purposes of promotion, solicitation, procurement and service of convention business and tourism for the City of Portland, and is, therefore, qualified to contract with the City for the aforesaid purposes.
8. In accordance with City Code 5.33.120.C, a Sole Source Procurement Notice was published on September 27, 2011 and remained posted for a minimum of seven (7) calendar days. No responses were received to the public notification of the intent to award a sole source contract.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to execute an agreement with Travel Portland substantially in accordance with the Agreement and Exhibit A attached to this Ordinance.
- b. The Mayor and Auditor are authorized to draw and deliver warrants, chargeable to the Convention and Tourism Fund
- c. To the extent that any services to be provided by Travel Portland would otherwise have to be bid pursuant to ORS Chapter 279, the City Council, acting in its capacity as the Local Contract Review Board, hereby declares this contract to be exempt.

Section 2. The Council declares that an emergency exists because a delay will prevent the Revenue Bureau from making timely payment of third quarter transient lodging taxes to Travel Portland from the Convention and Tourism Fund, which could negatively impact Travel Portland's ability to promote and secure convention business and tourism within the City of Portland; therefore, this Ordinance shall be in force and effective from and after its passage by Council.

Passed by the Council: NOV 02 2011

Mayor Sam Adams
Prepared by: Terri Williams
Date: September 20, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By: *Susan Lanson*
Deputy

880481

Agenda No. **184963**
ORDINANCE NO.
 Title

*Authorize an agreement with Travel Portland for the promotion of convention business and tourism and provide for payment as required by City Charter. (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>OCT 28 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	<div style="text-align: right;"> LaVonne Griffin-Valade Auditor of the City of Portland </div> <div style="margin-top: 20px;"> By: Deputy </div>
BUREAU APPROVAL Bureau: Revenue Bureau Head: Thomas Lannom	ACTION TAKEN:
Prepared by: Terri Williams Date Prepared: 6/29/2011	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date November 2, 2011	
City Attorney Approval	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	