CITY OF HAMILTON
NOTICE OF M OT I O N

Council Date: June 26, 2019

MOVED BY MAYOR F. EISENBERGER …………...……………...…...............................

Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's)

WHEREAS, the City of Hamilton underwent the "External Audit Review of HECFI Operations" with the assistance of KPMG in 2011;

WHEREAS, upon completing the "External Audit Review of HECFI Operations" in 2013, Council directed and authorized staff to enter into a Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. ("Global Spectrum") and into a Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen's Group ("Carmen's");

WHEREAS, the initial 5-year terms of the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's were set to expire on December 31, 2018;

WHEREAS, at the July 13, 2018 Council Meeting, Council approved a report titled "Downtown Entertainment Assets Operating Agreements CM19013 (City Wide)", which authorized 6-month extensions of both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's, while staff initiated a competitive renewal process;

WHEREAS, at the January 23, 2019 Council Meeting, and with the consent of Global Spectrum and Carmen's, Council approved a motion directing staff to negotiate 5-year extensions of the existing Management Agreement between the City of Hamilton and Global Spectrum and the existing Facility Operating Management Agreement between the City of Hamilton and Carmen's;

WHEREAS, at the April 24, 2019 Council Meeting, and with the consent of Global Spectrum and Carmen's, Council approved a motion directing staff to amend the existing Management Agreement between the City of Hamilton and Global Spectrum and the existing Facility Operating Management Agreement between the City of Hamilton and Carmen's to reduce the notice period by which the City of Hamilton must exercise its right to extend the Management Agreement and the Facility Operating Management Agreement from 60 days to any time prior expiry of the Management Agreement and the Facility Operating Management Agreement, as the case may be;

WHEREAS, both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's are now set to expire on June 30, 2019;

WHEREAS, at the June 12, 2019 Council Meeting, Council approved a report titled "Downtown Entertainment Assets Operating Agreements CM18013(a) (City Wide)", which authorized 5 and one-half year extensions of both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's; and

WHEREAS, staff are currently in the process of finalizing the terms of the aforementioned 5 and one-half year extensions with Global Spectrum and Carmen's and require further time to accomplish same;

THERFORE BE IT RESOLVED:

(a) That the Mayor and City Clerk be authorized and directed to execute an extension to the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) to extend the term of the Management Agreement until September 30, 2019; and

(b) That the Mayor and City Clerk be authorized and directed to execute an amendment to the existing Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group) to extend the term of the Facility Operating Management Agreement until September 30, 2019.