



Agenda Report

19-990

Agenda Date: 9/18/2019

REPORT TO ECONOMIC DEVELOPMENT, COMMUNICATIONS AND MARKETING COMMITTEE

SUBJECT

Update on All Vision Billboard Agreement

BACKGROUND

At the June 3, 2019 Economic Development, Communications and Marketing Committee meeting, the Committee requested that an update on the City's billboard agreement be provided by the City Attorney.

At the July 9, 2019 City Council meeting, the City Council referred the status report on the City's existing billboard contract and termination status of contract to the City Attorney.

DISCUSSION

On March 24, 2015, the City entered into a five-year agreement with All Vision for the development and marketing of billboard space. The Committee has asked whether the All Vision Agreement is still in effect and whether it can be terminated. A copy of the All Vision Agreement along with the materials presented to Council at the time it was approved are attached as Attachment 1.

By its own terms, the agreement will terminate on March 24, 2020. The contract can be terminated earlier without cause upon 30-days' notice. The termination provision is as follows:

9. TERMINATION OF AGREEMENT.

- A. Either Party may terminate this Agreement without cause by giving the other Party written notice ("Notice of Termination") which clearly expresses that Party's intent to terminate the Agreement. Notice of Termination shall become effective no less than thirty (30) calendar days after a Party receives such notice. After either Party terminates the Agreement, Contractor shall discontinue further services as of the effective date of termination, and City shall reimburse Contractor for all reasonable costs incurred by Contractor in performing Services up to such date, including without limitation amounts paid or owed to subcontractors or third party consultants and other vendors, salaries, benefits, employment taxes and other labor burden costs of Contractor's personnel engaged in performing the Services (reasonably allocated based on the portion of their working time devoted to the Services), personnel travel expenses (also so allocated), and all Direct Expenses (defined in Exhibit A).

ENVIRONMENTAL REVIEW

This is an information report only and no action is being taken by the Economic Development,

Communications, and Marketing Committee and no environmental review under the California Environmental Quality Act ("CEQA") is required.

FISCAL IMPACT

There is no fiscal impact other than staff time.

PUBLIC CONTACT

Public contact was made by posting the Economic Development, Communications and Marketing Committee agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. 3-24-15 Agenda Report - Approval of Agreement with All Vision