

**SAN DIEGO CONVENTION CENTER CORPORATION
BOARD OF DIRECTORS MEETING**

**TUESDAY, JULY 9, 2024, 12:00 P.M.
111 W. Harbor Drive, 2nd Floor, Executive Boardroom
San Diego, California 92101**

AGENDA

**Telephone number for members of the public
to observe, listen, and address the meeting telephonically:
1(888) 251-2909 – Access code is 6724115#**

1. Call to Order – Jeff Gattas, Chair

2. Non-Agenda Public Comments

This portion of the agenda provides an opportunity for members of the public to address the Board on items of interest within the jurisdiction of the Board that are not on the posted agenda. Pursuant to the Brown Act, no discussion or action shall be taken by the Board on items not posted on the agenda.

3. Board Committee Reports and Board Action Items

**A. Approval of a Resolution of the San Diego Convention Center Corporation, Inc.
Authorizing an Extension to the Agreement with Centerplate and Authorizing
the President & CEO to Sign the Extension**

4. Board Comment [Govt. Code § 54954.2(a)(2)]

5. Urgent non-agenda items (must meet the requirements of Government Code, Section 54954.2)

Adjournment

This information is available in alternative formats upon request. To request an agenda in an alternative format, or to request a sign language, oral interpreter, an Assistive Listening Device (“ALD”), or other reasonable accommodation for the meeting, please call Pat Evans at (619) 525-5131 at least two working days prior to the meeting to ensure availability. **Audio copies of Board of Director meetings are available upon request. Please contact Pat Evans at (619)525-5131 or pat.evans@visitsandiego.com to request a copy.**

In compliance with Government Code section 54957.5, non-exempt written material that is distributed to the Board prior to the meeting will be available at the meeting or it may be viewed in advance of the meeting online at visitsandiego.com. Materials distributed to the board after the posting of this agenda also will be available. Please contact Pat Evans at (619)525-5131 or pat.evans@visitsandiego.com if you would like to receive a copy of any material related to an item on this agenda.

Action items on this agenda may be consolidated for voting purposes into a single vote of the Board, to the extent they are routine or otherwise do not require further deliberation. A Board member may comment on an action item before it is voted upon as part of the consolidated vote; however, if a Board member wishes to discuss an action item, that item will not be included in the consolidated vote. If a member of the public wishes to comment upon an action item, they should so advise the Board chair at or before the public comment portion of the meeting, in which case that item will not be included in any consolidated vote.

Agenda Item 3.A

**SAN DIEGO CONVENTION CENTER CORPORATION
M E M O R A N D U M**

TO: Board of Directors

FROM: Will Rodriguez-Kennedy, Budget Committee Chair

DATE: For the Agenda of July 9, 2024

RE: Approval of a Resolution of the San Diego Convention Center Corporation, Inc. Authorizing an Extension to the Agreement with Centerplate and Authorizing the President & CEO to Sign the Extension

BACKGROUND

The San Diego Convention Center Corporation ("Corporation") has designated Centerplate, now Sodexo Live! as its exclusive food and beverage provider since 1993. In July 2014, the Corporation and Sodexo Live! extended their existing contract for an additional five (5) years through June 30, 2026. Subsequently, on September 22, 2020, the Corporation and Sodexo Live! mutually agreed to a further extension of two (2) years through June 30, 2028, as part of a goodwill effort to facilitate a phased recovery following the COVID-19 pandemic. This extension involved a reduction in the marketing, equipment, and small wares reserve account contribution by 1.5% (previously 3% of gross sales) for a period of two (2) years starting from the Center's reopening date, as determined by the first date the Center hosts a client, along with a re-amortized incentive payment schedule to support a gradual recovery.

DISCUSSION

The Corporation is undergoing significant kitchen improvements that necessitate substantial investment. Sodexo Live! has been an outstanding partner over the years, demonstrating leadership in providing catered food & beverage services across venues, as well as supporting food services to the City of San Diego's homeless shelter and unaccompanied minor shelter during the COVID19 pandemic. They possess unique operational knowledge, maintain valuable client relationships, and ensure continuity of operations that contribute to sustaining regional impacts and benefiting the City of San Diego.

The Corporation proposes to extend the agreement with the following recommended material modifications to the existing contract:

1. **Term:** Extend the contract by an additional ten (10) years (extending the current expiration date of June 30, 2028, to June 30, 2038).

2. **Capital Investment:** Sodexo Live! will invest up to \$8,500,000 in total toward food service capital projects at the Center, structured as follows:

- a. \$2,000,000, due on September 1, 2024, amortized over twenty-two (22) months (September 1, 2024, through June 30, 2026).
- b. \$2,000,000, due on September 1, 2026, amortized over one hundred, and forty-two (142) months (July 1, 2026, through June 30, 2038).
- c. \$4,500,000, due on July 1, 2028, amortized over one hundred twenty (120) months (July 1, 2028, through June 30, 2038).

3. **Service Equipment Repair and Maintenance:** Eliminate the prior section 5.C.(1) requiring deductible billbacks for repair needs and replace it with an annual lump sum Equipment Fee of \$25,000 to contribute towards the Corporation's responsibilities, which will increased by 3% annually.

All other specifics are detailed in the extension agreement.

STAFF RECOMMENDATION

Staff recommends the Board approve the attached Resolution authorizing an extension to the agreement with Sodexo Live! authorizing the President & CEO to sign the extension.

/s/
Will Rodriquez-Kennedy
Budget Committee Chair

Attachments:

1. Corporation Resolution

RESOLUTION NO. 2024-02

A RESOLUTION OF THE SAN DIEGO CONVENTION CENTER CORPORATION, INC. APPROVING AN EXTENSION AND AMENDMENT TO THE AGREEMENT WITH SODEXO AND AUTHORIZING THE PRESIDENT & CEO TO SIGN THE EXTENSION AND AMENDMENT AGREEMENT

WHEREAS, in 2007, the San Diego Convention Center Corporation (“Corporation”) and Service America Corporation, dba Centerplate (“Centerplate”) entered into a contract for food and beverage services, Contract 07-1357-R (Original Contract) and the parties have entered into various amendments to the Original Contract since that time; and

WHEREAS, in 2014, the Corporation and Centerplate entered into the 2014 Extension Agreement to extend the Original Contract through June 30, 2026. This extension provided incentive payments due and amortized according to an established schedule through 2026; and

WHEREAS, due to the unexpected and devastating impacts of the COVID-19 pandemic which has caused the Convention Center (“Center”) to be closed to normal business since March of 2020, Centerplate requested that the incentive payments and term be extended, and the parties approved an extension of the Original Contract to June 30, 2028; and

WHEREAS, Centerplate, now operating as Sodexo, has been an exemplary partner throughout the years of service to the Corporation, including but not limited to providing food services to the City of San Diego’s homeless shelter and unaccompanied minor shelter during the COVID-19 pandemic; and

WHEREAS, Sodexo has unique knowledge related to operations at the Center and it is necessary for the Corporation to have a partner with this unique knowledge, special skills, valued client relationships, and continuity related to the provision of food and beverage services so that the Corporation can continue to produce regional impacts and benefits to the City of San Diego which allows the City of San Diego to continue to provide and enhance general services for its residents; and

WHEREAS, due to the need for the Corporation to obtain services from Sodexo as a single source, the parties now wish to extend the Original Contract for ten additional years to June 30, 2038.

NOW, THEREFORE, be it resolved by the Board of Directors of the San Diego Convention Center Corporation (the “Board”) as follows:

Section 1. The findings listed in the above recitals are true and correct and are used as a basis for approving this Resolution.

Section 2. The Board hereby approves an amendment to the Original Contract with Centerplate as shown in the attached 2024 Extension Agreement and authorizes the President &

CEO to execute the necessary documents to amend the Original Contract pursuant to the terms as shown in the attached 2024 Extension Agreement.

Section 3. The Board authorizes the President & CEO, COO, and CFO to take all actions necessary to carry out the intent of this Resolution and the 2024 Extension Agreement.

Section 4. Except as stated herein, all other terms of the Original Contract and its amendments shall remain in full force in effect.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED, APPROVED and ADOPTED this 9th day of July 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeff Gattas, Chairperson

ATTEST:

Alyssa Turowski, Secretary of the Board

EQUAL OPPORTUNITY CONTRACTING (EOC)

1200 Third Avenue, Suite 200 • San Diego, CA 92101
Phone: (619) 236-6000 • Fax: (619) 236-5904

WORK FORCE REPORT

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report (WFR)*.

NO OTHER FORMS WILL BE ACCEPTED

CONTRACTOR IDENTIFICATION

Type of Contractor: Construction Vendor/Supplier Financial Institution Lessee/Lessor
 Consultant Grant Recipient Insurance Company Other

Name of Company: Service America Corporation

ADA/DBA: Sodexo Live!

Address (Corporate Headquarters, where applicable): One Independence Pointe Suite 305

City: Greenville County: _____ State: South Carolina zip: 29615

Telephone Number: _____ Fax Number: _____

Name of Company CEO: Belinda Oakley

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: Same

City: _____ County: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____ Email: _____

Type of Business: Hospitality Services Type of License: _____

The Company has appointed: David Winarski

As its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: 1 Independence Pointe Suite 305 Greenville, SC 29615

Telephone Number: 864.248.2091 Fax Number: _____ Email: david.winarski@sodexo.com

- One San Diego County (or Most Local County) Work Force - Mandatory
- Branch Work Force *
- Managing Office Work Force

Check the box above that applies to this WFR.

*Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.

I, the undersigned representative of Service America Corp - Sodexo Live!

Greenville, South Carolina hereby certify that information provided
(County) (State)

herein is true and correct. This document was executed on this 8th day of July, 2024

Lindsay Koffler
(Authorized Signature)

Lindsay Koffler - Regional HR Director
(Print Authorized Signature Name)

WORK FORCE REPORT – Page 2

NAME OF FIRM: **Service America Corp - Sodexo Live!**

DATE: **7/8/24**

OFFICE(S) or BRANCH(ES): **San Diego Convention Center, San Diego Theatres, Rady Shell at Jacobs Park**

COUNTY: **San Diego**

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) Black or African-American
- (2) Hispanic or Latino
- (3) Asian
- (4) American Indian or Alaska Native
- (5) Native Hawaiian or Pacific Islander
- (6) White
- (7) Other race/ethnicity; not falling into other groups

Definitions of the race and ethnicity categories can be found on Page 4

ADMINISTRATION OCCUPATIONAL CATEGORY	(1) Black or African American		(2) Hispanic or Latino		(3) Asian		(4) American Indian/ Nat. Alaskan		(5) Pacific Islander		(6) White		(7) Other Race/ Ethnicity	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Management & Financial	3		8	8	1	2					6	4	1	1
Professional														
A&E, Science, Computer														
Technical														
Sales		2	1	2	1	2						4		1
Administrative Support		2		4		2						1		
Services	27	14	323	255	19	14	2	2	5	2	94	94	25	24
Crafts														
Operative Workers														
Transportation														
Laborers*														

*Construction laborers and other field employees are not to be included on this page

Totals Each Column	30	18	332	269	21	20	2	2	5	2	100	103	26	26
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Grand Total All Employees

956

Indicate by Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled														
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Non-Profit Organizations Only:

Board of Directors														
Volunteers														
Artists														

WORK FORCE REPORT – Page 3

NAME OF FIRM: _____ DATE: _____

OFFICE(S) or BRANCH(ES): _____ COUNTY: _____

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) Black or African-American
- (2) Hispanic or Latino
- (3) Asian
- (4) American Indian or Alaska Native
- (5) Native Hawaiian or Pacific Islander
- (6) White
- (7) Other race/ethnicity; not falling into other groups

Definitions of the race and ethnicity categories can be found on Page 4

TRADE OCCUPATIONAL CATEGORY	(1) Black or African American		(2) Hispanic or Latino		(3) Asian		(4) American Indian/ Nat. Alaskan		(5) Pacific Islander		(6) White		(7) Other Race/ Ethnicity	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Brick, Block or Stone Masons														
Carpenters														
Carpet, Floor & Tile Installers Finishers														
Cement Masons, Concrete Finishers														
Construction Laborers														
Drywall Installers, Ceiling Tile Inst														
Electricians														
Elevator Installers														
First-Line Supervisors/Managers														
Glaziers														
Helpers; Construction Trade														
Millwrights														
Misc. Const. Equipment Operators														
Painters, Const. & Maintenance														
Pipelayers, Plumbers, Pipe & Steam Fitters														
Plasterers & Stucco Masons														
Roofers														
Security Guards & Surveillance Officers														
Sheet Metal Workers														
Structural Metal Fabricators & Fitters														
Welding, Soldering & Brazing Workers														
Workers, Extractive Crafts, Miners														

Totals Each Column														
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Grand Total All Employees

Indicate By Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled														
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Work Force Report

HISTORY

The Work Force Report (WFR) is the document that allows the City of San Diego to analyze the work forces of all firms wishing to do business with the City. We are able to compare the firm's work force data to County Labor Force Availability (CLFA) data derived from the United States Census. CLFA data is a compilation of lists of occupations and includes the percentage of each ethnicity we track (American Indian or Alaska Native, Asian, Black or African-American, Native Hawaiian or Pacific Islander, White, and Other) for each occupation. Currently, our CLFA data is taken from the 2010 Census. In order to compare one firm to another, it is important that the data we receive from the consultant firm is accurate and organized in the manner that allows for this fair comparison.

WORK FORCE & BRANCH WORK FORCE REPORTS

When submitting a WFR, especially if the WFR is for a specific project or activity, we would like to have information about the firm's work force that is actually participating in the project or activity. That is, if the project is in San Diego and the work force is from San Diego, we want a San Diego County Work Force Report¹. By the same token, if the project is in San Diego, but the work force is from another county, such as Orange or Riverside County, we want a Work Force Report from that county². If participation in a San Diego project is by work forces from San Diego County and, for example, from Los Angeles County and from Sacramento County, we ask for separate Work Force Reports representing your firm from each of the three counties.

MANAGING OFFICE WORK FORCE

Equal Opportunity Contracting may occasionally ask for a Managing Office Work Force (MOWF) Report. This may occur in an instance where the firm involved is a large national or international firm but the San Diego or other local work force is very small. In this case, we may ask for both a local and a MOWF Report^{1,3}. In another case, when work is done only by the Managing Office, only the MOWF Report may be necessary.³

TYPES OF WORK FORCE REPORTS:

Please note, throughout the preceding text of this page, the superscript numbers one ¹, two ² & three ³. These numbers coincide with the types of work force report required in the example. See below:

- ¹ One San Diego County (or Most Local County) Work Force – Mandatory in most cases
- ² Branch Work Force *
- ³ Managing Office Work Force

**Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.*

RACE/ETHNICITY CATEGORIES

American Indian or Alaska Native – A person having origins in any of the peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian – A person having origins in any of the peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American – A person having origins in any of the Black racial groups of Africa.

Native Hawaiian or Pacific Islander – A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White – A person having origins in any of the peoples of Europe, the Middle East, or North Africa.

Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin.

Exhibit A: Work Force Report Job Categories – Administration

Refer to this table when completing your firm's Work Force Report form(s).

Management & Financial

Advertising, Marketing, Promotions, Public Relations, and Sales Managers
Business Operations Specialists
Financial Specialists
Operations Specialties Managers
Other Management Occupations
Top Executives

Professional

Art and Design Workers
Counselors, Social Workers, and Other Community and Social Service Specialists
Entertainers and Performers, Sports and Related Workers
Health Diagnosing and Treating Practitioners
Lawyers, Judges, and Related Workers
Librarians, Curators, and Archivists
Life Scientists
Media and Communication Workers
Other Teachers and Instructors
Postsecondary Teachers
Primary, Secondary, and Special Education School Teachers
Religious Workers
Social Scientists and Related Workers

Architecture & Engineering, Science, Computer

Architects, Surveyors, and Cartographers
Computer Specialists
Engineers
Mathematical Science Occupations
Physical Scientists

Technical

Drafters, Engineering, and Mapping Technicians
Health Technologists and Technicians
Life, Physical, and Social Science Technicians
Media and Communication Equipment Workers

Sales

Other Sales and Related Workers
Retail Sales Workers
Sales Representatives, Services
Sales Representatives, Wholesale and Manufacturing
Supervisors, Sales Workers

Administrative Support

Financial Clerks
Information and Record Clerks
Legal Support Workers

Material Recording, Scheduling, Dispatching, and Distributing Workers
Other Education, Training, and Library Occupations
Other Office and Administrative Support Workers
Secretaries and Administrative Assistants
Supervisors, Office and Administrative Support Workers

Services

Building Cleaning and Pest Control Workers
Cooks and Food Preparation Workers
Entertainment Attendants and Related Workers
Fire Fighting and Prevention Workers
First-Line Supervisors/Managers, Protective Service Workers
Food and Beverage Serving Workers
Funeral Service Workers
Law Enforcement Workers
Nursing, Psychiatric, and Home Health Aides
Occupational and Physical Therapist Assistants and Aides
Other Food Preparation and Serving Related Workers
Other Healthcare Support Occupations
Other Personal Care and Service Workers
Other Protective Service Workers
Personal Appearance Workers
Supervisors, Food Preparation and Serving Workers
Supervisors, Personal Care and Service Workers
Transportation, Tourism, and Lodging Attendants

Crafts

Construction Trades Workers
Electrical and Electronic Equipment Mechanics, Installers, and Repairers
Extraction Workers
Material Moving Workers
Other Construction and Related Workers
Other Installation, Maintenance, and Repair Occupations
Plant and System Operators
Supervisors of Installation, Maintenance, and Repair Workers
Supervisors, Construction and Extraction Workers
Vehicle and Mobile Equipment Mechanics,

Installers, and Repairers
Woodworkers

Operative Workers

Assemblers and Fabricators
Communications Equipment Operators
Food Processing Workers
Metal Workers and Plastic Workers
Motor Vehicle Operators
Other Production Occupations
Printing Workers
Supervisors, Production Workers
Textile, Apparel, and Furnishings Workers

Transportation

Air Transportation Workers
Other Transportation Workers
Rail Transportation Workers
Supervisors, Transportation and Material
Moving Workers
Water Transportation Workers

Laborers

Agricultural Workers
Animal Care and Service Workers
Fishing and Hunting Workers
Forest, Conservation, and Logging Workers
Grounds Maintenance Workers
Helpers, Construction Trades
Supervisors, Building and Grounds Cleaning
and Maintenance Workers
Supervisors, Farming, Fishing, and Forestry
Workers

Exhibit B: Work Force Report Job Categories-Trade

Brick, Block or Stone Masons

Brickmasons and Blockmasons
Stonemasons

Carpenters

Carpet, floor and Tile Installers and Finishers

Carpet Installers
Floor Layers, except Carpet, Wood and Hard
Tiles
Floor Sanders and Finishers
Tile and Marble Setters

Cement Masons, Concrete Finishers

Cement Masons and Concrete Finishers
Terrazzo Workers and Finishers

Construction Laborers

Drywall Installers, Ceiling Tile Inst

Drywall and Ceiling Tile Installers
Tapers

Electricians

Elevator Installers and Repairers

First-Line Supervisors/Managers

First-line Supervisors/Managers of
Construction Trades and Extraction Workers

Glaziers

Helpers, Construction Trade

Brickmasons, Blockmasons, and Tile and
Marble Setters
Carpenters
Electricians
Painters, Paperhangers, Plasterers and Stucco
Pipelayers, Plumbers, Pipefitters and
Steamfitters
Roofers
All other Construction Trades

Millwrights

Heating, Air Conditioning and Refrigeration
Mechanics and Installers
Mechanical Door Repairers
Control and Valve Installers and Repairers
Other Installation, Maintenance and Repair
Occupations

Misc. Const. Equipment Operators

Paving, Surfacing and Tamping Equipment
Operators
Pile-Driver Operators
Operating Engineers and Other Construction
Equipment Operators

Painters, Const. Maintenance

Painters, Construction and Maintenance
Paperhangers

Pipelayers and Plumbers

Pipelayers
Plumbers, Pipefitters and Steamfitters

Plasterers and Stucco Masons**Roofers****Security Guards & Surveillance Officers****Sheet Metal Workers****Structural Iron and Steel Workers****Welding, Soldering and Brazing Workers**

Welders, Cutter, Solderers and Brazers
Welding, Soldering and Brazing Machine
Setter, Operators and Tenders

Workers, Extractive Crafts, Miners