



# Albemarle County

## Legislation Text

---

**File #:** 22-115, **Version:** 1

---

**AGENDA DATE:** 2/16/2022

**TITLE:**

CACVB Operating Agreement Third Amendment

**SUBJECT/PROPOSAL/REQUEST:** Consider the approval of the Third Amended CACVB Operating Agreement

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Bessette, Johnson

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The purpose of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) is to promote the resources and advantages of the County, the City, and the region pursuant to the terms and conditions of the CACVB Operating Agreement, including marketing tourism, and marketing initiatives that: attract travelers to the City and County, increase lodging at properties located within the City and County, and generate tourism revenues within the City and County. A portion of the Transient Occupancy Tax from each local government funds the CACVB operations. The CACVB Operating Agreement is a legal document outlining the roles and responsibilities of the City of Charlottesville, Albemarle County, and the CACVB Board. The agreement was last amended in Fall 2019, and new terms and conditions were reconstituted to operate a joint convention and visitors bureau. Since 2019, the CACVB Board has had 15 members, including 4 elected officials (2 from the City and 2 from County), the County Executive, City Manager, and the Economic Development Directors from both local governments.

**STRATEGIC PLAN:** Economic Prosperity: Foster an environment that stimulates diversified job creation, capital investments, and tax revenues that support community goals through increased tourism.

**DISCUSSION:** Since 2019, the CACVB Board has been operating under the Second Amended CACVB Operating Agreement, and has also been operating with increased transparency and greater representation by elected officials. The current CACVB Board indicated that the CACVB operations are in good stead and the CACVB Board is prepared to move to the next phase of operations. The CACVB Board met on October 25, 2021, to discuss changes to the Operating Agreement. The recommended changes included a reduction in the number of elected officials on the Board from 4 to 2 (1 fewer from each local government), as well as the elimination of the County Executive and City Manager positions. These 4 vacancies will be designated for local industry representatives appointed by elected officials. The CACVB Board unanimously agreed in principle to those changes, which are included in the proposed draft Third Amended Operating Agreement (Attachment A). The CACVB Board generally agreed that further aligning the CACVB Board make-up to include an increase in industry representatives is in the best interest of the community. Industry stakeholders are supportive of these proposed changes to the CACVB Board.

In addition to changes in syntax and outdated references, the proposed Third Amended Operating Agreement includes language that confirms the CACVB's commitment to diversity, equity and inclusion; clarifies the process for appointing industry representatives, aligns terms to begin on January 1, 2022, and places limitations on fund balance carryover.

City Council approved the Third Amended Agreement on December 6, 2021. Subsequent to the City's approval of the Third Amended Agreement, the agreement was retitled from the Second Amended Agreement to the Third Amended Agreement, three comments were removed, underlining was added to the new language, amendments were tracked in ordinance formatting in place of track changes, and County and City signature blocks were added.

Attached for consideration is an ordinance approving the Third Amended Agreement and authorizing the County Executive to execute the Amended Agreement on behalf of the County after it is approved as to form by the County Attorney.

**BUDGET IMPACT:** There are no budget impacts associated with the Third Amended Agreement.

**RECOMMENDATION:**

Staff recommends that the Board of Supervisors adopt the attached Ordinance approving the Third Amended Operating Agreement and authorizing the County Executive to execute the Amended Agreement on behalf of the County (Attachment B).

**ATTACHMENTS:**

A - Third Amended Agreement

B - Ordinance