

**RESOLUTION NO. 2022 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AUTHORIZING THE MAYOR TO ENTER INTO THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY (“CITY”) AND A REASON TO SURVIVE (“ARTS”) FOR THE MAINTENANCE AND OPERATION OF THE ARTS CENTER LOCATED AT 200 EAST 12<sup>TH</sup> STREET IN NATIONAL CITY.**

**WHEREAS**, the CITY owns the improved real property located at 200 East 12<sup>th</sup> Street, National City, California. This real property is commonly known as the Arts Center Building (the “ARTS CENTER”);

**WHEREAS**, one of the goals of the CITY’s General Plan is to develop a cultural arts program that encourages and facilitates the development of art in public spaces and promotes greater awareness of architectural, urban design, and the cultural heritage of the CITY;

**WHEREAS**, ARTS is a California non-profit corporation skilled in creating public art, including capital arts projects;

**WHEREAS**, the CITY desires to employ ARTS to maintain the ARTS CENTER for the benefit of the community and ARTS is willing and able to maintain the ARTS CENTER for such purpose;

**WHEREAS**, in exchange for maintaining the ARTS CENTER for the benefit of residents and visitors, the CITY desires to grant ARTS a revocable license to enter and operate the ARTS CENTER located at 200 East 12<sup>th</sup> Street, National City, California;

**WHEREAS**, the CITY previously entered into a maintenance agreement with ARTS which commenced on January 1, 2022 and expires on December 31, 2022;

**WHEREAS**, the Parties desire to amend the Agreement by exercising the first of the three (3) two-year extensions to extend the term of the Agreement to December 31, 2024 and to allow the City to utilize the basement for storage as necessary.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** Authorizes the Mayor to enter into a First Amendment to Agreement between the City of National City and ARTS for the Maintenance and Operation of the ARTS Center located at 200 East 12<sup>th</sup> Street in National City, attached as Exhibit 1 to the Agenda Report.

Resolution No. 2022 –  
Page Two

**Section 2:** The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 1st day of November, 2022.**

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Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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Luz Molina, City Clerk

**APPROVED AS TO FORM:**

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Barry J. Schultz, City Attorney