

RESOLUTION NO. 2019-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ADMINISTER, A LICENSE AGREEMENT WITH THE DA CENTER FOR THE ARTS.

WHEREAS, the City of Pomona, a California municipal corporation and charter city ("City"), is authorized to enter into contracts and agreements for the benefit of the City; and

WHEREAS, the City is the owner of certain unimproved real property, situated in the County of Los Angeles, State of California, more particularly described as the "property" in Exhibit "A" of the "Revocable License Agreement" (Attachment 3).

WHEREAS, the dA Center for the Arts, a California non-profit desires to use the Property for a community mural for the benefit of the Pomona community; and

WHEREAS, the City desires to grant the dA Center for the Arts a revocable license in the Property upon the terms and conditions set forth in the License Agreement; and

WHEREAS, the principal purpose of City in entering into this License Agreement is to serve the common benefit of the community by:

1. Providing community gathering places.
2. Providing public access to art.
3. Providing an encouraging environment for artistic creativity.
4. Contributing to the civic pride of Pomona citizens.
5. Encouraging participation by all socioeconomic and ethnic groups in the public art process.

WHEREAS, the activities allowed pursuant to this Resolution are categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15301 (operation of existing facilities with no expansion of the use); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

ATTACHMENT 1

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

a. That the City Manager is hereby delegated authority to execute and subsequently administer the provisions of a revocable license agreement in the substantive form attached hereto as Exhibit A for the purposes set forth in the revocable license agreement, which delegated authority includes the authority to extend or terminate the license agreement in accordance with its terms and to make other non-material changes.

Section 3. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED THIS 1st DAY OF APRIL 2019.

ATTEST:

CITY OF POMONA:

Rosalia A. Butler, MMC, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Christi Hogin, Interim City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, ROSALIA A. BUTLER, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Pomona held on the 1st day of APRIL 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pomona, California, this 1st day of APRIL 2019.

Rosalia A. Butler, MMC, City Clerk

ATTACHMENT 1

Attachment: Revocable License Agreement