

**RESOLUTION NO. 5040**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
RESCINDING RESOLUTION NO. 5016, AND APROVING AND AUTHORIZING THE  
CITY MANAGER TO EXECUTE AN AMENDMENT EXTENDING THE  
COMMUNITY CENTER MANAGEMENT AGREEMENT BETWEEN THE CITY AND  
THE CENTRAL COAST YMCA**

**WHEREAS**, City is the owner of that facility known as the Soledad Community Center (“Community Center”), located and operated within the City of Soledad, California; and

**WHEREAS**, in June of 2010, the City of Soledad and the Central Coast YMCA, South County Branch (“YMCA”) entered into a two-year Management Agreement for the Community Center, that was extended for an additional two-year term by Council action in June of 2012; and

**WHEREAS**, in light of the fact that the Management Agreement between the City and the YMCA was set to come to an end on June 30, 2014, on May 7, 2014, City Council authorized a six-month extension from June 30, 2014 until December 31, 2014 while the City completed the Request for Proposal (“RFP”) Process for management and operation services for the Community Center, as is periodically required for the retention of public facility related services; and

**WHEREAS**, YMCA submitted the only proposal for management and operation services for the Community Center; and

**WHEREAS**, while on October 1, 2014 the City Council adopted Resolution No. 5016 extending the term to June 30, 2015, due to unforeseen circumstances, the YMCA representatives were unable to execute the extension without requested additional modifications; and

**WHEREAS**, in order to have sufficient time to develop a new Management Agreement for the Community Center, City desires to extend the term of the Agreement an additional six-months, which will come to an end on June 30, 2015; and

**WHEREAS**, both parties have agreed to the modifications specified in Exhibit “A” of this Resolution, and all other terms and conditions of the existing Agreement will continue in full force and effect, with any City stipends/payments thereunder, for YMCA services to be prorated for the six month extension period; and

**WHEREAS**, as a result of the afore-referenced modifications, it is necessary for this Resolution to rescind the previously adopted Resolution No. 5016 and authorize the City Manager to execute the newly negotiated Amendment.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Soledad, that the “Amendment Extending the Term of the Community Center Management Agreement between the City of Soledad and the Central Coast YMCA, South County Branch”, a

copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein, is hereby approved and the City Manager is hereby authorized and directed to execute the same on behalf of the City.

**BE IT FURTHER RESOLVED** that previous Resolution No. 5016 is hereby rescinded in its entirety.

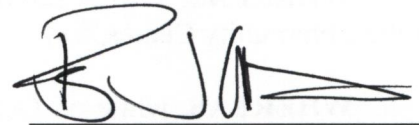
**PASSED AND ADOPTED** by the City Council of the City of Soledad at a regular meeting duly held on the 3rd day of December, 2014, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher K. Bourke, Richard J. Perez, Patricia D. Stephens, Mayor Pro Tem Alejandro Chavez and Mayor Fred J. Ledesma

NOES, Councilmembers: None.

ABSENT, Councilmembers: None.

ABSTAIN, Councilmembers: None.



FRED J. LEDESMA, Mayor

ATTEST:

  
ADELA P GONZALEZ, City Clerk

**AN AMENDMENT EXTENDING THE TERM OF THE COMMUNITY CENTER  
MANAGEMENT AGREEMENT BETWEEN THE CITY OF SOLEDAD  
AND THE CENTRAL COAST YMCA, SOUTH COUNTY BRANCH**

**Recitals**

- A.** City is the owner of that facility known as the Soledad Community Center ("Community Center"), located and operated within the City of Soledad, California.
- B.** In June of 2010, the City of Soledad and the Central Coast YMCA, South County Branch ("YMCA") entered into a two-year Community Center Management Agreement for said facility, which was extended for an additional two-year term by Council action in June of 2012.
- C.** In May of 2014, the City of Soledad and the Central Coast YMCA, South County ("YMCA") entered into a six-month Community Center Management Agreement extension by Council action.
- D.** City desires to once again extend the term of the Community Center Management Agreement an additional six-months, which will come to an end on December 31, 2014.

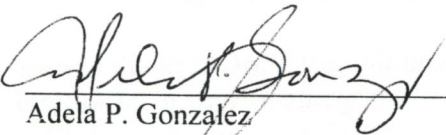
**NOW THEREFORE**, in consideration of the recitals set forth above and pursuant to the terms and conditions set forth below, the Parties Agree as follows:

1. **Extended Term.** The Community Center Management Agreement between the City of Soledad and Central Cost YMCA, South County Branch is hereby extended for six months, from December 31, 2014 to June 30, 2015. All stipends and/or payments from City to YMCA called for by said Agreement shall be prorated during the extension term.
2. With the execution of this Amendment the City Council has accepted and approved that the Contractor shall set all rates and charges for programs, services and rentals, and shall cause the schedule of rates and charges to be printed and made available at the Community Center and cause a copy to be delivered to the City Manager. This provision supersedes Section 10(b) of the existing agreement.
3. The Contractor shall set all policies and regulations for facility rentals and cause a copy of the policies and regulations to be available at the Community Center and cause a copy of the policies and regulations to be delivered to the City Manager. This provision does not affect Section 11 of the current contract regarding Reservation of Use by the City.
4. The Contractor shall not be required to pay the City of Soledad three percent (3%) of rental fees for a City reserve fund, for the six (6) month extension period. This provision supersedes Section 6 (a), B and 10 (c).
5. Upon City approval of an appropriate estimate, the City of Soledad will reimburse the Contractor for the cost of a certified profit and loss statement which includes line item

detail of all revenue and expenditures specific to the South County YMCA for programs, services and facility operations. The Contractor shall bear the full cost of its regular organizational annual financial audit and provide a copy to the City as requested.

All other terms and conditions of the Community Center Agreement shall remain in full force and effect.

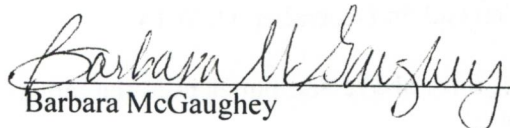
CITY OF SOLEDAD

By:   
Adela P. Gonzalez

Dated: 12/4/2014

Title: City Manager

YMCA

By:   
Barbara McGaughey

Dated: 11/28/14

Title: President and CEO