



Cathedral City

Legislation Text

File #: 2016-357, Version: 1

City Council

MEETING DATE: 9/14/2016

TITLE:

Assumption and Assignment Agreement, Cathedral City Dance Program

FROM:

Charles McClendon, City Manager

RECOMMENDATION:

Staff recommends the City Council approve the Assumption and Assignment Agreement for the Cathedral City Dance Program assigning the underlying License Agreement to Lisa Graf and Crystina Justice.

BACKGROUND:

Since the City eliminated its Parks and Recreation Department in 2003 due to budget cuts, dance classes have been provided through an agreement with the Cathedral City Dance Program ("Dance Program") under the leadership of Kimera Lewis. A license agreement gave the Dance Program access to the old community center building at 68707 East Palm Canyon. The CC Dance Program paid a revenue share to the City for use of the building. On October 28, 2015, the City Council approved a request to authorize the sale of the old community center building to the City Urban Revitalization Corporation (CURC) for demolition and redevelopment of the site. The City Council also directed staff at that meeting to work with the Dance Program to locate another facility where they can continue to provide their classes and other services and to identify any assistance required related to relocating. On April 13, 2016 the City approved the First Amendment to the License Agreement providing for a one-time relocation fee in the amount of \$5,000 and an assistance grant in the amount of \$19,200 for FY 2016/2017.

DISCUSSION:

Kimera Lewis contacted City Staff indicating that she is no longer the operator of the Dance Program, and that it is now being operated by Lisa Graf and Crystina Justice. An Assumption and Assignment Agreement is before the City Council for consideration, granting the new operators the same rights and responsibilities as were previously afforded to Ms. Lewis under the original License Agreement and the First Amendment to the License Agreement.

Through the First Amendment, the City agreed to pay an initial amount of five thousand dollars (\$5,000.00) to Ms. Lewis upon execution of the First Amendment to assist in relocation of the operations of the Dance Program. This sum has already been paid.

The First Amendment further provides for additional relocation assistance to be paid by the City to Ms. Lewis in the amount of nineteen thousand two hundred dollars (\$19,200) via periodic payments during the course of the year. These payments are contingent on Assignor being open for business at a facility within Cathedral City. These payments have not yet been made.

This Agreement will assign all Ms. Lewis's rights and responsibilities, including further payment from the City, to Ms. Graf and Ms. Justice.

FISCAL IMPACT:

There is no additional impact to the budget with the consent of the Assumption and Assignment Agreement. Any future assistance would require Council action.

ATTACHMENTS:

Assumption and Assignment Agreement