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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RIALTO APPROVING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF RIALTO AND THE KIWANIS CLUB OF
EAST RIALTO AND APPROVING A WAIVER OF FEES FOR ITS
USE**

WHEREAS, the Rialto City Council has the legal authority to approve the use of the City's facilities known as the Grace Vargas Senior Center, for a fee or waiving of fees for said use deemed by the City Council to be in the best interests of the City, and;

WHEREAS, the City Council desires to enter into a Memorandum of Understanding between the City of Rialto and the Kiwanis Club of East Rialto for use of the Grace Vargas Senior Center, and;

WHEREAS, the City has determined that such activities of the Kiwanis Club of East Rialto serve the valid public purpose of contributing to quality of life and making Rialto's community more livable and more prosperous; enhancing individual life-by encouraging individual creativity, spirit, and potential; and by providing release, relaxation, and entertainment. The Kiwanis help to form an educated and aware citizenry-by promoting understanding in our diverse society, by developing competencies in school and at work, by advancing freedom of inquiry and the open exchange of ideas and values, including the public education and drowning prevention initiatives implemented by Kiwanis and;

WHEREAS, the City agrees to maintain the Grace Vargas Senior Center in good repair, and;

WHEREAS, the Kiwanis Club of East Rialto agree to keep the Grace Vargas Senior Center in good repair, paying for any costs associated with damages caused by its use, reporting as soon as practical to the City on all damage to said City facilities.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES
HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The waiver of costs otherwise payable by Kiwanis Club of East Rialto for use of the Grace Vargas Senior Center serves the valid public purpose described in the above recitals.

Section 3. The City Council hereby approves the Memorandum of Understanding, and authorizes and directs the City Administrator to execute the MOU on behalf of the City. The City Administrator, or his designee, is authorized to implement the Memorandum of Understanding, take all further actions, and execute all other documents, which are necessary or appropriate to carry out the Memorandum of Understanding. The City hereby approves the Memorandum of Understanding substantive in form and content to that attached hereto as Exhibit A along with any non-substantive changes as may be mutually agreed upon by the City Administrator (or his duly authorized representative), and the City Attorney. A copy of the Memorandum of Understanding when executed shall be placed on file in the office of the City Clerk.

Section 4. This Resolution shall take effect from and after its date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED APPROVED AND ADOPTED this _____ day of November, 2017.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

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FRED GALANTE, Esq. City Attorney