



REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of February 14, 2023

TO: Mayor Walker-Griffin and Members of the City Council

VIA: Dante Hall, City Manager

SUBMITTED BY: Patrick Tang, City Attorney

SUBJECT: Consider and Approve a Request from the Hercules Historical Society (HHS) for an Amendment to Extend the Trailer Acquisition and Lease Agreement

RECOMMENDATION ACTION:

Adopt a Resolution authorizing the City Manager to execute an amendment to the Trailer Acquisition and Lease Agreement between the City of Hercules and the Hercules Historical Society (HHS), to continue the lease for an additional five (5) years with an option for a five (5) year extension.

BACKGROUND:

On February 12, 2013, the City Council approved a Resolution authorizing the City Manager to execute a Trailer Acquisition and Lease Agreement Between the City of Hercules and the Hercules Historical Society (the "Agreement") for use of a surplus trailer located adjacent to City Hall, to facilitate the safe storage and display of the HHS collection of historical artifacts. See Attachment 1, February 12, 2013 Staff Report, for details.

The original Agreement was for five years, with a five year extension. The five year extension was granted via an Addendum to the Agreement effective February 14, 2018, and expires February 14, 2023. See Attachment 2.

ANALYSIS:

The HHS requests an amendment to the original Agreement for the sole purpose of extending the term of the Agreement, with no additional modifications to the terms and conditions. The proposed First Amendment, prepared by the City Attorney and approved by HHS, provides for an additional five (5) year term with the option for up to an additional five (5) years. See Attachment 3. All other terms and conditions within the original Agreement and Addendum would remain in full force for the effective life of this First Amendment.

A draft Resolution prepared by the City Attorney is provided as Attachment 4.

FISCAL IMPACT:

There is no fiscal impact to the City in approving this Amendment.

ATTACHMENTS:

1. February 12, 2013 Staff Report and Related Documents
2. February 14, 2018 Addendum to the Agreement with HHS
3. Proposed Amendment to the Agreement
4. Proposed Resolution Authorizing Amendment to the Agreement