

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE 2nd
AMENDMENT TO THE RENEWED AND REVISED AGREEMENT BETWEEN THE
CITY OF BURLINGAME AND THE BURLINGAME AQUATIC CLUB, INC. FOR THE
MANAGEMENT AND OPERATION OF, AND FOR THE PROVISION OF AQUATIC
PROGRAMS AT, THE BURLINGAME AQUATIC CENTER**

WHEREAS, on August 18, 2014, the City of Burlingame, (the “City”) and the Burlingame Aquatic Club (“BAC”) herein “the Parties”, entered into the Renewed and Revised Agreement for the management and operations of, and for the provision of aquatic programs at the Burlingame Aquatic Center; and

WHEREAS, BAC and the City have worked together for many years to provide community youth and adult aquatic program offerings on a year-round basis; and BAC has cooperated with the City in the operation of the aquatic facility and in the provision of aquatic activities; and

WHEREAS, the Parties intend that BAC shall work towards operating the Community Aquatics Activities on a break-even net income basis; and

WHEREAS, the Parties are currently negotiating a new agreement in uncertain times due to COVID-19 and after a period of two years of swimming pool closure; and

WHEREAS, BAC needs additional time to develop and operate a new community aquatics program; and

WHEREAS, both Parties need additional time to understand the annual operating costs for the newly renovated pool and to determine the actual pool usage between the community and competitive programming in order to have a fair and equitable cost share of the pool operating costs; and

WHEREAS, the City will commit up to \$100,000 for pool operating costs until December 31, 2021, and at the end of this time period, the agreement will be renegotiated; and

WHEREAS, BAC will remit a total of \$37,500 to the City to pay a portion of the pool maintenance costs related to BAC’s competitive programming.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
BURLINGAME DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

1. The City Council finds that all of the facts recited above and stated in the staff report are true and correct.
2. The City Council hereby approves and authorizes the expenditure of up to

\$100,000 in City funds to pay for the pool operating expenses of the Burlingame Aquatic Center from July 1, 2021 to December 31, 2021.

3. The City Council hereby approves, and authorizes the City Manager to execute the 2nd Amendment to the Renewed and Revised Agreement for the Maintenance and Operation of, and for the Provision of Aquatic Programs at, the Burlingame Aquatic Center.

Ann O'Brien Keighran, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Burlingame City Council held on the 7th day of June, 2021, and was adopted thereafter by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:

Meaghan Hassel-Shearer, City Clerk