

Term Sheet: Memorandum of Understanding (M.O.U.) between the City of Pasadena (“City”) and the One Arroyo Foundation (“Foundation”)

The following Term Sheet summarizes the proposed recommendation to City Council and is subject to City Council approval.

The City and Foundation wish to enter into an agreement to establish a contractual relationship through which certain demonstration projects introduced through the August 2018 Arroyo Advisory Group’s Final Report to Council are funded and undertaken in the Arroyo.

The M.O.U. will define the term and termination of the contract, indemnification, and additional assurances consistent with municipal, state and federal laws.

Foundation Responsibilities:

The M.O.U. will define Foundation responsibilities related to:

- The Foundation’s capital campaign to support the engineering, design, construction and future care of the demonstration projects;
- Project design responsibilities including the contracting of consultants, application for permits (if any), and disbursement of funds raised through the capital campaign.

City Responsibilities:

The M.O.U. will define City responsibilities related to:

- Support for the demonstrations projects;
- Provisions for supplemental funding of construction through the normal Capital Improvement Projects Program and the manner in which the City will provide documentation to the Foundation for reimbursement of City construction costs.

This Term Sheet does not create any legally binding obligation on either party, nor do the terms or any discussions impose any obligation or liability on the parties. A binding agreement will not arise unless and until a M.O.U. consistent with the approval granted by Council at its June 10, 2019 Council Meeting has been negotiated and executed.

CITY OF PASADENA

ONE ARROYO FOUNDATION

By: _____

By: _____

Name: Steve Mermell
Title: City Manager
Date:

Name:
Title:
Date: