

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO GRANT AGREEMENT (First Amendment) is effective as of November 18, 2023, and amends the Grant Agreement for funding for Arte Americas to make improvements to their building between the City of Fresno, a California municipal corporation (CITY), and Arte Americas, a California Non-profit Corporation (GRANTEE).

RECITALS

- A. Whereas, the CITY and GRANTEE are parties to that certain Grant Agreement for capital building improvements for the Arte Americas property ensuring the safety and comfort of its patrons as a community benefit dated November 18, 2022 (Agreement); and
- B. Whereas, pursuant to the Agreement, the CITY has issued to GRANTEE Program Funds in relation to building improvements for the Arte Americas property utilizing American Rescue Plan Act (ARPA) funding; and
- C. Whereas, the term of the Agreement is set to expire on February 28, 2024; and
- D. Whereas, the CITY and GRANTEE now desire to extend the term of the Agreement to December 31, 2024 in order to complete all renovations and construction and expend all allocated funding.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree that the aforesaid agreement be amended as follows:

- 1. **Term.** The term of the Agreement referenced in Section 3, shall be extended through December 31, 2024.
- 2. **Effect of Amendment.** Except as expressly modified by this First Amendment, the Agreement is hereby reaffirmed and ratified. In the event of any conflict between the Agreement or any Exhibits and this First Amendment, this First Amendment shall control.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

CITY OF FRESNO,
a California municipal corporation

By: _____
Georgeanne A. White
City Manager

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Sukhman S. Sekhon 5/14/2024
6917A7D9D8364A9...
Sukhman S. Sekhon Date
Deputy City Attorney

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

Arte Americas, a California Non-profit Corporation

DocuSigned by:
By: Vivian Velasco Paz
993F8A7872F4CC...
Name: Vivian Velasco Paz

Title: Board President
(If corporation or LLC., Board Chair, Pres. or Vice Pres.)

DocuSigned by:
By: Chalome Gonzales-Tenorio
DEAFA9BB507E439...
Name: Chalome Gonzales-Tenorio

Title: Board Secretary
(If corporation or LLC., CFO, Treasurer, Secretary or Assistant Secretary)