

ORIGINAL

DOCUMENT NO. RR-280422

FILED JUL 27 1992
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

FIRST AMENDMENT TO VETERAN MEMORIAL CENTER, INC. LEASE AGREEMENT

This FIRST AMENDMENT TO LEASE AGREEMENT is made by THE CITY OF SAN DIEGO, a municipal corporation herein called "CITY" and Veteran Memorial Center, Inc., herein called "LESSEE."

RECITALS

A. On January 21, 1992, CITY and LESSEE entered into an agreement for the Lease of the Naval Chapel (Building #149), the original of which is on file in the Office of the City Clerk as Document No. 00-17735.

B. CITY and LESSEE mutually desire to amend said agreement.

NOW THEREFORE, in consideration of the recitals and the mutual obligations of the parties as herein expressed, CITY and LESSEE agree as follows:

1. To SECTION 2.01, second paragraph, first sentence, delete the word "shall" and substitute "may."
2. To SECTION 3.01, second paragraph, add the following before the first word: "If CITY occupies leasehold area per SECTION 2.01,"
3. Delete SECTION 6.01, and substitute the following:

6.01 Heating and Ventilating System. The CITY is responsible for the provision of a heating and ventilating system for the premises. Provision of any additional improvements are the responsibility of the LESSEE. The CITY agrees to construct the appropriate heating and ventilating systems, including cold water piping for future air conditioning to be installed by LESSEE, in a configuration acceptable to the CITY Engineer, or reimburse LESSEE the cost of said improvements at a figure not to exceed the price established by the competitive bidding process if LESSEE constructs said improvements. In no event shall the CITY be obligated to expend more than \$50,000 for such heating and ventilating improvements.

It is the LESSEE's option, however, to use all or a portion of the City's contribution for tenant architectural and engineering services required for the design of improvements to the premises. Exercise of this option obligates LESSEE to provide the proportionate share of the heating and ventilating improvements equal to the total advanced by CITY for architectural and engineering services. In no case shall the CITY be obligated for more than \$50,000 under the terms of this agreement.

4. Payments to LESSEE for architectural or engineering services shall be on a reimbursement basis subject to LESSEE's submittal to CITY of billings from its architect or engineer for services rendered. CITY reserves the right to reject any requests for reimbursement which are not within the scope of this agreement.
5. This amendment shall affect only the sections referred to above. All other terms and conditions of the agreement remain in full force and effect.

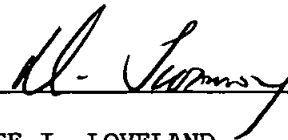
IN WITNESS WHEREOF, this First Amendment to Agreement is executed by the City of San Diego acting by and through its City Manager pursuant to Resolution No.

R-280422 authorizing such execution, and by LESSEE.

Dated this 27th day of July, 1992.

THE CITY OF SAN DIEGO
CITY MANAGER

By



for GEORGE I. LOVELAND
PARK & RECREATION DIRECTOR

VETERAN MEMORIAL CENTER, INC..

By Robert H. Cox

31 I HEREBY APPROVE the form and legality of the foregoing agreement this
day of August, 1992.

JOHN W. WITT, CITY ATTORNEY

By Mike Jackson

WPDO-311.AGM
05-92

RESOLUTION NUMBER R-280422

ADOPTED ON JUL 27 1992

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and on behalf of said City, an amendment to the agreement of January 21, 1992 with Veteran Memorial Center, Inc., concerning lease of the Naval Chapel Building in Balboa Park, under the terms and conditions set forth in the Agreement ~~on file~~ in the office of the City Clerk as Document No. RR- 280422, together with any further amendments or modifications thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$50,000 from CIP No. 21-835.3, Building 149 (Chapel) - Requirements, Capital Outlay/Other, Fund No. 302453, is hereby authorized, solely and exclusively for the purpose of providing funds for this project.

APPROVED: JOHN W. WITT, City Attorney

By

Mary Kay Jackson
Mary Kay Jackson
Deputy City Attorney

MKJ:mb
06/22/92
Aud.Cert:9200969
Or.Dept:Pk.&Rec.
R-92-2089
Form=r.auagr

Passed and adopted by the Council of The City of San Diego on July 27, 1992 by the following vote:

YEAS: Wolfsheimer, Roberts, Hartley, Stevens, Behr, Stallings, McCarty,
Filner, Mayor O'Connor.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: RHONDA R. BARNES, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION
NO. R- 280422, passed and adopted by the Council of The City of San Diego, California
on July 27, 1992.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: *Rhonda R. Barnes*, Deputy