

Location of Leased Premise CALANDRA LOOKOUT MONTEREY COUNTY
Agency Department of Forestry & Fire Protection
Real Property #429

COMMUNICATIONS VAULT LEASE

Lease No. L-0058

Lessee County of Monterey

AMENDMENT NO. 2

This Amendment No. 2 to Lease L-0058 (the "Amendment"), dated for reference purposes only, February 17, 2021, is by and between the State of California at the direction and with the consent of the Department of Forestry and Fire Protection (CAL FIRE), acting by and through its Director of General Services (DGS), hereinafter collectively referred to as State, and County of Monterey, hereinafter referred to as Lessee. State and Lessee may also be referred to as "Party" or "Parties".

RECITALS

WHEREAS, the State and Lessee entered into that certain Communications Vault Lease, L-0058, dated June 16, 2014 (the "Lease"), which was amended January 21, 2016 (Amendment No. One), whereby Lessee leases from the State certain premises located at Calandra Lookout, hereinafter referred to as "Calandra LO", in the County of Monterey; and

WHEREAS, Lessee currently occupies 4 and one-half (4½) communications vault rack spaces together with eight (8) antenna positions; and

WHEREAS, the parties hereto desire to amend said Lease for Lessee's request for modifications to its telecommunications equipment as described in that certain Radio Vault Space Application (TD-312) to add four (4) new YAGI antennas and one (1) new GPS antenna.

NOW, THEREFORE, it is mutually agreed between the parties hereto, that effective June 15, 2019 the Lease shall be amended as follows:

- 1. PARAGRAPH 2 (a), "USE" OF THE LEASE**, shall be deleted in its entirety and replaced with the following:

(a) The Premises shall be used during the term hereof solely and only for the purpose of installing, operating and maintaining telecommunications equipment as described in Lessee's "Radio Vault Space Application" (State Form TD-312) dated March 12, 2018 and approved by the California Office of Emergency Services (CAL OES), Public Safety Communications (PSC), effective June 11, 2019. Said "Radio Vault Space Application" complete with attachments and approval documentation by CAL OES-PSC are made a part hereof, marked Exhibit "B-2," consisting of thirty-eight (38) pages and attached as a part of this Lease. Lessee shall occupy 4 ½ vault spaces (#'s 11, 12, 13, ½ of 14 and 21) along with **13** antenna positions (#'s 8, 12, 13, 14, **21**, 41, 42, 43, 44, **46, 47, 48** and **49**).

2. **PARAGRAPH 4, "LEASE PAYMENTS" - "RENT SCHEDULE" OF THE LEASE,** shall be deleted in its entirety and replaced with the following to account for new equipment installed on June 15, 2019.

REVISED RENT SCHEDULE

<u>Period</u>	<u>Term</u>	<u>Due Date</u>	<u>Rent Payable to DGS</u>	<u>Maintenance and Utilities Payable to CALFIRE</u>
1	July 1, 2018 – June 30, 2019	July 1, 2018*	\$12,748.00	\$12,748.00
2	July 1, 2019 – June 30, 2020	July 1, 2019*	\$13,130.00	\$13,130.00
3	July 1, 2020 – June 30, 2021	July 1, 2020*	\$13,524.00	\$13,524.00
4	July 1, 2021 – June 30, 2022	July 1, 2021	\$13,930.00	\$13,930.00
5	July 1, 2022 – June 30, 2023	July 1, 2022	\$14,348.00	\$14,348.00
6	July 1, 2023 – June 30, 2024	July 1, 2023	\$14,778.00	\$14,778.00

***Pro-Rated Rent is currently due and shall be paid upon execution of Amendment #2:**

June 15, 2019 - June 30, 2019	6/15/2019	\$ 60.00	\$ 60.00
July 1, 2019 - June 30, 2020	7/1/2019	\$1,571.00	\$1,571.00
July 1, 2020 - June 30, 2021	7/1/2020	<u>\$1,618.00</u>	<u>\$1,618.00</u>
TOTAL NOW DUE:		\$3,249.00	\$3,249.00

3. This Amendment may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same Agreement. The exchange of copies of this Amendment and of signature pages by electronic mail in "portable document format" ("pdf") form or by any other electronic means shall constitute effective execution and delivery of this Amendment.
4. Except as expressly amended herein, all the terms and conditions of said Lease shall remain unchanged and in full force and effect.

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IN WITNESS WHEREOF, this Amendment has been executed by the parties on the date written below.

STATE OF CALIFORNIA

DIRECTOR OF DEPARTMENT OF
GENERAL SERVICES

By: _____
TONY PSIHOPAIDAS, Assistant Chief
State Owned Leasing & Development

Date Executed

Consent of

DEPARTMENT OF FORESTRY
AND FIRE PROTECTION

By: _____
JAMES DEGRAFF
Real Property Manager
Technical Services

Date Signed

Recommended for Approval
DEPARTMENT OF GENERAL SERVICES

By: _____
DEBORAH MAC MILLAN
Senior Real Estate Officer

Date Signed

LESSEE

COUNTY OF MONTEREY

By: _____
Contracts/Purchasing Officer

Date Signed

By: _____
Department Head

Date Signed

Approved as to Form:

By: _____
County Counsel

Date Signed

Approved as to Fiscal Provisions:

By: _____
Auditor/Controller

Date Signed

Approved as to Liability Provisions

By: _____
Risk Management

Date Signed

EXHIBIT B-2

AMENDMENT TO LEASE EXHIBITS B AND B-1 - LESSEE'S RADIO VAULT SPACE APPLICATION

DRAFT