



## Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

#### Agreement No.: A-12447

Upon motion of Supervisor Potter, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

- a. Approved and authorized the Contracts/Purchasing Officer to execute a five year Lease Agreement, effective on or around May 1, 2013, with Nieto L.P., for approximately 5,868 rentable square feet of space located at 355-359 Gabilan Drive, Soledad, California, for use by the Health Department;
- b. Authorized the Auditor-Controller to make lease payments of \$6,500.00 per month and in accordance with the terms of the agreement; and
- c. Authorized the extension of the Lease Agreement for two additional three-year periods under the same terms and conditions, and make minor revisions to the Lease Agreement if deemed by the contracts/Purchasing Officer to be in the best interests of the County.

PASSED AND ADOPTED on this 23rd day of April 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on April 23, 2013.

Dated: April 26, 2013  
File Number: A 13-050

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hensel  
Deputy

## LEASE AMENDMENT NO. 1

This AMENDMENT No. 1, is made by and between Nieto L.P., ("LESSOR"), and COUNTY OF MONTEREY c/o Real Property Specialist, 1441 Schilling Place, Salinas, California 93901 (referred to herein as "LESSEE")(collectively referred to as "The Parties").

### WITNESSETH

WHEREAS, LESSOR and LESSEE previously entered into that certain Lease Agreement, dated May 1, 2013 (the "Lease"), whereby LESSOR leased to LESSEE and LESSEE leased from LESSOR approximately 5,868 rentable square feet of office space Located at 355-359 Gabilan Drive, Soledad, California 93960 (hereinafter referred to as the "Premises").

WHEREAS, LESSOR and LESSEE desire to amend said Lease to extend the term and adjust the rent.

NOW, THEREFORE, it is hereby agreed that said Lease is amended effective as of May 1, 2018 as set forth below:

#### 1. Extended Term

The term of the Lease shall be extended for an additional period of three (3) years commencing on, May 1, 2018, through and including April 30, 2021.

#### 2. Rent

The rent shall increase pursuant to the rent schedule below, which is reflective of a one percent (1%) annual "Cost of Living" increase, at the end of each one year period of the Extended Term for this three (3) year extension.

RENT SCHEDULE		
Period	Monthly Rent for 5,868 Square Feet	Monthly Rent
May 1, 2018 – April 30, 2019	Six Thousand Eight Hundred Thirty-One and 57/100 Dollars	\$6,831.57
May 1, 2019 – April 30, 2020	Six Thousand Eight Hundred Ninety-Nine and 89/100 Dollars	\$6,899.89
May 1, 2020 – April 30, 2021	Six Thousand Nine Hundred Sixty-Eight and 89/100 Dollars	\$6,968.89

#### 3. Tenant Improvements

LESSEE is to retain the space in its "as-is" condition.

All other terms, covenants and conditions of the Lease shall remain in full force and effect. In the event of any conflicts between the terms and conditions of the Lease and the terms and conditions of this Agreement No. 1, the terms and conditions of this Agreement No. 1 shall prevail.

#### 4. Incorporation of Recitals

The recitals to this Amendment No. 1 are incorporated by this reference.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this Amendment No. 1 as of the last date opposite the respective signatures below. The parties understand and agree that this Amendment No. 1 to said Lease shall be effective as of May 1, 2018.

LESSEE: (County of Monterey)

BY: [Signature]  
Michael R. Derr, Contracts/Purchasing Officer

Dated: 5-29-18

LESSOR: (Nieto L.P.)

BY: [Signature]  
General Partner

Salomon Nieto

Printed Name  
Dated: 4/30/18

APPROVED AS TO FORM AND LEGALITY: (County Counsel)

BY: [Signature]  
Mary Grace Perry, Deputy County Counsel

Dated: May 23, 2018

Reviewed as to fiscal provisions

[Signature]  
Auditor-Controller  
County of Monterey

5/23/18