

**AMENDMENT NUMBER ONE  
TO HOTEL OCCUPANCY AGREEMENT  
WITH  
NICO HOSPITALITY LLC DBA SUNSET INN**

This Amendment Number One ("Amendment") is made and entered into as of the 31st day of December, 2020 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and NICO HOSPITALITY LLC, a California limited liability company DBA SUNSET INN ("Sunset Inn").

WHEREAS, City and Sunset Inn entered into a Hotel Occupancy Agreement dated June 16, 2020 for City's use of rooms at Sunset Inn (the "Agreement"); and

WHEREAS, Section 3.0 of the Agreement provides for an initial term through December 31, 2020; and

WHEREAS, City and Sunset Inn desire to extend the term for six (6) months, through June 30, 2021; and

WHEREAS, City and Sunset Inn desire to set forth Sunset Inn's compensation during the extended period accordingly; and

WHEREAS, City and Sunset Inn intend and desire that this Amendment be effective retroactive to the Effective Date.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. This Amendment shall be effective retroactive to the Effective Date.
2. The term of the Agreement shall be extended through June 30, 2021.
3. Section 2.0 of the Agreement shall be amended to reflect the following rates for the period of January 1, 2021 through June 30, 2021:

<b>January 1, 2021-April 30, 2021</b>	
<b>Room Type</b>	<b>Rate</b>
1 king bed	\$84.99/night
2 queen beds	\$89.99/night

<b>May 1, 2021-June 30, 2021</b>	
<b>Room Type</b>	<b>Rate</b>
1 king bed	\$94.99/night
2 queen beds	\$99.99/night

All other provisions of Section 2.0 shall remain in full force and effect.

4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.

5. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.
6. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement. Counterpart written signatures may be transmitted by facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

NICO HOSPITALITY LLC DBA SUNSET INN

*Minesh Patel*  
Minesh Patel

Date: 4/12/2021

CITY OF COSTA MESA

*Lori Ann James H*  
City Manager

Date: 4/14/21

ATTEST:

*Brenda Green 4/19/2021*  
City Clerk



APPROVED AS TO FORM:

*Kimberly Hall Beckwith*  
City Attorney

Date: 4/14/21

APPROVED AS TO INSURANCE:

*[Signature]*  
Risk Management


Date: 4/13/21

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Neighborhood Improvement Manager

Date: 4/13/21

APPROVED AS TO PURCHASING:

  
\_\_\_\_\_  
Finance Director

Date: April 13, 2021