



ORIGINAL

Contract Number
14-47 A-2

SAP Number

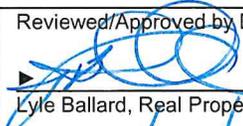
Real Estate Services Department

Department Contract Representative	Terry W. Thompson, Director
Telephone Number	(909) 387-5000
Contractor	City of Needles
Contractor Representative	Patrick Martinez, Assistant City Manager
Telephone Number	(760) 326-2155 ext. 126 office; (951) 809-6448 cell
Contract Term	10/25/2014 – 10/24/2025
Original Contract Amount	\$145,872.00
Amendment Amount	\$113,661.90
Total Contract Amount	\$259,533.90
Cost Center	7810001000
GRC/PROJ/JOB No.	33003047
Internal Order No.	

Briefly describe the general nature of the contract:

This Use Permit amendment is effective for the remaining period of the current term, September 1, 2023 through October 24, 2025, to expand the leased premises by 321 square feet for a total of 4,005 square feet located at 1111 Bailey Avenue, Building C, Needles, California. The County will assume all maintenance obligations including HVAC maintenance for the additional use area. The County will reimburse the City for 95% of the electrical utility costs and pay for all other utilities servicing the premises. The County will pay the City of Needles monthly rent in the amount of \$4,405 throughout the remaining term of the lease.

FOR COUNTY USE ONLY

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
▶ Please see signature page John Tubbs II, Deputy County Counsel	▶	 Lyle Ballard, Real Property Manager, RESD
Date _____	Date _____	Date <u>7/27/23</u>

SECOND AMENDMENT TO USE PERMIT

This Second Amendment ("Second Amendment") to the Use Permit ("Use Permit") is entered into between the City of Needles ("City") and San Bernardino County ("County") effective as of the first day of September, 2023 ("Second Amendment Effective Date").

WHEREAS, the City and the County entered into that certain Use Permit dated February 11, 2014 allowing the County to use a certain portion of the City owned building known as Building "C" ("Building") located at 1111 Bailey Avenue ("Property") in the City of Needles, as more specifically described in the Use Permit; and,

WHEREAS, the parties corrected the square footage of use area and clarified the permitted use by entering into that certain First Amendment ("First Amendment") to Use Permit dated October 25, 2022 (together the Use Permit and the First Amendment are referred to as the "Use Permit"); and,

WHEREAS, the County wishes to expand the area of the Use Permit to cover an additional area to be used as a multi-purpose room and gym.

NOW THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree the Use Permit, is amended as follows:

A. SECTION 1 OF THE USE PERMIT AND EXHIBIT "A" ARE DELETED IN THEIR ENTIRETY; SECTION 1 IS AMENDED TO READ AS FOLLOWS AND EXHIBIT "A" IS AMENDED AS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

"1. **PARTIES:** The City of Needles, hereinafter referred to as CITY, hereby permits San Bernardino County, whose address is 385 N Arrowhead Avenue, San Bernardino, California, 92415-0180, hereinafter referred to as COUNTY; to use a portion of the CITY-owned building located at 1111 Bailey Avenue, Building "C" in the City of Needles ("Property"), comprising approximately 4,005 square feet of office and other space ("Use Area") as the Use Area is more particularly shown on Exhibit "A" attached hereto and made a part hereof by this reference,"

B. SECTION 2 OF THE USE PERMIT IS DELETED IN ITS ENTIRETY AND AMENDED TO READ AS FOLLOWS:

"2. **USE:** The County may use the Use Area for the following purposes: The Colorado River Station of the Sherriff/Coroner office, related business/administrative offices, multi-purpose room and gym and any other activities related to the conduct of Sheriff/Coroner business. No other uses are permissible."

C. SECTION 4 OF THE USE PERMIT IS DELETED IN ITS ENTIRETY AND AMENDED TO READ AS FOLLOWS:

"4. **RENT AND MAINTENANCE:** Commencing the Effective Date, County shall pay rent in the sum of \$4,405.50 which is payable to the City on or before the first day of each month in advance, Any partial month's rent shall be prorated based on a thirty day month. County shall regularly maintain the heating and ventilating system servicing said Building. Such maintenance shall include, but not be limited to, filters, electrical or mechanical repairs, and freon gas replacement due to leaks. COUNTY shall provide any unit replacement including, but not limited to, condenser coils, motors and full unit replacement. Except for any obligations of City, County shall maintain and repair the Use Area at all times in as good a condition as existed on the initial commencement date of this Use Permit,

including the plumbing, electrical, mechanical, windows, interior walls improvements and furnishings that are part of the Use Area, ordinary wear and tear excluded.”

Except as specifically amended by this Second Amendment, the Use Permit shall remain in full force and effect.

City of Needles, a California Charter City

By [Signature]
Rick Daniels,
City Manager

ATTEST:

City of Needles, a California Charter City

By [Signature]
Dale Jones, City Clerk

Date: July 17, 2023

APPROVED TO FORM:

SLOVAK BARON & EMPEY, LLP

By [Signature]
Lena Wade, Deputy
City Attorney

Date:

San Bernardino County

By [Signature]
Name: Dawn Rowe
Title: Chair of the Board of Supervisors

AUG 22 2023

ATTEST:

San Bernardino County

By _____
County Clerk

Date: _____

APPROVED TO FORM:

TOM BUNTON, County Counsel
San Bernardino County

By [Signature]
John Tubbs II, Deputy County Counsel

Date: 7-27-23

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD LYNN MONELL Clerk of the Board of Supervisors of the County of San Bernardino

By _____
Deputy
SAN BERNARDINO COUNTY, CA
1953



RESOLUTION NO. 2023-32

**A RESOLUTION OF THE CITY OF NEEDLES, CALIFORNIA,
APPROVING A USE PERMIT AMENDMENT WITH THE COUNTY OF SAN
BERNARDINO**

A. The City of Needles and the County of San Bernardino entered into that certain Use Permit dated February 11, 2014 allowing the County to use a certain portion of the City owned building known as Building "C" ("Building") located at 1111 Bailey Avenue ("Property") in the City of Needles, as more specifically described in the Use Permit.

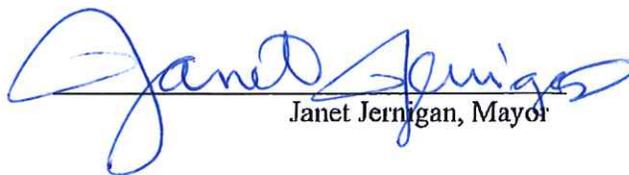
B. The parties corrected the square footage of use area and clarified the permitted use by entering into that certain First Amendment ("First Amendment") to Use Permit dated October 25, 2022 (together the Use Permit and the First Amendment are referred to as the "Use Permit").

C. The County wishes to expand the area of the Use Permit by 340.8 Square Feet to cover an additional area to be used as a multi-purpose room and gym. The "Leased Area" will total 4005 Square Feet.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California hereby approves a Second Amendment to Use Permit expanding the Use Area as defined therein in consideration of proportionately greater rent.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 23 day of May, 2023 by the following roll call vote:

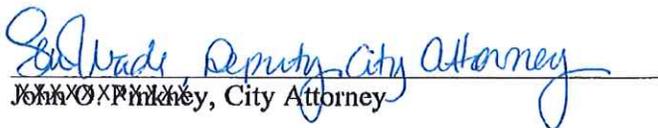
AYES: Council Members Campbell, McCorkle, Merritt, Pogue, Belt and Longbrake
NOES: None
ABSENT: None
ABSTAIN: None


Janet Jernigan, Mayor

ATTEST:


Dale Jones, City Clerk

APPROVED AS TO FORM


John O'Flaherty, City Attorney

SECOND AMENDMENT TO USE PERMIT

This Second Amendment ("Second Amendment") to the Use Permit ("Use Permit") is entered into between the City of Needles ("City") and San Bernardino County ("County") effective as of the ___ day of May, 2023 ("Second Amendment Effective Date").

WHEREAS, the City and the County entered into that certain Use Permit dated February 11, 2014 allowing the County to use a certain portion of the City owned building known as Building "C" ("Building") located at 1111 Bailey Avenue ("Property") in the City of Needles, as more specifically described in the Use Permit; and

WHEREAS, the parties corrected the square footage of use area and clarified the permitted use by entering into that certain First Amendment ("First Amendment") to Use Permit dated October 25, 2022 (together the Use Permit and the First Amendment are referred to as the "Use Permit"); and

WHEREAS, the County wishes to expand the area of the Use Permit to cover an additional area to be used as a multi-purpose room and gym.

NOW THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree the Use Permit, is amended as follows:

A. SECTION 1 OF THE USE PERMIT AND EXHIBIT "A" ARE DELETED IN THEIR ENTIRETY; SECTION 1 IS AMENDED TO READ AS FOLLOWS AND EXHIBIT "A" IS AMENDED AS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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B. SECTION 2 OF THE USE PERMIT IS DELETED IN ITS ENTIRETY AND AMENDED TO READ AS FOLLOWS:

"2. **USE:** The County may use the Use Area for the following purposes: The Colorado River Station of the Sherriff/Coroner office, related business/administrative offices, multi-purpose room and gym and any other activities related to the conduct of Sheriff/Coroner business. No other uses are permissible."

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in as good a condition as existed on the initial commencement date of this Use Permit, including the plumbing, electrical, mechanical, windows, interior walls improvements and furnishings that are part of the Use Area, ordinary wear and tear excluded.”

Except as specifically amended by this Second Amendment, the Use Permit shall remain in full force and effect.

City of Needles, a California Charter City

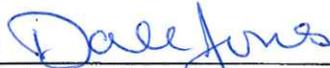
By 
Name: Janet Jernigan
Title: Mayor

San Bernardino County

By _____
Name: Dawn Rowe
Title: Chair of the Board of Supervisors

ATTEST:

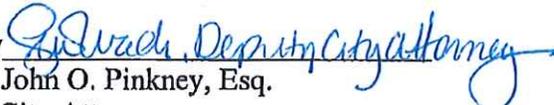
City of Needles, a California Charter City

By 
Dale Jones, City Clerk

Date: 5-25-2023

APPROVED TO FORM:

SLOVAK BARON EMPEY MURPHY &
PINKNEY LLP

By 
John O. Pinkney, Esq.
City Attorney

Date: May 25, 2023

ATTEST:

San Bernardino County

By _____
County Clerk

Date: _____

APPROVED TO FORM:

TOM BUNTON, County Counsel
San Bernardino County

By _____
John Tubbs II
Deputy County Counsel

Date: _____