

**AMENDMENT NUMBER ONE TO  
HOTEL OCCUPANCY AGREEMENT  
BETWEEN  
CITY OF COSTA MESA  
AND  
NICO HOSPITALITY LLC DBA SUNSET INN**

THIS AMENDMENT NUMBER ONE TO HOTEL OCCUPANCY AGREEMENT (“Amendment”) is made and entered into as of June 30, 2022 (“Effective Date”), by and between and the CITY OF COSTA MESA, a municipal corporation (“City”) and NICO HOSPITALITY LLC, a California limited liability company DBA SUNSET INN (“Sunset Inn”). City and Sunset Inn are individually referred to as “Party” and collectively as “Parties.”

WHEREAS, City and Sunset Inn entered into a Hotel Occupancy Agreement dated September 8, 2021 for City’s use of rooms at the Sunset Inn for the purpose of temporarily sheltering individuals experiencing homelessness (“Agreement”); and

WHEREAS, Section 2.0 of the Agreement provides for an initial term through June 30, 2022, with the option to extend the term for four (4) additional one (1) year periods; and

WHEREAS, City and Sunset Inn desire to extend the term for one (1) year, through June 30, 2023; and

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

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

1. The term of the Agreement shall be extended through June 30, 2023.
2. Section 1.0 of the Agreement shall be amended to reflect the following rates for the period of July 1, 2022 through June 30, 2023:

<b>July 1, 2022-September 30, 2022</b>	
<b>Room Type</b>	<b>Rate</b>
1 king bed	\$129.99/night
2 queen beds	\$129.99/night

<b>October 1, 2022-February 28, 2023</b>	
<b>Room Type</b>	<b>Rate</b>
1 king bed	\$109.99/night
2 queen beds	\$109.99/night

March 1, 2023-June 30, 2023	
Room Type	Rate
1 king bed	\$119.99/night
2 queen beds	\$119.99/night

All other provisions of Section 1.0 shall remain in full force and effect.

3. If City and Sunset Inn agree to extend the term of the Agreement beyond June 30, 2023, Sunset Inn agrees that the rates for both room types utilized by the City shall not exceed One Hundred Thirty-Nine Dollars and Ninety-Nine Cents (\$139.99) per night for the period of July 1, 2023 through September 30, 2023.
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.

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

**NICO HOSPITALITY LLC DBA SUNSET INN**

*Minesh Patel*  
Minesh Patel  
Owner

Date: 8/15/22

**CITY OF COSTA MESA**

*Carol Molina*  
Carol Molina  
Purchasing Officer

Date: 8/26/22

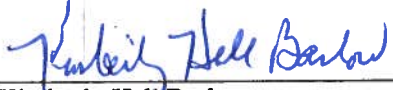
ATTEST:

*Brenda Green*  
Brenda Green  
City Clerk



Date: 9/1/2022


APPROVED AS TO FORM:



Kimberly Hall Barlow  
City Attorney

Date: 8/31/22

APPROVED AS TO CONTENT:

 acting ACM

Susan Price  
Assistant City Manager

Date: 8/31/22