

FIRST AMENDMENT
TO AGREEMENT NO. E6975
BETWEEN THE CITY OF LOS ANGELES AND
CALIFORNIA DINING SERVICES

THIS FIRST AMENDMENT to Agreement No. E6975 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and CALIFORNIA DINING SERVICES ("Operator") as follows:

1. Section III is removed in its entirety and replaced with the following:

"III. EFFECTIVE DATE AND TERM OF AGREEMENT

This Agreement shall be in full force and effect commencing from the date of execution and shall continue until the earlier of the following occurs:

1. Three (3) years have lapsed from the effective date of this Agreement;

or

2. The Board of Harbor Commissioners, in its sole discretion, terminates and cancels all or part of this Agreement for any reason upon giving to Operator ten (10) days' notice in writing of its election to cancel and terminate this Agreement."

2. Section V is amended by removing subsection B and replacing it with the following:

"B. The maximum payable under this Agreement, including reimbursable expenses (see Exhibit B), shall be Three Hundred Ninety-Eight Thousand Seven Hundred Dollars (\$398,700)."

Subject to the provisions of Charter Section 245, the effective date of this Amendment shall be the date of its execution by Executive Director upon authorization of the Board. Operator is aware that the City Council, pursuant to Charter Section 245 of the City of Los Angeles, has the right to review this Agreement. Accordingly, in no event shall this Agreement become effective until after the expiration of the fifth Council meeting day after Board action, or the date of City Council's approval of the Agreement.

Except as amended herein, all remaining terms and conditions of Agreement No. E6975 shall remain in full force and effect.

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IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. E6975 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners

Dated: _____

By _____
EUGENE D. SEROKA
Executive Director

Attest _____
AMBER M. KLESGES
Board Secretary

CALIFORNIA DINING SERVICES

Dated: 5/22/19

By: [Signature]
Ted Swantko, President
(Print/type name and title)

Attest: [Signature]
Sherry Smith - Mgr Accounting
(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

May 31, 2019
MICHAEL N. FEUER, City Attorney
Janna B. Sidley, General Counsel

By [Signature]
Heather M. McCloskey, Deputy

Account #	54290	W.O. #	_____
Ctr/Div #	0429	Job Fac. #	_____
Proj/Prog #	000		
Budget FY:		Amount:	
2018/2019	\$121,825		RW
2019/2020	\$132,900		\$121,825 RW
2020/2021	\$132,900		
2021/2022	\$11,075		
TOTAL	\$398,700		\$245,800 RW
For Acct/Budget Div. Use Only:			
Verified by:	<u>[Signature]</u>		
Verified Funds Available:	<u>[Signature]</u>		
Date Approved:	<u>5/30/19</u>		