

**FIRST AMENDMENT TO
RECREATIONAL FACILITIES JOINT USE AGREEMENT
BETWEEN
WEST CONTRA COSTA UNIFIED SCHOOL AND THE CITY OF SAN
PABLO
(HELMS MIDDLE SCHOOL SITE)**

THIS FIRST AMENDMENT to Recreational Facilities Joint Use Agreement ("First Amendment") is made as of _____, 2017 ("Effective Date"), by and between **West Contra Costa Unified School District**, a California public school district ("District"), and the **City of San Pablo**, a municipal corporation of the State of California ("City"). District and City may be referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, District and City entered into that certain Recreational Facilities Joint Use Agreement dated January 1, 2016, ("Agreement") to provide the City use of the District Parcel located at 2500 Road 20, San Pablo, CA, and commonly known as the Helms Middle School site ("District Parcel") for City's joint use of the recreational facilities located on the District Parcel for purposes of conducting programs of public service which contribute to the attainment of general recreational and educational objectives for children and adults of the State; and

WHEREAS, the term of the Agreement expires on December 31, 2016 ("Term"); and

WHEREAS, the Parties desire to amend the Agreement to extend the Term for another five (5) year term and as otherwise set forth in this First Amendment;

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, District and City agree as follows:

AGREEMENT

1. Defined Terms. All capitalized terms not defined herein will have the definition meaning given those terms in the Agreement.
2. Term. Section 1 of the Agreement entitled "Term of Agreement" is hereby deleted in its entirety and replaced with the following:
 1. **Term of Agreement**. The term of this Agreement shall commence on January 1, 2017 and shall remain in effect until December 31, 2022 ("Term"), unless terminated earlier pursuant to the termination provisions set forth in this Agreement. The Parties may renew this Agreement for an additional term of five (5) years, or less, upon written request from the City prior to the expiration of the preceding term and upon approval thereof by the District.
3. Miscellaneous. This First Amendment may be executed in any number of counterparts all of which when taken together shall constitute one and the same document. Except as expressly modified by this First Amendment, all other terms and provisions of the Agreement are and remain in full force and effect. This First Amendment shall be governed by and construed in accordance with the laws of the State of California.

ACCEPTED AND AGREED on the date indicated below:

Dated: _____, 2017

Dated: _____, 2017

West Contra Costa Unified School District
A California public school district

CITY OF SAN PABLO
A municipal corporation

By: _____

By: _____

Name: Lisa LeBlanc

Name: _____

Title: Associate Superintendent
Operations and Bond Program

Title: _____

APPROVED AS TO FORM
CITY OF SAN PABLO

By: _____

Name: _____

Title: _____