



AGENDA REPORT

Meeting Date: May 27, 2009
Item Number: F-7
To: Honorable Mayor & City Council
From: Brenda A. Lavender, Real Estate & Property Manager
Subject: AMENDMENT TO LEASE BETWEEN HEIDI NOVIAN, AN INDIVIDUAL AND THE CITY OF BEVERLY HILLS
Attachments: 1. Amendment to Lease

RECOMMENDATION

Staff recommends approval of the Amendment to Lease by and between the City of Beverly Hills and Heidi Novian, an individual dba Pascal's Barber Salon. Pascal Barber Salon has been a long-standing tenant of the City at 333 N Crescent Drive.

INTRODUCTION

An Amendment to Lease with Heidi Novian has been prepared for City Council approval. This amendment to lease reduces the monthly base rent for this small operator from \$1,485 monthly to \$1,197 monthly for a period of 12 months. This rental reduction is a part of City Council's continued commitment to provide amenity services to the community.

DISCUSSION

Heidi Novian purchased the barber salon from the original tenant (Pascal & Rosa Mucetti) in 2007 and signed a ten (10) year lease directly with the City. This monthly rental reduction of \$288 will allow Heidi Novian to continue operating and providing amenity services at community friendly prices.

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FISCAL IMPACT

The fiscal impact of this lease is a loss in revenue of \$3,456 over the year of reduced rent. Base rent will be adjusted annually thereafter by the consumer price index.



Scott G. Miller, Director of
Administrative Services, CFO
Approved By

Attachment 1

Amendment to Lease

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Beverly Hills
Office of the City Manager
455 North Rexford Drive
Beverly Hills, California 90210
Attn: City Clerk

(space above line for recorder's use)

AMENDMENT TO LEASE

THIS AMENDMENT TO LEASE (this "**Amendment**") is made and entered into as of _____, 2009, by and between the CITY OF BEVERLY HILLS, a California municipal corporation ("City"), and HEIDI NOVIAN, an individual ("Tenant").

RECITALS

- A. City and Tenant executed that certain City of Beverly Hills Retail Lease dated March 14, 2007 (the "**Lease**"). The Lease affects a portion of the building located at 333 North Crescent Drive, Beverly Hills, California (the "**Property**").
- B. A Memorandum of Lease dated March 13, 2007 was recorded on May 16, 2007 as Document No.20071196757 in the Official Records of Los Angeles County, California.
- C. City and Tenant now desire to amend the Lease as provided herein.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, and the mutual covenants and terms hereof and in the Lease, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City and Tenant agree as follows:

1. Temporary Monthly Base Rent Reduction. The Monthly Base Rent from April 1 through March 31, 2010 shall be \$1,197.00.
2. Conflict. In the event of a conflict or inconsistency between the terms and conditions of the Lease and the terms and conditions of this Amendment, the terms and conditions of this Amendment shall prevail and control.
3. Continuing Effect. Except as specifically modified hereby, the Lease shall remain unaffected and unchanged by reason of this Amendment. The Lease is hereby ratified and affirmed by City and Tenant and remains in full force and effect as modified hereby.

4. Counterparts. This Amendment may be executed in any number of counterparts, each of which, when executed and delivered, shall be deemed to be an original, and all of which, taken together, shall be deemed to be one and the same instrument.

IN WITNESS WHEREOF, City and Tenant have executed this Amendment as of the date and year first above written.

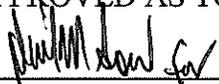
CITY:

CITY OF BEVERLY HILLS,
a municipal corporation

By: _____
Nancy Krasne, Mayor

ATTEST:

Byron Pope, City Clerk

APPROVED AS TO FORM:


Laurence S. Wiener, City Attorney

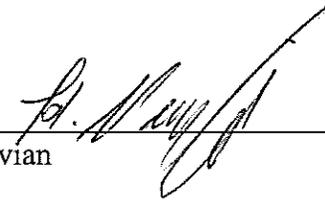
APPROVED AS TO CONTENT

Roderick J. Wood, City Manager

APPROVED AS TO CONTENT


Scott Miller, Director of Administrative Services/CFO

TENANT:



Heidi Novian

ACKNOWLEDGMENT

State of California)
County of Los Angeles)

On May 1st, 2009 before me, Fahimeh Zomorodian, Notary Public
(insert name and title of the officer)

personally appeared Heidi Novian

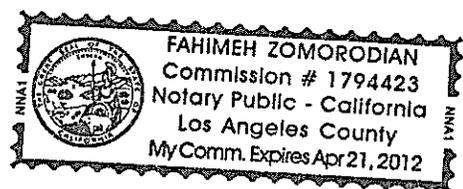
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

(Seal)



ACKNOWLEDGMENT

State of California)
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

(Seal)