

**FIRST AMENDMENT TO CONCESSION SERVICES
AGREEMENT BETWEEN THE CITY OF YUMA AND
GUZMAN HOSPITALITY GROUP LLC, DATED
NOVEMBER 21, 2022**

WHEREAS, the City of Yuma (the "City") executed an agreement ("Agreement") with Guzman Hospitality Group (the "Concessionaire") dba as "The Hills Gastropub", on November 21, 2022 to allow the Concessionaire to operate the Hills Bar and Grill at the Desert Hills Golf Course, as defined within the Agreement; and,

WHEREAS, the Concessionaire has operated the Hills Bar and Grill at Desert Hills Golf Course for food and beverage services for golf course patrons and the public since January 2023; and,

WHEREAS, the Concessionaire is requesting to amend the Agreement to include the south of the BBQ grill area outside towards the golf course as rentable space by the Concessionaire; and,

WHEREAS, the Concessionaire wants to amend the "Attachment B" for the Payment Schedule to reflect industry standards.

NOW, THEREFORE, the Parties mutually agree as follows:

1. SECTION 3.1.5: Service, be amended to delete the following crossed-out text:

3.1.5 South of the BBQ grill area outside toward the golf course, the Concessionaire will derive all revenue from any sales within the outside space, and ~~the City will derive the revenue from the rental of the outside space.~~ See Attachment A.

2. SECTION 3.1.6: Service, be amended to delete the following crossed-out text:

~~3.1.6 The Concessionaire must refer all outside event space rental requests to the City's Civic Center staff. Any event will be booked through the Civic Center staff, and the Concessionaire will provide the food and beverages for the event. The events will be coordinated with the Concessionaire and the Golf Operations Manager before the event is booked.~~

3. Attachment B: Payment Schedule Concessionaire Services, is replaced with the amended payment schedule attached and incorporated.

4. All other terms and conditions of the original Agreement dated November 21, 2022, not expressly modified by this First Amendment shall remain in full force and effect as if fully set forth herein.

This Amendment has an effective date of _____.

City of Yuma, an Arizona
municipal corporation

Guzman Hospitality Group LLC

John Simonton, City Administrator

Heriberto Guzman, CEO/Owner

ATTEST:

DATE:

Lynda L. Bushong, City Clerk

APPROVED AS TO FORM:

Richard W. Files, City Attorney