

**SECOND ADDENDEUM TO THE  
CITY OF MORGAN HILL AND YMCA  
COMMUNITY RECREATION CENTER OPERATING AGREEMENT ("AGREEMENT")**

This SECOND ADDENDUM TO AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by THE CITY OF MORGAN HILL a municipal corporation CITY and YMCA OF SILICON VALLEY formerly known as YMCA OF Silicon Valley a California Non Profit Corporation ("YMCA") for operation of the Centennial Recreation Center CRC located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS the CITY and YMCA entered into the Agreement made as of June 29, 2006 for operating the CRC.

WHEREAS the CITY and YMCA entered into the First Addendum to the Agreement on October 10, 2010.

WHEREAS the City and YMCA desire to extend the term of the Agreement, but need additional time to discuss details of the extension.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

All terms and conditions of the Agreement as amended as attached as Exhibit A shall remain in full force and effect except that Paragraph 2.3 of the agreement shall be amended to reflect a change of the extension deadline, which shall be extended to February 5, 2016, the new language for Paragraph 2.3 of the Agreement which is amended and replaced in its entirety by the following:

- "2.3 This Agreement may be extended for two additional five-year terms upon the written mutual agreement of the parties which agreement must be reached no later than December 31, 2010, for the first extension, and no later than February 6, 2016, for the second extension. The parties may mutually agree to additional extensions beyond this date. Prior to each extension, the parties shall prepare an evaluation of the success of CRC operations and present it to the City Council and YMCA. Criteria for this evaluation are provided in the COP."

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS

- (1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
- (2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER

ATTEST:

CITY OF MORGAN HILL

\_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager

Date: \_\_\_\_\_

APPROVED AS TO FORM:

YMCA OF SILICON VALLEY

\_\_\_\_\_  
City Attorney

Date: \_\_\_\_\_

\_\_\_\_\_  
By:

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
By:

Title: \_\_\_\_\_

Date: \_\_\_\_\_