

**M E M O R A N D U M**

**DATE:** August 13, 2008

**TO:** Honorable Mayor and Councilmembers

**FROM:** Patricia Allison, City Manager's Office

**SUBJECT:** **APPROVAL OF AMENDMENT 2 TO THE PERCENTAGE LEASE AGREEMENT WITH RUBY'S DINER, INC., FOR THE USE OF CITY-OWNED REAL PROPERTY LOCATED AT THE END OF THE OCEANSIDE PIER, EXTENDING THE TERM OF THE AGREEMENT TO JUNE 30, 2013, FOR MINIMUM TOTAL REVENUE TO THE CITY IN THE AMOUNT OF \$445,000 FOR THE FIVE-YEAR PERIOD, CHANGING THE PERCENTAGE RENT STRUCTURE, AND PROVIDING FOR CAPITAL IMPROVEMENTS TO THE PROPERTY; AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AMENDMENT**

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*This item, continued from July 16, 2008, will not be heard, but will be rescheduled for a future meeting.*