

1 ELEVENTH AMENDMENT TO AGREEMENT NO. 28164

2 **28164**

3 THIS ELEVENTH AMENDMENT TO AGREEMENT NO. 28164 is made
4 and entered, in duplicate, as of October 29, 2013 for reference purposes only, pursuant
5 to a minute order adopted by the City Council of the City of Long Beach at its meeting on
6 October 22, 2013, by and between the LONG BEACH AREA CONVENTION AND
7 VISITORS BUREAU, INC., a California nonprofit corporation ("CVB"), and the CITY OF
8 LONG BEACH, a municipal corporation ("City").

9 WHEREAS, the parties entered Agreement No. 28164 whereby CVB
10 agreed to promote tourism and conventions in the City; and

11 WHEREAS, the parties desire to amend said Agreement to reflect the
12 amount appropriated by the City Council in Fiscal Year 2013-14 from the Special Fund
13 for such promotion; and

14 WHEREAS, the City will not participate in the 2014 Rose Parade;

15 NOW, THEREFORE, in consideration of the mutual terms and conditions
16 contained in Agreement No. 28164 and herein, the parties agree as follows:

17 1. Section 5 of Agreement No. 28164 is hereby amended in its entirety
18 to read as follows:

19 "5. City's Convention and Tourism Budget. City's City Council has
20 appropriated and allocated from its Special Fund for City convention and
21 tourism sales and development \$3,930,366 for each of the fiscal years ending
22 September 30, 2005, September 30, 2006, September 30, 2007, September
23 30, 2008, and September 30, 2009; \$3,815,366 for the fiscal year ending
24 September 30, 2010; \$3,428,676 for each of the fiscal years ending
25 September 30, 2011, September 30, 2012, and September 30, 2013; and
26 \$3,728,676 for the fiscal year ending September 30, 2014. City's liability for
27 CVB's approved convention and tourism sales and development programs
28 shall not exceed those amounts. Those amounts include the sums identified

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 in Sections 17 and 18 hereof and are not additional thereto. The amount for
2 the fiscal year ending September 30, 2014 does not include the sum identified
3 in Section 18 of Agreement No. 28164 because the City will not participate in
4 the 2014 Tournament of Roses Parade. City reserves the right, at any time
5 during the term hereof, by notice from City's City Manager, to redefine the
6 scope of services within said amounts. By August 1 of each fiscal year during
7 the term hereof, City's City Manager shall notify CVB of the amount of
8 anticipated transient occupancy taxes to be appropriated by the City Council
9 from the City's Special Fund for convention and tourism sales and
10 development programs for the following fiscal year. No later than June 1 of
11 each fiscal year during the term hereof, CVB shall prepare and submit the
12 marketing plan referred to in Section 2(a) hereof based on the anticipated
13 transient occupancy taxes to be appropriated."

14 2. Except as expressly modified herein, all of the terms and conditions
15 contained in Agreement No. 28164 are ratified and confirmed and shall remain in full
16 force and effect.

17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

LONG BEACH AREA CONVENTION AND VISITORS BUREAU, INC., a California nonprofit corporation

11/4, 2013

By [Signature]
Name Stephen Goodling
Title President

_____, 2013

By [Signature] [Signature]
Name STEPHEN DAGOSTINO
Title CVC BOARD MEMBER

"CVB"

CITY OF LONG BEACH, a municipal corporation

11.14, 2013

By [Signature] **Assistant City Manager**
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Eleventh Amendment to Agreement No. 28164 is approved as to form on 11/12, 2013.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy