

1 TWELFTH AMENDMENT TO AGREEMENT NO. 28164

2 **28164**

3 THIS TWELFTH AMENDMENT TO AGREEMENT NO. 28164 is made and
4 entered, in duplicate, as of October 30, 2014 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on
6 October 21, 2014, 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 2014-15 from the Special Fund
13 for such promotion; and

14 WHEREAS, the City will not participate in the 2015 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;
26 \$3,728,676 for the fiscal year ending September 30, 2014; and \$3,928,676 for
27 the fiscal year ending September 30, 2015. City's liability for CVB's approved
28 convention and tourism sales and development programs shall not exceed

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333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 those amounts. Those amounts include the sums identified in Sections 17
2 and 18 hereof and are not additional thereto. The amount for the fiscal year
3 ending September 30, 2015 does not include the sum identified in Section 18
4 of Agreement No. 28164 because the City will not participate in the 2015
5 Tournament of Roses Parade. City reserves the right, at any time during the
6 term hereof, by notice from City's City Manager, to redefine the scope of
7 services within said amounts. By August 1 of each fiscal year during the term
8 hereof, City's City Manager shall notify CVB of the amount of anticipated
9 transient occupancy taxes to be appropriated by the City Council from the
10 City's Special Fund for convention and tourism sales and development
11 programs for the following fiscal year. No later than June 1 of each fiscal year
12 during the term hereof, CVB shall prepare and submit the marketing plan
13 referred to in Section 2(a) hereof based on the anticipated transient
14 occupancy taxes to be appropriated."

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

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

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

6 _____ 10/31, 2014

By [Signature]
Name JANE McPHERSON
Title CHIEF FINANCIAL OFFICER

7 _____ 10/31, 2014

By [Signature]
Name STEVE GOODLING
Title PRESIDENT & CEO

8 "CVB"

9 CITY OF LONG BEACH, a municipal
10 corporation

11 _____ 11-7, 2014

12 [Signature] Assistant City Manager
13 By [Signature] City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

14 "City"

15 This Twelfth Amendment to Agreement No. 28164 is approved as to form
16 on _____ 11/3, 2014.

17 CHARLES PARKIN, City Attorney

18 By [Signature]
19 Deputy

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21 CHARLES PARKIN, City Attorney
22 333 West Ocean Boulevard, 11th Floor
23 Long Beach, CA 90802-4664