

1 EIGHTH AMENDMENT TO MANAGEMENT AGREEMENT NO. 21667

2 **21667**

3 THIS EIGHTH AMENDMENT TO MANAGEMENT AGREEMENT NO.
4 21667 (this "Amendment") is dated as of April 12, 2021, and is made and entered into by
5 and between SMG, a Pennsylvania general partnership (formerly known as Spectacor
6 Management Group) ("SMG"), and the CITY OF LONG BEACH, a municipal corporation
7 ("City", and together with SMG, the "Parties").

8 RECITALS

9 WHEREAS, The Parties previously executed that certain Management
10 Agreement (City Contract No. 21667) dated as of February 12, 1991 (the "Agreement"),
11 pursuant to which SMG manages the Long Beach Convention and Entertainment Center
12 (the "Convention Center"), as more particularly described in the Agreement; and

13 WHEREAS, the City of Long Beach was contacted by the federal
14 government to assist in supporting the response to the influx of unaccompanied minor
15 children crossing the United States southwest border; and

16 WHEREAS, working with City staff, Federal Emergency Management
17 Agency (FEMA) identified the Convention Center as the optimum temporary intake
18 shelter site because of its size, accommodations, and security.

19 WHEREAS, the U.S. Department of Health and Human Services (HHS), in
20 conjunction with FEMA and California Office of Emergency Services, will utilize the
21 Convention Center as a temporary intake site with a maximum capacity of one thousand
22 (1,000) children with operations concluding on August 2, 2021; and

23 WHEREAS, HHS will contract for essential services and partner with state
24 and local governments as well as non-governmental organizations to establish and
25 operate the temporary intake shelter at the Convention Center; and

26 WHEREAS, the use of the Convention Center as an HHS temporary
27 intake shelter site is a use purpose that is outside those purposes considered in the
28 Agreement and requires the consent of the City;

1 NOW, THEREFORE, in consideration of the mutual terms and conditions
2 herein contained, the Parties agree as follows:

3 1. The City directs SMG itself or through affiliate SMG Holdings
4 (hereinafter collectively "SMG") to enter into a short term license agreement with HHS
5 for the purpose of HHS establishing and operating a temporary emergency intake site
6 to provide temporary shelter with a maximum capacity of one thousand (1,000)
7 unaccompanied minor migrant children for a Term ending August 2, 2021 (the "Short-term
8 License Agreement").

9 2. The City and SMG agree to waive any potential obligations,
10 conditions, or other requirements under the Agreement that cannot reasonably be
11 performed during the term of the Short-term License Agreement. All other terms of the
12 Agreement remain applicable during the term of the Short-term License Agreement.

13 3. SMG shall not amend or waive any provision of the Short-term License
14 Agreement, and shall not permit any extension of the term without first obtaining the City's
15 written consent. SMG shall continue to perform all management operations for the Facility
16 established in the Management Agreement, unless the
17 City directs SMG otherwise or as otherwise specified in the foregoing paragraph no. 2.

18 4. Except as expressly amended herein, all of the terms and conditions
19 //of the Agreement are ratified and confirmed and shall remain in full force and effect.

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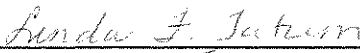
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IN WITNESS WHEREOF, the Parties have caused this Amendment to be
duly executed with all formalities required by law.

SMG, a Pennsylvania general partnership


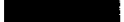
By: 
Name: BRUCE HANSON
Title: SECRETARY

CITY OF LONG BEACH,
a municipal corporation

By: 
Name: LINDA F. TATUM
Title: ASSI. CITY MANAGER

Approved as to form on April 16, 2021.

CHARLES PARKIN, City Attorney

By: 


OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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