27868 2 3 THIS SECOND AMENDMENT TO AGREEMENT NO. 27868 is entered into 4 on April 23, 2006 between the CITY OF LONG BEACH, a municipal corporation ("the 5 City"), and ADOPT-A-WATERWAY, LLC, a California limited liability company, with its principal place of business at 919 Manhattan Avenue, Suite 100, Manhattan Beach, CA 6 7 90266 as successor to Adopt-A-Storm Drain, Inc. ("Contractor"), pursuant to minute order 8 adopted by the City Council of the City of Long Beach at its meeting held on April 18, 2006. 9

SECOND AMENDMENT TO AGREEMENT NO. 27868

## **Recitals:**

A. The City desires to enter into a contract with Contractor for a corporate recognition and environmental education program (the "ADOPT-A-WATERWAY Program" or "the Program") to be conducted by Contractor at no cost to the City which will 12 13 provide a special fund to be used to supplement the City's existing stormwater quality 14 programs.

15 B. Contractor desires to operate a corporate recognition and environmental 16 education program whereby business entities pay Contractor to pay a fee to create and 17 post signs acknowledging the participation of the business entity and conveying an 18 environmental message approved by the City in locations approved by the City, and a 19 portion of that fee is paid to the City by the Contractor.

WHEREAS, the parties desire to extend the term of this Agreement;

21 NOW, THEREFORE, in consideration of the mutual terms and conditions in 22 the Agreement and in this Second Amendment, the parties agree as follows:

23 Section 2 of the Agreement is hereby amended in its entirety to read as 24 follows:

25 "2. <u>TERM</u>. The initial term of this Agreement shall commence at 12:01 a.m. 26 on April 23, 2002, and shall terminate at 11:59 p.m. on April 22, 2004. The first extended 27 term of the Agreement shall commence at 12:01 a.m. on April 23, 2004, and shall terminate at 11:59 p.m. on April 22, 2006. The second extended term of the Agreement 28

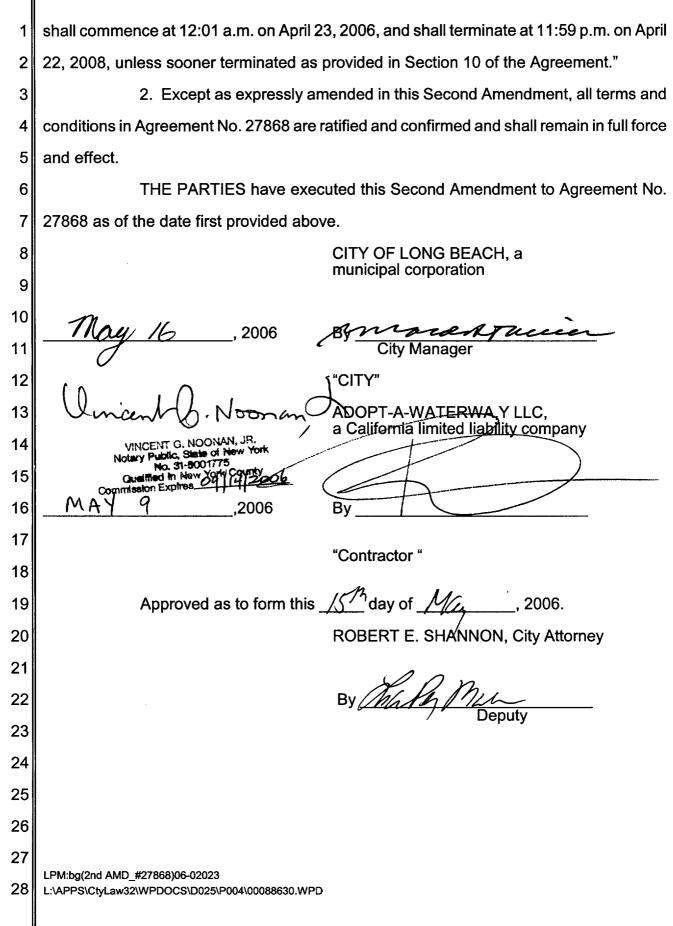
Long Beach, California 90802-4664 Attorney of Long Beach West Ocean Boulevard **Telephone (562) 570-2200** Robert E. Shannon

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