

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
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Long Beach, CA 90802-4664

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TENTH AMENDMENT TO AGREEMENT NO. 28164

**28164**

THIS TENTH AMENDMENT TO AGREEMENT NO. 28164 is made and entered, in duplicate, as of November 15, 2012 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on November 13, 2012, by and between the LONG BEACH AREA CONVENTION AND VISITORS BUREAU, INC., a California nonprofit corporation ("CVB"), and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, the parties desire to amend said Agreement to reflect the amount appropriated by the City Council in Fiscal Year 2012-13 from the Special Fund for such promotion; and

WHEREAS, the City will not participate in the 2013 Rose Parade;

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

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

"5. City's Convention and Tourism Budget. City's City Council has appropriated and allocated from its Special Fund for City convention and tourism sales and development \$3,930,366 for the fiscal year ending September 30, 2005; \$3,930,366 for the fiscal year ending September 30, 2006; \$3,930,366 for the fiscal year ending September 30, 2007; \$3,930,366 for the fiscal year ending September 30, 2008; \$3,930,366 for the fiscal year ending September 30, 2009; \$3,815,366 for the fiscal year ending September 30, 2010; \$3,428,676 for the fiscal year ending September 30, 2011; \$3,428,676 for fiscal year ending September 30, 2012; and \$3,428,676 for fiscal year ending September 30, 2013. City's liability for CVB's approved

1 convention and tourism sales and development programs shall not exceed  
2 those amounts. Those amounts include the sums identified in Sections 17  
3 and 18 hereof and are not additional thereto. The amount for the fiscal year  
4 ending September 30, 2013 does not include the sum identified in Section 18  
5 of Agreement No. 28164 because the City will not participate in the 2013  
6 Tournament of Roses Parade. City reserves the right, at any time during the  
7 term hereof, by notice from City's City Manager, to redefine the scope of  
8 services within said amounts. By August 1 of each fiscal year during the term  
9 hereof, City's City Manager shall notify CVB of the amount of anticipated  
10 transient occupancy taxes to be appropriated by the City Council from the  
11 City's Special Fund for convention and tourism sales and development  
12 programs for the following fiscal year. No later than June 1 of each fiscal year  
13 during the term hereof, CVB shall prepare and submit the marketing plan  
14 referred to in Section 2(a) hereof based on the anticipated transient  
15 occupancy taxes to be appropriated."

16 2. Except as expressly modified herein, all of the terms and conditions  
17 contained in Agreement No. 28164 are ratified and confirmed and shall remain in full  
18 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 11/27  
[Signature], 2012

By Stephen Goodling

7 Type or Print Name

8 11/27, 2012

By NUSRAT MIRZA

9 [Signature]  
10 Type or Print Name

11 "CVB"

12 CITY OF LONG BEACH, a municipal  
13 corporation

14 11.29, 2012

By [Signature] Assistant City Manager  
City Manager

15 "City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

16 This Tenth Amendment to Agreement No. 28164 is approved as to form on

17 11/27, 2012.

18 ROBERT E. SHANNON, City Attorney

19 By [Signature]  
20 Deputy

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