

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 THIRD AMENDMENT TO PERMIT NO. 28891

2 **28891**

3 THIS THIRD AMENDMENT TO PERMIT NO. 28891 is made and entered,
4 in duplicate, as of July 1, 2007 for reference purposes only, pursuant to a minute order
5 adopted by the City Council of the City of Long Beach at its meeting on August 7, 2007,
6 by and between the STATE OF CALIFORNIA, DEPARTMENT OF REHABILITATION,
7 BUSINESS ENTERPRISE PROGRAM ("State") and the CITY OF LONG BEACH ("City").

8 WHEREAS, the City and the State entered Permit No. 28891 (as amended,
9 the "Permit") whereby State agreed to operate and maintain or cause to be operated and
10 maintained a food concession including a dining area for City's employees and guests at
11 the lower level of City Hall located at 333 West Ocean Boulevard, Long Beach, California
12 ("Permit Area"); and

13 WHEREAS, the parties desire to, among other things, extend the term of
14 the Permit;

15 NOW, THEREFORE, in consideration of the terms and conditions in the
16 Permit, the parties agree as follows:

17 1. Section 2 of the Permit is hereby amended in its entirety to read as
18 follows:

19 "2. Term. The term of this Permit shall commence at midnight on
20 July 1, 2004, and shall terminate at 11:59 p.m. on June 30, 2010, unless sooner
21 terminated as provided herein. The City, at the City Manager's sole discretion, may
22 extend this Permit for one (1) additional period of two (2) years by giving notice of its
23 intent to extend on or before June 30, 2010. However, the terms of this Permit may be
24 subject to modification upon extension."

25 2. The State shall cause the Operator (as defined in the Permit) to
26 refrain from using any expandable polystyrene (also known as Styrofoam) products in the
27 Permit Area.

28 3. The City, at the City Manager's sole discretion, may temporarily

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 expand the Permit Area to include certain portions of the upper lobby or other portions of
2 the Civic Center, to allow the State to provide concessions during City Council meetings
3 or other civic events.

4 4. Except as amended herein, all of the terms and conditions of Permit
5 No. 28891 are ratified and confirmed and shall remain in full force and effect.

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

8 "State"

9 STATE OF CALIFORNIA, DEPARTMENT OF
10 REHABILITATION, BUSINESS ENTERPRISE
PROGRAM

11 By: Debra K Meyer
12 Name: Debra K Meyer
13 Title: BUSINESS ENTERPRISE PROGRAM MANAGER

14 "City"

15 CITY OF LONG BEACH, a municipal
corporation

16 By: [Signature] Assistant City Manager
17 Name: Darrik H. West
18 Title: City Manager

APPROVED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

19 This Third Amendment to Permit No. 28891 is approved as to form on
20 9-23, 2007. 8

21 ROBERT E. SHANNON, City Attorney

22 By: [Signature]
23 Deputy