

MUTUAL AGREEMENT TO TERMINATE THE GRANT AGREEMENT  
BETWEEN THE CITY OF HUNTINGTON BEACH AND  
VISIT HUNTINGTON BEACH

THIS AGREEMENT is made and entered into by and between the CITY OF HUNTINGTON BEACH, a California municipal corporation, hereinafter referred to as "City," and VISIT HUNTINGTON BEACH, hereinafter referred to as "VHB."

WHEREAS, in 1989, the Huntington Beach Conference and Visitors Bureau formed to represent the community in the solicitation of leisure travelers, tour groups, and conferences. Over the years, the Bureau has developed visitor guides, established a visitor kiosk center in conjunction with the City, and other related promotional services; and

In, 2006, the City and VHB (then called the Marketing and Visitors Bureau) entered into the original Grant Agreement which provided that the City would grant a sum equivalent to ten percent (10%) of the City's Transient Occupancy Tax, payable monthly to VHB to perform promotional services for the City of Huntington Beach; and

Since the Bureau was founded in 1989, grants have been provided on an annual basis pursuant to the Grant Agreement and subsequent amendments thereto; and

The Original Agreement commenced on October 1, 2006, with an initial term of five (5) years. The Original Agreement was amended to extend the Term for one five-year period with one five-year extension to an automatic Termination date of September 29, 2021, unless terminated sooner as set forth in the Amended Grant Agreement; and

Section 3 of the Amended Grant Agreements allows the City the right to terminate for cause upon thirty (30) days written notice to Bureau, in the event the City Council determines, based upon substantial evidence, that certain obligations of VHB were not being met. VHB currently is meeting its obligations under the Grant Agreement and Amendments thereto; and

Notwithstanding Section 3, the Termination provision, in the Grant Agreement, the City and VHB mutually wish to terminate the Grant Agreement and any Amendments thereto.

NOW, THEREFORE, it is agreed by City and VHB as follows:

1. Notwithstanding the Termination Clause in Section 3 of the Grant Agreement, City and VHB hereby terminate the Grant Agreement and any Amendments thereto.

VISIT HUNTINGTON BEACH,

By: Kelly M. Miller  
KELLY M. MILLER

print name

ITS: (circle one) Chairman/President/Vice  
President

AND  
By: Nicole Thompson  
Nicole Thompson  
print name

ITS: (circle one) Secretary/Chief Financial  
Officer/Asst. Secretary - Treasurer

CITY OF HUNTINGTON BEACH, a municipal  
corporation of the State of California

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

INITIATED AND APPROVED:

Kelly Zepeda  
Deputy Director of Economic Development

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Manager

APPROVED AS TO FORM:

[Signature]  
City Attorney NW

DATE: \_\_\_\_\_