

**THIRD AMENDMENT TO MANAGEMENT AGREEMENT
FOR THE FOX PERFORMING ARTS CENTER**

LIVE NATION WORLDWIDE, INC.

THIS THIRD AMENDMENT TO MANAGEMENT AGREEMENT (“Third Amendment”) is made and entered into this _____ day of _____, 2023, by and between the CITY OF RIVERSIDE, a California charter city and municipal corporation (“City”), and LIVE NATION WORLDWIDE, INC., a Delaware corporation, authorized to do business in the State of California (“Consultant”), with respect to the following:

RECITALS

WHEREAS, the City and Consultant entered into that certain Management Agreement dated October 8, 2013 (“Agreement”); and

WHEREAS, the City and Consultant entered into that certain First Amendment to Management Agreement dated December 2, 2022, extending the term through June 30, 2023 (“First Amendment”); and

WHEREAS, the City and Consultant entered into that certain Second Amendment to Management Agreement dated July 13, 2023, extending the term through October 31, 2023 (“Second Amendment”); and

WHEREAS, the City desires to have Consultant continue providing the services referenced in the Agreement; and

WHEREAS, the Agreement is set to expire on October 31, 2023; and

WHEREAS, the City and Consultant have agreed to extend the term of the Agreement through December 31, 2023.

NOW, THEREFORE, incorporating the recitals set out above, the parties hereto mutually agree to the following amendment to the Agreement.

1. Section 2, Term, is hereby amended to extend the term of the Agreement, through December 31, 2023.

2. Digital and Counterpart Signatures. Each party to this Agreement intends and agrees to the use of digital signatures that meet the requirements of the California Uniform Electronic Transactions Act (“CUETA”) Civil Code §§ 1633.1, *et seq.*), California Government Code § 16.5, and California Code of Regulations Title 2 Division 7 Chapter 10, to execute this Agreement. The parties further agree that the digital signatures of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures for purposes of validity, enforceability, and admissibility. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with

an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The above statutes authorize use of an electronic signature for transactions and contracts among parties in California, including a government agency, so long as certain conditions are met. "Digital signature" is a type of electronic signature and is defined as "an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature," and shall be reasonably relied upon by the parties. For purposes of this section, a "digital signature" is defined in subdivision (d) of Section 16.5 of the Government Code and is a type of "electronic signature" as defined in subdivision (h) of Section 1633.2 of the Civil Code. This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each certified or authenticated electronic copy of an encrypted digital signature shall be deemed a duplicate original, constituting one and the same instrument and shall be binding on the parties hereto.

3. All other terms and conditions of the Agreement between the parties, which are not inconsistent with the terms of this Third Amendment, shall remain in full force and effect as if fully set forth herein.


[SIGNATURES ON FOLLOWING PAGE.]

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to Management Agreement to be duly executed the day and year first above written.


CITY OF RIVERSIDE,
a California charter city and municipal
corporation

LIVE NATION WORLDWIDE, INC., a
Delaware corporation, authorized to do
business in the State of California

By: _____
City Manager

By: 
Print Name: Michael Rowles
Its: EVP, General Counsel and
Secretary (Signature of Board Chair,
President, or Vice President)

Attest: _____
City Clerk

and

By: _____
Print Name: Daniel Palumbo
Its: SVP and Assistant Secretary
(Signature of Secretary, Assistant
Secretary, CFO, Treasurer, or Assistant
Treasurer)

Certified as to Availability of Funds:

By: _____
Chief Financial Officer

Approved as to Form:

By: 
Assistant City Attorney