

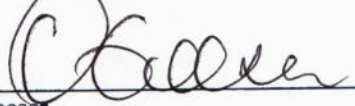
RESOLUTION

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to sign the Second Amendment to the License Agreement, by and between the **City of El Paso**, a municipal corporation (the "City") and the **El Paso Zoological Society**, a Texas non-profit corporation (the "Society"), which was originally entered on December 18, 2012 to extend the term of the agreement by 3 months, ending on March 18, 2023.


APPROVED this 6th day of December 2022.

CITY OF EL PASO:



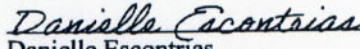
Oscar Leeser
Mayor

ATTEST:




Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Danielle Escontrias
Assistant City Attorney

APPROVED BY CONTENT:



Joe Montisano, Director
Zoo Department

I

Second Amendment to License Agreement

THIS Second Amendment to the December 18, 2012 License Agreement ("Original Agreement") by and between the City of El Paso (City) and the El Paso Zoological Society, a Texas non-profit corporation (the "Society"), ("Second Amendment") is made this 14th day of December, 2022 (the "Effective Date"). This Second Amendment, together with the Original Agreement and the First Amendment are collectively referred to as the "Agreement."

RECITALS

WHEREAS, the City owns and operates the El Paso Zoo (the "Zoo") for conservation, education, recreation and scientific study; and

WHEREAS, the Society is a non-profit corporation whose purpose is to promote and support the Zoo and its programs in conservation, education and recreation and provide private sector financial support, to the Zoo's development, operation and capital improvements; and

WHEREAS, on December 18, 2012, the parties entered into a License Agreement ("**Agreement**") regarding the obligations of each party for the Society's support of the El Paso Zoo; and

WHEREAS, on July 31, 2018, the City and the Society agreed to the First Amendment to the License Agreement to adjust the use of membership revenue and development of a master plan; and

WHEREAS, the parties wish to amend the Agreement to extend the term for 3 months;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. That Article 5, Term, is hereby amended to extend the term of the Original Agreement, as follows:

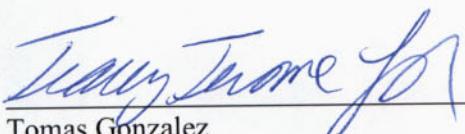
The term of this Agreement shall be for a period of five (5) years from the Effective Date of December 18, 2012, unless otherwise terminated by either party as provided herein ("initial term"). Upon the expiration of the initial term, this agreement will automatically renew for one-year terms on the anniversary of the effective date for up to five additional one-year terms, plus three months, expiring on March 17, 2023 (the "Extended Term"), subject to the termination clause.

Section 3. Except as provided in this Amendment, the all terms and conditions of the Agreement remain in full force and effect.

Signed as of the Effective Date of by the Parties.

THE CITY OF EL PASO

EL PASO ZOOLOGICAL SOCIETY

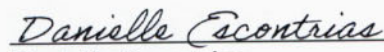


Tomas Gonzalez
City Manager


Printed Name: _____
Title: _____

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Danielle Escontrias
Assistant City Attorney

 for

Joseph Montisano, Director
El Paso Zoo

Section 3. Except as provided in this Amendment, the all terms and conditions of the Agreement remain in full force and effect.

Signed as of the Effective Date of by the Parties.

THE CITY OF EL PASO

EL PASO ZOOLOGICAL SOCIETY

Renee R. Neuert

Tomas Gonzalez
City Manager

Printed Name: Renee R. Neuert

Title: Executive Director

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Danielle Escontrias

Danielle Escontrias
Assistant City Attorney

JMK for

Joseph Montisano, Director
El Paso Zoo



CITIZENS OF EL PASO

