


RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the First Amendment to the Operating and Maintenance Agreement for Star on the Mountain with the El Paso Chamber of Commerce, to extend the term by 10 years through April 30, 2034, in consideration of the El Paso Chamber of Commerce investing approximately \$250,000 in upgrades to the Star on the Mountain.

APPROVED this 23rd day of May 2023.

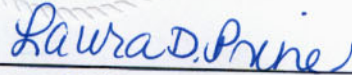
CITY OF EL PASO:



Oscar Leeser
Mayor

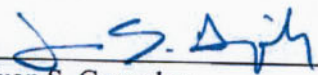


ATTEST:



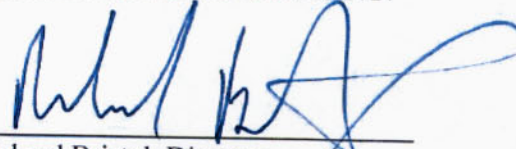
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Richard Bristol, Director
Streets & Maintenance

APPROVED AS TO CONTENT:



Mary Lou Espinoza
Capital Assets Manager

THE STATE OF TEXAS)
)
 COUNTY OF EL PASO)

**FIRST AMENDMENT
 TO OPERATING AND MAINTENANCE
 AGREEMENT FOR STAR ON THE MOUNTAIN
 WITH EL PASO CHAMBER OF COMMERCE**

This First Amendment to that certain **Operating and Maintenance Agreement for Star on the Mountain** is made this 23 day of May, 2023, by and between the City of El Paso, a Municipal Corporation organized and existing under the laws of the State of Texas (the "City"), and **THE GREATER EL PASO CHAMBER OF COMMERCE FOUNDATION, a Texas Non-profit Organization** (the "Chamber").

WHEREAS, on **April 19, 2019**, the City and the Chamber entered into a(n) Operating and Maintenance Agreement for Star on the Mountain ("Agreement");

WHEREAS, the Agreement may be amended under the provisions of Section 8. L. of the Agreement;

WHEREAS, the Chamber wishes to invest approximately \$250,000 in upgrades to the Star on the Mountain;

WHEREAS, the parties desire to extend the term of the Agreement to allow the parties to benefit from the Chamber's investment and upgrades.

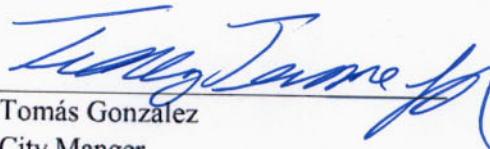
NOW THEREFORE, in consideration of the mutual promises set forth in this 1st Amendment and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Section 3 TERM. is revised to read as follows:
 3. TERM. The term of this Agreement shall commence on the Effective Date and expire April 30, 2034, unless sooner terminated pursuant to the terms of this Agreement.
2. All terms and conditions of the Agreement and all subsequent Amendments thereto, except as herein revised, shall remain in full force and effect.

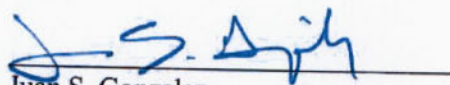
[signatures begin on the following page]

IN WITNESS WHEREOF, the parties have hereunto set their hands this 23rd
day of May, 20 23

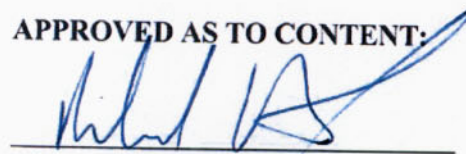
CITY
THE CITY OF EL PASO:


Tomás González
City Manger

APPROVED AS TO FORM:


Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:


Richard Bristol, Director
Streets & Maintenance Department

APPROVED AS TO CONTENT:


Mary Lou Espinoza
Capital Assets Manager

CHAMBER,
THE GREATER EL PASO CHAMBER
OF COMMERCE FOUNDATION
a Texas Non-profit Organization

By: Andrea Hutchins
Andrea Hutchins
CEO