

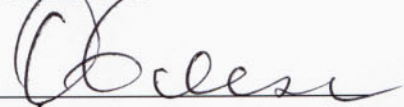
RESOLUTION

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

THAT the City Manager be authorized to sign the third 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 into on December 18, 2012, and extended by 3 months on December 6, 2022, for the purpose of extending by one more year to end on March 17, 2024.

APPROVED this 28 day of February 2023.

CITY OF EL PASO:



Oscar Leeser
Mayor



ATTEST:



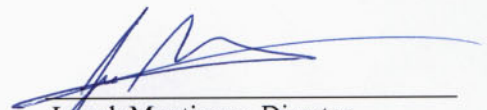
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Danielle Escontrias
Assistant City Attorney

APPROVED BY CONTENT:



Joseph Montisano, Director
Zoo Department

Third Amendment to License Agreement

THIS Third 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”), (“Third Amendment”) is made this 28th day of February, 2023 (the “Effective Date”). This Third Amendment, together with the Original Agreement, the First Amendment and the Second 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, for 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 require that Society develop a master plan; and

WHEREAS, on December 16, 2022 the City and the Society agreed to amend the Agreement to extend the term for 3 months ; and,

WHEREAS, the City and the Society wish to extend the term for one year and,

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 further extend the term of the Original Agreement, as amended by the Second Amendment, as follows:

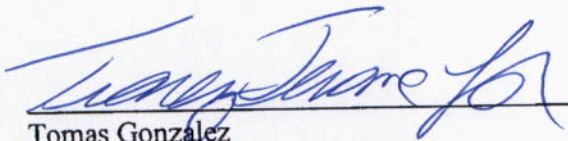
The term of this Agreement shall be for a period of five (5) years from the Effective Date of December 18, 2012, unless otherwise terminated by either party as provided herein (“initial term”). Upon the expiration of the initial term, this agreement will automatically renew for one-year terms on the anniversary of the effective date for up to five additional one-year terms, plus one-year and

three months, expiring on March 17, 2024 (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




Tomas Gonzalez
City Manager

EL PASO ZOOLOGICAL SOCIETY

By: 

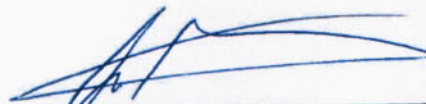
Printed Name: Renee R Neuer
Title: Executive Director

APPROVED AS TO FORM:



Danielle Escontrias
Assistant City Attorney

APPROVED AS TO CONTENT:



Joseph Montisano, Director
El Paso Zoo