

RESOLUTION

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

That the City Manager be authorized to sign a First Amendment to Shoeshine Concession Agreement by and between the City of El Paso ("Lessor") and Los Amigos Shoeshine ("Concessionaire") for shoe shine services within the El Paso International Airport Terminal Building, thereby extending the term of the agreement an additional three (3) years for the period of February 1, 2009, through January 31, 2012, and providing for an option to extend the agreement an additional three (3) years thereafter.

ADOPTED THIS ____ DAY OF _____, 2009.

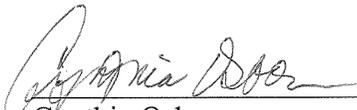
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

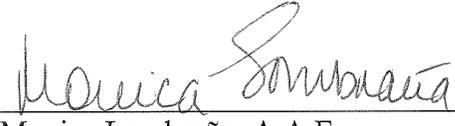
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Monica Lombraña, A.A.E.
Acting Director of Aviation

CITY CLERK DEPT.
09 JAN 21 PM 2:15

STATE OF TEXAS)
)
COUNTY OF EL PASO)

FIRST AMENDMENT TO
CONCESSION AGREEMENT

This First Amendment to Shoeshine Concession Agreement is made this ____ day of _____ 2009 by and between the City of El Paso (“Lessor”) and Los Amigos Shoeshine (“Concessionaire”).

WHEREAS, Lessor and Concessionaire entered into a Shoeshine Concession Agreement (“Concession Agreement”) effective February 1, 2005, granting Concessionaire the right to operate and maintain operations within the El Paso International Airport Terminal;

WHEREAS, Lessor exercised the option to extend the Concession Agreement for an additional term of two (2) years, with an effective date of February 1, 2007; and

WHEREAS, Lessor and Concessionaire now desire to amend the Concession Agreement for the purpose of further extending the term and providing for an additional option term.

NOW, THEREFORE, the parties stipulate and agree that the Concession Agreement is amended as follows:

1. **EXTENDED TERM.** Lessor and Concessionaire mutually agree that the term of the Concession Agreement is extended until January 31, 2012.

2. **OPTION TERM.** In the event that Concessionaire is not in default of any terms of the Concession Agreement, Concessionaire shall have the option to extend the Concession Agreement for an additional term of three (3) years commencing February 1, 2012 and terminating January 31, 2015. Concessionaire may exercise the option by notifying Lessor in writing of Concessionaire’s election at least one hundred and twenty (120) days prior to January 31, 2012. In the event the option is so exercised, the Concession Agreement shall be extended for three (3) years on the same terms and conditions as the Concession Agreement.

3. **EFFECTIVE DATE.** Regardless of the date of execution, this amendment shall be effective on the 1st day of February 2009.

4. **RATIFICATION.** All terms and conditions of the original Shoeshine Concession Agreement not specifically changed by this First Amendment, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of this _____ day of _____, 2009.

CITY OF EL PASO:

Joyce A. Wilson
City Manager

ACKNOWLEDGMENT

STATE OF TEXAS)

COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2009, by Joyce A. Wilson as City Manager of the City of El Paso, Texas.

Notary Public, State of Texas

My Commission Expires:

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Monica Lombraña, A.A.E.
Acting Director of Aviation

(SIGNATURES CONTINUE ON THE FOLLOWING PAGE)

**CONCESSIONAIRE: Los Amigos
Shoeshine**

By: Ep. Anchondo
Name: ELIZABETH ANCHONDO
Title: Owner

ACKNOWLEDGMENT

STATE OF Texas
COUNTY OF El Paso

This instrument was acknowledged before me on this 10 day of December, 2008,
by Elizabeth E Anchondo as OWNER of Los Amigos Shoeshine.

Pearl Villa
Notary Public, State of TEXAS

My Commission expires:
May 30, 2012

