



August 2, 2017

Honorable Los Angeles City Council
c/o: Office of the City Clerk
200 N. Spring Street, Room 395
Los Angeles, California 90012

"Creating dynamic experiences to connect people and animals"

Los Angeles Zoo
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Los Angeles
California 90027
323/644-4200
Fax 323/662-9786
<http://www.lazoo.org>

Eric Garcetti
Mayor

David E. Ryu
Council Member
4th District

Zoo Commissioners

Karen B. Winnick
President

Bernardo Silva
Vice President

Margot Armbruster

Christopher Hopkins

Tyler Kelley

Richard Lichtenstein
ex officio member

John R. Lewis
Zoo Director

Reference: Council File No. 14-0600-S223

Dear Honorable Councilmembers:

BACKGROUND

The 1997 Operating Agreement between the City and GLAZA extended the term of the 1981 Concessions Agreement between the City and the Greater Los Angeles Zoo Association (GLAZA) through February 11, 2016. In an action in February 2016, the City Council approved Amendment No. 1 to the Operating Agreement extending the Concessions Agreement term to August 31, 2016. On August 24, 2016, the City Council approved Amendment No. 2 to the Operating Agreement which extended the Concessions Agreement term to August 31, 2017 with a six month renewal option (C.F. 14-0600-S223). A third amendment is recommended to extend the term of the Concessions Agreement for one year to facilitate a selection process for a vendor for the Zoo's concessions program.

RECOMMENDATION

That the City Council approve Amendment No. 3 to the Operating Agreement (attached) which provides a one-year extension to the Concessions Agreement between the City and the Greater Los Angeles Zoo Association to August 31, 2018, to allow sufficient time for the issuance of a Request for Proposals and the completion of the selection process for a vendor to operate the concessions at the Zoo, subject to the review of the City Attorney as to form.

FISCAL IMPACT

There is no fiscal impact.

Respectfully submitted,

JOHN R. LEWIS
Zoo Director

JRL:DMV

Attachment



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**THIRD AMENDMENT
TO THE 1997 OPERATING AGREEMENT
BY AND BETWEEN THE
LOS ANGELES ZOO AND BOTANICAL GARDENS (“ZOO”)
AND THE
GREATER LOS ANGELES ZOO ASSOCIATION (“GLAZA”)
RELATING TO THE
1980 CONCESSION AGREEMENT**

This third (3rd) amendment (“Amendment”) dated as of September 1, 2017, amends the agreement entitled Operating Agreement by and between the City of Los Angeles, a Municipal Corporation and the Greater Los Angeles Zoo Association, a California Nonprofit Corporation (CF No. 94-0989-S1), dated as of July 1, 1997 (“Operating Agreement”) by extending the term of the concession agreement between the City and GLAZA that is referenced in the 1997 Operating Agreement. The Operating Agreement expires September 29, 2022.

The concession agreement between the City and GLAZA for the Zoo concessions is set forth in an agreement entitled Concession Agreement between the City of Los Angeles and the Greater Los Angeles Zoo Association (“Concession Agreement”), which was entered into as of February 12, 1981, and grants GLAZA the right to operate all approved concessions at the Zoo.

The Concession Agreement was originally set to expire February 11, 2006. However, Section IV B of the 1997 Operating Agreement extended the term of the Concession Agreement by ten years, to February 11, 2016.

The 1st Amendment to the 1997 Operating Agreement, dated as of February 11, 2016, amended Section IV (Amendments to Concession Agreement between City and GLAZA), subsection B (Term) of the Operating Agreement, by extending the term of the Concession Agreement for approximately six months, to August 31, 2016.

The 2nd Amendment to the 1997 Operating Agreement extended the term of the Concession Agreement for approximately twelve months, by amending Section IV (Amendments to Concession Agreement between City and GLAZA), subsection B (Term) of the Operating Agreement, to August 31, 2017.

This 3rd Amendment to the 1997 Operating Agreement once again extends the term of the Concession Agreement for approximately one year, to **August 31, 2018**, by amending Section IV (Amendments to Concession Agreement between City and GLAZA), subsection B (Term) of the Operating Agreement, as follows:

B. TERM

The term of the Concession Agreement, which began on February 12, 1981 and which was to expire twenty-five (25) years thereafter, was extended by an additional ten years to February 11, 2016, and pursuant to Amendment No. 1 to this Operating Agreement, the term of the Concession Agreement was extended to August 31, 2016, then extended by Amendment No. 2 to August 31, 2017, and now by Amendment No. 3, it is hereby extended an additional one year to **August 31, 2018**, to allow time for the issuance of a Request for Proposals (RFP) and the completion of the selection process for a vendor to operate the concessions at the Zoo. The extension is subject to Council review and approval.

Third Amendment to the 1997 Operating Agreement
by and between the Zoo and GLAZA
Relating to the 1980 Concession Agreement

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to the Operating Agreement to be executed by their respective authorized representatives.

APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney

CITY OF LOS ANGELES
LOS ANGELES ZOO & BOTANICAL GARDENS

By: _____
DOV LESEL, Assistant City Attorney

By: _____
JOHN R. LEWIS, Zoo Director

DATE: _____

DATE: _____

GREATER LOS ANGELES ZOO ASSOCIATION

By: _____
CONNIE MORGAN, President

DATE: _____

ATTEST:
HOLLY L. WOLCOTT, City Clerk

By: _____
Deputy City Clerk

City Business License Number _____

Internal Revenue Service Taxpayer Identification Number _____

Agreement Number C-95894