

FIRST AMENDMENT TO IKE AGREEMENT

BETWEEN THE CITY OF SAN ANTONIO AND IKE SMART CITY, LLC

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This FIRST AMENDMENT TO THE IKE AGREEMENT by and between THE CITY OF SAN ANTONIO, a Texas Municipal Corporation (the "City") and IKE SMART CITY, LLC, an Ohio Limited Liability Company ("Ike"), is hereby entered into by the parties. The City and Ike may be referred to herein collectively as the "Parties."

RECITALS

On December 14, 2017, the Ike Agreement between the Parties (this "Agreement"), together with the Integration Agreement for the City of San Antonio Digital Community Kiosks to which it is attached and incorporated into, was passed and approved by the San Antonio City Council through Ordinance No. 2017-12-14-1017 (the "Ordinance"). Subsequent to the passing of this Agreement through the Ordinance, it has become necessary to issue this First Amendment to this Agreement to extend the initial term set forth therein.

AMENDMENT

NOW THEREFORE, the Parties hereby agree and amend as follows:

1. **REVISION.** Exhibit B, Section 1. Term is hereby revised to read as follows:
 1. **Term.** The term of this Agreement shall be for a period commencing upon the Effective Date and expiring on December 31, 2030 (the "Initial Term"). At the City's option, this Agreement may be renewed under the same terms and conditions for up to four (4) additional one (1) year periods (individually, a "Renewal Term", collectively the "Renewal Terms", and together with the Initial Term, the "Term"). Renewals shall be in writing and signed by the City at least ninety (90) days prior to the expiration of the Initial Term or then current Renewal Term, as applicable.
 2. **PROVISIONS REMAIN IN EFFECT.** All other terms, conditions, covenants, and provisions of this Agreement not specifically mentioned herein and revised by this document, are retained in their entirety, unchanged, and remain in full force in effect for the duration of said contract, and any renewals thereof.
 3. **ENTIRE AGREEMENT.** This Agreement, as amended, embodies the complete agreement of the Parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the Parties relating to matters


herein.

EXECUTED and **AGREED** to as of the dates indicated below.

CITY OF SAN ANTONIO

IKE SMART CITY, LLC

Printed Name: **Brian Dillard**
Title: **Chief Innovation Officer**
Date: _____



Printed Name: Pete Scantland
Title: CEO
Date: 10/27/20

Approved as to Form:

Assistant City Attorney