

RESOLUTION NO. 2025-094

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE THE TERMINATION OF COST
SHARING AGREEMENT FOR PHASE 1A AND 1B OF THE NEW ZOO IN ELK GROVE
BETWEEN THE SACRAMENTO ZOOLOGICAL SOCIETY AND THE CITY OF ELK GROVE**

WHEREAS, on May 8, 2024, the City Council approved the New Zoo at Elk Grove Project (Project); and

WHEREAS, on June 26, 2024, the City Council authorized the City Manager to execute a Cost Sharing Agreement with the Sacramento Zoological Society (Society); and

WHEREAS, the Society provided the City with formal notice on April 25, 2025, that they no longer see the zoo project as viable and wish to terminate the agreement; and

WHEREAS, the Termination Agreement provides that the City will return donor funds it received from the Society in the amount of \$1,933,699.95, and that the Society will notify all donors and offer each donor the opportunity to reclaim or reaffirm their donations, at the donor's discretion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Termination of Cost Sharing Agreement for Phase 1A and 1B of the New Zoo in Elk Grove between the Sacramento Zoological Society and the City of Elk Grove, in substantially the form presented in the attached Exhibit A, which is incorporated herein by reference.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove removes the Project (Item A1) from the City's High Priority Project listing.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of May 2025




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

**Termination of Cost Sharing Agreement for Phase 1A and 1B of the New Zoo in Elk Grove
between the Sacramento Zoological Society and the City of Elk Grove**

In consideration of the mutual promises set forth herein, the sufficiency of which each party acknowledges, the Sacramento Zoological Society (“Society”) and the City of Elk Grove (“City”), each a “Party” and collectively the “Parties,” enter into this Termination Agreement and hereby terminate the Cost Sharing Agreement for Phase 1A and 1B of the New Zoo in Elk Grove dated on or about June 21, 2024 (“Cost Sharing Agreement”) pursuant to Section 8.2 of the Cost Sharing Agreement and as of the date set forth below.

The City agrees that the City will return the \$1,933,699.95 in donor funds it received from the Society (“Transferred Donor Funds”) within 30 days after full execution of this Termination Agreement. Society agrees that Society shall contact all donors on the Society’s Gift and Pledge Summary whose funds are included in the Transferred Donor Funds within 90 days after full execution of this Termination Agreement and offer each donor the opportunity to reclaim or reaffirm their donations, at the donor’s discretion.

Upon completion of the above-referenced actions by the Party charged with performing said action, said Party shall not have any further obligations or liabilities to the other Party under either the Cost Sharing Agreement or this Termination Agreement. Except as provided herein, all obligations between the Parties, including those set forth in the Cost Sharing Agreement, are extinguished.

AGREED to this _____ day of May, 2025, by the Parties as follows:

Approved to as form:

Sacramento Zoological Society

By: *Marc Centor* 5/19/2025 | 11:04 AM PDT

By: *Robert Churchill* 5/22/2025 | 4:31 PM PDT

Attorney for Sacramento Zoological Society

Robert Churchill, Interim Executive Director

Approved as to form:

CITY OF ELK GROVE

By *Jonathan P. Hobbs* 5/22/2025 | 4:37 PM PDT

By: _____

Jonathan P. Hobbs, City Attorney

Jason Behrmann, City Manager

**Termination of Cost Sharing Agreement for Phase 1A and 1B of the New Zoo in Elk Grove
between the Sacramento Zoological Society and the City of Elk Grove**

Attest to:

By: _____

Jason Lindgren, City Clerk

Dated: _____

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2025-094

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 28, 2025 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Robles, Brewer, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California