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AMENDMENT NO. 2 TO SUPPLEMENT NO. 1
INTERGOVERNMENTAL AGREEMENT (IGA)
FOR SHARING OF TELECOMMUNICATIONS FACILITIES
BETWEEN
THE CITY OF PHOENIX, IGA No. 71736 - *SU1-002*
AND
THE CITY OF GOODYEAR, IGA No. 95-PWCA-028 (KNA CON CX-0337-05)
CON CX-0337-05-SU1-A2

This Amendment No. 2 to Supplement No. 1 to Intergovernmental Agreement (IGA) 71736 and CON CX-0337-05, respectively, is made and entered into and is effective on the date of the last signature below ("Effective Date"), by and between the City of Phoenix, an Arizona municipal corporation (PHOENIX), and the City of Goodyear, an Arizona municipal corporation (GOODYEAR). PHOENIX AND GOODYEAR are sometimes referred to jointly herein as "AGENCIES" and individually as "AGENCY."

RECITALS

WHEREAS, the AGENCIES entered into the Intergovernmental Agreement for Sharing of Telecommunication Facilities effective July 1, 1995;

WHEREAS, the AGENCIES entered into Supplement No. 1 to the IGA effective July 1, 1995;

WHEREAS, the AGENCIES entered into Amendment No. 1 to the IGA effective May 11, 2001 which extended the term of Supplement No. 1 to the IGA to May 10, 2010;

WHEREAS, the AGENCIES agree that Amendment No. 1 to the IGA also service as Amendment No. 1 to Supplement No. 1 to the IGA;

WHEREAS, the AGENCIES desire that Supplement No. 1 to the IGA continue to remain in effect with original terms and condition, except as provided herein;

WHEREAS, the AGENCIES agree to enter into this Amendment No. 2 to Supplement No. 1 to the IGA to make the term of Supplement No. 1 coterminous with the IGA.

WHEREAS, the site description identified in Supplement No. 1 has since changed and now has a new name and address with the same physical location;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties to this First Amendment, each intending to be legally bound hereby, agree as follows:

AGREEMENT

1. Recitals Incorporated. The Recitals set forth above are true and correct and incorporated in this Amendment No. 2 to Supplement No. 1 to the IGA as if set forth herein.

2. SITE: The Site name and street address identified in Supplement No 1 to the IGA is hereby amended to read as follows:

“Goodyear Police Operations located at 1111 South Litchfield Road, Goodyear, Arizona 85338. GOODYEAR grants PHOENIX permission to use and area adjacent to the police building for tower and communications site. All power, air conditioning, lighting, required building penetrations, telephone facilities, et cetera shall be provided by Goodyear as required by Phoenix. The cost for providing the space and utilities shall be borne by GOODYEAR”.

3. TERM: The term in Supplement No 1 to the IGA is hereby amended to read as follow:

“The term of Supplement No. 1 shall be coterminous with the underlying IGA”.

4. OPTION TO EXTEND: The Option to Extend in Supplement No. 1 to the IGA is hereby amended to read as follows:

“This Supplement No. 1 will automatically renew upon the renewal of the underlying IGA.”

5. All other terms and conditions of Supplement No. 1 to the IGA shall remain the same, in full force and effect.

IN WITNESS WHEREOF, the parties herein have caused this Amendment 2 to Supplement No. 1 to the IGA to be executed in duplicate originals.

CITY OF GOODYEAR, an Arizona
municipal corporation
Brian Dalke, Interim City Manager

CITY OF PHOENIX, an Arizona municipal
corporation
DAVID CAVAZOS, City Manager

By: Brian Dalke
Brian Dalke
Interim City Manager

By: David A. Felix
David A. Felix
Assistant Chief Information Officer

Date 9/26/12

Date 10/02/2012



ATTEST
Chris Meyer
CITY CLERK

APPROVED AS TO FORM:

In accordance with A.R.S. Sec, 11-952, this Agreement has been reviewed by the undersigned attorney who has determined that this Agreement is in proper form and within the powers and authority granted to the City of Goodyear under the laws of the State of Arizona.



City Attorney

ATTEST:



City Clerk



APPROVED AS TO FORM:

In accordance with A.R.S. Sec, 11-952, this Agreement has been reviewed by the undersigned attorney who has determined that this Agreement is in proper form and within the powers and authority granted to the City of Phoenix under the laws of the State of Arizona.



Acting City Attorney
RF

ATTEST:



City Clerk

CITY CLERK DEPT.
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