

**SUPPLEMENT AGREEMENT NO. 3 – Amendment 1  
CITY OF PHOENIX INTERGOVERNMENTAL AGREEMENT 100502 AND  
CITY OF TEMPE AGREEMENT C99-238A  
FOR SHARING OF COMMUNICATIONS FACILITIES**

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Pursuant to Intergovernmental Telecommunications Facilities Sharing Agreement No. 100502 and C99-238A, ("Sharing Agreement") entered into as of the 1<sup>st</sup> day of June 2002, the CITY OF PHOENIX and CITY OF TEMPE enter into this site-specific agreement, which shall be Amendment No. 1 to the Supplemental Agreement No. 3 to the Sharing Agreement.

**1. SITE**

- 1.1. South Tempe Police Substation, located at 8201 S. Hardy, Tempe Arizona 85285 (Lat. 33-20-26.0, Long. 111-57-09.0). The City of Tempe, the property owner, grants Phoenix permission to use the existing property for the installation of 700/800 MHZ Trunked Radio Network transmitters, receivers, antennas and associated equipment identified in this supplement.
- 1.2. Phoenix constructed a communications site in 2002 under the original Sharing Agreement Supplement 3, which consists of a 13' x 36' communications equipment building, 150' monopole and Emergency Generator. This site supports the Phoenix PRWN network. To add Tempe to PRWN, additional equipment is being installed at this facility to support then new "Simulcast F" subsystem which will support Tempe radio operations. The equipment being installed by this project will be managed and maintained by Phoenix. Electro-mechanical and HVAC equipment installed at this communications site shall be managed and maintained by Phoenix.

**2. FREQUENCY USE**

- 2.1. Frequency Licensing: As stipulated in the Master Site Sharing Agreement each agency is responsible for the proper licensing of operating frequencies utilized at this site with the Federal Communications Commission (FCC).
- 2.2. Frequency Protection:
  - 2.2.1. Phoenix shall be responsible for resolving interference problems generated by Phoenix owned equipment that affect existing frequencies employed by Tempe, and shall bear the cost of such resolution.
  - 2.2.2. Tempe shall be responsible for resolving interference problems generated by Tempe owned equipment that affect frequencies employed by Phoenix, and shall bear the cost of such resolution.
  - 2.2.3. Phoenix and Tempe shall ensure that they are operating telecommunications equipment at this site in compliance with current licenses issued by the Federal Communications Commission (FCC). In the event that interference issues arise with either parties equipment, and it is determined that the interfering party is in compliance with their FCC license, then both parties will cooperate and work together to equitably resolve the problem per established FCC guidelines.
- 2.3. Frequency Assignment:
  - 2.3.1. Phoenix
    - 2.3.1.1. The Tempe PD Substation site is an integral part of the PRWN Trunked Radio Network as a "Simulcast C Site," which consists of ten (10) 800 MHZ NPSPAC Channel assignments. Channel assignments/FCC licenses shall be maintained by Phoenix and are available upon request.
    - 2.3.1.2. This site is being expanded to bring the City of Tempe onto the network which requires the build out of "Simulcast F Site" subsystem that consists of fourteen (14) 700 MHz channels to be assigned by the Region 3 RPC and FCC.

Channel assignments/FCC licenses shall be maintained by Phoenix and are available upon request.

- 2.3.1.3. MICROWAVE FREQUENCIES:
  - 11.2 GHz to Tempe Butte (Tower Azimuth. - 009.4°)
  - 11.2 GHz to Chandler Fire Training Academy (Tower Azimuth 147.9°)

2.3.2. Tempe: Tempe currently utilizes this facility to house their legacy trunked voice system. This system is being replaced by the PRWN Simulcast F subsystem. Once Tempe has fully transitioned to PRWN, the legacy voice system will be decommissioned and subsequent equipment removed from this facility.

VOICE CHANNELS:	<u>Channel Number</u>	<u>Frequency</u>
	390	860.7375
	350	859.7375
	310	858.7375
	270	857.7375
	230	865.7375
	190	855.7375
	340	859.4875
	300	858.4875
	260	857.4875
	220	856.4875

- MICROWAVE FREQUENCIES:
  - 19680 GHz to Kyrene Water Plant (Tower Azimuth 23.3°)
  - 17840 GHz to Bell Butte (Tower Azimuth 349.8°)
  - 4.9 GHz to Tempe Water Lift Station (Tower Azimuth 86°)

- 3. **EQUIPMENT INSTALLATION:** Detailed site and equipment installation drawings are available from Phoenix upon request. Phoenix and Tempe will coordinate all proposed changes to this facility and ensure that all site as built drawings and equipment layout information are kept accurate.
- 4. **MAINTENANCE:** The Communications facility and PRWN equipment installed at this site shall be managed and maintained by Phoenix. All equipment provided by Tempe in support of Tempe operations shall be managed and maintained by Tempe. Tempe shall provide 24 hr/day access to the site by Phoenix personnel for preventive and corrective maintenance activities. Preventive and corrective maintenance performed by either agency that may affect the other agency's equipment or network systems shall be coordinated between the agencies prior to the start of work. Because this equipment supports Public Safety Operations, network service interruptions shall be kept to an absolute minimum.

All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Intergovernmental Agreement on the dates indicated below.

CITY OF PHOENIX, a municipal corporation  
Frank A. Fairbanks, City Manager

By: Charles T. Thompson  
Charles T. Thompson  
Chief Information Officer

Date: 2-25-2009

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

Mark Dennis  
City Attorney

ACTING  
RE. City Attorney

Date: \_\_\_\_\_

ATTEST:

Carla Meyer  
City Clerk

ACTING City Clerk



CITY OF TEMPE, a municipal corporation  
Hugh Hallman, Mayor

By: Hugh Hallman  
Name & Title: Hugh Hallman, Mayor

Date: February 7, 2008

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

Andrew B. Chiz  
City Attorney

Date: February 7, 2008

ATTEST:

Jan Hunt  
City Clerk

City Clerk