

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER A SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT AMONG THE CITIES OF MESA, AVONDALE, GLENDALE, SCOTTSDALE AND TEMPE REGARDING JOINT LEGAL REPRESENTATION IN THE GENERAL STREAM ADJUDICATION AND AUTHORIZING THE CITY ATTORNEY TO ENTER A CONTRACT FOR LEGAL SERVICES.

WHEREAS, the Cities of Mesa, Avondale, Glendale and Scottsdale wish to continue with their understanding regarding joint legal representation and legal services regarding and related to the Gila River General Stream Adjudication as well as the Little Colorado General Stream Adjudication and other related proceedings, an ongoing relationship which first commenced among some of the Parties in 1995, which is currently subject to an Intergovernmental Agreement dated July 1, 2019, and

WHEREAS, the City of Tempe wishes to join with Mesa, Avondale, Glendale and Scottsdale in the understanding regarding joint legal representation and legal services, and therefore the Cities must enter a Second Amendment to Intergovernmental Agreement to reflect the participating Cities and their equal share in the costs for annual legal services, which is in their best interests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mesa, as follows:

Section 1: The Second Amendment to Intergovernmental Agreement among the cities of Avondale, Glendale, Mesa, Scottsdale and Tempe Relating to Joint Legal Representation in the Gila River General Stream Adjudication (the "Amendment"), in substantially the form attached as Exhibit "A", is hereby approved.

Section 2: The City Manager or designee is hereby authorized to sign the Amendment on behalf of the City of Mesa on its approval as to form by the City Attorney or designee.

Section 3: The City Attorney is hereby authorized to annually renew and sign a contract for legal services, in an amount and at the discretion of the City Attorney in consultation with the City Manager or designee.

Section 4: That the various City officers and employees be and hereby are authorized and directed to perform all other acts necessary to give effect to this Resolution.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 5th day of October, 2020.

APPROVED:

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MAYOR

ATTEST:

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CITY CLERK