

**THIRD AMENDMENT
TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF MESA
AND
C2013-81C
THE CITY OF TEMPE
FOR ADMINISTRATION OF THE WATER – USE IT WISELY ADVERTISING
MATERIALS AND CAMPAIGN**

This Third Amendment to the Intergovernmental Agreement (“Third Amendment”) is made this ___ day of _____, 2023 by and between the City of Mesa (“Mesa”), an Arizona municipal corporation, and the City of Tempe (“Tempe”), an Arizona municipal corporation. Mesa and Tempe may also be referred to jointly as “Parties,” and each separately as a “Party.”

RECITALS

A. On or about May 23, 2013, Mesa and Tempe entered into an Intergovernmental Agreement for Administration of the Water – Use It Wisely Advertising Materials and Campaign (the “Agreement”) to provide, among other things, for Tempe’s use and reproduction of advertising materials developed by Park & Co., an advertising firm contracted by Mesa, as part of Tempe’s participation in the Water – Use it Wisely advertising campaign.

B. Under the terms of the Agreement, on or about June 15, 2017, the Parties agreed to extend the term of the Agreement for one additional five-year term.

C. On or about November 7, 2019, the Parties entered into a First Amendment to the Agreement, which reflected that Hackett Advertising Public Relations Interactive would be providing the advertising services for the Water – Use it Wisely campaign.

D. On or about July 11, 2022, the Parties entered into a Second Amendment to the Agreement, which provided two additional five-year extension options and increased Tempe’s maximum contribution amount.

E. The Parties now wish to amend the Agreement to further increase the Tempe contribution amount.

AGREEMENTS

1. Recitals. The Recitals set forth above are incorporated herein and made a part hereof by this reference.

2. Responsibilities of Tempe. Section 2.1 of the Agreement is amended to replace Tempe’s Contribution of not to exceed “\$20,000 per year” with “\$30,000 per year.”

3. All terms capitalized herein shall have the same meaning set forth in the Agreement unless specifically defined herein.

C2013-81C

4. Except as provided in this Third Amendment, the Agreement as previously amended is unmodified and remains in full force and effect.

This Third Amendment is hereby executed as of the above-stated date.

**CITY OF MESA,
an Arizona Municipal Corporation**

John Giles, Mayor

Attest:

Holly Moseley, City Clerk

Approved as to Form:

Adam J Schwartz, Assistant City Attorney

**CITY OF TEMPE,
an Arizona Municipal Corporation**

Corey D. Woods, Mayor

Attest:

Kara A. DeArrastia

Kara A. DeArrastia, Interim City Clerk

Approved as to Form:

Sonia M. Blain

Sonia M. Blain, City Attorney