

**SECOND AMENDMENT
TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF MESA
AND
THE CITY OF TEMPE
FOR ADMINISTRATION OF THE WATER – USE IT WISELY ADVERTISING
MATERIALS AND CAMPAIGN
C2013B**

This Second Amendment to the Intergovernmental Agreement (“Second Amendment”) is made this ___ day of _____, 2022 by and between the City of Mesa (“Mesa”), and 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. The Parties now wish to amend the Agreement to provide for two additional five-year extension options and increase the 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 “\$15,000 per year” with “\$20,000 per year.”

3. Effective Date and Term of Agreement. Section 16 of the Agreement is amended to replace “one” with “three” in the second sentence such that the Parties may extend the Agreement for three terms of five years.

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

5. Except as provided in this Second Amendment, the Agreement is unmodified and remains in full force and effect.

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

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

_____, Mayor

Attest:

_____, City Clerk

Approved as to Form:

_____, City Attorney

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



Corey D. Woods, Mayor

Attest:



Carla R. Reece, City Clerk

Approved as to Form:



Sonia M. Blain, Interim City Attorney

RESOLUTION NO. R2022.52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, APPROVING TWO ADDITIONAL, FIVE-YEAR EXTENSIONS AND AN INCREASED MAXIMUM CONTRIBUTION AMOUNT TO INTERGOVERNMENTAL AGREEMENT, NO. C2013-81, BETWEEN THE CITY OF TEMPE AND THE CITY OF MESA FOR ADMINISTRATION OF WATER - USE IT WISELY™ ADVERTISING MATERIALS AND CAMPAIGN.

WHEREAS, the City of Tempe previously joined with the City of Mesa and has participated in a regional water conservation messaging media campaign known as Water - Use It Wisely™; and

WHEREAS, the campaign provides substantial benefits to the City from cooperative administration, including reduced costs, increased leverage with electronic and print media providers, improved efficiency and increased dissemination and effectiveness; and


WHEREAS, Intergovernmental Agreement No. C2013-81 between the Cities of Tempe and Mesa for Administration of Water-Use It Wisely™ includes the option to extend the IGA by written consent of the Parties; and

WHEREAS, it is the best interest of the City of Tempe to extend Intergovernmental Agreement No. C2013-81 and increase the maximum contribution amount each fiscal year by \$5,000 for a total of \$20,000;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

That Second Amendment to the Intergovernmental Agreement, No. C2013-81 is approved and the Mayor is authorized to execute the Amendment.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE ARIZONA, this 28th day of April, 2022.



Corey D. Woods, Mayor

ATTEST:



Carla R. Reece, City Clerk

APPROVED AS TO FORM:



Sonia M. Blain, City Attorney