



Resolution

RESOLUTION NO. 706

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA APPROVING AMENDMENT NO. TWO TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SAN LUIS, ARIZONA AND STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION, JPA NO. 00-117, A.G. CONTRACT KR00-1502TRN.

Whereas, the City of San Luis desires to enter into an amendment to an intergovernmental agreement with the State of Arizona Department of Transportation;

Whereas, the parties to Intergovernmental Agreement JPA No. 00-117, A.G. Contract KR00-1502TRN desire to amend said agreement; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of San Luis, State of Arizona, as follows:

Section 1: That Amendment No. Two to Intergovernmental Agreement, as attached hereto as Exhibit "A", is hereby approved.

Section 2: That the appropriate City officials are hereby authorized and directed to enter into said agreement on behalf of the City and take any all actions as may be necessary to effectuate said agreement.

PASSED AND ADOPTED by the Mayor and Common Council of the City of San Luis, Arizona, this 20th day of December, 2006.



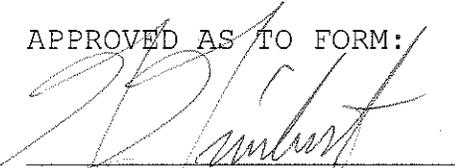
Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Sanchez, City Clerk

APPROVED AS TO FORM:



Glenn Gimbut
City Attorney



Arizona Department of Transportation
Intermodal Transportation Division
205 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

10 August 2006

Sam Elters
State Engineer

City of San Luis
Attn: David Ford
P.O. Box 3750
San Luis, Arizona 85349

RECEIVED
AUG 15 2006
BY:.....*DMJ*

Reference:

JPA No.: 00-117
AG Contract No.: KR00-1502TRN
Amendment No. Two
Project No.: CBISLS-0(001)A
Project: San Luis Port of Entry
Section: A Street Port of Entry
TRACS No.: SS482 01C
Budget Source Item No.:

Dear Mr. Ford:

Enclosed are three (3) original Agreements and Attorney Approval forms for signature regarding the above subject Agreement, which defines the responsibilities of the City of San Luis and the Arizona Department of Transportation.

Please obtain the appropriate official signatures and return the signed Agreements, Attorney Approval Forms and the Resolution Letter / Meeting Minutes necessary to enter into this Agreement. Return the signed original package to the attention of the undersigned to the **Arizona Department of Transportation, Engineering Consultants Section, 205 S. 17th Avenue, Mail Drop 616E, Phoenix, AZ 85007.**

Please make no other entries on the originals other than signatures, and do not date or staple the first page or make other entries other than signature. A copy of the recorded contract will be returned upon final execution with the Secretary of State. Should you have further questions please do not hesitate to call me at (602) 712-7125.

Sincerely,

Shannon L. Childs

Shannon L. Childs
Joint Project Coordinator
Joint Project Administration

cc: Project Manager





Arizona Department of Transportation
Intermodal Transportation Division
205 South Seventeenth Avenue Phoenix, Arizona 85007-3213

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**AMENDMENT NO. TWO
TO
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
CITY OF SAN LUIS

THIS AGREEMENT is entered into this date _____, 2006, **Amendment No. Two** to JPA No. 00-117, A.G. Contract No.: KR00-1502TRN, filed with the Secretary of State under No. 25018, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF SAN LUIS, acting by and through its MAYOR and CITY COUNCIL (the "City"). The State and the CITY are collectively referred to as "Parties".

I. RECITALS

1. The State is empowered by Arizona Revised Statues § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The City is empowered by Arizona Revised Statues § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

THE PURPOSE OF THIS AMENDMENT is to add additional Federal STP Funds to Article I, Paragraph 6 as follows:

THEREFORE, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

Federal STP Funds TRACS No. SS482 01C

Project Cost	\$2,160,000.00
Federal Fund (CBI) @ 94.3% of \$922,587.00	\$ 870,000.00
Estimated City Funds @ 5.7% of \$922,587.00	\$ 52,587.00
Federal Funds STP @ 94.3% of \$667,895.00	\$ 629,825.00
Estimated City Funds @ 5.7% of 667,895.00	\$ 38,070.00
Estimated City Funds @ 100%	<u>\$ 569,518.00</u>
Total	\$ 660,175.00
City Funds Previously Deposited (1-12-05)	<u>\$ 561,000.00</u>
Total City Funds Owed	\$ 99,175.00

EXCEPT AS AMENDED herein, ALL OTHER terms and conditions of the original Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement the day and year first above written.

CITY OF SAN LUIS

STATE OF ARIZONA

Department of Transportation

By 
JUAN CARLOS ESCAMILLA
Mayor

By _____
DALE BUSKIRK
Division Director

ATTEST:

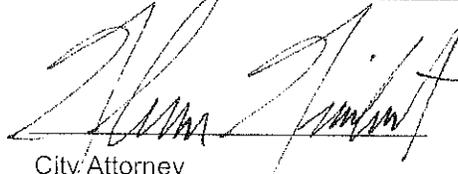
By 
SONIA SANCHEZ
Clerk

ATTORNEY APPROVAL FORM FOR THE CITY OF SAN LUIS

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the CITY under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this _____ day of _____, 2006.



City Attorney