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TOWN OF PAYSON
LEGAL DEPT.

February 21, 2007

TO: Kevin Krugulski

FROM: Viki Holmes

RE: Contract #2006-26151GA, RinseSmart Grant

The Arizona Department of Water Resources has extended the RinseSmart Contract to October 1, 2007 to allow time to gather a year's worth of data on the water use at the facilities where the pre-rinse sprayers were installed.

It is necessary to have the extension papers signed by the Mayor and Legal Counsel.

Please return to me when completed so that I have a copy for my files.

Thank you.

APR 05 2007 G-9*

RESOLUTION NO. 2265

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 1 TO CONTRACT NO. 2006-2615IGA WITH THE STATE OF ARIZONA, DEPARTMENT OF WATER RESOURCES ("RINSESMART" PROGRAM).

WHEREAS, on or about April 6, 2006, the Town of Payson and the State of Arizona, Department of Water Resources, entered into an agreement to create a pre-rinse spray head program for restaurants located within the Town of Payson (the "Agreement"); and

WHEREAS, said Agreement expires May 31, 2007; and

WHEREAS, the parties desire to extend said Agreement to October 1, 2007,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. That Amendment Number 1 to Contract No. 2006-2615IGA between the State of Arizona, Department of Water Resources, and the Town of Payson, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full at this point, be and is hereby approved in substantially the form as attached.

Section 2. That F. Robert Edwards, Mayor of the Town of Payson, be and is hereby authorized to execute said Amendment Number 1 to Contract No. 2006-2615IGA in substantially the form attached.

Section 3. That the Town of Payson be and is hereby authorized to take such other and further actions as may be appropriate or necessary to carrying out the intent and purpose of this Resolution Number 2265.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this ____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

APR 05 2007 6.9*

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
3550 North Central Avenue
Phoenix, Arizona 85012

AMENDMENT NUMBER 1

This Amendment is entered into by **CITY OF PAYSON** ("CITY"), and the **DIRECTOR** of the **ARIZONA DEPARTMENT OF WATER RESOURCES** ("DEPARTMENT").

It is mutually agreed that the above numbered Agreement is amended as set forth in Exhibit 1, attached hereto and incorporated by reference. Deletions are indicated by strikethrough (e.g. ~~text~~). Additions are indicated by italics (e.g. *text*). All other terms and conditions of the Agreement shall remain in full force and effect. This Amendment becomes effective on the date it is executed by both parties.

The parties hereto agree to carry out the terms of this Agreement

CITY OF PAYSON

ARIZONA DEPARTMENT OF WATER RESOURCES

Signature of Authorized Individual Date

Signature of Authorized Individual Date

F. Robert Edwards
Typed Name

Herbert R. Guenther
Typed Name

Mayor
Typed Title

Director
Typed Title

EXHIBIT "A"
to Resolution No. 2265

Exhibit 1

The parties agree to amend Contract No. 2006-2615IGA as follows:

1. Page 1, Term, "Effective through ~~May 31, 2007~~ *October 1, 2007*"
2. Page 7, C. TERM, "Effective through ~~May 31, 2007~~ *October 1, 2007*"

LEGAL DETERMINATION

The attached Amendment between the Arizona Department of Water Resources and the City of Payson has been reviewed by the undersigned attorneys, who have determined that the Amendment is in proper form and is within the powers and authority of those parties represented by the undersigned.

Dated this _____ day of _____, 2007

Arizona Department of Water Resources
W. Patrick Schiffer, Chief Counsel

By: _____
Deputy Counsel

Dated this _____ day of _____, 2007

City of Payson

By: _____
Counsel