

RESOLUTION NO. 2842

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY, OFFICE OF MANUFACTURED HOUSING, RELATIVE TO THE ENFORCEMENT OF INSTALLATION STANDARDS FOR MANUFACTURED HOMES AND FACTORY-BUILT BUILDINGS.

WHEREAS, on May 17, 2012, the Town of Payson adopted Resolution Number 2665 authorizing Payson to enter into an intergovernmental agreement with the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing, relating to the enforcement of installation standards for manufactured homes and factory-built buildings (the "Agreement"); and

WHEREAS, pursuant to Resolution Number 2665, on July 18, 2012, the Town of Payson and the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing, entered into the Agreement; and

WHEREAS, subsequent to the Agreement, the Towns of Payson and Star Valley entered into an intergovernmental agreement whereby the Town of Payson provides inspections for manufactured homes and factory-built buildings within Star Valley; and

WHEREAS, the Town of Payson and the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing, desire to amend the Agreement to incorporate inspections within Star Valley performed by Payson; and

WHEREAS, for such purpose, an Addendum to the Agreement has been prepared,

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

Section 1. That the Addendum to Existing Intergovernmental Agreement between the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing, and the Town of Payson (the "Addendum"), attached as Exhibit "A", is approved in substantially the form attached.

Section 2. That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute said Addendum set forth in Exhibit "A" in substantially the form attached.

Section 3. That the Town of Payson is authorized to take such other and further actions as may be necessary or appropriate to carrying out the terms and intent of said Intergovernmental Agreement and the Addendum thereto.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 16th day of April, 2015, by the following vote:

APR 16 2015 2:1*

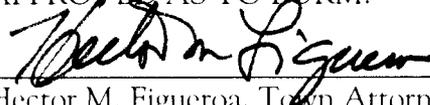
AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J, Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk



Hector M. Figueroa, Town Attorney

EXHIBIT "A"

to Resolution No. 2842

ADDENDUM TO EXISTING INTERGOVERNMENTAL AGREEMENT

BETWEEN

ARIZONA DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY
OFFICE OF MANUFACTURED HOUSING

AND

The Town of Payson

TO ENFORCE INSTALLATION STANDARDS

Original/existing **INTERGOVERNMENTAL AGREEMENT** ("Agreement") was entered into on July 18, 2012 by the **ARIZONA DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY, OFFICE OF MANUFACTURED HOUSING** ("OMH") and the Jurisdiction ("Agency").

WHEREAS, pursuant to A.R.S. § 41-2151 the purpose of OMH is to maintain standards of quality and safety for manufactured homes, factory-built buildings, mobile homes, and the installation of the same.

WHEREAS, A.R.S. § 41-2153(B) (5) directs the Deputy Director of OMH to enter into agreements with local enforcement agencies to enforce the installation standards in their respective jurisdictions consistent with the installation standards of OMH; and

WHEREAS, it is the desire of both Parties to eliminate unnecessary duplication of inspections regarding installation standards within the Agency's jurisdiction and reduce costs whenever possible;

NOW, THEREFORE, both Parties agree to the following:

1. Incorporation of another local jurisdiction. The Agency in this Addendum Agreement wishes to expand its installation inspections in support of another local jurisdiction under a written understanding with that local jurisdiction, identified as: Town of Star Valley. Proof of written understanding between the local jurisdictions is attached to this Addendum Agreement.

Further, the local jurisdiction identified as Town of Star Valley; hereby, acknowledges that it has reviewed all the terms and conditions set forth in the IGA between the Agency and OMH and; hereby, agrees to be bound the those same terms and conditions.

Finally, all other terms of the existing Intergovernmental Agreement remain in effect.

IN WITNESS WHEREOF, the Parties hereto agree to accept the terms of this Addendum Agreement and the existing Intergovernmental Agreement to which it relates and have executed this Agreement the day, month and year first written above.

OFFICE OF MANUFACTURED HOUSING

AGENCY:

Name: _____

Debra Blake, Deputy Director
Department of Fire, Building and Life Safety
Office of Manufactured Housing

Name: _____

Kenny Evans, Mayor

Date: _____

Date: _____

ATTEST: _____

Silvia Smith, Town Clerk

APPROVED this ____ day of _____, _____.

This Addendum Agreement to the existing Intergovernmental Agreement has been reviewed by the undersigned attorney for the Town of Payson who has determined that it is in appropriate form and within the powers and authority granted by law to the Agency designed herein.

Dated this ____ day of _____, _____.

BY: _____

Hector M. Figueroa, Town Attorney

This Addendum Agreement and the terms and conditions of the existing Intergovernmental Agreement with the Agency identified above has been reviewed by the undersigned attorney or authorized person for the Town of Star Valley and agrees that the Town of Star Valley will be bound by those same terms and conditions. Further, it is acknowledged that this Agreement is in proper form and is within the powers granted under the laws of the State of Arizona to those Parties to the Agreement represented by the Attorney General.

Dated this ____ day of _____, _____.

BY: _____

Timothy Grier, Town Manager/Attorney

This Addendum Agreement to the existing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General, who has determined that it is in the proper form and is within the powers granted under the laws of the State of Arizona to those Parties to the Agreement represented by the Attorney General.

Dated this ____ day of _____, _____.

BY: _____

Mary D. Williams,
Assistant Attorney General