



Town of Huachuca City

The Sunset City

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RESOLUTION NO. 2020-27

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO EXTEND THE INTERGOVERNMENTAL AGREEMENT WITH THE WHETSTONE FIRE DISTRICT FOR FIRE AND EMERGENCY MEDICAL SERVICES.

WHEREAS, Huachuca City ["Town"] and Whetstone Fire District ["District"] entered into an agreement ["Agreement"], pursuant to which, District provides fire suppression, fire prevention, code review and inspection services, emergency medical services, emergency hazardous substances response services, and other services incidental to the protection of persons and property within the Town; and

WHEREAS, the Agreement is due to expire; and

WHEREAS, Town and District, through their respective Town Council and Fire District Governing Board, have determined that it is in the best interest of the public that each entity extend the Agreement to continue to provide fire suppression and EMS services in the Town; and


WHEREAS, the Town and the District have developed an extension to the Agreement by which the District will continue to provide fire and emergency medical services to the Town, which extension is attached hereto as Exhibit AA@ and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have determined that approval of the extension of the Agreement is in the best interest of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

- Section 1.** The Town hereby approves the extension of the Agreement, attached hereto as Exhibit AA.@
- Section 2.** The Town's officers are hereby authorized and directed to execute said extension to the Agreement on behalf of the Town of Huachuca City.
- Section 3.** The Town's officers and staff are hereby authorized to take all steps necessary and proper to continue operating under the Agreement and give it effect.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 19th DAY OF NOVEMBER, 2020.



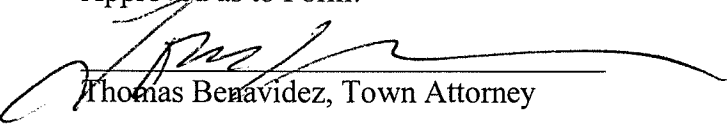
Johann Wallace, Mayor

ATTEST:



Brandy Thorpe, Interim Town Clerk

Approved as to Form:



Thomas Benavidez, Town Attorney

EXHIBIT A

[Extension of the Agreement with Whetstone Fire District must be attached.]

**FIRST EXTENSION
INTERGOVERNMENTAL AGREEMENT TO
PROVIDE FIRE PROTECTION**

THIS FIRST EXTENSION (“Extension”) OF THE INTERGOVERNMENTAL AGREEMENT FOR FIRE PROTECTION SERVICES (“Agreement”) is made and entered into effective January 1, 2021 (“Effective Date”), by and between the TOWN OF HUACHUCA CITY and the WHETSTONE FIRE DISTRICT.

RECITALS

WHEREAS, Huachuca City [“Town”] and Whetstone Fire District [“District”] entered into an agreement [“Agreement”], pursuant to which, District provides fire suppression, fire prevention, code review and inspection services, emergency medical services, emergency hazardous substances response services, and other services incidental to the protection of persons and property within the Town; and

WHEREAS, the Agreement is due to expire; and

WHEREAS, Town and District, through their respective Town Council and Fire District Governing Board, have determined that it is in the best interest of the public that each entity extend the Agreement for six months to continue to provide fire suppression and EMS services in the Town.

NOW, THEREFORE, Town and District agree to amend section 2(A) of the Agreement, as follows:

2. TERM & TERMINATION:

A. Term: This Agreement shall commence on the 1st day of November, 2017 (the “**Effective Date**”), and continue thereafter until the ~~31st day of December, 2020~~ June 30, 2021, unless earlier terminated as provided herein. The term of the Lease of the Fire Station Facilities, as provided in paragraph 10 below, shall be coterminous with the term of the Agreement. These two terms shall be jointly referred to in this Agreement as the “**Term**”.

Town and District further agree that the rate of compensation for the additional six-month period shall be the same as the rate currently paid by Town to District, pursuant to the terms of the Agreement.

Town and District further agree that all other terms of the Agreement, not expressly amended by the Extension, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals in Cochise County, Arizona:

Town of Huachuca City

ATTEST:

B. Rye

By [Signature]
Date: NOV 17, 2020

Whetstone Fire District

ATTEST:

By [Signature]

By Donna Graybill, Chairwoman
Date: 11-24-2020

Certificate of Counsel

Pursuant to A.R.S. § 11-952(D), the undersigned attorneys have reviewed the foregoing Extension of the Agreement, and confirm that it is in proper form, and is within the powers and authority granted to each Party under Arizona law.

[Signature]
Thomas Benavidez
Attorney for Huachuca City

11-19-20
Date

[Signature]
Britt Hanson
Attorney for Whetstone Fire District

11/24/20
Date