



RESOLUTION NO: 14-14

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SOUTH TUCSON [“AGENCY”] AND THE OFFICE OF MANUFACTURED HOUSING [“OMH”] FOR THE PURPOSE OF ENFORCING THE OMH INSTALLATION STANDARDS AND FEES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the OMH has the authority to enter into agreements with local enforcements agencies to enforce installations standards in local jurisdictions pursuant to A.R.S. Section 41-2153 (B) (5); and

WHEREAS, the AGENCY will monitor and enforce the installation standards as set forth in A.R.S. Section 41-2195 and A.C.C. R4-34-102 as they apply to installation and accessory structures; and

WHEREAS, it is the mutual desire of the parties to enter into an Intergovernmental Agreement [“IGA”] under the terms and conditions outlined in the Agreement, applicable Arizona Statutes and the Arizona Administrative Code [“A.C.C.”]; and

WHEREAS, the Agreement provides for the termination of the Agreement under specific requirements; standards of performance; fees charged by the Agency; and qualifications of personnel; and

WHEREAS, the Agreement provides for a term of three (3) years from the date of this Agreement with all notices to be mailed or delivered as follows:

CITY OF SOUTH TUCSON
ATTN: CITY MANAGER
1601 S. 6TH AVENUE
SOUTH TUCSON, AZ 85713
(520) 792-2424

OFFICE OF MANUFACTURED HOUSING
C/O DEBRA BLAKE, DEPUTY DIRECTOR
1110 W. WASHINGTON, SUITE #100
PHOENIX, AZ 85007-2935
(602) 364-1022

WHEREAS, the Agreement provides that any dispute between the parties under this Agreement shall be submitted to arbitration pursuant to A.R.S. Section 12-133(D) and 12-1518; and

WHEREAS, the Mayor and Council of the City of South Tucson desire to have this Resolution presented at its May 12, 2014 Council Meeting; and

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY and its citizens; and,

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of South Tucson, Arizona, that an emergency be declared to exist to assure timely implementation of this IGA, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH TUCSON, ARIZONA, AS FOLLOWS:

Section 1: That the CITY formally approves Resolution 09-18 for the purpose of approving and adopting the IGA with the OMH as outlined in the IGA.

Section 2: That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of South Tucson, Arizona.

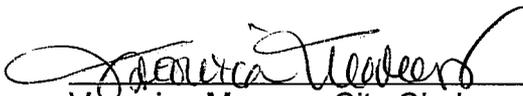
Section 3: That the Mayor is authorized and empowered to execute this Resolution and the Intergovernmental Agreement Document as presented.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA this 12th day of May 2014.

APPROVED/EXECUTED:


MAYOR, PAUL DIAZ

ATTEST:


Veronica Moreno, City Clerk

APPROVED AS TO FORM:


Andrea L. Matheson, City Attorney