

**RESOLUTION NO. 2009.125**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TEMPE AND THE ARIZONA DEPARTMENT OF TRANSPORTATION REGARDING CONSTRUCTION OF THE REPLACEMENT BRIDGE OVER THE WESTERN CANAL AT BASELINE ROAD BETWEEN KYRENE ROAD AND THE UNION PACIFIC RAILROAD.**

WHEREAS, the State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement.

WHEREAS, the City is empowered by Arizona Revised Statutes § 9-276 and § 48-572 to enter into this Agreement.

WHEREAS, American Recovery and Reinvestment Act of 2009 (ARRA) funds authorized by the United States Congress and administered by the State will pay for part of the construction of the replacement bridge .

WHEREAS, the purpose of this Agreement is to mutually promote communication and cooperation between the State and the City in order to construct the replacement bridge.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

That the Mayor is authorized to sign the Intergovernmental Agreement between the City of Tempe and the State of Arizona Department of Transportation regarding the construction for the replacement bridge over the Western Canal at Baseline road between Kyrene Road and the Union Pacific Railroad.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,  
ARIZONA, this 10<sup>th</sup> day of December, 2009.

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MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney