

RESOLUTION NO. 85-23
CITY OF CENTERVILLE, OHIO

18th SPONSORED BY COUNCILMEMBER Duke Luasford ON THE
DAY OF September, 2023.

A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF CENTERVILLE, TO ENTER INTO A FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY BUILDING SERVICES BETWEEN THE CITY OF WILMINGTON AND THE CITY OF CENTERVILLE, OHIO FOR BUILDING CODE ENFORCEMENT PROGRAM.

WHEREAS, the City of Centerville on July 17, 2023, adopted Resolution #66-23, which authorized an Intergovernmental Agreement for Temporary building Services for the City of Wilmington, Ohio; and

WHEREAS, the Agreement was set to terminate on September 19, 2023; and

WHEREAS, the parties desire to extend the Agreement; and

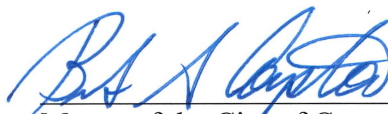
WHEREAS, this Council has determined that it would be in the best interests of the citizens of Centerville to enter into said amendment to the agreement.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY RESOLVES:

Section 1. That the City Manager be and is hereby authorized to execute a First Amendment to Intergovernmental Agreement for Temporary Building Services, consistent with and substantially similar to the agreement attached hereto and incorporated herein, marked Exhibit "A", between the City of Centerville, Ohio and the City of Wilmington, Ohio

Section 2. That this Resolution shall take effect at the earliest date allowed by law.

PASSED THIS 18th day of September, 2023.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 85-23, passed by the Council of the City of Centerville, Ohio on the 18th day of September, 2023.



Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney

FIRST AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY BUILDING SERVICES
BETWEEN THE CITY OF WILMINGTON, OHIO AND THE CITY OF CENTERVILLE,
BUILDING CODE ENFORCEMENT PROGRAM 2023

This First Amendment to Intergovernmental Cooperation Agreement ("Amendment"), dated this _____ day of September, 2023, is between the City of Centerville, Ohio, (hereinafter collectively referred to as "Centerville") and the City of Wilmington, Ohio (hereinafter collectively referred to as the "Wilmington").

WHEREAS, Centerville and Wilmington entered into the Intergovernmental Cooperation Agreement (the "Agreement") dated July 18, 2023 for Building Inspection Services related to building code enforcement and local rules; and

WHEREAS, the Agreement was set to terminate on September 19, 2023; and

WHEREAS, Section 6 of the Agreement allows for amendment or modification of the Agreement; and

WHEREAS, the parties desire to enter into this Amendment to extend the expiration term of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, the parties hereby amend the Agreement as follows:

1. Section 2(G)(C). Reimbursement Role of Centerville of the Agreement is hereby amended to read as follows:

C) The maximum amount that can be reimbursed through this agreement is \$8000 for services from execution through December 31, 2023. In the event that actual billed costs are approaching that maximum, both parties must agree to amend the agreement to increase the funded amount.

2. Section 4. Term of the Agreement is hereby amended to read as follows:

This Agreement shall remain in effect up to December 31, 2023, unless terminated earlier in accordance with Section Five.

3. All other terms and conditions of the Agreement shall remain in effect.

4. Except as modified hereby, the Agreement is ratified and confirmed and remains in full force and effect. This Amendment may be executed in several counterparts, each of which shall be deemed to constitute an original, but all of which together shall constitute but one and the same instrument. It shall not be necessary in proving this Amendment to produce or account for more than one of those counterparts. This Amendment shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

[Signature Page Follows]

IN WITNESS WHEREOF, each of the parties intending to be legally bound, has each caused this Agreement to be executed by their duly authorized representative as of the date and year first above written.

CITY OF CENTERVILLE

CITY OF WILMINGTON

By: Wayne S. Davis
Its: City Manager
Date: _____

By: _____
Its: _____
Date: _____

Approved as to form:

Approved as to form:

Scott A. Liberman
Centerville Municipal Attorney

