



Casie Lightfoot
Director

Honorable Ted S. Reed
Presiding Juvenile Court Judge

Honorable Angela R. Kircher
Judge Pro Tempore

August 11, 2021

Flagstaff City Council,

Attached, please find the signed IGA between the City of Flagstaff, Coconino County, the Accommodation School District and the Coconino County Juvenile Court for the use of the Hal Jensen Recreation Center. After the city signed the original IGA, but prior to the other parties signing the form, it came to our attention that it lacked two mandated clauses to meet the statutory requirements of an IGA through the Attorney General's Office. Those requirements do not change the overall nature of the agreement but should be highlighted as changed from the original form. Those changes were:

1. *Every payment obligation of the parties under this Agreement is conditioned upon the availability of funds appropriated and allocated for the payment of such obligation. If funds are not appropriated, allocated and available or if the appropriation is changed by the legislature or other applicable appropriating body resulting in funds no longer being available for the continuance of this Agreement, this Agreement may be terminated by the affected party at the end of the period for which funds are available. No liability shall accrue to the affected party in the event this provision is exercised, and the affected party shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.*
2. *Pursuant to A.R.S. §§ 35-214 and 35-215, the City, County and the School District shall retain all records relating to this Agreement for a period of five years after completion of the Agreement. All records shall be subject to inspection and audit by the State of Arizona at reasonable times. Upon request, the City, County and the School District shall produce to the Juvenile Court the original of any or all such records.*
 - A. *The renewal periods exceed the ten year maximum set forth in A.R.S. § 11-952J for Court related IGAs.*

The attached IGA reflects these additions and the change to the original term.

Thank you for your support of this project and joint endeavor. We, and the Attorney General's office, apologize for the added step in this process.

Respectfully,



Casie Lightfoot
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