

ORDINANCE NO. 4, 2002

AN ORDINANCE APPROVING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH THE INDIANA ASSOCIATION OF CITIES AND TOWNS FOUNDATION, INC. AND DIRECTING THE PAYMENT OF AMOUNTS DUE UNDER THE AGREEMENT

WHEREAS, the Indiana Association of Cities and Towns Foundation, Inc. ("IACT Foundation"), has entered into contract for services with HyettPalma, Inc. (HyettPalma, Inc. ("HPI") to implement "Indiana Downtown," a program which will enable the IACT Foundation to provide comprehensive downtown advisory assistance to Indiana municipalities ("Indiana Downtown Agreement"); and

WHEREAS, pursuant to the Indiana Downtown Agreement, and in order to implement Indiana Downtown, the IACT Foundation is entering into agreements with individual municipalities pursuant to which HPI, as contractor tot he IACT Foundation, will provide customized downtown advisory assistance to each municipality with which the IACT Foundation has an agreement; and

WHEREAS, the City of Valparaiso desire to enter into an agreement with the IACT Foundation in order to obtain customized downtown advisory assistance as described in the Indiana Downtown Agreement;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso, Indiana:

SECTION 1. (a) The Common Council hereby approves the execution of the IACT Foundation Agreement. Pursuant tot he Agreement, the IACT Foundation will provide through its contractor, HPI, comprehensive downtown advisory assistance to the City.

(b) The Mayor and the Clerk Treasurer are hereby authorized and directed to execute the Agreement in such form or substance as they shall approve acting upon the advice of counsel. The Mayor and the Clerk Treasurer may also take such other actions as are necessary or desirable in connection with the execution of and the performance of the City's obligations under the Agreement.

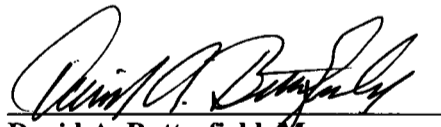
SECTION 2. (a) The Common Council hereby finds and determines that: (1) the Agreement constitutes a service agreement in accordance with IC 36-4-8-14(b)(7); and (2) payments due to the Foundation under the Agreement constitute expenses as described in IC 36-4-8-14(b)(13).

(b) The Common Council hereby authorizes and directs the Clerk Treasurer to pay amounts due under the Agreement without prior approval by this Council in accordance with IC 36-4-8-14(a). All payments to the Foundation under the Agreement must be supported by a fully itemized invoice or bill and certification by the Clerk Treasurer.

(c) The claims submitted pursuant to this Agreement shall be reviewed and approved by the Board of Public Works and Safety as provided by law.

SECTION 3. This Ordinance is effective upon passage and approval by the Mayor.

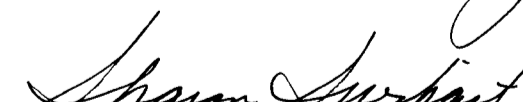
PASSED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all members present and voting this 28<sup>th</sup> day of Jan, 2002.

  
David A. Butterfield, Mayor


ATTEST:

  
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 28<sup>th</sup> day of Jan, 2002, at 7:16 o'clock p.m.

  
Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 28<sup>th</sup> day of Jan, 2002, at 7:16 o'clock p.m.

  
David A. Butterfield, Mayor