

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA  
RESOLUTION NO: 2010-25**

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**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] FOR THE PURPOSE OF CONTINUING THE CONSOLIDATED COURT FOR FY 2010-2011, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the COUNTY and the CITY are authorized and empowered to enter into Intergovernmental Agreements pursuant to A.R.S. Sections 11-951 et seq., 11-952 et seq., and 22-402 et seq.; and

**WHEREAS**, the CITY is authorized pursuant to A.R.S. Sec. 22-402[C] to establish a municipal court or, in lieu of establishing or maintaining a municipal court, may enter into an Intergovernmental Agreement with the COUNTY and the Willcox Justice Court to provide the services of a municipal court, including the jurisdiction of all cases arising under the City Code and Ordinances of the city; and

**WHEREAS**, pursuant to Title I, Chapter 8, Section 1-8-2 of the Willcox City Code and A.R.S. Sec. 8-823 et seq., the CITY is empowered to appoint a person to serve as a Magistrate to preside over all judicial matters involving juveniles and adults; and

**WHEREAS**, the COUNTY and the CITY have determined that it is mutually beneficial to continue the Court Consolidation Agreement as amended for FY2010-2011 pursuant to authority granted by Section VI of that Agreement; and

**WHEREAS**, the Court Consolidation has and will continue to provide a coordinated and centralized judicial system for cost effective services to the residents of the CITY and the surrounding Willcox Community within Cochise County Justice Precinct Four; and

**WHEREAS**, the Mayor and Council of the City of Willcox, Cochise County, Arizona has determined that it is in the best interest of the City and its citizens to approve and adopt the Court Consolidation Agreement for FY2010-2011 as amended and as presented to Mayor and Council; and

**WHEREAS**, the Mayor and Council and the County Board of Supervisors desire to have this item presented to the Willcox City Council at the next Council Meeting on March 15<sup>th</sup>, 2010; and

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely Consolidated Court Services beginning July 1, 2010, and that this Resolution be effective immediately upon its passage and adoption.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and adopts the Agreement, authorizes the Mayor to execute this Resolution and the Court Consolidation Agreement and directs and authorizes City staff to take necessary action to carry out the terms of the Agreement.

**BE IT FURTHER RESOLVED** by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 15<sup>th</sup> day of March, 2010

**APPROVED/EXECUTED**

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY  
Signed: March 16, 2010

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina G. Whelan, CMC  
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa  
City Attorney, Hector M. Figueroa, Esq.

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