

RESOLUTION NO. 2010-27

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] FOR THE PURPOSE OF APPROVING THE APPOINTMENT OF TREVOR J. WARD TO THE JUDICIAL POSITION OF CITY MAGISTRATE AND JUVENILE HEARING OFFICER, APPROVING THE JUDICIAL SERVICES AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE JUDICIAL SERVICES AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered to appoint a person of suitable experience to serve as City Magistrate and Juvenile Hearing Officer pursuant to Title I, Chapter 8, Section 1-8-2 of the Willcox City Code and A.R.S. Sec. 8-823 et seq.; and

WHEREAS, the County Presiding Juvenile Judge may appoint a person of suitable experience to serve as juvenile hearing officers pursuant to A.R.S. Section 8-323(A); and

WHEREAS, A.R.S. Section 8-823(A) provides that the local governing body shall approve the appointment of municipal magistrates as juvenile hearing officers; and

WHEREAS, A.R.S. Section 9-500.22 provides for the establishment of a diversion program by a city or town as authorized pursuant to Resolution 2008-05; and

WHEREAS, the CITY and the COUNTY have the authority to provide for Consolidated Court Services pursuant to A.R.S. Section 11-952 and Section 22-402[C] and have entered into an Agreement with the COUNTY pursuant to Resolutions 2008-33 and 2010-25 to accomplish that action; and

WHEREAS, the Mayor and Council of the City of Willcox desire to have this Resolution presented at its April 5th, 2010 Council Meeting for the purpose of approving the appointment of Trevor J. Ward as City Magistrate and Juvenile Hearing Officer for the period of July 1, 2010 to June 30, 2012 and approving the Judicial Services Agreement; and

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY, its citizens and its municipal judicial system; 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 Court Consolidation operations effective July 1, 2010, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

Section 1: The CITY formally approves Resolution No. 2010-27 for the purpose of approving the appointment of Trevor J. Ward to serve as City Magistrate/Juvenile Hearing Officer from July 1, 2010 to June 30, 2012 and approving the Judicial Services Contract.

Section 2: The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 3: That the Mayor is authorized and empowered to execute this Resolution and the Judicial Services Contract as presented.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this 5th day of April 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: April 6, 2010

ATTEST:

APPROVED AS TO FORM:

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

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

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