

RESOLUTION NO: 2010-28

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE WILLCOX DEPARTMENT OF PUBLIC SAFETY (“WDPS”) AND THE ARIZONA DEPARTMENT OF PUBLIC SAFETY (“ADPS”) FOR THE ARIZONA INTERAGENCY RADIO SYSTEM STATE PLAN, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the Mayor and Council of the City of Willcox shall have control of the finances and property of the corporation pursuant to A.R.S. Section 9-240(A): and

WHEREAS, the Mayor and Council are empowered to establish and regulate the police of the town, to appoint watchmen and policemen, to remove them and to prescribe their powers and duties pursuant to A.R.S. § 9-240(B) (12); and

WHEREAS, the Mayor and Council are vested with all powers of incorporated towns as set forth in Title 9 or other provisions of law relating to cities and towns pursuant to A.R.S. ' 9-499.01, et seq.; and

WHEREAS, the Mayor and Council are authorized to enter into Intergovernmental Agreements with other governmental agencies pursuant to A.R.S. 11-952 *et seq.*; and

WHEREAS, the **WDPS** and the **ADPS** desire to enter into the MOU for the Arizona Interagency Radio System State Plan to establish permission and guidelines for use of mutual aid channels by eligible local, county, state and federal agencies as well as non-governmental organizations who may apply for operating authority under the MOU; and

WHEREAS, the **WDPS** desires to have Mayor and Council approve and adopt the MOU as presented and the request for authorization to execute the MOU; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the City, the Willcox Department of Public Safety and its citizens to approve and adopt the MOU and to authorize the Police Chief to execute the document; and

WHEREAS, the Mayor and Council desire to have this item presented on April 5th, 2010 at the Regular Council Meeting; 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 implementation of the MOU, and that this Resolution be effective immediately upon its passage and adoption.

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 MOU as presented and authorizes the Police Chief Jake Weaver to execute same; and

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 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

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

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