

RESOLUTION NO. 2010-30

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] FOR THE PURPOSE OF APPROVING AND ADOPTING THE REVISION TO SECTION 516 [CELLULAR (CELL) PHONE USAGE] OF THE WILLCOX EMPLOYEE HANDBOOK, ESTABLISHING THE EFFECTIVE DATE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox, is authorized and empowered pursuant to Title 9, A.R.S. §§ 9-240 and 9-499.01 et seq. to have control of the finances and property of the corporation and to have power to oversee all phases of services to the citizens of the City; and

WHEREAS, the current City of Willcox Employee Handbook was officially approved and adopted pursuant to Resolution No. 2007-10 on May 23, 2007 incorporating personnel policies setting forth the principles and procedures which will be followed by the City of Willcox in the administration of its personnel system; and

WHEREAS, the Mayor and City Council approved and adopted Revisions to Sections 503, 511, 512 and 303 of the Employee Handbook pursuant to Resolutions No. 2008-14, 2010-14 and 2010-20; and

WHEREAS, the Mayor and City Council have determined that approving and adopting a Revision to Section 516 and respective subsections [CELLULAR (CELL) PHONE USAGE] of the Employee Handbook is in the best interest of the City, its employees and the citizens of this City; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Arizona, that an emergency be declared to exist, and that this Resolution be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, that the Revised Section of the Employee Handbook shall be the official statement of policies and procedures concerning employment with the City of Willcox, effective May 1, 2010.

BE IT FURTHER RESOLVED:

1. That this Resolution serves to approve and adopt the revision to Section 516 and respective subsections of the Willcox Employee Handbook as presented and to authorize the Mayor to execute this Resolution.

2. That if any provision, section, subsection, sentence, clause, phrase or portion of this Resolution adopted herein or the application thereof to any person or circumstance is found to be invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or circumstance and to this end, the provisions of this Resolution are severable
3. That nothing in this Resolution shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of actions acquired or existing, under any act or Resolution(s) hereby repealed as cited in this Resolution; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, 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.

PASSED AND ADOPTED by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, this ____ day of April, 2010.

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina G. Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

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