

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-34**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING
THE AMENDED COURT CONSOLIDATION AGREEMENT BETWEEN THE
CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] 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, 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 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 FY 2010-2011 **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 April 5th, 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 **as amended**, authorizes the Mayor to execute this Resolution and the Amended 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 5th day of April, 2010.

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY

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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