

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR CWSRF LOAN FROM THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA) FOR THE WASTE WATER TREATMENT PLANT AND SYSTEM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY has identified a need for a wastewater capital improvement project and is in need of financial assistance from WIFA; and

WHEREAS, pursuant to A.R.S. §§ 9-521 through 540, and specifically§ 9-571, the CITY may obligate the Revenues generated by its wastewater system to repay a Loan from WIFA; and

WHEREAS, the CITY certifies that the population of the community is under 50,000 in population as of the most recent U. S. Census Date; and

WHEREAS, the CITY population, at the time of this request, is 3,995, which meets the requirements under A.R.S. § 9-571; and

WHEREAS, it is in the best interest of the City of Willcox, Cochise County, Arizona to pursue and to apply for financial assistance from WIFA of an amount not to exceed \$ 1,000,000 for the wastewater project; 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, 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 Manager of the CITY is hereby authorized to apply for CWSRF financial assistance from WIFA.

Section 2: The City Manager of the CITY is authorized to take such actions as are necessary to apply for financial assistance in an amount not to exceed \$1,000,000 payable from revenues for the wastewater system.

Section 3: All actions of the officers and agents of the CITY which conform to the purposes and intent of this resolution and which further the completion of the application as contemplated by this resolution, whether heretofore or hereafter taken are hereby ratified, confirmed and approved. The proper officers and agents of the CITY are hereby authorized and directed to do all such acts and things and to execute and deliver all such application documents on behalf of the CITY as may be necessary to carry out the terms and intent of this resolution.

Section 4: 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 4: The Mayor is authorized and empowered to execute this Resolution.

PASSED AND ADOPTED by Mayor and Council of the City of Willcox, Cochise County, Arizona, this 19th day of April, 2010.

APPROVED/EXECUTED:

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

ATTEST:

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

APPROVED AS TO FORM:

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

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