

RESOLUTION NO. 2010-45

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“LESSOR”) APPROVING AND AUTHORIZING THE EQUIPMENT LEASE WITH JAN KORTSEN INS., LLC D.B.A. MVP “LESSEE”) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox has been notified that it will receive donated office equipment from ADOT-MVD that had been used at the Willcox MVD Office and a Third Party Provider has been selected to provide MVD Services in Willcox, Arizona; and

WHEREAS, LESSOR is authorized and empowered to have control of the finances and property of the corporation and to lease and convey property, real or personal, necessary or proper to carry out the purposes of the corporation, within and without its limits pursuant to A.R.S. §§ 9-240 (A) and 9-241 (A); and

WHEREAS, the Arizona State ADOT director is authorized and empowered pursuant to A.R.S. § 28-408 to enter into agreements by direct contract with nonpublic entities for services or shall jointly exercise any powers common to the contracting parties that the director deems necessary and in the best interests of the department subject to the limitations of A.R.S. § 41-2544; and

WHEREAS, LESSEE is authorized to enter into an agreement with the State of Arizona to be a third party provider for the delivery of authorized ADOT-MVD services pursuant to A.R.S. § 28-408.

WHEREAS, LESSEE has been selected by ADOT-MVD to act as the Third Party Provider to service the Willcox Community and LESSEE is in need of office equipment; and

WHEREAS, the Mayor and Council recognized the needs of the Willcox within and without the City limits Community to have access to MVD services and have strongly supported the continuance of said services after the State decided to close the Willcox MVD Office; 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 the surrounding communities; 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 formally approves and authorizes the LEASE as presented.

Section 2: That 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: The Mayor is authorized and empowered to execute this Resolution and the LEASE.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this 3rd day of May 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: May 4, 2010

ATTEST:

APPROVED AS TO FORM:

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

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

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