

**RESOLUTION NO. 2010-59**

**A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT [IGA] AMENDMENT FOR THE OPERATION OF THE ANIMAL SHELTER BETWEEN THE CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] FOR FY2010-2012 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AMENDMENT AND DECLARING AN EMERGENCY TO EXIST**

**WHEREAS**, the CITY shall have control of the of the finances and property of the corporation such as an Animal Shelter pursuant to A.R.S. §§ 9-240(A); and

**WHEREAS**, the CITY is empowered to prohibit the roaming at large of animals; to authorize impounding and summary sale thereof; to impose penalties upon owners thereof for violations of any ordinance that regulates, restrains and authorizes such actions by the City pursuant to A.R.S. §§ 9-240(B)(16); and

**WHEREAS**, the CITY and the COUNTY entered into an IGA on March 15, 2002 [Fee No. 020307923] and subsequent Amendments approved and adopted on June 20, 2006 and July 8, 2008 regarding the operation of the Animal Shelter in the Willcox area; and

**WHEREAS**, the CITY and the COUNTY desire to approve and adopt another Amendment to the FY2002 IGA amending the amount of shared contribution to the CITY and providing for further adjustments every two years as provided in the original IGA; and

**WHEREAS**, the Mayor and Council desire to have this Resolution presented at the June 7, 2010 Council Meeting and have determined that approval of the Animal Shelter IGA is in the best interest of the CITY and its residents; 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 IGA Amendment, 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: That the approval of the Animal Shelter IGA Amendment as described above is in the best interests of the CITY and its residents.

Section 2: That the CITY formally approves and adopts the IGA Amendment, by reference, as if set forth herein in full.

Section 3: 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 4: That the Mayor is authorized and empowered to execute this Resolution and to execute the IGA Amendment on behalf of the CITY.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, this 7<sup>th</sup> day of June 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY  
Signed: June 8, 2010

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, Esq.

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