

**RESOLUTION NO. 2010-76**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“OWNER”) APPROVING AND AUTHORIZING THE CONTRACT FOR THE PUBLIC SAFETY COMPLEX FACADE WITH MASCOT HOMES AND CONSTRUCTION, LLC (“CONTRACTOR”) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the City of Willcox (“OWNER”) is authorized and empowered to have control of the finances and property of the corporation and to manage, construct or remodel structures or property 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 OWNER has followed the bidding process to obtain the services of a Contractor to undertake the construction of the Public Safety Complex Façade; and

**WHEREAS**, CONTRACTOR has submitted a bid to undertake the construction work put out to bid pursuant to bid specifications; and

**WHEREAS**, OWNER and CONTRACTOR desire to enter into a contract to undertake the construction work pursuant to the terms and conditions enumerated therein; 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 to assure timely completion of the construction project, 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 adopts the CONTRACT 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 City Manager is authorized to execute the CONTRACT.

**PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this 6th day of July 2010.**

**APPROVED/EXECUTED:**

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY  
Signed: July 7, 2010

**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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