

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA  
RESOLUTION NO: 2010-80**

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**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CONTRACTOR”] APPROVING AND ADOPTING AMENDMENT NUMBER ONE TO THE INMATE WORK CONTRACT BETWEEN THE CITY AND THE STATE OF ARIZONA, DEPARTMENT OF CORRECTIONS, [“ASPC-SAFFORD”] FOR THE PURPOSE OF DELETING SECTION 1.15 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, AMENDMENT NUMBER ONE AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the City of Willcox is empowered pursuant to A.R.S. §§ 9-240 and 11-951 and 11-952 et seq. to enter into agreements with the county, the state and federal governments and agencies and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

**WHEREAS**, the Department of Corrections (ASPC-SAFFORD) is duly authorized by A.R.S. § 41-1604 et seq.; A.R.S. § 41-2501(B); and A.R.S. § 31-252, § 31-254 to execute and administer contracts; and

**WHEREAS**, the Director of the Department of Corrections (“DOC”) has the authority to maintain and administer facilities and programs as may be required for the custody, control and rehabilitation of all inmates committed to the DOC; and

**WHEREAS**, the Contractor has a need for a labor force to support its general maintenance, janitorial, waterline work, manual labor, digging trenches, irrigation repairs and minor construction at the City of Willcox facilities and parks; and

**WHEREAS**, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the City and its citizens to approve and adopt Amendment Number One to Contract #090115DC for the purpose of deleting Section 1.15 and agreeing that all other terms and conditions shall remain in full force and effect for the remaining period that ends June 30, 2014; and

**WHEREAS**, the Mayor and Council and the DOC/ASPC-SAFFORD desire to have this item presented at the next Council Meeting on July 19, 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 and immediate implementation of Amendment One, and that this Resolution be effective immediately upon its passage and adoption.

**BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and adopts Amendment One to Contract #090115DC the DOC, authorizes the Mayor to execute this Resolution and Amendment One and City Staff is directed and authorized to take necessary action to carry out the intent of this Resolution and Amendment One.

**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 19<sup>th</sup> day of July, 2010

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY  
Signed: July 20, 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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