

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-81**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] APPROVING AND ADOPTING THE JOINT PARTNERSHIP AGREEMENT (“IGA/JPA 09-198-I”) WITH THE STATE OF ARIZONA (“STATE”) THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE FORT GRANT TRANSPORTATION ENHANCEMENT PROJECT, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, pursuant to A.R.S. §§ 9-240 and 11-952 through 11-954, the CITY and the STATE are empowered to enter into agreements with the county, the state and federal governments and agencies; and

WHEREAS, the Department of Transportation (“ADOT”) is duly authorized by A.R.S. § 28-401 to enter into this Agreement and has delegated to its signatory the authority to execute this Agreement on behalf of the State; and

WHEREAS, the CITY is duly authorized by A.R.S. § 48-572 to enter into this Agreement and has by Resolution, a copy of which is attached hereto and made part hereof, resolved to enter this Agreement on behalf of the CITY; and

WHEREAS, the CITY has selected an eligible transportation enhancement project within the boundary of the CITY (Along the South side of Fort Grant Road between N. Quail Drive and N. Virginia Avenue in Willcox, Arizona); and

WHEREAS, the project consists of constructing a 1-foot wide asphaltic concrete sidewalk shared use pedestrian/pathway along side of Fort Grant Road between N. Quail Drive and N. Virginia Avenue, herein referred to as the “PROJECT” to include landscaping, irrigation, scenic beautifications and pedestrian lighting; and

WHEREAS, pursuant to the terms of the **IGA/JPA 09-198-I**, the CITY has agreed to designate the STATE/ADOT as authorized agent (“AGENT”) for the CITY; and

WHEREAS, the CITY will be publishing a Solicitation for Bids for this project and staff seeks Mayor and Council formal approval of the **IGA/JPA 09-198-I**; 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 the **IGA/JPA 09-198-I**; and

WHEREAS, the Mayor and Council desire to have this item presented at the next Council Meeting on August 2, 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 approval of the **IGA/JPA 09-198-I** and initiation of the bid process, 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, as follows:

Section 1: The CITY hereby approves and adopts the **IGA/JPA 09-198-I** as presented.

Section 2: City Staff are directed and authorized to take necessary action to carry out the intent of this Resolution.

Section 3: The Mayor is authorized to execute this Resolution.

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 2nd day of August, 2010

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 08-03-2010

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.

RESOLUTION NO: 2010-81