

**RESOLUTION NO. 2010-85**

**A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND THE STATE OF ARIZONA (“STATE”) THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION (“ADOT”) UNDER THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FOR THE REPLACEMENT OF TRAFFIC SIGNS, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 (A) and is authorized and empowered to exercise exclusive control over the streets, avenues, alleys and sidewalks of the town and to lay out, establish or otherwise improve same pursuant to A.R.S. §§ 9-240 (B) and 9-276 (A); and

**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 local municipalities, the county, the state and federal governments and agencies; and

**WHEREAS**, the STATE 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**, it is in the best interest of the City of Willcox, Cochise County, Arizona and its citizens to approve and acquire HSIP Grant funds for the replacement of traffic signs under the project (“PROJECT”) as provided under the **IGA/JPA 10-097I**; 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 implantation of the 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: Mayor and Council resolve to enter into the **IGA/JPA 10-097I** as presented and direct City staff to attach a copy of this Resolution to the Agreement.

Section 2: City staff are authorized and directed to take such actions as are necessary to acquire Transportation Enhancement Grant funds in an amount not to exceed \$150,000 and to implement the PROJECT.

Section 4: The Mayor is authorized and empowered to execute this Resolution and the **IGA/JPA 10-097I**.

Section 3: 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.

**PASSED AND ADOPTED** by Mayor and Council of the City of Willcox, Cochise County, Arizona, this 2<sup>nd</sup> day of August, 2010.

**APPROVED/EXECUTED:**

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

**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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