

**RESOLUTION NO. 2011-07**

**A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”), RATIFYING AND APPROVING THE USE OF CITY PROPERTY AT KEILLER PARK FOR A SKATE PARK PURSUANT TO A DECISION OF MAYOR AND COUNCIL AFTER HAVING CONDUCTED A PUBLIC HEARING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY is authorized pursuant to A.R.S. ' 9-240, et seq. to exercise control of the property of the corporation and to permit use of municipal property for the purposes of the corporation; and

**WHEREAS**, the CITY is vested with all powers of incorporated towns as set forth in Title 9 or other provisions of law relating to cities and towns pursuant to A.R.S. ' 9-499.01, et seq.; and

**WHEREAS**, the CITY and the SKATE PARK COMMITTEE (“SPC”) have had an ongoing working relationship for the development of a Community Skate Park to serve the Youth of the Willcox Community; and

**WHEREAS**, the CITY had originally proposed the development of Keiller Park as a site for the Skate Park and subsequently approved the use of the municipal property at 151 West Maley which formerly housed the Willcox Department of Public Safety pursuant to Resolution 2010-06; and

**WHEREAS**, the CITY conducted a Work Session to obtain community, business and interested stakeholder input regarding the use of municipal property at 151 West Maley and/or the relocation of the site for the Community Skate Park; and

**WHEREAS**, the CITY, stakeholders and interested parties reached a consensus that the Keiller Park property is best suited for a Community Skate Park; and

**WHEREAS**, the CITY, after obtaining community, business and interested stakeholder input, decided to relocate the site for the Community Skate Park to Keiller Park; and

**WHEREAS**, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at its February 21<sup>st</sup>, 2011 Council meeting and has determined that ratification and approval of its decision to use the municipal property at Keiller Park 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, 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 ratification and approval of the use of the property at Keiller Park as described above is in the best interests of the Youth and the residents of the City of Willcox.

Section 2: That the CITY formally ratifies and approves the use of said municipal property as outlined in Resolution No. 2011-07 and as approved on Monday, February 7, 2011.

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: The Mayor is authorized and empowered to execute this Resolution for the purpose of ratifying the decision for the use of said property for a Community Skate Park.

**PASSED AND ADOPTED** by the Council of the City of Willcox, Cochise County, Arizona, this 21<sup>st</sup> day of February, 2011.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY  
Mayor, Gerald W. Lindsey  
Signed: 02-24-2011

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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