

RESOLUTION NO. 2011-28

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA (“CITY”) APPROVING AND ADOPTING AN INCREASE IN RATES AND CHARGES FOR THE SOLID WASTE SYSTEM OF THE CITY OF WILLCOX AFTER HAVING COMPLIED WITH A.R.S. §§ 9-511.01 AND 9-499.15 AND HAVING CONDUCTED THE REQUISITE PUBLIC HEARINGS.

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property of the corporation and has the requisite statutory authority to provide Solid Waste Collection Services for the benefit of the property owners and users within and without the City’s corporate boundaries pursuant to the provision of A.R.S. § 9-511 et seq.; and

WHEREAS, the CITY is authorized, pursuant to the adopted City of Willcox Procurement Policy, to procure contracts for Solid Waste Services utilizing a bid process, to select a successful bidder, to award a contract, to enter into a contract agreement for the work to be done, and to approve rates to be assessed to customers; and

WHEREAS, the Mayor and Council are required to adopt a notice of intention to increase rates and charges for Solid Waste System, provide notification on the City’s home page website and to set a date for a public hearing on the proposed increases in accordance with A.R.S. §§ 9-511.01 and 9-499.15; and

WHEREAS, the Mayor and Council passed and approved Resolution No: 2011-19 adopting a notice of intention to increase rates and charges for Solid Waste System and provided notification on the City’s home page website in accordance with statutory requirements; and

WHEREAS, the Mayor and Council conducted the first public hearing on the proposed increase in rates and charges on May 2, 2011 at 6:00 p.m. and a second hearing on May 16, 2011 at 7:00 p.m. in the City Council Chambers, 300 W. Rex Allen Drive, Willcox, Arizona, at which time oral and written comments were received on the proposed increases; 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 the increase in rates and charges for the Solid Waste System as enumerated in Exhibit A; and

WHEREAS, the Mayor and Council desire to have this item presented at the next Council Meeting on Monday, May 16th, 2011; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, approving and adopting the increase in rates and charges for the Solid Waste System as formally approved by Mayor and Council this date and authorizing the Mayor to execute this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council directing and authorizing the City Manager to take necessary action to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED, by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, on this 16th day of ~~April~~, 2011.

May

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 05-18-2011

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.

RESOLUTION NO. 2011-28