

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2011-36

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA ESTABLISHING RATES AND CHARGES FOR THE GAS UTILITY FOR FY 2011-2012 AT THE CURRENT/ EXISTING RATES AND SUSPENDING THE SCHEDULED CONSUMER PRICE INDEX (CPI) ADJUSTMENT.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, AS FOLLOWS:

Section 1. Findings.

(a) The City of Willcox, Arizona (the “City”) has the requisite statutory authority to acquire, own and maintain a gas utility system (the “Gas System”) for the benefit of the property and users within and without the City’s corporate boundaries pursuant to the provision of Arizona Revised Statutes 9-511 et. seq.

(b) The City officials presented and discussed the issue of establishing the FY2011-2012 gas utility rates and charges necessary to support the maintenance and development of the Gas System in a duly noticed public meeting allowing for public input to be made.

(c) On May 2nd, 2011, the Mayor and Council passed and adopted Resolution 2011-22 with a notice of intention to establish rates and charges for use of the Gas System and on May 31, 2011 conducted a public hearing on the proposed rates and charges in accordance with Arizona Revised Statutes 9-511.01.

Section 2. Establishment of Rates and Charges. The rates and charges described in the attached Exhibit A are hereby adopted and established as the rates and charges for the Gas System, effective as of July 7, 2011 as shown on the attached Exhibit A and until subsequently changed by this Mayor and Council. Such rates and charges, when effective, will serve to retain the current/existing rates and charges for the Gas System pertaining to the specific rates and charges listed on attached Exhibit A.

Section 3. Suspending the Consumer Price Index (CPI) adjustment. The CPI Adjustment is hereby suspended for FY2011-2012 which serves to maintain the rates and charges at the current/existing schedules.

Section 4. Other Necessary Actions; Ratification of Past Actions. All officials, employees, agents or other representatives of the City are hereby authorized and directed to take any and all actions or steps or to sign and deliver any filings, documents or agreements which are in furtherance of this resolution. All actions heretofore taken in furtherance of the intentions of this Resolution are hereby ratified, confirmed and approved in all respects.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 6th day of June, 2011

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 06-07-2011

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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