

RESOLUTION NO. 2011-51

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING THE MEMORANDUM AGREEMENT WITH THE ARIZONA PUBLIC SAFETY PROCUREMENT PROGRAM (“AZPSPP”) AND AUTHORIZING THE WILLCOX DEPARTMENT OF PUBLIC SAFETY (“LEA”) TO PARTICIPATE UNDER THE FEDERAL EXCESS PROPERTY 1033 PROGRAM, AUTHORIZING THE POLICE CHIEF TO EXECUTE THE AZPSPP MEMORANDUM 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 erect, purchase or lease 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 STATE are authorized and empowered to enter into Intergovernmental Agreements pursuant to A.R.S. Sections 11-951 et seq., 11-952 et seq.,

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona, passed and adopted a purchasing policy on January 7th, 2008; and

WHEREAS, the City of Willcox may participate in statewide procurement programs and enter into Agreements for such purposes; and

WHEREAS, the Governor of Arizona has designated Detective Van Camp as the State Coordinator to implement the Federal Excess Property 1033 Program statewide through the AZPSPP; and

WHEREAS, the Secretary of Defense is authorized by 10 U.S.C. § 2576a to transfer to Federal and State Agencies personal property that is excess to the needs of the DOD that is deemed suitable for use by LEA; and

WHEREAS, the AZPSPP has the authority to institute a membership fee to cover administrative costs associated with managing the 1033 Program and has done so by setting the current \$250.00 per year membership fee required to be paid by participating LEA's; and

WHEREAS, the WDPS seeks Mayor and Council approval to participate in the Program, to pay the \$250.00 membership fee, and to authorize the Police Chief to execute the AZPSPP

Memorandum Agreement; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City, the WDPS and its citizens to consider this matter as presented; and

WHEREAS, the Mayor and Council desire to have this item presented on **Tuesday**, July 5th, 2011 at the Special Council Meeting; 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 participation in the AZPSPP program, and that this Resolution be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City formally approves for the WDPS to participate in the AZPSPP Program; the payment of the membership fee; and authorizes the Police Chief to execute the Memorandum Agreement as presented.

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, ADOPTED AND APPROVED, by the Mayor and City Council of the City of Willcox, Cochise County, Arizona on this 5th day of July 2011.

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 07-20-2011

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

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