

RESOLUTION NO. 2011-52

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING [“MOU”] BETWEEN THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS (“STATE LIBRARY”) AND THE ELSIE S. HOGAN COMMUNITY LIBRARY [“PARTICIPATING LIBRARY”] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the **CITY** is authorized pursuant to A.R.S. §§ 9-413; 9-419; 9-420, et seq. to establish a Library fund; to authorize the use of land and structures for a public library; and

WHEREAS, the **CITY** is authorized to review, consider and decide on matters related to Agreements for the **LIBRARY**; and

WHEREAS, the **PARTICIPATING LIBRARY** desires to participate in the STATE LIBRARY project for Utilization of Equipment and Supplies based on the NTIA-BTOP II Grant #04-41-B10521 awarded to the City of Willcox on July 1, 2010; and

WHEREAS, the **PARTICIPATING LIBRARY** has been selected to participate in the AzJAC project as the host for a Virtual Workforce Workstation (“VWW”) and will receive a single workstation and an all-in-one monochrome laser printer; and

WHEREAS, the **STATE LIBRARY** desires to enter into the MOU to formalize the duties and responsibilities of the Parties and to specify the sole purpose and use of the equipment provided therein; and

WHEREAS, the **CITY** desires to authorize the **PARTICIPATING LIBRARY** to act as the host for a Virtual Workforce Workstation pursuant to the terms of the **MOU** as presented to Mayor and Council; 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 MOU and to have this Resolution presented at its July 18th, 2011 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 implementation of the MOU, 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: That approval and adoption of the STATE LIBRARY MOU, as presented, is in the best interest of the residents of the City of Willcox.

Section 2: The **CITY** formally approves and adopts the **MOU** as presented by the **PARTICIPATING LIBRARY** and directs City Staff to carry out the intent of this Resolution.

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 to execute this Resolution and the City Manager is authorized to execute the MOU.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this 18th day of July, 2011.

APPROVED/EXECUTED:

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

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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