

RESOLUTION NO. 2011-65

**A RESOLUTION OF THE CITY OF WILLCOX,
COCHISE COUNTY, ARIZONA, APPROVING AND
ADOPTING THE INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF WILLCOX
[“AGENCY”] AND THE OFFICE OF
MANUFACTURED HOUSING [“OMH”] FOR THE
PURPOSE OF ENFORCING THE OMH
INSTALLATION STANDARDS AND FEES AND
AUTHORIZING THE MAYOR TO EXECUTE THIS
RESOLUTION AND DECLARING AN
EMERGENCY TO EXIST**

WHEREAS, the **OMH** has the authority to enter into agreements with local enforcements agencies to enforce installations standards in local jurisdictions pursuant to A.R.S. Section 41-2153 (B) (5); and

WHEREAS, the **AGENCY** will monitor and enforce the installation standards as set forth in A.R.S. Section 41-2195 and A.C.C. R4-34-102 as they apply to installation and accessory structures; and

WHEREAS, it is the mutual desire of the parties to enter into an Intergovernmental Agreement [“IGA”] under the terms and conditions outlined in the Agreement, applicable Arizona Statutes and the Arizona Administrative Code [“A.C.C.”]; and

WHEREAS, the Agreement provides for the termination of the Agreement under specific requirements; standards of performance; fees charged by the Agency; and qualifications of personnel; and

WHEREAS, the Agreement provides for a term of five (5) years from the date of this Agreement with all notices to be mailed or delivered as follows:

CITY OF WILLCOX
ATTN: CITY CLERK
101 S. RAILROAD AVE., SUITE B
WILLCOX, ARIZONA 85643
(520)384-4271

OFFICE OF MANUFACTURED HOUSING
ATTN: DEBRA BLAKE, DEPUTY DIRECTOR
1110 W. WASHINGTON, SUITE #100
PHOENIX, AZ 85007-2935
(602) 364-1022

WHEREAS, the Agreement provides that any dispute between the parties under this Agreement shall be submitted to arbitration pursuant to A.R.S. Section 12-133(D) and 12-1518; and

WHEREAS, the Mayor and Council of the City of Willcox (“CITY”) desire to have this Resolution presented at its August 15th, 2011 Council Meeting; and

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY and its citizens; and,

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Arizona, that an emergency be declared to exist to assure timely implementation of this IGA, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH TUCSON, ARIZONA, AS FOLLOWS:

Section 1: That the CITY formally approves Resolution No. 2011-65 for the purpose of approving and adopting the IGA with the OMH as outlined in the IGA.

Section 2: 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.

Section 3: That the Mayor is authorized and empowered to execute this Resolution and the Intergovernmental Agreement Document as presented.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, this 15th day of August, 2011.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 08-17-2011.

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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