

**RESOLUTION NO. 2011-74**

**A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF WILLCOX (“CITY”) AND THE COCHISE COUNTY ARIZONA CENTENNIAL COMMITTEE (“COMMITTEE”) RELATING TO THE CUSTODY, CARE AND DISPLAY OF THE TRAVELING HISTORICAL EXHIBIT (“EXHIBIT”) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the **CITY** is empowered pursuant to A.R.S. §§ 9-240 (A) (B) and 9-276(A)(1) to control the finances and property of the corporation and to regulate the use or otherwise improve the streets, alleys, avenues, sidewalks, parks, public grounds, an off-street parking sites; and

**WHEREAS**, the **CITY** is empowered pursuant to A.R.S. §§ 9-240 and 11-952 *et seq.*, to enter into Agreements and Memorandums of Understanding with other agencies; and

**WHEREAS**, the **CITY** and the **COMMITTEE** have a particular common interest in promoting knowledge of the history of the State of Arizona during the centennial anniversary celebration in 2012; and

**WHEREAS**, the **COMMITTEE** has commissioned the **EXHIBIT** made up of 33 life sized cut out figures representing Arizona historical figures to travel and to be displayed throughout the State; and

**WHEREAS**, the **CITY** has been selected as one of the sites to display the Traveling Historical Exhibit during the period of September 28, 2011 to October 16, 2011; and

**WHEREAS**, the **CITY** and the **COMMITTEE** desire to enter into an MOU to formalize the duties and responsibilities of the Parties and to specify the sole purpose and use of the **EXHIBIT** as provided therein; 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 September 19<sup>th</sup>, 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 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** with the **COMMITTEE** as presented 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 19th day of September, 2011.

**APPROVED/EXECUTED:**

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY

ATTEST:

/s/ Pat McCourt  
Acting City Clerk Pat McCourt

APPROVED AS TO FORM:

/s/ Hector M. Figueroa  
City Attorney, Hector M. Figueroa, Esq.

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