

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2011-77

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT (“IGA /JPA 11-042-I”) WITH THE STATE OF ARIZONA (“STATE”) THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE SHARED USE PATH PROJECT, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, pursuant to A.R.S. §§ 9-240 and 11-952 through 11-954, the CITY and the STATE are empowered to enter into agreements with the county, the state and federal governments and agencies; and

WHEREAS, the Department of Transportation (“ADOT”) is duly authorized by A.R.S. § 28-401 to enter into this Agreement and has delegated to its signatory the authority to execute this Agreement on behalf of the State; and

WHEREAS, the CITY is duly authorized by A.R.S. § 48-572 to enter into this Agreement and has by Resolution, a copy of which is attached hereto and made part hereof, resolved to enter this Agreement on behalf of the CITY; and

WHEREAS, the CITY has selected an eligible project category of Transportation Enhancement within the boundary of the CITY (Arizona Ave. and Rex Allen Drive to Maley Street and South on Haskell Ave. in Willcox, Arizona); and

WHEREAS, the project consists of constructing concrete sidewalk on both sides of Arizona Ave. and ADA compliant ramps from Rex Allen Drive South on Haskell Ave.; and

WHEREAS, pursuant to the terms of the **IGA/JPA 11-042-I**, the CITY has agreed to designate the STATE/ADOT as authorized agent (“AGENT”) for the CITY; 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 and adopt the **IGA/JPA 11-042-I**; and

WHEREAS, the Mayor and Council desire to have this item presented at the next Council Meeting on September 19, 2011; 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 approval of the **IGA/JPA 11-042-I** and initiation of the bid process, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, as follows:

Section 1: The CITY hereby approves and adopts the **IGA/JPA 11-042-I** as presented.

Section 2: City Staff are directed and authorized to take necessary action to carry out the intent of this Resolution.

Section 3: The Mayor is authorized to execute this Resolution.

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 AND ADOPTED by the Mayor and 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:

APPROVED AS TO FORM:

/s/ Pat McCourt
Acting City Clerk, Pat McCourt

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

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