

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND ADOPTING THE GRANT IN KIND AGREEMENT [“AGREEMENT”] BETWEEN THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS (“ASLAPR”) AND THE ELSIE S. HOGAN COMMUNITY LIBRARY [“RECIPIENT”] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the **CITY** on behalf of the **RECIPIENT** 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 **RECIPIENT** and the **STATE LIBRARY** entered into an MOU pursuant to Resolution 2011-52 for the 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WHEREAS, the **ASLAPR** has rescinded the MOU and has substituted it with this **AGREEMENT** concerning the award of the NTIA-BTOP II Grant Virtual Workforce Workstation (“VWW”); and

WHEREAS, the **ASLAPR** is empowered to enter into the **AGREEMENT** with the Governor’s Office of Economic Recovery pursuant to A.R.S. §41-2701 et seq. and is authorized to execute and administer contracts pursuant to A.R.S. §§ 41-151.05 and 41-151.06; and

WHEREAS, the **CITY** desires to authorize the **RECIPIENT** to act as the host for a Virtual Workforce Workstation pursuant to the terms of the **AGREEMENT** 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 **AGREEMENT** and to have this Resolution presented at its November 7th, 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 AGREEMENT, 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 AGREEMENT, as presented, is in the best interest of the residents of the City of Willcox.

Section 2: The **CITY** formally approves and adopts the **AGREEMENT** as presented by the **RECIPIENT** 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 AGREEMENT.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this 7th day of November, 2011.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 11-09-2011
APPROVED AS TO FORM:

ATTEST:

/s/ Cristina Garcia Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

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

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