

RESOLUTION NO. 2012-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA ["CITY"] APPROVING AND ADOPTING THE JOINT EXERCISE OF POWERS AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE, ["NJPA"] FOR THE PURPOSE OF UTILIZING THE PROCUREMENT UNIT TO MAKE PURCHASES FOR THE CITY FOR THE SKATE PARK PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY and the NJPA have the authority to enter into agreements for cooperative procurement services pursuant to A.R.S. Section 11-952 and Section 41-2632 et seq. if authorized by their legislative or governing bodies; and

WHEREAS, A.R.S. Section 41-2631 et seq. defines "cooperative purchasing" as procurement conducted by, or on behalf of, more than one public procurement unit; and

WHEREAS, A.R.S. Section 41-2632 et seq. provides that any public procurement unit may either participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any materials, services, or construction with one or more public procurement units in accordance with an agreement pursuant to this section if one or more of the parties involved is a public procurement unit; and

WHEREAS, the Mayor and Council of the City of Willcox desire to enter into the Joint Exercise of Powers Agreement and the Membership Agreement; and

WHEREAS, it is the desire of the CITY to formally Approve and Adopt the NJPA Joint Exercise of Powers Agreement and the Membership Agreement at its Regular Meeting on April 2nd, 2012; and

WHEREAS, the NJPA Joint Exercise of Powers Agreement and the Membership Agreement provide for mutual responsibilities in carrying out mutual promises and mutual benefits to result there from; and

WHEREAS, the Agreements may be cancelled as provided by A.R.S. Section 38-511; and

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY, its citizens and its affected taxpayers; 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 these Agreements, 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 the CITY formally approves Resolution 2012-23 for the purpose of approving and adopting the NJPA Agreements, by reference, as if fully set forth herein.

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, Cochise County, Arizona.

Section 3: That the Mayor or Vice Mayor are authorized and empowered to execute this Resolution and the NJPA Agreements as may be required.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this 2nd day of April, 2012.

APPROVED/EXECUTED:

/s/ *Monika S. Cronberg*
~~MAYOR, GERALD W. LINDSEY (OR)~~
~~VICE MAYOR, MONICA CRONBERG~~
VICE MAYOR MONIKA S. CRONBERG
Signed: April 05, 2012

ATTEST:

/s/ *Cristina Garcia Whelan, CMC*
City Clerk, Cristina Garcia Whelan, CMC

APPROVED AS TO FORM:

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

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