

RESOLUTION NO. 2012-28

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA APPROVING AND ADOPTING A NOTICE OF INTENTION TO INCREASE RATES AND CHARGES OF THE GAS, WATER, WASTEWATER, AND SOLID WASTE UTILITIES OF THE CITY OF WILLCOX.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, AS FOLLOWS:

Section 1. Findings.

(a) The City of Willcox, Arizona (the "CITY") has the requisite statutory authority to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from the municipal corporation, and may construct, purchase, acquire, own and maintain within or without its corporate limits any such business or enterprise pursuant to the provision of A.R.S. § 9-511 et seq.

(b) The CITY has the requisite statutory authority to provide Gas, Water, Wastewater and Solid Waste Utility services for the benefit of the property owners and users within and without the City's corporate boundaries pursuant to the provision of A.R.S. § 9-511 et seq.

(c) The CITY is authorized to construct and maintain sewers and drains pursuant to A.R.S. §§ 9-240(B) (5) (a) and 9-276 et seq.

(d) The CITY is authorized to provide the town with water, to construct public wells and to supply the same with pumps and conducting pipes and ditches pursuant to A.R.S. §§ 9-240(B)(6) and 9-276 et seq.

(e) The Mayor and Council are required to adopt a notice of intention to increase and/or decrease rates and charges for the Gas, Water, Wastewater, and Solid Waste Utilities, provide notification on the City's home page website and to set a date for a public hearing on the proposed increases in accordance with A.R.S. §§ 9-511.01 and 9-499.15.

Section 2. Notice of Intention to Increase Rates and Charges. This resolution shall constitute a Notice of Intention by the City to increase rates and charges for use of the Gas, Water, Wastewater and Solid Waste Utilities, as shown in attached Exhibit A.

Section 3. Public Hearing. The first public hearing on the proposed increase in rates and charges is hereby set for 7:00 p.m. on May 7, 2012 and a second hearing is hereby set for 7:00 p.m. on May 21, 2012, in the Mayor and City Council Chambers, 300 W. Rex Allen Drive, Willcox, Arizona, at which oral and written comments will be received on the proposed increases. Following such hearings, the Mayor and Council will consider appropriate further action regarding the proposed rates and charges increase.

Above this Notice of Intention, as so published, shall appear a caption in substantially the following form:

**NOTICE OF PUBLIC HEARINGS
MAY 7, 2012, 7:00 P.M. AND MAY 21, 2012, 7:00 P.M.
CITY COUNCIL CHAMBERS
300 W REX ALLEN DRIVE
CITY OF WILLCOX, ARIZONA
ON
PROPOSED INCREASE IN GAS, WATER, WASTEWATER AND SOLID WASTE
UTILITIES SYSTEM RATES AND CHARGES**

PASSED, ADOPTED AND APPROVED, by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, on 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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EXHIBIT A
CITY OF WILLCOX, ARIZONA
GAS, WATER, WASTEWATER AND SOLID WASTE UTILITY
RATES AND CHARGES

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