

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-62**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA RATIFYING AND APPROVING THE EXISTING VALLEY CONNECTIONS LLC (“VALLEY”) CABLE TELEVISION SERVICES LICENSE AND THE FORMER COX CABLE TELEVISION LICENSE (“COX”) UNDER THE SERVICES AGREEMENT (“AGREEMENT”) IN THE CITY OF WILLCOX (“CITY”) AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property of the corporation; and

WHEREAS, the CITY is authorized pursuant to A.R.S. § 9-240 (B) to exercise exclusive control over the streets, alleys, avenues and sidewalks of the city and to improve same; and

WHEREAS, the CITY has the authority to issue a License and to regulate the construction, operation and maintenance of cable television systems pursuant to Title 9, Chapter 5, Article 1.1 A.R.S. §§ 9-501; 9-505; 9-506; 9- 507; 9-508; 9-583 and 9-583; and

WHEREAS, the CITY approved and adopted the Transfer of the COX Cable Television Services to VALLEY in order to continue to serve the former COX customers; and

WHEREAS, the CITY desires to Ratify the expired VALLEY License under the existing Cable Television Services and desires to approve the transfer of the former COX Cable Television Services in order to continue to serve the former COX customers; and

WHEREAS, CITY desires to have this item presented to Mayor and Council at its next Council Meeting on July 2nd, 2012; 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 ratify, approve and adopt the VALLEY License Agreement as presented; 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 and immediate implementation and continuation of cable television services, 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, that the City hereby formally ratifies, approves and adopts the Valley License Agreement as presented, authorizes the Mayor to execute this License Agreement and directs the City Manager to carry out the intent of 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 2nd day of July, 2012

APPROVED/EXECUTED

/s/ Robert A. Irvin
MAYOR, ROBERT A. IRVIN

Signed: 07-05-2012

ATTEST:

APPROVED AS TO FORM:

/s/ Virginia A. Mefford
City Clerk, Virginia A. Mefford

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

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