

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

**RESOLUTION 2012-83**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, ("CITY") APPROVING THE OPERATIONAL AGENCY AGREEMENT WITH BP ENERGY COMPANY ; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY is empowered pursuant to Arizona Revised Statutes, Title 9, Section 9-240(B)(2) to appropriate money and provide for payment of its debts and expenses and authorized pursuant to A.R.S. §9-514 to engage in business of the a public nature, specifically, gas distribution; and,

**WHEREAS**, the CITY desires to appoint BP Energy Company (BPEC) as its agent to manage and administer Gas Supply Contracts and Transportation Agreements based upon instructions received from CITY with respect to Gas Supply Obligations; and,

**WHEREAS**, the Mayor and City Council have determined that formal action on this Resolution is in the best interest of the CITY and its citizens; and,

**WHEREAS**, it is necessary for the preservation of peace, health, and the safety of the City of Willcox, Cochise County, State of Arizona, that an emergency be declared to exist and directing that this Resolution shall become effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA**, as follows:

**SECTION 1:** The Mayor and City Council hereby authorize and approve the Operational Agency Agreement between the City of Willcox and BP Energy Company for the purpose of purchasing and distributing natural gas; and,

**SECTION 2:** The terms of the Operational Agency Agreement are approved as presented and attached hereto; and,

**SECTION 3:** CITY Officials and Administrators are authorized and directed to take all action required to participate and perform under the terms of the Operational Agency Agreement; and,

**SECTION 4:** That the Mayor is authorized and empowered to execute and deliver the Operational Agency Agreement and this Resolution as presented; and,

**SECTION 5:** 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.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 5<sup>th</sup> day of November, 2012.**

**APPROVED/EXECUTED:**

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

**ATTEST:**

/s/ Virginia A. Mefford  
**VIRGINIA A. MEFFORD, City Clerk**

**APPROVED AS TO FORM:**

/s/ Ann P. Roberts  
**ANN P. ROBERTS, City Attorney**

**RESOLUTION 2012-83**