

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION 2013-48

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING THE TECHNICAL ASSISTANCE AGREEMENT NUMBER TAA13-005, PID:757, DPAD R 4.09M FOR THE PURPOSE OF ACCEPTING GRANT FUNDS FROM THE BORDER ENVIRONMENTAL COOPERATION COMMISSION, “BECC”, FOR THE PURPOSE OF PERFORMING THE FINAL PHASE OF THE ENGINEERING AND DESIGN SERVICES FOR THE WILLCOX WASTEWATER TREATMENT PLANT, “WWTP”; AUTHORIZING CITY ADMINISTRATORS AND STAFF TO EXECUTE ALL DOCUMENTATION AND TAKE ALL NECESSARY ACTION TO IMPLEMENT ACCEPTANCE OF THE GRANT AND DIRECTING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED.

WHEREAS, the Common Council shall have control of the finances and property of the corporation pursuant to Arizona Revised Statutes (A.R.S.) § 9-240(A), shall have the power to construct and maintain sewers and drains pursuant to A.R.S. § 9-240(B) (5) and the Mayor and City Council, acting on behalf of the domestic corporation, shall have power to furnish their inhabitants with a sewer system by erecting and establishing sewer plants pursuant to A.R.S. § 9-276(B); and,

WHEREAS, the Arizona Department of Environmental Quality has mandated a renovation of the CITY’S waste water treatment plant to meet State and Federal Environmental Protection Agency laws; and,

WHEREAS, pursuant to Resolution No. 2012-86, the CITY entered into a contract with Wilson Engineers, LLC, to provide the required engineering services for the final design phase of the reconstructing and improvement of the existing 0.6 million gallons per day waste water treatment facility to comply with the mandate of the Arizona Department of Environmental Quality; and,

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have applied to the Border Environmental Cooperation Commission, “BECC”, for the purpose of qualifying for BECC grant funds for the purpose of performing engineering services for the final design phase of the renovations to the existing WWTP; and,

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WHEREAS, the BECC has awarded a Technical Assistance Grant in the amount of \$414,935.00 to the CITY for improvements to the WWTP through the Project Development Assistance Program, “PDAP” grant and must approve the BECC Technical Assistance Agreement Number TAA 13-005, PID:757, PDAP R9 4.09M, a copy of which is presented herewith as Exhibit “A”, to accept such grant funds; 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 accept the BECC grant funds to accomplish the WWTP renovation plan; and,

WHEREAS, the Mayor and Council desire to have this item presented at the Regular City Council Meeting on July 1, 2013; 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 acceptance of the BECC grant funds, and that this Resolution 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: The Mayor and Council of the City of Willcox, Cochise County, Arizona, hereby formally accept BECC grant funds in the amount of \$414,935.00 for the purpose of providing improvements to the WWTP through the Project Development Assistance Program, “PDAP” grant; and,

SECTION 2: The Mayor and City Council hereby approve the Technical Assistance Agreement Number TAA 13-005, PID:757, PDAP R9 4.09M, presented herewith as Exhibit “A”, and find the such acceptance of grant funds will be beneficial to the citizens of the City of Willcox ; and,

SECTION 3: CITY Administrators and staff are authorized and directed to execute the Technical Assistance Agreement Number TAA 13-005, PID:757, PDAP R9 4.09M, presented herewith as Exhibit “A”, and,

SECTION 4: The Mayor is authorized and empowered to execute the Resolution as presented.

FURTHER, BE IT RESOLVED by the Mayor and Council that, due to an existing emergency, 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 AS AMENDED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF WILLCOX, ARIZONA, this 1st day of July, 2013.**

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

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