

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

**RESOLUTION 2018-22**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING RATES AND CHARGES FOR WASTEWATER UTILITY SERVICES PROVIDED BY THE CITY OF WILLCOX, SETTING AN EFFECTIVE DATE AND DIRECTING AUTHORIZED CITY OFFICERS AND ADMINISTRATORS TO CARRY OUT THE PURPOSE AND INTENT OF THIS RESOLUTION.**

**WHEREAS**, the Mayor and City Council of the City of Willcox make the following findings:

- (a) The City of Willcox, Arizona, hereinafter "CITY", has a 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.; and,
- (b) Pursuant to such requisite statutory authority, the CITY does provide Gas, Water, Wastewater and Solid Waste Services for the benefit of the property owners and users within and without CITY's corporate boundaries pursuant to the provision of A.R.S. § 9-511 et. Seq.; and,
- (c) The Mayor and City Council have adopted the requisite notice of intention to increase rates and charges for wastewater utilities, provided notification on the CITY's website and set a date for a public hearing on the proposed rates and charges in accordance with A.R.S. § 9-511.01; and,
- (d) The Mayor and Council adopted the Notice of Intention pursuant to **Resolution 2018-05** and declared the written report entitled "**City of Willcox 2018 Wastewater User Fee Cost of Service**" dated April 26, 2018 a public document on May 3, 2018 and three (3) copies of such report were made available to the public for inspection on May 4, 2018, by filing such in the office of the City Clerk, more than 30 days prior to the date set for the public hearing; and,
- (e) The Notice of Intention was publish two (2) times in the Range News, a newspaper of general circulation within the boundaries of CITY, on June 20, 2018 and June 27, 2018, not less than twenty days prior to the Public Hearing scheduled on **July 19, 2018** at which time oral and written comments were received by the Mayor and Council on the proposed rates and charges; and,
- (f) The Mayor and City Council believe that annually reviewing the rates and charges set for the Wastewater Utility services provided by CITY is necessary

and in the best interests of the citizens of the City of Willcox and they desire that this item be presented for consideration at the regular Council Meeting on July 19, 2018.

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

**SECTION 1:** The Mayor and City Council hereby formally approve and adopt the Wastewater System Rates and Charges as presented and as outlined in Exhibit "A" attached hereto and made a part hereof by reference, entitled "**City of Willcox 2018 Wastewater User Fee Cost of Service Effective September 1, 2018**" and deem such are in the best interests of the residents of the City of Willcox; and,

**SECTION 2:** The rates and charges adopted shall be in full force and effect as of September 1, 2018 based upon formal adoption and passage of this Resolution by Mayor and Council in accordance with A.R.S. § 9-511.01; and,

**SECTION 3:** The Mayor is authorized and empowered to execute this Resolution and City staff are authorized and directed to carry out the intent of **Resolution 2018-22**.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA**, this 19<sup>th</sup> day of July, 2018.

**APPROVED/EXECUTED:**

  
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**MICHAEL J. LAWS**, Mayor

**ATTEST:**

  
\_\_\_\_\_  
**CRYSTAL L. HADFIELD**, City Clerk

**APPROVED AS TO FORM:**

  
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**ANN P. ROBERTS**, City Attorney