

**RESOLUTION NO. 2011-22**

**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 UTILITY, THE WATER UTILITY, AND THE WASTEWATER UTILITY 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 and Wastewater 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 rates and charges for Gas, Water and Wastewater 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 and Wastewater 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 16, 2011 and a second hearing is hereby set for 7:00 p.m. on May 31, 2011, 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 16, 2011, 7:00 P.M. AND MAY 31, 2011, 7:00 P.M.  
MAYOR AND CITY COUNCIL CHAMBERS  
CITY OF WILLCOX, ARIZONA  
ON  
PROPOSED INCREASE IN GAS UTILITY, THE WATER UTILITY, AND THE  
WASTEWATER UTILITY**

**PASSED, ADOPTED AND APPROVED**, by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, on this 2<sup>nd</sup> day of May, 2011.

**APPROVED/EXECUTED**

/s/ GERALD W. LINDSEY \_\_\_\_\_  
MAYOR, GERALD W. LINDSEY  
Signed: May 3, 2011

ATTEST:

/s/ Cristina G. Whelan, CMC \_\_\_\_\_  
City Clerk, Cristina G. 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 AND WASTEWATER UTILITY**  
**RATES AND CHARGES**

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