

**RESOLUTION N<sup>o</sup> 10-76**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, REFERRING AN ELECTRIC UTILITY FRANCHISE TO THE ELECTORATE OF THE TOWN; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.**

**Whereas**, the Town Council deems that the granting of the electric utility franchise contained herein to be beneficial to the health, safety, and welfare of the Town by improving communication and coordination of the maintenance, improvement, and modification of Town roadways and rights-of-way and by fairly compensating the Town for the use of its roadways and rights-of-way.

**Now, Therefore**, Be it resolved by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona:

1. Referral of electric utility franchise to the electorate. That certain document entitled "Franchise Agreement between Arizona Public Service Company and Dewey-Humboldt, Arizona," attached hereto and expressly made a part hereof, is hereby made a part of the Town's record and submitted to the qualified electors of the Town as to whether or not the franchise shall be granted. The election shall be held by mail-in ballot, concluding on May 18, 2010. All Town funds expended on the election must be reimbursed by the proposed franchisee(s) on the ballot within 30 days of the expenditure thereof, by even division of the costs between all proposed franchisees on the ballot.
2. Effective Date. That this Resolution shall be effective at the soonest date after its passage and approval, according to law.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 19<sup>th</sup> day of January 2010.

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Len Marinaccio, Mayor

ATTEST:

APPROVED AS TO FORM:

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Judy Morgan, Town Clerk

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Ethan Wolfinger, Town Attorney