

RESOLUTION NO. 19-136

A RESOLUTION OF THE MAYOR & TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, DECLARING THAT THE TOWN COUNCIL DEEMS THE GRANTING OF A CERTAIN FRANCHISE BENEFICIAL FOR THE TOWN OF DEWEY-HUMBOLDT; ORDERING AN ELECTION TO BE HELD ON NOVEMBER 5, 2019 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE TOWN OF DEWEY-HUMBOLDT THE QUESTION AS TO WHETHER OR NOT A FRANCHISE SHALL BE GRANTED TO ARIZONA PUBLIC SERVICE COMPANY.

WHEREAS, Arizona Public Service Company is desirous of obtaining a franchise with the Town of Dewey-Humboldt in the form attached hereto as Exhibit A; and,

WHEREAS, the Mayor & Town Council of the Town of Dewey-Humboldt has determined that the granting of the proposed franchise for Arizona Public Service Company is beneficial to the Town; and,

WHEREAS, under applicable law a public utility franchise agreement must be approved by a majority of the qualified electors in a primary, general or special election; and

WHEREAS, the Mayor and Council of the Town of Dewey-Humboldt desire to submit to the Dewey-Humboldt qualified electors the approval of a franchise agreement with APS for electrical transmission and distribution facilities in the public rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Dewey-Humboldt, Arizona, as follows:

SECTION 1. That the Town Council of the Town of Dewey-Humboldt determines that the granting of the franchise proposed by Arizona Public Service Company in the form attached hereto as Exhibit A is beneficial to the Town of Dewey-Humboldt and the Town residents.

SECTION 2. That an election is hereby called and ordered to be held in the Town of Dewey-Humboldt on November 5, 2019 for the purpose of submitting to the qualified electors of the Town of Dewey-Humboldt the question as to whether the franchise under the terms and conditions of the above referenced agreement shall be granted to Arizona Public Service Company.

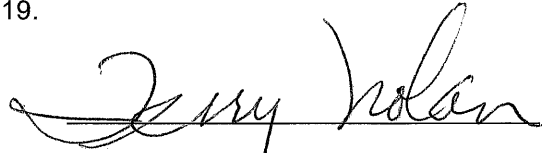
SECTION 3. That this franchise election be held pursuant to the provisions of the Arizona Constitution and laws of the State of Arizona and Town Code of the Town of Dewey-Humboldt.

SECTION 4. That the ballots used at said election shall be substantially in the following form:

SHALL A FRANCHISE BE GRANTED TO ARIZONA PUBLIC SERVICE COMPANY, AN ARIZONA CORPORATION; TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC UTILITY SYSTEM IN THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, AND FUTURE ADDITIONS THERETO, IN ACCORDANCE WITH THE AGREEMENT SUBMITTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, TO THE QUALIFIED ELECTORS OF SAID TOWN?

SECTION 5. That the Town Clerk and Town Manager are hereby authorized and directed to publish the proposed franchise and take such other actions required by law to conduct the election.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona this 21st day of May, 2019.



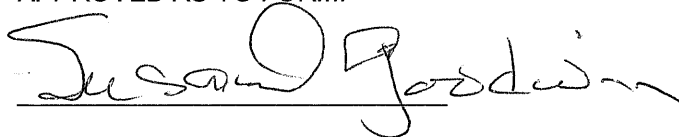
Terry Nolan, Mayor

ATTEST:



Beth Evans, Interim Town Clerk

APPROVED AS TO FORM:



Gust Rosenfeld, PLC

By Susan D. Goodwin

Town Attorney