

RESOLUTION NO. ___

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CLIFTON, ARIZONA, DECLARING THAT THE TOWN COUNCIL DEEMS THE GRANTING OF A FRANCHISE WITH THE MORENCI WATER & ELECTRIC COMPANY BENEFICIAL FOR THE TOWN OF CLIFTON; ORDERING AN ELECTION TO BE HELD ON JULY 30, 2024, AT WHICH THE QUESTION AS TO WHETHER THE FRANCHISE SHALL BE GRANTED TO THE MORENCI WATER & ELECTRIC COMPANY SHALL BE SUBMITTED TO THE VOTERS OF THE TOWN OF CLIFTON; DEFINING THE PROPOSED BALLOT LANGUAGE; AND AUTHORIZING AND DIRECTING THE TOWN CLERK AND TOWN MANAGER TO PUBLISH THE PROPOSED FRANCHISE AND CONDUCT THE ELECTION.

WHEREAS, A.R.S. § 9-501 *et seq.* authorizes the Town of Clifton to enter into franchise agreements with public utilities; and

WHEREAS, the Morenci Water & Electric Company is a public utility that desires to obtain a franchise with the Town of Clifton;

WHEREAS, the Town Council of the Town of Clifton finds that granting a franchise to the Morenci Water & Electric Company is in the best interest of the Town of Clifton;

WHEREAS, the Town Council of the Town of Clifton desires to conduct an election for the purpose of submitting to the qualified electors of the Town of Clifton the question of whether the proposed franchise with the Morenci Water & Electric Company shall be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE TOWN OF CLIFTON, ARIZONA:

That the Mayor and Town Council of the Town of Clifton determine that the granting of a franchise to the Morenci Water & Electric Company is in the best interest of the Town of Clifton;

BE IT FURTHER RESOLVED, that the election is hereby called and ordered to be held in the Town of Clifton on July 30, 2024 for the purpose of submitting to the electors of the Town of Clifton the question as to whether the franchise shall be granted to the Morenci Water & Electric Company; and

BE IT FURTHER RESOLVED, that the ballot used at said election shall be substantially in the following form, which final language shall be subject to approval by the Town Clerk and Town Attorney:

SHALL THE PROPOSED FRANCHISE BE GRANTED TO THE MORENCI WATER & ELECTRIC COMPANY FOR A PERIOD OF UP TO TWENTY-FIVE (25) YEARS FOR THE USE OF TOWN OF CLIFTON RIGHTS-OF-WAY NECESSARY TO PROVIDE WATER OR ELECTRICAL SERVICES WITHIN THE TOWN?

BE IT FURTHER RESOLVED, 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, ADOPTED AND APPROVED by the Mayor and Council of the Town of Clifton, Arizona, on this _____ day of _____, 2024.

Laura Dorrell, Mayor

ATTEST:

Cecilia Jernigan, Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Pierce Coleman PLLC
Town Attorneys

CERTIFICATION

I hereby certify that the foregoing Resolution No. _____ was duly passed and adopted by the Mayor and Council of the Town of Clifton, Arizona, at a regular meeting held on _____, 2024 and that the vote thereon was ___ ayes, ___ nays, and that the Mayor and _____ Councilmembers were present thereat.

Cecilia Jernigan, Town Clerk
Town of Clifton, Arizona