

**TOWN OF PINETOP-LAKESIDE**

**RESOLUTION NO. 20-1542**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, NAVAJO COUNTY, ARIZONA, FINDING AND DECLARING THE GRANT OF A NATURAL GAS UTILITY FRANCHISE BENEFICIAL FOR THE TOWN OF PINETOP-LAKESIDE AND ORDERING THAT THE QUESTION AS TO WHETHER A FRANCHISE IS GRANTED TO UNS GAS, INC. IS SUBMITTED TO THE VOTERS OF THE TOWN OF PINETOP-LAKESIDE AT THE AGUUST 4, 2020 PRIMARY ELECTION; PROVIDING FOR THE GIVING OF NOTICE OF THE ELECTION; PRESCRIBING THE FORM OF THE BALLOT TO BE USED AT THE ELECTION.**

**WHEREAS, UNS Gas, Inc. (“UNS”) wishes to have a Franchise Agreement with the Town of Pinetop-Lakeside and have the rights to utilize the Town of Pinetop-Lakeside’s rights-of-way to construct, operate and maintain the UNS natural gas systems; and**

**WHEREAS, the Mayor and Council of the Town of Pinetop-Lakeside have determined that it will be beneficial to the Town to grant a new franchise to UNS Gas, Inc., conferring the right to utilize the Town’s rights-of-way to construct, operate and maintain the UNS natural gas systems; 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 Pinetop-Lakeside desire to submit to the Pinetop-Lakeside qualified electors the approval of a franchise agreement with UNS Gas, Inc. for natural gas utility transmission and distribution facilities in the public rights-or-way.**

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Pinetop-Lakeside, Arizona, as follows:

**Section 1.** The Mayor and Town Council of the Town of Pinetop-Lakeside deem the grant of a franchise to UNS Gas, Inc. beneficial for the Town.

**Section 2.** The primary election scheduled for the 4<sup>th</sup> day of August 2020 will include on the ballot the question as to whether a franchise (as more specifically described in the agreement attached to this resolution as Exhibit “A”) shall be granted to UNS Gas, Inc., and such question is submitted to the qualified electors of the Town. This question will share the ballot with national, state and other local political races.

**Section 3.** Polls will open at 6:00 a.m. and close at 7:00 p.m. on the day of the election at such locations as are determined by county, state and federal officials prior to the elections.

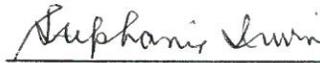
Section 4. The Pinetop-Lakeside Town Clerk will give notice of the election by causing a copy of this Resolution, including the proposed franchise, to be published in full in a daily newspaper of general circulation in Navajo County, no later than thirty (30) consecutive days prior to the election.

Section 5. The question posed to voters on election ballots will appear in substantially the following form:

SHALL A FRANCHISE BE GRANTED TO UNS GAS, INC. TO CONSTRUCT, MAINTAIN AND OPERATE A NATURAL GAS UTILITY SYSTEM UPON, OVER, ALONG, ACROSS AND UNDER PRESENT AND FUTURE PUBLIC RIGHTS OF WAY IN THE TOWN OF PINETOP-LAKESIDE, ARIZONA, IN ACCORDANCE WITH PROPOSED RESOLUTION NO. 20-1542 SUBMITTED BY THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, TO THE QUALIFIED ELECTORS OF PINETOP-LAKESIDE AND ITS FUTURE ADDITIONS?

PASSED AND ADOPTED by a majority vote of the Mayor and Town Council of the Town of Pinetop-Lakeside in an open meeting on this 5<sup>th</sup> day of March 2020.

TOWN OF PINETOP-LAKESIDE



Stephanie Irwin  
Mayor

ATTEST:

APPROVED AS TO FORM:



Jill Akins, CMC  
Town Clerk



William J. Sims, III  
Town Attorney

