

RESOLUTION NO. 4200

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, DECLARING THAT THE TOWN COUNCIL DEEMS THE GRANTING OF A FRANCHISE WITH SOUTHWEST GAS CORPORATION BENEFICIAL FOR THE TOWN OF GILBERT; ORDERING AN ELECTION TO BE HELD ON NOVEMBER 2, 2021, AT WHICH ELECTION THERE SHALL BE SUBMITTED TO THE VOTERS OF THE TOWN OF GILBERT THE QUESTION AS TO WHETHER OR NOT SAID FRANCHISE SHALL BE GRANTED TO SOUTHWEST GAS CORPORATION.

WHEREAS, Ariz. Rev. Stat. § 9-501, et al, authorizes the Town of Gilbert to enter into franchise agreements with public utilities; and

WHEREAS, Southwest Gas Corporation desires to obtain a franchise with the Town of Gilbert in the form attached hereto; and

WHEREAS, the Town of Gilbert, at the request of Southwest Gas Corporation, desires to conduct an election for the purpose of submitting to the electors of the Town of Gilbert the question of whether the proposed franchise shall be granted; and

WHEREAS, the Town Council of the Town of Gilbert finds that granting a franchise to Southwest Gas Corporation to be beneficial for the Town of Gilbert.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA AS FOLLOWS:

SECTION 1. That the Mayor and Town Council of the Town of Gilbert determine that the granting of a franchise to Southwest Gas Corporation is beneficial for the Town of Gilbert.

SECTION 2. That an election is hereby called and ordered to be held in the Town of Gilbert on November 2, 2021 for the purpose of submitting to the electors of the Town of Gilbert the question as to whether the franchise under the terms and conditions of the above referenced agreement shall be granted to Southwest Gas Corporation.

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

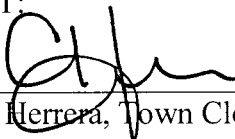
SECTION 4. That the ballots used at said election shall be substantially in the following form, which final language shall be subject to approval by the Town Clerk and the Town Attorney:

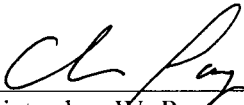
SHALL THE PROPOSED FRANCHISE BE GRANTED TO SOUTHWEST GAS CORPORATION FOR A PERIOD OF TWENTY-FIVE (25) YEARS FOR THE USE OF TOWN RIGHTS-OF-WAY FOR GAS UTILITY PURPOSES?

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 COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA THIS 1ST DAY OF JUNE, 2021.

  
\_\_\_\_\_  
Brigette Peterson, Mayor

ATTEST:  
  
\_\_\_\_\_  
Chaveli Herrera, Town Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Christopher W. Payne, Town Attorney

I hereby certify that the above foregoing Resolution No. 4200 was duly passed by the Common Council of the Town of Gilbert, Arizona at a regular meeting held on June 1, 2021, and that a quorum was present thereat and that the vote thereon was 7 ayes and 0 naves and 0 abstentions. 0 Councilmembers were absent or excused.

  
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Chaveli Herrera, Town Clerk