

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA  
RESOLUTION NO: 2012-72**

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**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”) FINDING AND DECLARING THAT SAME DEEM THE GRANTING OF A CERTAIN UTILITY FRANCHISE BENEFICIAL TO THE MUNICIPAL CORPORATION PURSUANT TO A.R.S. § 9-502(B); ORDERING THE SUBMITTAL OF THE QUESTION TO THE QUALIFIED ELECTORS AS TO WHETHER OR NOT THE FRANCHISE SHALL BE GRANTED TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE (“SSVEC”); PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION TO ALL QUALIFIED ELECTORS; PRESCRIBING THE FORM OF BALLOT TO BE USED; AUTHORIZING AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.**

**WHEREAS**, the City of Willcox has passed and adopted Resolution 2012-71 approving the placement of the new SSVEC franchise agreement to its qualified electors as required pursuant to A.R.S. § 9-502(B); and

**WHEREAS**, the City of Willcox must deem the granting of the franchise beneficial to the municipal corporation before it shall submit the question to its qualified electors as to whether or not the franchise shall be granted at a regular or special election called for that purpose as required pursuant to A.R.S. § 9-502(B); and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA** as follows:

**SECTION 1:**

That Mayor and Council of the City of Willcox, Arizona hereby deem the granting of the SSVEC franchise beneficial to the municipal corporation and shall submit the question to the qualified electors of the CITY as prescribed pursuant to A.R.S. § 9-502(B).

**SECTION 2:**

That an election is hereby called and ordered to be held in the CITY on November 6, 2012, for the purpose of submitting to a vote of the qualified electors of the CITY the question as to whether the following new 25 year franchise shall be granted to SSVEC.

SECTION 3:

That the election on the submitted question shall be conducted by Cochise County Elections Division in conjunction with the regularly scheduled General Election on November 6, 2012.

SECTION 4:

That the ballots to be used shall be in substantially the following form:

OFFICIAL BALLOT  
CITY OF WILLCOX  
ELECTION, NOVEMBER 6, 2012

QUESTION 1 – CUESTION 1

ELECTRIC FRANCHISE

SHALL A FRANCHISE BE GRANTED TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, AN ARIZONA CORPORATION, ITS SUCCESSORS OR ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC UTILITY SYSTEM IN THE CITY OF WILLCOX, ARIZONA, AND FUTURE ADDITIONS THERETO IN ACCORDANCE WITH THE PROPOSED FRANCHISE AGREEMENT ON FILE WITH THE CITY CLERK AND AS PUBLISHED?

FRANQUICIA DE \_\_\_\_\_

¿ SE LE DEBERÁ OTORGAR A LA SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, UNA CORPORACIÓN DE ARIZONA, UNA FRANQUICIA PARA MANTENER Y OPERAR UN SYSTEMA DE SERVICIOS PÚBLICOS DE ELECTRICIDAD EN LA CIUDAD DE WILLCOX, ARIZONA Y ADICIONES VENIDERAS A ESO, DE ACUERDO CON EL CONVENIO DE FRANQUICIA PROPUESTO Y ARCHIVADO CON LA OFICINA DE CITY CLERK EN LA CIUDAD DE WILLCOX?

**FOR THE FRANCHISE RENEWAL/ A FAVOR DE RENOVAR LA FRANQUICIA**

**AGAINST THE FRANCHISE RENEWAL/ EN CONTRA DE RENOVAR LA FRANQUICIA**

SECTION 5:

That the City Manager, City Clerk, Legal Counsel, Election Officials or their duly authorized officers and agents are hereby authorized and directed to take all necessary steps to carry out the purposes and intent of this Resolution.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 6<sup>th</sup> day of August, 2012

APPROVED/EXECUTED

/s/ Robert A. Irvin  
MAYOR, ROBERT A. IRVIN  
Signed: 08-08-2012

ATTEST:

APPROVED AS TO FORM:

/s/ Virginia A. Mefford  
City Clerk, Virginia A. Mefford

/s/ Hector M. Figueroa  
City Attorney, Hector M. Figueroa, Esq.

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