

RESOLUTION NO. 26-1655

A RESOLUTION OF THE MAYOR & CITY COUNCIL OF THE CITY OF ELOY, ARIZONA, DECLARING THAT THE CITY COUNCIL DEEMS THE GRANTING OF A CERTAIN FRANCHISE BENEFICIAL FOR THE CITY OF ELOY; ORDERING AN ELECTION TO BE HELD ON NOVEMBER 3, 2026, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF ELOY 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 City of Eloy in the form attached hereto as Exhibit A; and,

WHEREAS, the Mayor & City Council of the City of Eloy has determined that the granting of the proposed franchise for Arizona Public Service Company is beneficial to the City; 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 City of Eloy desire to submit to the Eloy 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 City Council of the City of Eloy, Arizona, as follows:

SECTION 1. That the City Council of the City of Eloy 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 City of Eloy and the City residents.

SECTION 2. That an election is hereby called and ordered to be held in the City of Eloy on **November 3, 2026**, for the purpose of submitting to the qualified electors of the City of Eloy 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 City Code of the City of Eloy.

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

**CITY OF ELOY, ARIZONA, AND FUTURE ADDITIONS THERETO, IN
ACCORDANCE WITH THE AGREEMENT SUBMITTED BY THE
MAYOR AND CITY COUNCIL OF THE CITY OF ELOY, ARIZONA, TO
THE QUALIFIED ELECTORS OF SAID CITY?**

SECTION 5. That the City Clerk and City 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 City Council of the City of Eloy, Arizona this 13th day of April, 2026.

A handwritten signature in blue ink, reading "Andrew Sutton", is written over a horizontal line.

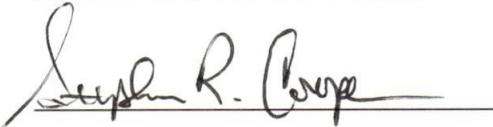
Andrew Sutton, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Celine Kidwell", is written over a horizontal line.

Celine Kidwell, City Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, reading "Stephen R. Cooper", is written over a horizontal line.

Stephen R. Cooper, City Attorney