**RESOLUTION NO. 1987-26**

**A RESOLUTION OF THE MAYOR & TOWN COUNCIL OF THE TOWN OF FLORENCE, ARIZONA, FINDING AND DECLARING THAT THE GRANTING OF A CERTAIN FRANCHISE BENEFICIAL FOR THE TOWN OF FLORENCE; ORDERING AND CALLING AN ELECTION TO BE HELD ON NOVEMBER 3, 2026 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE TOWN OF FLORENCE THE QUESTION AS TO WHETHER OR NOT A FRANCHISE SHALL BE GRANTED TO ARIZONA PUBLIC SERVICE COMPANY; PRESCRIBING THE FORM OF THE BALLOT; AND AUTHORIZING AND DIRECTING THE TOWN CLERK TO TAKE ALL NECESSARY ACTIONS TO FACILITATE THE ELECTION.**

**WHEREAS,** on May 20, 2003, the qualified electors of the Town of Florence (the "Town") approved a 25-year franchise agreement with Arizona Public Service Company ("APS") conferring the privilege to construct, maintain, and operate an electrical system within the Town's public rights-of-way;

**WHEREAS,** the 2003 Franchise will expire on June 1, 2028;

**WHEREAS,** the Mayor and Council of the Town of Florence have determined that it will be beneficial to the Town to grant a new franchise to APS, conferring the right to utilize the Town's rights-of-way for the continued construction, maintenance, and operation of an electrical system prior to the expiration of the 2003 Franchise Agreement;

**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 Florence desire to submit to the Florence 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 Town Council of the Town of Florence, Arizona, as follows:

SECTION 1. That the Town Council of the Town of Florence 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 Town of Florence and the Town residents.

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

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, CONFERING THE RIGHT AND PRIVILEGE TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC UTILITY SYSTEM, AND FUTURE ADDITIONS THERETO, IN, OVER, UNDER AND ACROSS THE PUBLIC RIGHTS-OF-WAY WITHIN THE TOWN OF FLORENCE, ARIZONA, IN ACCORDANCE WITH THE AGREEMENT SUBMITTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF FLORENCE, ARIZONA, BY RESOLUTION NO. 1987-26?

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.

SECTION 6. The applicant, APS, shall pay the cost of said election, including all reasonable costs associated with educating the qualified electors and publicizing the election.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Florence, Arizona this 7th Day of April 2026.

[SIGNATURES ON THE FOLLOWING PAGE]

Keith Eaton, Mayor

ATTEST:

Lisa Garcia, Town Clerk

APPROVED AS TO FORM:

Robert Wingo, Town Attorney

Exhibit A

Franchise Agreement