

RESOLUTION NO. 698-2022

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF THATCHER, ARIZONA, DECLARING THAT THE TOWN COUNCIL DEEMS THE GRANTING OF A FRANCHISE WITH SOUTHWEST GAS CORPORATION BENEFICIAL FOR THE TOWN OF THATCHER; ORDERING AN ELECTION TO BE HELD ON MAY 17, 2022, AT WHICH ELECTION THERE SHALL BE SUBMITTED TO THE VOTERS OF THE TOWN OF THATCHER 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 Thatcher to enter into Franchise agreements with public utilities; and

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

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

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

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

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

SECTION 2. That an election is hereby called and ordered to be held in the Town of Thatcher on May 17, 2022 for the purpose of submitting to the electors of the Town of Thatcher 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 Thatcher 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 OF THATCHER 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.

APPROVED AND ADOPTED by the Mayor and Council of the Town of Thatcher, Graham County, Arizona, this 28th day of February, 2022.

Randy Bryce, Mayor

ATTEST:

Annie Reidhead, Deputy Town Clerk

APPROVED AS TO FORM:

Matt Clifford, Town Attorney

ARGUMENT “FOR” APPROVAL OF THE FRANCHISE AGREEMENT:

Please join us in voting YES on the ballot questions approving a franchise agreement with Southwest Gas Corporation. Passage of this ballot question will provide final approval to a new franchise agreement that will set the terms of the working relationship between the Town of Thatcher and Southwest Gas for the next 25 years.

Southwest Gas recently began serving our community with natural gas in early 2022. The Thatcher Town Council has approved and referred a new franchise to the citizens of Thatcher for consideration. If approved, voters will authorize Southwest Gas to use our public rights-of-way to continue to provide our community with safe, affordable and reliable energy to power our economy and to meet our at home comfort needs. This agreement is the same as the prior agreement the Town had with Graham County Utilities.

A vote for approval of the franchise is a vote to renew the Town’s important oversight function of Southwest Gas. The franchise agreement will establish uniform rules and procedures that the company will be required to follow when working in Thatcher’s town limits. In exchange for the rights and business certainty provided by the Town, Southwest Gas has agreed to pay a sum equal to 2% of their gross revenue from the sale and/or delivery of natural gas within Thatcher back to the Town to support services like road improvements, public safety, and community and economic development that make our community a great place to live.

The Town of Thatcher looks forward to building a strong relationship with Southwest Gas, and fully expects them to become an important community partner which helps Thatcher thrive. Please vote YES on the franchise question to begin our Town’s mutually beneficial relationship with Southwest Gas for the next 25 years.