

RESOLUTION NO. 05-40

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF MARICOPA, ARIZONA, FINDING AND DECLARING THAT SAID MAYOR AND COMMON COUNCIL DEEM THAT IT WOULD BE BENEFICIAL TO THE CITIZENS OF THE CITY OF MARICOPA TO GRANT AUTHORITY TO THE CITY TO ENGAGE IN THE UTILITY BUSINESS AND ORDERING THAT, PURSUANT TO A.R.S. §9-514, THERE SHOULD BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY, THE QUESTION AS TO WHETHER OR NOT THE CITY SHOULD BE AUTHORIZED TO CONSTRUCT, PURCHASE, ACQUIRE OR LEASE ANY PLANT OR PROPERTY OR PORTION OF PLANT OR PROPERTY DEVOTED TO THE BUSINESS OF OR SERVICES RENDERED BY A PUBLIC UTILITY; PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION AND THAT ALL QUALIFIED ELECTORS OF THE CITY SHALL BE ENTITLED AND QUALIFIED TO VOTE AT SAID ELECTION.

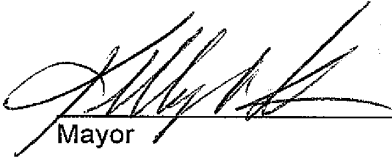
WHEREAS, the Mayor and Common Council of the City of Maricopa deem that it would be beneficial to the citizens of the City of Maricopa to authorize the City to engage in the utility business and to construct, purchase, acquire or lease any plant or property or portion of plant or property devoted to the business of or services rendered by a public utility.

WHEREAS, pursuant to A.R.S. §9-514, before the City can engage in the utility business and to construct, purchase, acquire or lease any plant or property or portion of plant or property devoted to the business of or services rendered by a public utility, the authority to engage in the utility business must be authorized by an affirmative vote of the qualified electors of the City.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF MARICOPA, ARIZONA:

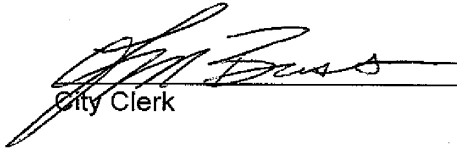
Section 1. That the question of authorizing the City to engage in the utility business and to construct, purchase, acquire or lease any plant or property or portion of plant or property devoted to the business of or services rendered by a public utility is hereby ordered to be put upon the ballot at the election to be held on the sixteenth day of May 2006, for the purpose of submitting to a vote of the qualified electors of the City the ~~question as to whether or not the City should be authorized to engage in the utility~~ business and to construct, purchase, acquire or lease any plant or property or portion of plant or property devoted to the business of or services rendered by a public utility.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Maricopa, Arizona, this 6th day of December, 2005.



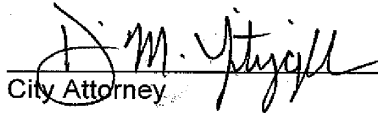
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney