



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 1111

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, APPROVING THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF YUMA REGARDING PAYMENT OBLIGATIONS FOR CONSTRUCTION OF ROADWAY ON COUNTY 25TH STREET -AVENUE E TO AVENUE D.

WHEREAS, the City of San Luis, Arizona approved an Intergovernmental Agreement between the City of San Luis and the County of Yuma for Roadway Construction on County 25th Street – Avenue E to Avenue D which was recorded with the Yuma County Recorder’s Office on October 25, 2013 under Recorder’s Number 2013-29285 (referred to below as the “IGA”); and

WHEREAS, under the IGA the City of San Luis financial obligation is \$175,000.00 which it has paid in full; and

WHEREAS, under the IGA the obligation of \$175,000.00 was contemplated to be 50% of the cost to build the road; and

WHEREAS, there were cost overruns to build the road; and

WHEREAS, it was understood that a private developer was planning to install a water line in the same area of County 25th Street – Avenue E to D but the private developer did not do so.; and

WHEREAS, the City of San Luis at its own expense installed the water line in the same area of County 25th Street – Avenue E to D; and

WHEREAS, in light of the contribution of the water line to the infrastructure by the City of San Luis, the parties to the IGA have agreed to amend the IGA holding the financial contribution to the road construction to \$175,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of San Luis as follows:

Section 1: Approve the Intergovernmental Agreement between the City of San Luis and the County of Yuma for Roadway Construction on County 25th Street – Avenue E to Avenue D First Amendment.

Section 2: In the event of a conflict between the provisions of this resolution and any other resolution, ordinance, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this resolution shall govern.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this ____ day of September, 2015.

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM

Sonia Cornelio, City Clerk

Glenn J. Gimbut, City Attorney