



## NOTICE OF WORK SESSION

In accordance with §38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of City Council and to the general public that the Mayor and Council of the City of San Luis, Arizona, will hold a Work Session meeting at 6:30 p.m., Wednesday, March 20, 2019. The Work Session will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Sonia Cornelio, City Clerk

## AVISO DE SESION DE TRABAJO

De acuerdo con los Estatutos del Estado de Arizona A.R.S. §38-431.01, se le informa a los miembros del Cabildo y al público en general que el Alcalde y el Cabildo, tendrán una Sesión de Trabajo a las 6:30 p.m., el día Miércoles, 20 de Marzo del 2019. La junta se llevará a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. El público está cordialmente invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicado en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona A.R.S §1-602.A.9, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones políticas para hacer una grabación de audio o video de su hijo menor de edad. Las juntas del Cabildo se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabación, o tomar acción personal para asegurarse que su hijo menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con los Estatutos del Estado de Arizona A.R.S. §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Sonia Cornelio, Actuaría de la Ciudad



**AGENDA**  
**Work Session**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, AZ 85349**  
**March 20, 2019**  
**6:30 p.m.**

**PLEASE TAKE NOTICE THAT MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION; THE MAYOR OR ACTING MAYOR FOR THIS MEETING MAY CHANGE THE ORDER OF THE ITEMS.**

- 1. CALL TO ORDER/ROLL CALL**
- 2. ITEM FOR DISCUSSION ONLY**
- 2. A.** Discussion and possible directions to staff on any and all matters regarding the road connecting Los Alamos Subdivision and options for improvements to the road and creating alternative ingress and egress for the subdivision, funding options, and legalities. **(Eulogio Vera, Public Works Director and Kay Marion Macuil, City Attorney)**
- 3. ADJOURNMENT**

**IN THE EVENT A MAJORITY OF THE COUNCIL IS NOT PRESENT, AN INFORMAL WORK SESSION MAY BE HELD.**



## AGENDA ITEM REVIEW FORM

### Work Session

2.A.

**Meeting Date:** 03/20/2019

**Department Head:** Kay Macuil, City Attorney, Attorney's Office

**Submitted By:** Kay Macuil, City Attorney, Attorney's Office

**Action Requested:** Discussion Item - No Action to be Taken

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### ITEM:

Discussion and possible directions to staff on any and all matters regarding the road connecting Los Alamos Subdivision and options for improvements to the road and creating alternative ingress and egress for the subdivision, funding options, and legalities. **(Eulogio Vera, Public Works Director and Kay Marion Macuil, City Attorney)**

### SUMMARY:

Staff will present options as described in the agenda item.

### RECOMMENDATION / SUGGESTED MOTION:

**Discussion and possible directions to staff only, no action.**

N/A

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### Fiscal Impact

**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** N/A

**CITY/STATE/FEDERAL FUNDS:** N/A

**TOTAL:** N/A

**BUDGETED AMOUNT:** N/A

**AVAILABLE AMOUNT TO TRANSFER:** N/A

**ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE:** N/A

**FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):**

This item is to discuss options only.

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### Attachments

PowerPoint - 10th Avenue to Los Alamos

Steps to Create a District

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**San Luis City Council  
Work Session - March 20, 2019**

# Introduction

Presentation based on

## Introduction to Community Facilities Districts

By Attorney Michael Cafiso

Law in Arizona Revised Statutes

A.R.S. §48-701 through §48-728

# Topics

- I. What is a Community Facilities District?
- II. Create District
- III. Powers

## I. Community Facilities District is . . .

- Formed by the Mayor & City Council
- A legal entity separate from the City with the authority to
  - construct, acquire, operate and maintain public infrastructure and
  - Borrow and raise money to do it.
- Governed by the Mayor & City sitting as the Board of the District. (If 600 acres involved then City Council can appoint a separate board).



## II. Create Districts

More than one district may cover the same property.



# II. Create District



## See Hand-Out – “Steps to Create a District”

### Petition

- Owners of at **least 25% of the land area** in a proposed district **petition** the council for creation.
- The Mayor and Council adopt a resolution declaring its intention to create the district.

### •Notice and opportunity for City Council to hear objections

- **Notice of intention to create the district is mailed to all owners** within the proposed district. Notice is also published in a newspaper of general circulation. The notice must indicate the time and place of a public hearing for the creation of the district and inform the landowners of their right to object to the creation of the district.
- Any party claiming an interest in real property within the proposed district may object in writing, stating the specific reasons for the objection.
- At the hearing before the Mayor and Council, evidence is presented and written objections are ruled on.

### •Landowners Special Election

- After the hearing, the Mayor and Council may modify the district or the general plan and, if deemed appropriate, order the district created and a creation election to be conducted.
- **Creation of the district must be approved by a majority of votes cast by the landowners who are qualified electors voting at a special election.** Landowners in the Los Alamos subdivision are qualified electors if they have title to the land for 90 days prior to the special election and is a resident of Arizona. **Each landowner votes a number of votes equal to the number of acres or portions of acres owned by that owner rounded upward to the nearest fifth of an acres.**

### •Opportunity for objections in Court

- Anyone who objected to the creation and is not satisfied with the result, has an opportunity to file a special action with the Court of Appeals contesting creation.
- If approved by a majority of votes cast by the landowners voting at the election and not overturned by the court, the district will be created. Thereafter, changes in the district's boundaries or the general plan require notice and a hearing.

### III. Powers-Borrow & Tax



If approved at an election of qualified electors within the District, the District may:

- borrow money by selling bonds, and pay bonds back by imposing a property tax on the landowners in the District;
- impose a property tax without bonds and
- borrow money by selling bonds and spread the cost of the project by special assessments determined by benefit.

## III. Powers

- After obtaining a report of the feasibility and benefits of the project and holding a hearing on such report, acquire, convert, renovate, improve, etc.
  - drainage and flood control systems;
  - roadways and parking facilities;
  - pedestrian, equestrian, bicycle or other nonmotor vehicle paths and facilities;
  - landscaping and water features;
  - lighting systems;
  - traffic control systems and
  - other infrastructure listed in the statutes.
- Acquire land and
- Raise and spend money for public infrastructure



## Steps to Create a District

### Petition

1. Owners of at **least 25% of the land area** in a proposed district **petition** the council for creation.
2. The Mayor and Council adopt a resolution declaring its intention to create the district.

### Notice and opportunity for City Council to hear objections

3. **Notice of intention to create the district is mailed to all owners** within the proposed district. Notice is also published in a newspaper of general circulation. The notice must indicate the time and place of a public hearing for the creation of the district and inform the landowners of their right to object to the creation of the district.
4. Any party claiming an interest in real property within the proposed district may object in writing, stating the specific reasons for the objection.
5. At the hearing before the Mayor and Council, evidence is presented and written objections are ruled on.

### Landowners Special Election

6. After the hearing, the Mayor and Council may modify the district or the general plan and, if deemed appropriate, order the district created and a creation election to be conducted.
7. **Creation of the district must be approved by a majority of votes cast by the landowners who are qualified electors voting at a special election.** Landowners in the Los Alamos subdivision are qualified electors if they have title to the land for 90 days prior to the special election and is a resident of Arizona. **Each landowner votes a number of votes equal to the number of acres or portions of acres owned by that owner rounded upward to the nearest fifth of an acres.**

### Opportunity for objections in Court

8. Anyone who objected to the creation and is not satisfied with the result, has an opportunity to file a special action with the Court of Appeals contesting creation.
9. If approved by a majority of votes cast by the landowners voting at the election and not overturned by the court, the district will be created. Thereafter, changes in the district's boundaries or the general plan require notice and a hearing.