



# *Proclamation*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**PROCLAMATION AND CONTINUED DECLARATION OF EMERGENCY  
BY**

**MAYOR GERARDO SANCHEZ OF THE CITY OF SAN LUIS, ARIZONA**

**September 30, 2020**

**San Luis High School Girls Volleyball Matches in October and November in 2020**

**(Reference Arizona EO 2020-43 and EO 2020-52)**

**WHEREAS**, Section 1 of Arizona Governor Douglas A. Ducey's June 29, 2020, Executive Order 2020-43 titled "Pausing of Arizona's Reopening: *Slowing the Spread of COVID-19*" and as extended by Executive Order 2020-52, allows cities:

1. to approve or deny organized public events of more than 50 people,
2. to approve organized public events of more than 50 people only if adequate safety precautions are implemented, including physical distancing measures,
3. to deny a request for an organized event due to public health concerns related to COVID-19 and
4. to impose conditions or restrictions consistent with the Arizona Governor's Executive Orders; and

**WHEREAS**, on Monday, September 28, 2020, Yuma Union High School District ("YUHSD") and the San Luis High School ("SLHS") have requested that approximately six (6) SLHS Girls' Volleyball matches take place during October and November of 2020 at the SLHS Gym under the conditions and provided in the attached Exhibit A; and

**WHEREAS**, the schedule as of September 28, 2020, of the volleyball matches, is shown in the attached Exhibit B.

**WHEREAS**, each volleyball event includes three (3) matches (freshmen/sophomore teams, junior varsity teams, and varsity teams); and

**WHEREAS**, on September 29, 2020, Assistant SLHS Principal David Barrios indicated in a telephone conversation with San Luis City Attorney Kay Marion Macuil that SLHS shall take the additional precaution of monitoring the numbers of spectators between matches. If the numbers get too large for proper social distancing, a public announcement will be made for those invited for the game that just ended must leave.

## Legal Authority

**WHEREAS**, the City of San Luis is within its powers to take measures to protect the health, safety and welfare of and reduce the harm to the residents and visitors within its city limits from the spread of COVID-19 and other diseases, specifically its police powers as a political subdivision of the State of Arizona, including ARS § 9-240(B)(22) which gives the city the power to take any action and prescribe regulations, which may be necessary or expedient for the prevention or suppression of disease; and as a power reserved to the States under the Tenth Amendment to the US Constitution; and

**WHEREAS**, the recitations made in the Declarations of Emergency issued by the City of San Luis on March 13, 2020, and March 18, 2020, recites that all levels of government are taking steps to mitigate the harms posed by COVID-19; and

**WHEREAS**, ARS § 26-311; San Luis City Code § 30.004 "Powers and Duties of the Mayor," San Luis City Code § 30.002 "Vice Mayor," empower the Mayor of the City of San Luis, or Vice Mayor in the Mayor's absence or disability, to declare a local emergency exists; and

**WHEREAS**, ARS. Title 26, Chapter 2, Article 1, San Luis City Code § 30.004(A)(5) and (B) and the October 9, 2019, San Luis Emergency Operations Plan, Basic Plan II(E), Page 6, authorize the Mayor to govern by proclamation during an emergency; and

**WHEREAS**, this Proclamation and Continued Declaration of Emergency does not conflict with any Executive Orders of the Governor of Arizona (see the City Attorney Opinion dated June 17, 2020); and

**WHEREAS**, 28 CFR 36.208, the implementing regulations for the Americans with Disabilities Act ("ADA") states that the ADA does not require a public accommodation to permit an individual to participate in or benefit from the goods, services, facilities, privileges, advantages and accommodations of that public accommodation when that individual poses a direct threat to the health or safety of others; including but not limited to people with disabilities who may be unable, due to their disability, to wear a Face Covering unless there are reasonable alternative means to accommodate the person without a direct threat to the health or safety of others; and

**NOW, THEREFORE**, I, Gerardo Sanchez, Mayor of the City of San Luis, Arizona, by the authority vested in me by the urgency of the circumstances and law and facts recited above proclaim and order:

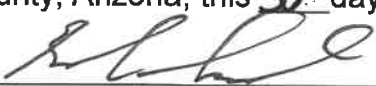
1. A public health emergency continues to exist.
2. The City of San Luis abides by all Executive Orders of the Governor of Arizona.


3. This proclamation applies solely and exclusively to the SLHS Girls Volleyball matches at SLHS gym scheduled during October and November 2020, in Exhibit B (the "Events").
4. The Events may proceed in October and November of 2020 under the following conditions:
  - a. those conditions described in the attached Exhibit A, which are the YUHSD's protocols,
  - b. that SLHS authorities shall monitor the numbers of spectators between matches. If the numbers get too large for proper social distancing, a public announcement will be made for those invited for the game that just ended that they must leave,
  - c. that there shall be no food or eating at the Events,
  - d. that all people at the Events shall comply with the City of San Luis' Proclamation on Face Coverings dated June 17, 2020, and attached as Exhibit C with the exception that the athletes while engaged in the play of the matches on the volleyball court may opt-out of wearing face coverings.
  - e. That YUHSD shall indemnify and hold the City harmless from any and all claims, causes of action or suits of whatsoever kind or nature related to the Events.
5. If a person at the Event asserts that he or she has a disability that prevents the person from wearing a mask, the SLHS authorities or law enforcement may exclude the person, even if the person has a disability, because the person poses a direct threat to the health and safety of others. Even if the person does not exhibit COVID-19 symptoms, it is still a threat. SLHS authorities are to comply with the ADA and accommodate the disabled individual if reasonable in a manner that does not fundamentally alter the SLHS's operations or jeopardize others' health.
6. If public health concerns increase based on data from the Yuma County Health District, the Arizona Department of Health Services or other science-based, reliable sources, this Proclamation may be revoked or modified.
7. At the direction of the City of San Luis Mayor (who is also the Chief Executive Officer) may authorize the City Manager to issue permissions or denials for organized public events under the Arizona Governor's Executive Orders 2020-43 and 2020-52.
8. Before any enforcement action is taken to enforce this order under ARS § 26-317 (a class 1 misdemeanor), a person shall be notified and given an opportunity to comply.
9. If any provision of this proclamation or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity affects no other provision or application of this proclamation. Those provisions that remain valid shall

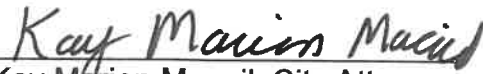
be given effect without the invalid provision or application. To achieve this purpose, the provisions of this proclamation are declared to be severable.

10. To the extent they do not conflict with this Proclamation or the Arizona Governor's Executive Orders, this Proclamation and the Declarations of Emergency, Proclamations and Orders the City of San Luis issued since March 13, 2020, through June 17, 2020, and the Joint Proclamation of June 12, 2020, shall remain in full force and effect for the duration of the Public Health Emergency or until lawfully amended or terminated.

**ISSUED** by the Mayor of the City of San Luis, Yuma County, Arizona, this 30<sup>th</sup> day of September 2020 at 4:37 p.m.

  
\_\_\_\_\_  
Gerardo Sanchez, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Tadeo A. De La Hoya, City Manager  
Notary Public

**APPROVED AS TO FOR**  
  
\_\_\_\_\_  
Kay Marion Macuil, City Attorney

# Exhibit A

## Kay Macuil

---

**From:** David Barrios <dbarrios@yumaunion.org>  
**Sent:** Monday, September 28, 2020 12:29 PM  
**To:** Kay Macuil; Lizandro Galaviz; Maria Sabori; Tadeo A. DeLaHoya  
**Cc:** Timothy Brienza; Coach Lucky Arvizo; Karina Ortega  
**Subject:** [EXTERNAL] SLHS Request and Proposal for the Return of Sports  
**Attachments:** We sent you safe versions of your files; YUHSD Return to Learning Plan Document Update 092420.pdf; GBGB-R.pdf(Employees).pdf; JICA-RB (Students).pdf; KI-RB(Visitors).pdf; fall-2020-sports-modifications (2).pdf; 2020-43.pdf; 2020 Fall Sports schedule .docx.pdf; Vball Gameday Operations (COVID19).pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

---

Good Afternoon All,

I am emailing to request permission from the City of San Luis to allow the hosting of athletic competitions with spectators on YUHSD property at San Luis High School for the 2020-2021 school year. If approved, with spectators, competitions on campus have the potential to reach or exceed 50 people. The way we interpret Executive Order 2020-43 is that we need the mayor of San Luis' permission to have a public event, athletic competition, when more than 50 people are expected to attend. For your reference, the Mayor of Yuma has approved spectators for YUHSD athletic events.

Below, I have outlined our proposal to implement safety protocols for athletic competitions at San Luis High School:

1. Athletes and coaches must complete and submit a daily self symptom report.
2. All athletes, coaches, employees and visitors are required to wear a face mask on campus. Athletes will not be required to wear cloth face coverings during physical activities, though they may voluntarily wear cloth face coverings at any time.
3. Teams have sanitizing products and procedures in place for themselves and their equipment.
4. Each YUHSD athlete will be allowed 2 spectators to attend competitions. Unless they are employees working the event, no other spectators will be allowed.
5. Social distancing will be expected.

I have attached several documents to reference as supporting evidence regarding the question of the return of hosting athletic competitions with spectators at SLHS.

- 2020-43 (Executive Order)
- AIA fall 2020 sports modifications (has numerous references to face coverings)
- JICA-RB (YUHSD Governing Board Regulation regarding student face coverings)
- KI-RB (YUHSD Governing Board Regulation regarding visitor face coverings)
- GBGB-R (YUHSD Governing Board Regulation regarding employee face coverings)
- YUHSD Return to Learning Plan (Includes mitigation plan)
- 2020 SLHS Fall Sports Schedule
- SLHS Volleyball Gameday Operations

For any questions regarding this email please feel free to contact me using the information below.

Very Respectfully,



**David A. Barrios**

Assistant Principal / Athletic Director | San Luis High School

phone: (928)502-6058

mobile: (928)503-0251

site: [www.yumaunion.org/sanluis](http://www.yumaunion.org/sanluis)

address: 1250 North 8th Avenue San Luis, Arizona 85349

"Commitment to Excellence"

# VOLLEYBALL GAMEDAY OPERATIONS

Staff Member in charge: David Barrios (Xray 18) Security: Memo (Sam 33)  
 Athletic Trainer: Kyrah Holland (Tom 15) Custodian: Ramon (Charlie 9)

Pre-game setup: Equipment Manager/Team

- = Only entrance to Gym (opens at 3:00pm): Student Worker and/or employee
- All other doors to Gym are Exit Only (no re-entry)

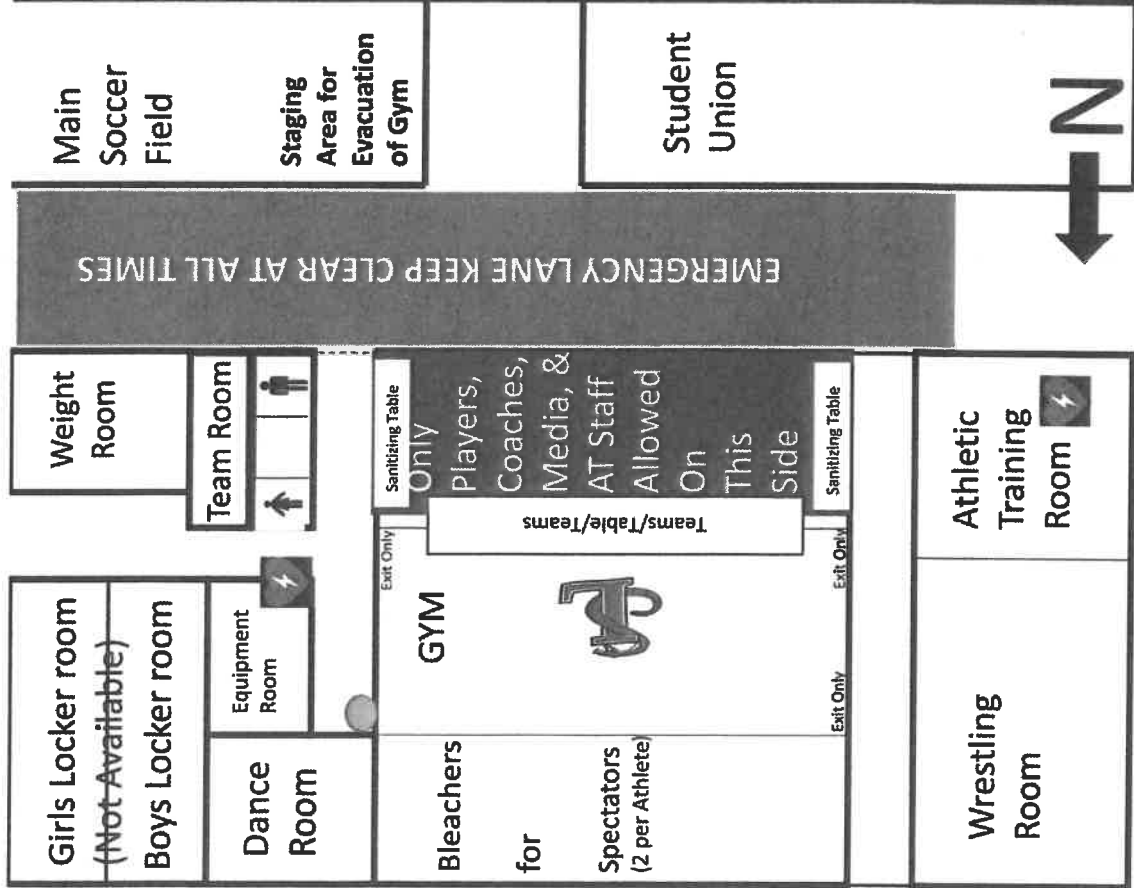
Scoreboard and book: student workers arrive at 3:30pm

- Game Times (no earlier than): F/S= 4pm; JV= 5:00pm; Varsity= 6pm**
- 2 mins before Varsity Game begin AIA Statement
  - Announce visiting team's starting line up
  - Announce San Luis' starting line up
  - National Anthem

Post-game tear down: Equipment Manager, team & AT

## SAFETY (If AT not available, dial 911 for emergencies):

- Face masks must be worn by spectators and coaches at all times
  - Social distance spectators (no groups bigger than 2)
  - Bleachers on the South side of the gym can be lowered to accommodate size
  - Hand and equipment sanitizing stations will be available for both teams
  - Locker rooms will **not** be available.
  - AT will be set up on team side of the court
  - AT will establish/hold emergency action plan for the event
  - All AEDs have NARCAN kits with them
  - In case of evacuation= main soccer field will be staging area
  - Contact Staff member in charge/security for any unruly fans (or SLPD)
- No one should be anywhere outside of gym without supervision  
**AT NO TIME IS A FAN/SPECTATOR ALLOWED ON COURT**



Main Soccer Field

Staging Area for Evacuation of Gym

Student Union

EMERGENCY LANE KEEP CLEAR AT ALL TIMES



Girls Locker room (Not Available)  
Boys Locker room

Dance Room

Equipment Room

Team Room

Weight Room

GYM

Bleachers for Spectators (2 per Athlete)

Sanitizing Table

Only Players, Coaches, Media, & AT Staff Allowed On This Side

Teams/Table/Teams

Sanitizing Table

Exit Only

Exit Only

Wrestling Room

Athletic Training Room



## 2020 AIA Volleyball Modifications

This document provides guidance and game modifications for schools, game administrators, coaches, players, and officials to follow in accordance with NFHS, state and local restrictions and recommendations. Game Administration is responsible for informing all participants of local guidelines for participation.

### ❖ PREGAME, TRAVEL & FACILITIES

#### ● DRESSING ROOM FACILITIES, TRAVEL & PREGAME

- Dressing facilities for game officials and teams should be large enough for them to use social distancing protocols and should be properly cleaned and sanitized prior to their arrival.
- Before, during, and after the contest, players, coaches, game officials, team personnel and game administration should wash or sanitize their hands as often as possible.
- Maintain social distancing of 6 feet at all times while on the court during pregame when possible.
- Team personnel (including players) must wear face covering during travel, pregame, and postgame.

### ❖ RULE MODIFICATIONS

#### ● PREMATCH CONFERENCE

- Suspend the coin toss to determine serve/receive. The visiting team will have the option to serve/receive first in set 1 and alternate first serve for the remaining of the non-deciding sets.
- Suspend roster submission at the pre-match conference. Rosters are submitted directly to the officials table prior to the 10-minute mark.
- No handshakes prior to and following the coin toss.

#### ● TEAM BENCH

- Suspend teams switching between sets, unless there is a distinct advantage as will be determined by the officials.
- If necessary, maintain social distancing of 6 feet while switching.
- Do not share uniforms, towels, water bottles, and other apparel or equipment.

#### ● DECIDING SET PROCEDURES

- Coin toss should take place in the center of the court, with the team captains divided by the net while maintaining distancing with the second referee. A coin toss, called by the home team, will determine serve/receive.

#### ● BALL

- The ball should be cleaned and sanitized throughout the contest as recommended by the ball manufacturer.
- The ball personnel should maintain social distancing of 6 feet at all times during the contest.

#### ● SUBSTITUTION PROCEDURES

- Maintain distancing between the second referee and the player and substitute by encouraging substitutions to occur within the substitution zone and closer to the attack line.

- **OFFICIALS TABLE**
  - Limit to essential personnel which includes home team scorer, libero tracker and timer with a recommended 3-6 feet between individuals. Visiting team personnel (scorer, statisticians, etc.) are not considered essential personnel and may need to find an alternative location.
  - Officials' table personnel must wear a face covering.
- **VOLLEYBALL RULES INTERPRETATIONS**
  - Cloth face coverings are permissible
  - Gloves are permissible
  - Long sleeves are permissible
  - Long pants are permissible
  - Undergarments are permissible but must be unadorned and of a single, solid color to the predominant color of the uniform top or bottom.
- **UTILIZE 5-BALL ROTATION**
  - If possible, use a 5-ball rotation system. This permits the intermittent cleansing of game balls, allowing them to dry before game use, using disinfecting wipes during the match.
- **CHARGED TIME-OUTS AND AUTHORIZED CONFERENCES**
  - Players, officials, and coaches should have their own beverage container that is not shared.
  - A single charged time-out may be extended in length for hydration and to sanitize game equipment.
- **INTERMISSION BETWEEN PERIODS AND AFTER SCORING**
  - The intermission between sets may be extended for hydration and to sanitize game equipment.
- **BENCH PERSONNEL**
  - Persons on the bench must be restricted to players and coaches.
  - All coaches, players and other personnel must wear face coverings.
  - Team benches may extend past the end line.

#### ❖ **POSTGAME**

- **HANDSHAKE LINE**
  - No handshakes, high fives, fist bumps, hugs, etc. should occur pre or post-match.
  - Maintain social distancing prior to and following the contest.

#### ❖ **OFFICIALS**

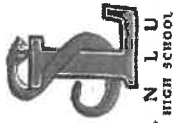
- **PRIOR TO CONTEST & TRAVEL**
  - Contact the AIA Office if you have a temperature or are not feeling well. Do NOT attempt to travel to or work a game sick.
  - Officials should contact the Athletic Director prior to the day of the contest to discuss logistics and requirements for that particular school, district, or municipality. Officials must follow any additional requirements imposed by the school or municipality.
  - Drive yourself to the contest when possible. If carpooling is necessary, wear face covering and limit the amount of people in a single vehicle.
  - Bring your own equipment and towel. Do not share.
  - Bring your own container of water.
  - Arrive at the game site dressed if possible.

- **PREGAME**
  - Social distance during pregame as best as possible.
  - Consider holding pregame discussions outside if necessary.
  
- **FACE COVERINGS & GLOVES**
  - Officials must wear a face covering while on campus (whenever not actively engaged in officiated a contest).
  - The wearing of face covering and gloves while officiating is permissible.
  - The use of electronic whistles is permissible.

**Should the conditions warrant, these modifications will be adjusted. Any further update will be posted on [aiaonline.org](http://aiaonline.org).**

**Please refer to the AIA Recommended Guidelines for Return to Activity; Recommendations for Facilities Management (Section IV, page 16).**

# Exhibit B



SAN LUIS HIGH SCHOOL

# SAN LUIS HIGH SCHOOL ATHLETICS

## 2020 Fall Sports Schedule

"Events" are highlighted in yellow.

Athletic Director: David Barrios  
Athletic Secretary: Karina Ortega  
Phone: (928) 502-6058

### VOLLEYBALL

Varsity Coach: Kathya Cazarez / JV Coach: Daniela Silva / F/S Coach: Kimberly Gutierrez

Date:	Opponent:	Teams	Site	Time
10/02	Kofa	FS/JV/V	HOME	4/5/6pm
10/06	Cibola	FS/JV/V	HOME	4/5/6pm
10/08	Gila Ridge	FS/JV/V	Gila Ridge	4/5/6pm
10/14	Yuma	FS/JV/V	Yuma	4/5/6pm
10/15	Kofa	FS/JV/V	Kofa	4/5/6pm
10/20	Yuma	FS/JV/V	HOME	4/5/6pm
10/21	Cibola	FS/JV/V	Cibola	4/5/6pm
10/22	Gila	FS/JV/V	HOME	4/5/6pm
10/28	Kofa	FS/JV/V	HOME	4/5/6pm
10/29	Yuma	FS/JV/V	Yuma	4/5/6pm
11/03	Cibola	FS/JV/V	HOME	4/5/6pm
11/04	Gila Ridge	FS/JV/V	Gila Ridge	4/5/6pm

Home matches will be live streamed on the SLHS News Facebook page.



### CROSS COUNTRY

Head Coach: Ricardo Villa / Assistant Coaches: Carlos Garcia & Heather Madrigal

Date:	Opponent	Teams	Site	Time
9/23	Cibola	JV/V	HOME	5pm
9/30	Kofa	JV/V	Kofa	5pm
10/07	Yuma	JV/V	Gateway Park	4pm
10/14	Gila Ridge	JV/V	Gila Ridge	4pm
10/21	Yuma	JV/V	HOME	4pm
10/28	District Championship	V	HOME	3:30pm
11/5, 11/6	Sectionals	V	TBD	TBD

FOR ANY QUESTIONS CONTACT THE COACH OF YOUR SPORT OR THE ATHLETICS OFFICE

### GOLF

Boys Coaches: Cesar Castillo & Jorge Duarte / Girls Coach: Miguel Porchas

Date:	Opponent	Team	Site	Time
09/15	Yuma/Cibola	Boys/Girls	Cocopah	3pm
09/17	Kofa/Gila Ridge	Boys/Girls	Cocopah	3pm
09/22	Gila Ridge/Cibola	Boys/Girls	Desert Hills	3pm
09/24	Gila Ridge/Yuma	Boys/Girls	Mesa Del Sol	3pm
09/29	Cibola/Yuma	Boys/Girls	Country Club	3:30pm
10/01	Gila Ridge	Boys/Girls	Mesa Del Sol	3pm
10/06	Yuma/Gila Ridge	Boys/Girls	Country Club	3:30pm
10/08	Gila Ridge/Cibola	Boys/Girls	Mesa Del Sol	3pm
10/20	District Championship	Boys/Girls	Mesa Del Sol	9am

### SWIM

Head Coach: Jose Damian Hernandez

Date:	Site	Time
09/30	Marcus Pool	3pm
10/07	Marcus Pool	3pm
10/14	Marcus Pool	3pm
10/21	Marcus Pool	3pm
10/28	V.A.C.	12pm

\*Valley Aquatic Center

Visit the SLHS News facebook page to view highlights of our home competitions.



# "COMMITMENT TO EXCELLENCE"

Schedules are subject to change

# Exhibit C



# *Proclamation*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**PROCLAMATION AND CONTINUED DECLARATION OF EMERGENCY  
BY  
MAYOR GERARDO SANCHEZ OF THE CITY OF SAN LUIS, ARIZONA  
June 17, 2020  
Face Coverings in Public Spaces**

**Stay Healthy, Return Stronger, Return Smarter (EO 2020-36)**

**WHEREAS**, the City of San Luis supports Arizona Governor Douglas A. Ducey's May 12, 2020, Executive Order 2020-36 phased approach to allow businesses to remain open in a safe and healthy manner while maintaining healthcare capacity and avoiding crisis standard of care to respond to the Coronavirus Disease 2019 ("COVID-19") pandemic.

**WHEREAS**, for determining a safe, phased reopening approach, the Governor's Executive Order 2020-36 is guided by the Arizona Department of Health Services' (ADHS) epidemiological assessment of Arizona's specific data in alignment with the Centers for Disease Control and Prevention (CDC) guidance;

**Increasing Hospital Capacity for COVID-19 Preparedness (EO 2020-16)**

**WHEREAS**, The City of San Luis joins in the Governor's and ADHS's concern for hospital preparedness; and

**WHEREAS**, On May 12, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-36 which ordered entities such as the City of San Luis to develop policies which ensure physical distancing and provide for necessary protection equipment, the purpose of which is "*to ensure that the State of Arizona continues to mitigate the spread of COVID-19 to the greatest extent possible*" (see Paragraphs 5 and 8 of EO 2020-36); and

**WHEREAS**, On March 26, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-16, directing hospitals to increase their capacity to care for COVID-19 patients; and

**WHEREAS**, On June 6, 2020, ADHS Director, Dr. Christ, issued a letter to Arizona

Hospitals to fully activate their emergency plans as directed by the March 26, 2020, Executive Order 2020-16; and

**WHEREAS**, ADHS Director, Dr. Christ, directed the hospitals to judiciously reduce elective surgeries as part of the emergency plan, in her June 6, 2020 letter; and

**COVID-19 Spreads Person to Person Even from People Who Do Not Appear Sick**

**WHEREAS**, COVID-19 is a dangerous disease to public health because

- (1) COVID-19 spreads easily, quickly and undetected because people who have caught it are contagious but may never show symptoms, be in the early stages of the disease when they do not have symptoms, or have mild symptoms; and
- (2) COVID-19 (for a certain percentage of those infected) can lead to severe respiratory illness, permanent damage to vital organs and death.

Particularly vulnerable are those with certain underlying medical conditions of any age and the elderly; and

**Without Vaccine, Without Cure, Preventing Exposure is the Only Tool to Combat COVID-19**

**WHEREAS**, there is no vaccine, treatment or cure for COVID-19; and

**WHEREAS**, without vaccine, treatment or cure individuals must together prevent exposure to COVID-19;

**WHEREAS**, to prevent COVID-19 exposures in Arizona Courts, on May 8, 2020, Arizona Supreme Court Chief Justice Robert Brutinel issued Administrative Order No. 2020-75 titled *Authorizing Limitation of Court Operations During a Public Health Emergency and Transition to Resumption of Certain Operations*, which orders masks, face covering, or face shields for in-person contacts of any kind in all Arizona Courts.

**WHEREAS**, on June 12, 2020, Yuma County and every Mayor in Yuma County found that Yuma County is experiencing increased community spread and the threat of infection remains high and issued a joint proclamation urging the population to prevent exposures by adopting these habits:

1. Wash your hands often with soap and water for at least 20 seconds, or, if soap and water are not available, use a hand sanitizer that contains at least 60% alcohol,
2. Clean surfaces that you or others often touch with an EPA registered household disinfectant daily,
3. Wear a facial cover or mask whenever you go out in public, regardless of whether you are six (6) feet apart or not, and keep in mind that wearing a mask

- does not eliminate your need to keep six (6) feet apart,
4. Avoid gatherings of 10 or more people at all times,
  5. If you are sick or not feeling well, stay home and contact your medical provider as soon as possible;

and

### **Local Rates of COVID-19 Infection Higher than Arizona Rates**

**WHEREAS**, Yuma County is unique to Arizona because it borders on both Mexico and California; and

**WHEREAS**, the populations in the region travel frequently between Arizona, California and Mexico; and

**WHEREAS**, Imperial County, California to the west of Yuma County is experiencing the highest rate of COVID-19 infections in California (*Gustavo Solis, Imperial County has Highest Rate of COVID-19 cases in the State*, THE SAN DIEGO UNION-TRIBUNE, June 14, 2020); and

**WHEREAS**, San Luis Rio Colorado, Sonora, Mexico to the South has the highest number of deaths due to COVID-19 for the State of Sonora (*Cesar Neyoy, San Luis Rio Colorado Sees steady rise in cases of COVID-19*, BAJO EL SOL, May 26, 2020); and

**WHEREAS**, as of June 16, 2020, there were 3,715 confirmed cases of COVID-19 in Sonora, Mexico and 244 deaths; and

**WHEREAS**, there are over 20,000 crossings a day with Mexico through the Ports of Entry located in the City of San Luis; and

**WHEREAS**, As reported in April of this year:

In the Mexican city of Sonora, near the southwest Arizona town of San Luis, COVID-19 is so rampant that an overwhelmed hospital was shut down not far from the jam-packed San Luis border crossing. Mexican media reports that a nurse died at the facility, Hospital de San Luis Rio Colorado, and more than 30 doctors and nurses are sick with the virus. At least 20 doctors may also be infected. Nevertheless, the San Luis crossing remains among the busiest along the southern border, with consistently lengthy wait times.

*See Mexican Hospital Overrun by COVID-19 Closes Near Busiest U.S. Crossing in Arizona*, JUDICIAL WATCH, April 22, 2020; and

**WHEREAS**, as reported by the Yuma County Health District, on June 15, 2020, Yuma County had 125 new cases, 3,404 cumulative cases (with another 63 new cases on June 16), 100 hospitalizations, and 51 cumulative deaths (with another two (2) deaths

on June 16) from COVID-19 for a population according to the U.S. Census Bureau of 213,787;

**WHEREAS**, the above figures are likely an undercount because, on June 15, 2020, there had been 22,119 people in Yuma County tested, a mere 10% of the population; and

**WHEREAS**, on June 15, 2020, the Yuma County COVID-19 infection rate relative to number tested was a staggering 15% while Arizona has a 7% rate as reported by the ADHS on June 16, 2020; and

**WHEREAS**, on June 15, 2020, the Yuma County number of COVID-19 cases per 100,000 population was 1,592 nearly three times the number for the State of Arizona (as reported by the ADHS 543.8 cases per 100,000); and

**WHEREAS**, the number of cases in Yuma County is on an upward trajectory as reported by the Yuma County Health District; and

**WHEREAS**, the entire population of Yuma County depends upon one hospital; and

**WHEREAS**, for all the reasons recited above, the City of San Luis must do all it can to prevent further exposures that could overwhelm the local health care system including ordering all those who find themselves within the city limits of San Luis must wear a face covering in public places;

#### **Legal Authority**

**WHEREAS**, the City of San Luis is within its powers to take measures to protect the health, safety and welfare of and reduce the harm to the residents and visitors within its city limits from the spread of COVID-19, specifically its police powers as a political subdivision of the State of Arizona, including ARS § 9-240(B)(22) which gives the city the power to take any action and prescribe regulations, which may be necessary or expedient for the prevention or suppression of disease; and as a power reserved to the States under the Tenth Amendment to the U.S. Constitution; and

**WHEREAS**, the recitations made in the Declarations of Emergency issued by the City of San Luis on March 13, 2020, and March 18, 2020, recites that all levels of government are taking steps to mitigate the harms posed by COVID-19; and

**WHEREAS**, ARS § 26-311; San Luis City Code § 30.004 "Powers and Duties of the Mayor," San Luis City Code § 30.002 "Vice Mayor," empower the Mayor of the City of San Luis, or Vice Mayor in the Mayor's absence or disability, to declare a local emergency exists; and

**WHEREAS**, ARS Title 26, Chapter 2, Article 1, San Luis City Code § 30.004(A)(5) and

(B) and the October 9, 2019, San Luis Emergency Operations Plan, Basic Plan II(E), Page 6, authorize the Mayor to govern by proclamation during an emergency; and

**WHEREAS**, this Proclamation and Continued Declaration of Emergency does not conflict with any Executive Orders of the Governor of Arizona (see the City Attorney Opinion dated June 17, 2020); and

**NOW, THEREFORE**, I, Gerardo Sanchez, Mayor of the City of San Luis, Arizona, by the authority vested in me by the urgency of the circumstances and law recited above proclaim and order:

1. A public health emergency continues to exist.
2. The City of San Luis abides by all Executive Orders of the Governor of Arizona.
3. "Face Covering" as used in this proclamation means either
  - a. a face mask fabricated to cover the nose and mouth or
  - b. a cloth face covering which covers the nose and mouth and is large enough to be secured under the chin and kept on the face hands-free with either loops or rubber bands over the ears or can be tied or looped to the back of the head. Cloth face coverings should be made of a tight-weave-fabric and be folded or sewn to have more than one layer.
4. A "Face Covering" is ***not*** a mask or other face-covering that incorporates a one-way valve. Typically, a one-way valve is a raised plastic cylinder about the size of a quarter on the front or side of the mask designed to facilitate easy exhaling.
5. A mask or other face-covering that incorporates a one-way valve does not comply with this proclamation.
6. Face Coverings shall fit snugly but allow the wearer to breathe easily.
7. Individuals who are not required to wear a Face Covering are children and infants two (2) years old or younger and people of all ages with medical conditions which would preclude them from wearing Face Coverings.
8. All other individuals shall wear a Face Covering while in public within the city limits of the City of San Luis under these circumstances:
  - a. when in public space and in proximity to people
    - i. indoors if another person is present,
    - ii. outdoors if another person is 30 feet away (about the length of a school bus, this gives pedestrians time to put their Face Coverings on as they see the person 30 feet away),
  - b. when in the public areas of business or government building and
  - c. when waiting in line.

9. The public shall not be allowed to enter the City of San Luis Government buildings or facilities, including open space areas, without a Face Covering.

10. Face Coverings are not required:

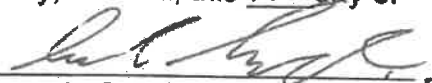
- a. when at home,
- b. when alone in a vehicle or in the vehicle only with people you live with,
- c. when eating,
- d. when exercising outdoors alone or with people you live with,
- e. when swimming and
- f. in workspaces not open to the public. [It is recommended in nonpublic workspaces Face Coverings be worn as recommended or required by the Arizona Division of Occupational Safety and Health (ADOSH)].

11. Before any enforcement action is taken to enforce this order under ARS § 26-317 (a class 1 misdemeanor), a person shall be notified and given an opportunity to comply.

12. If any provision of this proclamation or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity affects no other provision or application of this proclamation. Those provisions that remain valid shall be given effect without the invalid provision or application. To achieve this purpose, the provisions of this proclamation are declared to be severable.

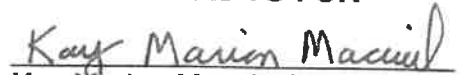
13. This Proclamation (and the Declarations of Emergency and Orders the City of San Luis issued on March 13, 2020, March 18, 2020, and the Proclamations of March 20, 2020, March 30, 2020, April 30, 2020, Proclamation, June 10, 2020, City Council Order 2020-12, June 12, 2020, Joint Proclamation to the extent they do not conflict with this Proclamation or the Arizona Governor's Executive Orders) shall remain in full force and effect for the duration of the COVID-19 Public Health Emergency or until lawfully amended or terminated.

**ISSUED** by the Mayor of the City of San Luis, Yuma County, Arizona, this 17<sup>th</sup> day of June 2020 at 6:35 p.m.

  
Gerardo Sanchez, Mayor

**ATTEST:**

  
Tadeo A. De La Hoya, City Manager  
Notary Public

**APPROVED AS TO FOR**  
  
Kay Marion Macuil, City Attorney