



## NOTICE OF SPECIAL COUNCIL MEETING

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 Special City Council meeting at 6:00 p.m., Wednesday, April 1, 2020. The meeting 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 recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, 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/ Melissa Lopez, Deputy City Clerk

## AVISO DE JUNTA ESPECIAL

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 Junta Especial a las 6:00 p.m., el día Miercoles, 1 de Abril del 2020. 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/ Melissa Lopez, Asistente a la Actuaría de la Ciudad



**AGENDA**  
**Special Meeting**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, AZ 85349**  
**April 1, 2020**  
**6:00 p.m.**

The April 1, 2020, Special Council meeting will be closed to members of the public in-person attendance.

However, members of the public may listen to the meeting's live audio stream on the City of San Luis' website <https://www.sanluisaz.gov/>. Recordings of the meetings will be available on the City's website <https://www.sanluisaz.gov/> after the meeting.

Open meetings conducted remotely through technological means are permissible under the March 13, 2020, Arizona Attorney General opinion titled, "Re: Concerns Relating to Arizona's Open Meeting Law and COVID-19" and following the Mayor's March 18, 2020, Continued Declaration of Emergency and Amended Order-Coronavirus Disease-19 and City Council's Order 2020-7 which closed all city buildings and facilities (except the Municipal Court) to public access, to protect the public health and safety and reduce the transmission of the Coronavirus Disease 2019 (COVID-19). City Council Chambers will be closed to the public.

La reunión especial del Cabildo del día 01 de Abril del 2020 estará cerrada al público.

Sin embargo, los miembros del público pueden escuchar el audio en vivo de la reunión transmitido en el sitio web de la Ciudad de San Luis <https://www.sanluisaz.gov/>. Las grabaciones de las reuniones estarán disponibles en el sitio web de la Ciudad <https://www.sanluisaz.gov/> después de la reunión.

Las reuniones abiertas realizadas de forma remota a través de medios tecnológicos están permitidas bajo la opinión del Fiscal General de Arizona del 13 de marzo de 2020 titulada "Re: Preocupaciones relacionadas con Open Meeting Law de Arizona y COVID-19" y después de la Declaración de Emergencia Continua del 18 de marzo de 2020 del alcalde y Orden modificada-Enfermedad de Coronavirus-19 y Orden del Ayuntamiento 2020-7 la cual cerró todos los edificios e instalaciones de la ciudad (excepto en la Corte Municipal) al acceso público, para proteger la salud y la seguridad pública y reducir la transmisión de la Enfermedad de Coronavirus 2019 (COVID- 19). Las Sala del Cabildo del Ayuntamiento estará cerrada al público.

**MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION**

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. EXECUTIVE SESSION**  
**Vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (4)**

Discussion and possible action to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and(4) on any and all matters regarding consultation for legal advice with the city's attorneys on the laws of annexation; and discussion or consultation with the city's attorneys in order to consider its position and instruct its attorneys regarding the city's position

regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. **(Kay Marion Macuil, City Attorney and Glenn J. Gimbut, Assistant City Attorney)**

**4. MOTION TO GO BACK INTO REGULAR SESSION**

**5. DISCUSSION AND POSSIBLE ACTION ITEMS:**

**5. A.** Discussion and possible action on any and all matters regarding Order No. 2020-10. An order of the Mayor and City Council of the City of San Luis, Arizona authorizing and directing the entering into an intergovernmental agreement with the City of Yuma, Arizona regarding Annexation and San Luis Annexation Petition No. 2019-01. **(Jose A. Guzman, Director of Planning and Zoning and Kay Marion Macuil, City Attorney)**

**5. B.** Discussion and possible action on any and all matters regarding Order No. 2020-11. An order of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the acquisition of all property necessary for the completion of the construction of a portion of County 23½ Street within the City of San Luis by dedication, donation, purchase, exchange, or under the power of eminent domain as a matter of public necessity. **(Kay Marion Macuil, City Attorney)**

**5. C.** Discussion and possible action on any and all matters regarding Resolution No. 2123. A resolution of the Mayor and City Council of the City of San Luis, Arizona, providing for a Call of Election for 2020 Primary and General Elections, designating the election dates and purpose, designating the deadline and location for candidates to file Nomination Petitions and designating the deadline for voter registration. **(Melissa Lopez, Deputy City Clerk)**

**6. ADJOURNMENT**



## AGENDA ITEM REVIEW FORM

### Special City Council Meeting

3.

**Meeting Date:** 04/01/2020

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

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

**Action Requested:** Motion

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#### ITEM:

#### EXECUTIVE SESSION

#### Vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (4)

Discussion and possible action to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and(4) on any and all matters regarding consultation for legal advice with the city's attorneys on the laws of annexation; and discussion or consultation with the city's attorneys in order to consider its position and instruct its attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. **(Kay Marion Macuil, City Attorney and Glenn J. Gimbut, Assistant City Attorney)**

#### SUMMARY:

The city's attorneys can properly advise the Council by holding an Executive Session for the purposes described in the agenda item.

#### RECOMMENDATION / SUGGESTED MOTION:

**I MOVE TO HOLD AN EXECUTIVE SESSION PURSUANT TO A.R.S. §§38-431.03(A)(3) and (4).**

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):**

Fiscal impact is not applicable to this agenda item. Under A.R.S. §38-431.03(D), legal action involving a final vote or decision is not permitted to be taken at an executive session.

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## AGENDA ITEM REVIEW FORM

### Special City Council Meeting

5. A.

**Meeting Date:** 04/01/2020

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

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

**Action Requested:** Motion  
Order

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#### ITEM:

Discussion and possible action on any and all matters regarding Order No. 2020-10. An order of the Mayor and City Council of the City of San Luis, Arizona authorizing and directing the entering into an intergovernmental agreement with the City of Yuma, Arizona regarding Annexation and San Luis Annexation Petition No. 2019-01. **(Jose A. Guzman, Director of Planning and Zoning and Kay Marion Macuil, City Attorney)**

#### SUMMARY:

At the time of the writing of this Agenda Item, the City of Yuma had not completed its review and drafting of negotiations worked on between the City of Yuma and the City of San Luis staff. Because of the Annexation deadlines for the San Luis Annexation Petition No. 2019-01, it is important to get this issue to San Luis City Council as soon as possible.

#### RECOMMENDATION / SUGGESTED MOTION:

**I MOVE TO APPROVE ORDER NO. 2020-10.**

Intergovernmental Agreement will be provided at or before the Special Meeting

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#### Fiscal Impact

**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** No

**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):**

There is no money involved in this Intergovernmental Agreement.

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#### Attachments

Order No. 2020-10

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# Order

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

No. 2020-10

**AN ORDER OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AUTHORIZING AND DIRECTING THE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF YUMA, ARIZONA REGARDING ANNEXATION AND SAN LUIS ANNEXATION PETITION NO. 2019-01.**

**BE IT SO ORDERED** by the Mayor and City Council of the City of San Luis, Arizona:

**Section 1.** It is deemed in the best interest of the City of San Luis and its residents that the city enter into an Intergovernmental Agreement with the City of Yuma, Arizona regarding which territories each city may annex without objection from the other.

**Section 2.** A true copy of the Intergovernmental Agreement is incorporated herein as though set forth again in full.

**Section 3.** The Mayor is authorized and directed to execute said Intergovernmental Agreement for and on behalf of the City of San Luis.

**Section 4.** City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Order.

**Section 5.** The San Luis City Clerk and the City Clerk's designee are authorized and directed to deliver this Intergovernmental Agreement to the City of Yuma, Arizona and to maintain a fully executed Intergovernmental Agreement in the official files of the City Clerk.

**PASSED, ADOPTED and APPROVED** by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this \_\_\_\_ day of April 2020

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

**ATTEST:**

\_\_\_\_\_  
Melissa Lopez, Deputy City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kay Marion Macuil, City Attorney



## AGENDA ITEM REVIEW FORM

### Special City Council Meeting

5. B.

**Meeting Date:** 04/01/2020

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

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

**Action Requested:** Motion  
Order

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#### ITEM:

Discussion and possible action on any and all matters regarding Order No. 2020-11. An order of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the acquisition of all property necessary for the completion of the construction of a portion of County 23½ Street within the City of San Luis by dedication, donation, purchase, exchange, or under the power of eminent domain as a matter of public necessity. **(Kay Marion Macuil, City Attorney)**

#### SUMMARY:

Order No. 2020-11 allows staff to enter into negotiations or condemn land if necessary to construct County 23½ Street from 21<sup>st</sup> Avenue to Avenue E. (Please see attached Exhibit for Reference).

#### RECOMMENDATION / SUGGESTED MOTION:

**I MOVE TO APPROVE ORDER NO. 2020-11.**

N/A

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#### Fiscal Impact

**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** No  
**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):

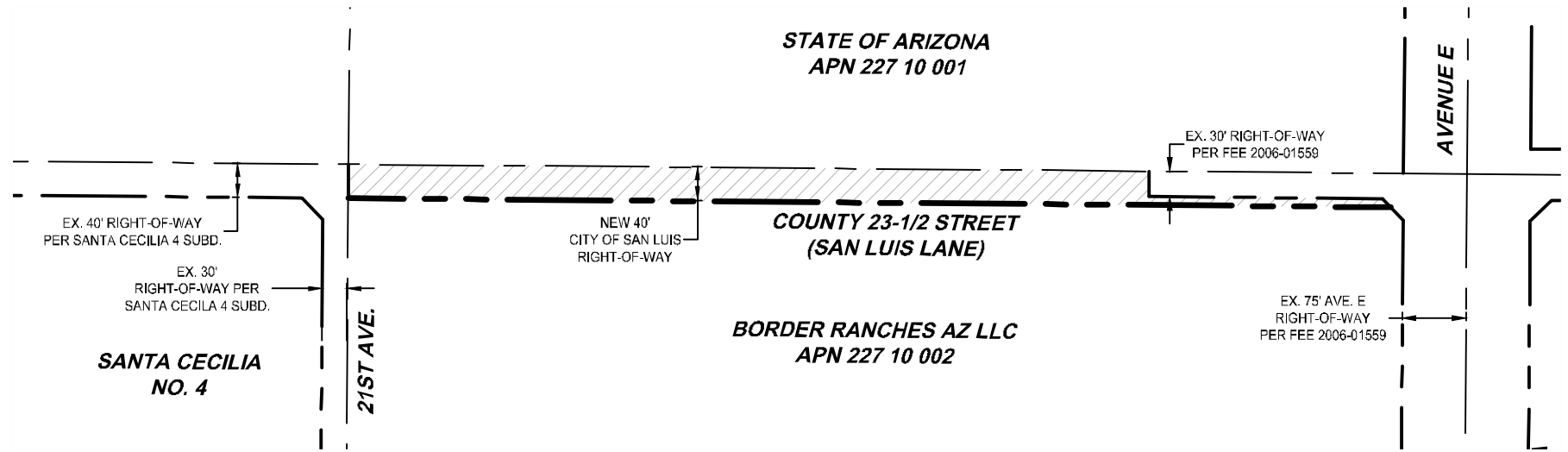
Under the Santa Cecilia No. 4 Development Agreement passed by City Council on March 25, 2020, costs associated with this matter will be born by the Developer.

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#### Attachments

Exhibit

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**EXHIBIT A**  
**NEW COUNTY 23-1/2 STREET RIGHT-OF-WAY**



## AGENDA ITEM REVIEW FORM

### Special City Council Meeting

5. C.

**Meeting Date:** 04/01/2020

**Department Head:** Sonia Cornelio, City Clerk, City Clerk's Office

**Submitted By:** Sonia Cornelio, City Clerk, City Clerk's Office

**Action Requested:** Motion  
Resolution

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#### ITEM:

Discussion and possible action on any and all matters regarding Resolution No. 2123. A resolution of the Mayor and City Council of the City of San Luis, Arizona, providing for a Call of Election for 2020 Primary and General Elections, designating the election dates and purpose, designating the deadline and location for candidates to file Nomination Petitions and designating the deadline for voter registration. **(Melissa Lopez, Deputy City Clerk)**

#### SUMMARY:

The City of San Luis Primary and General Elections for 2020 are scheduled to be held on August 4, 2020, and November 3, 2020. Publication of Call of Election is a good way to inform the City of San Luis voters about the election and to alert candidates of filing dates. Although publication of Call of Election is optional, it has been customary to publish a Call of Election for four (4) consecutive days in a daily newspaper at least one hundred (100) days prior to the Primary Election.

#### RECOMMENDATION / SUGGESTED MOTION:

**I MOVE TO APPROVE AND ADOPT RESOLUTION NO. 2123.**

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):**

There is no fiscal impact associated with this item.

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#### Attachments

Resolution No. 2123

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# *Resolution*

NO. 2123

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, PROVIDING FOR A CALL OF ELECTION FOR THE 2020 PRIMARY AND GENERAL ELECTIONS, DESIGNATING THE ELECTION DATES AND PURPOSE, DESIGNATING THE DEADLINE AND LOCATION FOR CANDIDATES TO FILE NOMINATION PETITIONS AND DESIGNATING THE DEADLINE FOR VOTER REGISTRATION.

**WHEREAS**, the City of San Luis Primary and General elections for 2020 are required to be held on certain dates pursuant to Arizona Revised Statutes §16-204, which are August 4, 2020 and November 3, 2020, respectively; and

**WHEREAS**, City of San Luis elections are required in order to fill the offices of (3) City Council seats.

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

**Section 1.** That August 4, 2020 has been set as the date for holding the Primary Election in the City of San Luis, Arizona, for the purpose of nominating candidates for three (3) City Council seats, terms to expire December 2024, whose names shall appear on the ballot at the General Election to be held on November 3, 2020. Any candidates receiving a majority of all the ballots cast at the Primary Election shall be declared elected without running at the General Election.

**Section 2.** Candidates seeking municipal office may obtain nominations papers and other materials from the City Clerk's Office, located at San Luis City Hall, 1090 E. Union Street, beginning Monday, January 6, 2020. Candidate nomination papers are required to be filed at the City Clerk's Office. The first day to file nomination papers and other forms is Monday, March 9, 2020 and the last day to file the nomination paperwork is 6:00 p.m. on April 6, 2020 at the City Clerk's Office in order for their names to appear on the Primary Election ballot. Write-In Candidates filing deadlines are Thursday, June 25, 2020 at 6:00 p.m. for the Primary Election and Thursday, September 24, 2020 for the General Election.

**Section 3.** Yuma County registration and voting lists will be used for the Primary and General Elections. In order to be qualified to vote in the Primary election, voters must be registered by July 6, 2020. To be qualified to vote in the General Election, voters must be registered by October 5, 2020.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of San Luis, Arizona, this 8<sup>th</sup> day of April 2020.

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

**ATTEST:**

**APPROVE AS TO FORM:**

\_\_\_\_\_  
Sonia Cornelio, City Clerk

\_\_\_\_\_  
Kay Macuil, City Attorney