



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 6:30 p.m., Wednesday, April 29, 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/ Sonia Cornelio, 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 6:30 p.m., el día Miercoles, 29 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/ Sonia Cornelio, Actuaría de la Ciudad



AGENDA
Special Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
April 29, 2020
6:30 p.m.

The April 29, 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://sanluisaz.gov/listenlive>. 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 29 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://sanluisaz.gov/listenlive>. 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 del 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 del 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 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. **DISCUSSION AND POSSIBLE ACTION ITEMS:**
 3. A. Discussion and possible action on any and all matters regarding the Los Portales Del Alamo Roadway Paving project (Cuahutemoc Street, Cuahutemoc cul-de-sac, Juarez Street, Juarez cul-de-sac, West Canal Drive, and Independence Street). **(Eulogio Vera, Acting Director of Public Works)**

3. B. Discussion and possible action on any and all matters regarding Resolution No. 2127. A resolution of the Mayor and City Council of the City of San Luis, Arizona, suspending imposition of late penalty charge on water utility accounts; suspending shut-off of water service for non-payment; and suspending imposition of shut-off fee due to the declared COVID-19 emergency; repealing any conflicting provisions; providing for severability; and declaring an emergency. **(Jorge Perez, Billing & Collections Manager)**

4. ADJOURNMENT



AGENDA ITEM REVIEW FORM

Special City Council Meeting

3. A.

Meeting Date: 04/29/2020

Department Head: Eulogio Vera, Director of Public Works, Public Works Department

Submitted By: Liliana Evangelista, Administrative Coordinator, Public Works Department

Action Requested: Motion

ITEM:

Discussion and possible action on any and all matters regarding the Los Portales Del Alamo Roadway Paving project (Cuahutemoc Street, Cuahutemoc cul-de-sac, Juarez Street, Juarez cul-de-sac, West Canal Drive, and Independence Street). **(Eulogio Vera, Acting Director of Public Works)**

SUMMARY:

The Los Portales Del Alamo Roadway Paving project. The first cost estimate for \$532,000 includes paving Cuahutemoc Street (Merrill Avenue to W. Canal Dr.), Cuahutemoc cul-de-sac (east of Merrill Avenue), Juarez Street (Merrill Avenue to W. Canal Dr.), Independence Street (from Merrill Avenue to Hidalgo Avenue). The second cost estimate for \$542,000 includes paving Cuahutemoc Street (Merrill Avenue to W. Canal Dr.), Cuahutemoc cul-de-sac (east of Merrill Avenue), Juarez Street (Merrill Avenue to W. Canal Dr.), Adobe Street (from Merrill Avenue to Hidalgo Avenue). These cost estimates are assuming the City will do curb, sidewalks, and sidewalk ramp improvements as necessary with City crews.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE THE CONTRACT WITH DPE CONSTRUCTION, INC., FOR THE ROADWAY PAVING PROJECT OF LOS PORTALES DEL ALAMO IN THE AMOUNT OF \$473,892.30.

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	YES
CITY/STATE/FEDERAL FUNDS:	CITY HURF
TOTAL:	\$475,000
BUDGETED AMOUNT:	N/A
AVAILABLE AMOUNT TO TRANSFER:	N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE:	Highway Users Capital Outlay-Improvement Roads 200-210-90010/\$489,725.47

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

Projects that were budgeted for this fiscal year were delayed due to right away acquisition. We are proposing to replace the projects that cannot be completed this year, for Los Portales del Alamo Roadway Paving project.

Attachments

Predesign Cost Estimate
Bid Tabulation

CITY OF SAN LUIS
LOS PORTALES STREET IMPROVEMENTS
(Cuahtemoc St, Juarez St, W. Canal St., and Independence St.)

Construction Item Description	Estimated Quantity	Unit	Unit Cost	Total Cost
Cuahtemoc Street (Merrill Avenue to West Canal Drive)				
Remove Existing Asphalt (Any thickness)	4538	SY	\$ 2.50	\$11,345.00
Grading Existing ABC for Pavement	4538	SY	\$ 1.50	\$6,807.00
Paving 3" AC 3/4" MAG Mix/ Existing ABC	4538	SY	\$ 21.00	\$95,298.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)	2	EA	\$ 1,500.00	\$3,000.00
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)	1	EA	\$ 375.00	\$375.00
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	4	EA	\$ 375.00	\$1,500.00
Subtotal (A)				\$118,325.00
Cuahtemoc Cul-de-Sac (East of Merrill Avenue)				
Remove Existing Asphalt (Any thickness)	2622	SY	\$ 2.50	\$6,555.00
Grading Existing ABC for Pavement	2622	SY	\$ 1.50	\$3,933.00
Paving 3" AC 3/4" MAG Mix/ Existing ABC	2622	SY	\$ 21.00	\$55,062.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)	1	EA	\$ 1,500.00	\$1,500.00
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)		EA	\$ 375.00	
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	1	EA	\$ 375.00	\$375.00
Subtotal (B)				\$67,425.00
Juarez Street (Merrill Avenue to West Canal Drive)				
Remove Existing Asphalt (Any thickness)	4457	SY	\$ 2.50	\$11,142.50
Grading Existing ABC for Pavement	4457	SY	\$ 1.50	\$6,685.50
Paving 3" AC 3/4" MAG Mix/ Existing ABC	4457	SY	\$ 21.00	\$93,597.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)	2	EA	\$ 1,500.00	\$3,000.00
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)	1	EA	\$ 375.00	\$375.00
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	4	EA	\$ 375.00	\$1,500.00
Subtotal (C)				\$116,300.00
Juarez Cul-de-Sac (East of Merrill Avenue)				
Remove Existing Asphalt (Any thickness)	2622	SY	\$ 2.50	\$6,555.00
Grading Existing ABC for Pavement	2622	SY	\$ 1.50	\$3,933.00
Paving 3" AC 3/4" MAG Mix/ Existing ABC	2622	SY	\$ 21.00	\$55,062.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)	1	EA	\$ 1,500.00	\$1,500.00
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)		EA	\$ 375.00	
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	1	EA	\$ 375.00	\$375.00

CITY OF SAN LUIS
 LOS PORTALES STREET IMPROVEMENTS
 (Cuahtemoc St, Juarez St, W. Canal St., and Independence St.)

Subtotal (D) \$67,425.00				
West Canal Drive				
Remove Existing Asphalt (Any thickness)	2835	SY	\$ 2.50	\$7,087.50
Grading Existing ABC for Pavement	2835	SY	\$ 1.50	\$4,252.50
Paving 3" AC 3/4" MAG Mix/ Existing ABC	2835	SY	\$ 21.00	\$59,535.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)		EA	\$ 1,500.00	
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)		EA	\$ 375.00	
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	3	EA	\$ 375.00	\$1,125.00
Subtotal (E) \$72,000.00				
Independence Street (Merrill Avenue to Hidalgo Avenue)				
Remove Existing Asphalt (Any thickness)	4824	SY	\$ 2.50	\$12,060.00
Grading Existing ABC for Pavement	4824	SY	\$ 1.50	\$7,236.00
Paving 3" AC 3/4" MAG Mix/ Existing ABC	4824	SY	\$ 21.00	\$101,304.00
Adjust Ex Sewer Manhole with new Frame & Cover (City of Yuma Std 6-044)	4	EA	\$ 1,500.00	\$6,000.00
Adjust Ex Sewer Cleanout with new Frame & Cover (City of Yuma Std 6-044)		EA	\$ 375.00	
Adjust Existing Water Valve with new Frame and Cover (City of Yuma Std 5-075)	5	EA	\$ 375.00	\$1,875.00
Subtotal (F) \$128,475.00				
General Item				
Mobilization	1	LS	\$ 10,000.00	\$10,000.00
Storm Water Pollution Prevention Plan	1	LS	\$ 10,000.00	\$10,000.00
Maintenance and Protection of Traffic	1	LS	\$ 10,000.00	\$10,000.00
Construction Staking	1	LS	\$ 10,000.00	\$10,000.00
Subtotal (G) \$40,000.00				
Subtotal (A-G) \$609,950.00				
5% Contingency \$30,497.50				
Total \$640,447.50				

BID EVALUATION SUMMARY AND AWARD RECOMMENDATION

1. Project: **CITY OF SAN LUIS
LOS PORTALES DEL ALAMO ROADWAY PAVING PROJECT**

2. Bid submission date: Thursday, April 23rd, 2020

3. Bid evaluation summary:

No.	Bidder	Opening Bid Amount (including 5% contingency)	Substantially responsive (yes or no)	Evaluated Bid Amount (including 5% contingency)	Rank	Remarks
1	DPE Construction, Inc.	\$473,892.30	Yes	\$473,892.30	1	None.
2	PAP, LLC	\$513,771.93	Yes	\$513,771.93	1	None.
3	CEMEX Construction Materials South LLC	\$521,850.00	Yes	\$521,850.00	1	None.
3	Paveco, Inc	\$668,041.50	Yes	\$668,041.50	1	None.

4. The lowest evaluated bidder has been determined to be qualified and capable of performing the contract [YES].

5. On the basis of the evaluation which was carried out in accordance with the Bidding Documents, we recommend accepting the bid of the lowest evaluated bidder [DPE Construction, Inc.], which has been determined as qualified and capable of performing the contract, in accordance with the Bidding Documents.

Bids Evaluated By:

Tomas Sanchez, P.E.,
James Davey & Associates, Inc.


(signature)

04/23/2020
(date)

CITY OF SAN LUIS, ARIZONA
LOS PORTALES DEL ALAMO ROADWAY PAVING PROJECT

Bid Opening Meeting
April 23rd, 2020 @ 2:00 PM

2:06 PM

SIGN IN SHEET

In Person Initial	Video/Phone Conference Call	Name	Organization	Phone #	e-mail
EV		Eulogio Vera	City of San Luis - Public Works	(928) 341-8577	evera@cityofsanluis.org
		James Einwaechter	City of San Luis - Public Works	(928) 341-8577	jimwaechter@sanluisaz.gov
JA	ON LINE	James Davey	James Davey and Associates, Inc.	(928) 782-7926	jdavey@jafacivil.com
TS		Tomas Sanchez	James Davey and Associates, Inc.	(928) 782-7926	tsanchez@jafacivil.com
HV.		Herni Vargas	City of San Luis	271-2397	hvargas@cityofsanluis.org
SC		Sonia Cornello	City of San Luis	928-341-8520	scornelio@sanluisaz.gov
EH		Esteban Hernandez	DPE	760-969-8450	Esteban.H@DPEYuma.com
W		William Toms	Cemex	928-343-4100	William.toms@cemex.com
			PAD, LLC		
			Pave Co. Inc		

Bidder	Bid Amount (as read aloud)
PAD LLC	\$ 513,771.93
Pave Co Inc	\$ 668,041.50
DPE	\$ 473,892.00
Cemex	\$ 521,850.00
	\$



AGENDA ITEM REVIEW FORM

Special City Council Meeting

3. B.

Meeting Date: 04/29/2020

Department Head: Jorge Perez, Billing & Collections Manager, Finance Department, Billing & Collections

Submitted By: Jorge Perez, Billing & Collections Manager, Finance Department, Billing & Collections

Action Requested: Motion
Resolution

ITEM:

Discussion and possible action on any and all matters regarding Resolution No. 2127. A resolution of the Mayor and City Council of the City of San Luis, Arizona, suspending imposition of late penalty charge on water utility accounts; suspending shut-off of water service for non-payment; and suspending imposition of shut-off fee due to the declared COVID-19 emergency; repealing any conflicting provisions; providing for severability; and declaring an emergency. **(Jorge Perez, Billing & Collections Manager)**

SUMMARY:

Background

During the recent city budget meetings, the City Council expressed a desire to suspend late charges for past due utility accounts during the period of emergency due to the coronavirus disease 2019 (COVID-19) pandemic. The Mayor and Council have issued emergency declarations, and Governor Ducey has issued statewide emergency declarations as a result of the pandemic. Because the COVID-19 pandemic necessitated limiting non-essential services and stay-at-home orders, there is a rise in unemployment. The residents of San Luis are experiencing material economic difficulties. The City Council has indicated that during this time, staff refrain from shutting off water services due to non-payment.

The Law

A.R.S. § 9-511 authorizes cities to be in the water utility business. There are procedural requirements to increase fees under A.R.S. § 9-511.01, but not to decrease them.

Fees and charges that cities impose must be reasonable. Cities also have a fiduciary duty to the public's treasury. The Arizona Constitution, Article 9, Section 7 says that no ". . . city, shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation."

However, suspending late charges is not giving away free water because the regular charges, which are set on the cost to provide service, remain. Therefore, any suspension is not a gift of free water.

The Resolution

From March 13, 2020 (the date of the first emergency declaration and order) to the earlier of September 1, 2020, or the end of the emergency order period, the resolution provides for:

- The city will not shut-off of water due to non-payment.

- The city will not charge past-due accounts, the late charge on the water. (The late charge is 10% assessed the day after it is due. The late charge is calculated on the water charge, not the total utility bill.)
- The city will not charge the shut-off fee.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE RESOLUTION NO. 2127.

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: YES
CITY/STATE/FEDERAL FUNDS: CITY
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):

The fiscal impact is unknown, and will be determined by the amount of customers that fall behind in their utility bill and that will not be charged that additional penalty fee.

As stated in the summary, suspending late charges is not giving away free water. The regular charges, which are set on the cost to provide service, remain in full force.

Attachments

Resolution No. 2127



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2127

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, SUSPENDING IMPOSITION OF LATE PENALTY CHARGE ON WATER UTILITY ACCOUNTS; SUSPENDING SHUT-OFF OF WATER SERVICE FOR NON-PAYMENT; AND SUSPENDING IMPOSITION OF SHUT-OFF FEE DUE TO THE DECLARED COVID-19 EMERGENCY; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and City Council have issued proclamations and orders declaring an emergency due to the COVID-19 virus pandemic on March 13, 2020, March 18, 2020, March 20, 2020, and March 30, 2020, under the power granted by A.R.S. §26-311;

WHEREAS, the residents of the City of San Luis are experiencing extreme economic difficulties due to the COVID-19 virus pandemic causing the need for social distancing and emergency orders of the Governor of the State of Arizona and the City of San Luis; and

WHEREAS, the Mayor and City Council of the City of San Luis desire to not impose unnecessary economic hardship upon the residents of San Luis and recognize that public health, safety, and welfare benefits can accrue to the community due to the continued provision of public utility service during this time of emergency;

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

Section 1. That the ten percent (10%) late penalty charge on water utility accounts for late payment is hereby suspended and shall not be imposed for any late payment of any water utility charge that was incurred on or after March 13, 2020, until such time as the emergency proclamations of the City of San Luis issued as a result of the COVID-19 virus pandemic shall terminate or September 1, 2020, whichever first occurs.

Section 2. That water utility service shall not be discontinued, nor the water shut-off fee imposed for non-payment of utility charges incurred on or after March 13, 2020, until the emergency proclamations of the City of San Luis issued as a result of the COVID-19 virus pandemic shall terminate or September 1, 2020, whichever first occurs.

Section 3. In the event of a conflict between the provisions of this resolution and any other ordinance, resolution, 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 4. 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.

Section 5. It is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, that an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

PASSED, APPROVED AND ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this ____ day of April 2020.

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney