



## 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 7:00 pm, Thursday, May 14, 2020. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Members of the public may listen to the meeting's live audio stream on the City of San Luis' website <https://sanluisaz.gov/listenlive>.

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 7:00 pm, el día Jueves, 14 de Mayo del 2020. La junta se llevará a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. Miembros del público pueden escuchar el audio en vivo de la reunión que sera transmitida en el sitio web de la Ciudad de San Luis <https://sanluisaz.gov/listenlive>.

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**  
**May 14, 2020**  
**7:00 pm**

The May 14, 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://sanluisaz.gov/listenlive> 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 14 de Mayo del 2020 estará cerrada al público.

Sin embargo, miembros del público pueden escuchar el audio en vivo de la reunión que sera transmitida 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://sanluisaz.gov/listenlive> 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 ITEM:**

**3. A.** Discussion and possible action on any and all matters regarding authorization to the City Manager to provide a Guarantor letter and related documents confirming the City of San Luis will act as Guarantor, on a pro-rata share basis, along with the City of Yuma and Yuma County, for the Greater Yuma Port Authority refinance loan. **(Kay Marion Macuil, City Attorney)**

**4. ADJOURNMENT**



## AGENDA ITEM REVIEW FORM

### Special City Council Meeting

3. A.

**Meeting Date:** 05/14/2020

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

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

**Action Requested:** Motion

---

#### ITEM:

Discussion and possible action on any and all matters regarding authorization to the City Manager to provide a Guarantor letter and related documents confirming the City of San Luis will act as Guarantor, on a pro-rata share basis, along with the City of Yuma and Yuma County, for the Greater Yuma Port Authority refinance loan. **(Kay Marion Macuil, City Attorney)**

#### SUMMARY:

##### Background

The Greater Yuma Port Authority (GYPA) membership consists of the City of San Luis, the City of Yuma, the County of Yuma, and the Cocopah Indian Tribe (a sovereign nation). Each government has two (2) board members, one (1) of which is an elected official. For San Luis, Council Member Matias Rosales is the elected official on the board.

The governments came together to create the GYPA for the sole purpose of promoting and developing the commercial port of entry area for the economic betterment of the region. GYPA, through a loan, acquired and is developing land known as the Gary Magrino Industrial Park located along the U.S-Mexico Border near the commercial Port of Entry #2. The outstanding loan balance is about \$1,158,000.

##### Reason for Request to Approve Guarantor Letter

On August 14, 2019, the City Council approved a guarantee letter to refinance the loan, since then the terms of the guarantor letter have changed. A new authorization through City Council is requested through this motion.

The terms on the loan are not competitive under current market conditions. 1st Bank Yuma offers better terms to refinance the loan. GYPA pays monthly interest only on the debt. 1st Bank Yuma offers interest plus principal monthly payments at the low interest rate of 2% above prime, which is a total of 4% interest. The favorable refinancing terms are only available to credit-worthy, non-profit, backed by governmental members with a guarantor letter from at least three (3) of the governmental members. The collateral for the refinancing is the unsold approximately 100 acres. Some of the acreage is already subdivided with infrastructure and utility services. The value of the collateral should exceed the 60% loan to value ratio 1st Bank Yuma requires.

The GYPA (on March 26, 2020) approved the new Guarantor term. Yuma City Council (on May 6, 2020) and the Yuma County Supervisors (on April 20, 2020) have approved pro-rata share (33%) guarantor letters.

Approving this motion authorizes and directs the City Manager to provide to 1st Bank Yuma a pro-rata share (33%) guarantor letter (attached) and other related documents confirming the City of San Luis will

act as a 1/3 Guarantor for GYPA on the refinancing.

**RECOMMENDATION / SUGGESTED MOTION:**

**I MOVE TO APPROVE THE GUARANTOR LETTER AS PRESENTED.**

N/A

---

**Fiscal Impact**

**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** Not at this Time

**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):**

It is not anticipated that GYPA will default. The 4 government members pay dues to cover the loan amount. Any fiscal impact would be pure speculation.

---

**Attachments**

Draft Guarantor Letter

San Luis Prior Guarantor Letter

Yuma County Prior Guarantor Letter

Yuma City Prior Guarantor Letter

---

[Date]

First Bank Yuma  
2799 South 4<sup>th</sup> Avenue  
Yuma, AZ 85364

Re: Greater Yuma Port Authority (GYPA) Land Refinance Loan - Commitment

Dear Ladies and Gentlemen:

This letter is being sent to you at the request of the financing agency conducting the full financial analysis, prior to the approval of the land refinancing loan for the Greater Yuma Port Authority. The City of San Luis supports the refinancing of said land loan.

The City of San Luis commits to act as a guarantor, up to its corresponding pro-rata share basis, for the proposed land refinance loan. The City of San Luis has identified sources within its reserves and contingencies to meet the commitment if needed.

Sincerely,

---

Tadeo A. De La Hoya, City Manager  
City of San Luis, Arizona



# City of San Luis

P.O. Box 1170  
1090 E. Union Street  
San Luis, AZ 85349-1170  
Phone (928) 341-8520 • Fax (928) 341-8539  
[www.cityofsanluis.org](http://www.cityofsanluis.org)

August 14, 2019

First Bank Yuma  
2799 South 4<sup>th</sup> Avenue  
Yuma, AZ 85364

Re: Greater Yuma Port Authority (GYPA) Land Refinance Loan - Commitment

Dear Ladies and Gentlemen:

This letter is being sent to you at the request of the financing agency conducting the full financial analysis, prior to the approval of the land refinancing loan for the Greater Yuma Port Authority. The City of San Luis supports the refinancing of said land loan.

The City of San Luis commits to act as a guarantor, up to its corresponding pro-rata share basis, for the proposed land refinance loan. The City of San Luis has identified sources within its reserves and contingencies to meet the commitment if needed.

Sincerely,

Gerardo Sanchez  
Mayor  
City of San Luis, Arizona

**OFFICE OF THE  
BOARD OF SUPERVISORS**  
198 Main Street  
Yuma, Arizona 85364



**SUSAN K. THORPE**  
COUNTY ADMINISTRATOR  
CLERK OF THE BOARD

**MARTIN PORCHAS**  
DISTRICT 1  
**RUSSELL McCLOUD**  
DISTRICT 2  
**DARREN SIMMONS**  
DISTRICT 3  
**MARCO A. (TONY) REYES**  
DISTRICT 4  
**LYNNE PAN CRAZI**  
DISTRICT 5

July 16, 2019

1st Bank Yuma  
2799 S. 4th Avenue  
Yuma, AZ 85364

Re: Greater Yuma Port Authority (GYPA) Land Refinance Loan - Partner Commitment

Dear Friends:

This letter is being sent to you at the request of the financing agency conducting the full financial analysis, prior to approval of the land refinancing loan for the Greater Yuma Port Authority. Yuma County, Arizona, a partner in this endeavor, supports the refinancing of said land loan.

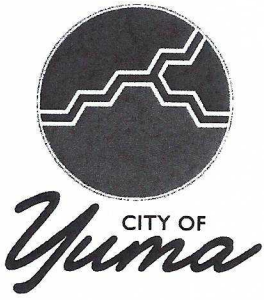
The County commits to act as a guarantor, up to its corresponding pro-rata share basis, for the proposed land refinance loan. The County has identified sources within its reserves and contingencies to meet the commitment if needed.

We hope this letter serves its purpose. Please don't hesitate to contact me at (928) 373-1010 if you have questions.

Sincerely,

A handwritten signature in blue ink that reads "Susan Thorpe".

Susan K. Thorpe  
County Administrator



**City Administration**

One City Plaza  
Yuma, Arizona 85364

(928) 373-5011  
Fax (928) 373-5012  
[www.YumaAZ.gov](http://www.YumaAZ.gov)

August 8, 2019

Brian Geren, Vice President  
Commercial Loan Officer  
1st Bank Yuma  
2755 South 4th Avenue, Suite 101  
Yuma, Arizona 85364

Re: Greater Yuma Port Authority (GYPA)  
City Council Authorization for Guarantor on Refinance Loan

Dear Brian:

Pursuant to City Council authority and direction legislatively approved at the regular City Council meeting of August 7, 2019, the City of Yuma submits this letter of commitment to act as guarantor, up to the City's corresponding pro-rata share basis (25%), for the proposed land refinance loan for GYPA. The City of Yuma supports the GYPA mission and believes the refinancing of this loan will further GYPA's success.

Please do not hesitate to contact me directly with any questions or concerns.

Sincerely,

John D. Simonton  
Interim City Administrator

cc: Buna M. George, Executive Director GYPA