

CITY OF SAN LUIS
RESOLUTION NO. 187

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, APPROVING THE ENGINEERED PLANS FOR THE U.S. CUSTOMS ENTRANCE ACCESS GATE AT THE SAN LUIS INDUSTRIAL COMPLEX: AUTHORIZING THE SAN LUIS ECONOMIC DEVELOPMENT COMMISSION TO CHARGE A USER FEE FOR THE ACCESS GATE: AUTHORIZING THE MAYOR TO SIGN A LOAN AGREEMENT WITH DESERT SUN BANK: AND, AUTHORIZING THE MAYOR TO SIGN A REVOCABLE LICENSE AGREEMENT WITH U.S. GENERAL SERVICES ADMINISTRATION (SOMETIMES HEREINAFTER REFERRED TO AS GSA) REGARDING AUTHORIZATION FOR INSTALLATION OF THE GATE, FACILITIES, AND APPURTENANT IMPROVEMENTS, AND DECLARED AN EMERGENCY.

WHEREAS, the City Council of San Luis has entered into a Standard Operating Procedures Agreement with U.S. Customs for the operation of a special access gate and designated "sterile area" at the San Luis Industrial Complex, in order to continue to foster job creation activities and achieve specific economic development goals for the City of San Luis; and,

WHEREAS, fully engineered plans and specifications have been completed by the contracted City Engineering firm and have been accepted by GSA for construction of facilities in part on federal property, and these plans are hereby officially adopted by the City Council of San Luis; and,

WHEREAS, Section 2-4-6 of the City Code of San Luis, Arizona, authorizes the commissions of the City of San Luis to charge fees that are set by resolution,

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF SAN LUIS, ARIZONA,

THAT the San Luis Economic Development Commission is a commission authorized to charge the following additional fee, to be called an Access Gate User Fee, incidental to the continued development, operation, and maintenance of the San Luis Industrial Complex:

A User Fee of \$10.00 per truck and/or commercial carrier, or other vehicular usage, accessing the San Luis Industrial Complex through the Access Gate shall be charged each vehicle per entry regardless of number of times of entry. The amount of the User Fee may be adjusted from time to time, as approved by the Mayor and City Council. The User Fee shall be a non-refundable fee. User Fees may be collected either directly by the City or from each Industrial Complex Lessee, Tenant, and/or user, beginning 1 November 1989, according to records to be maintained in cooperation by U.S. Customs, City of San Luis, and the Industrial Complex Lessees and/or Tenants, and by policy set by the San Luis Economic Development Commission.

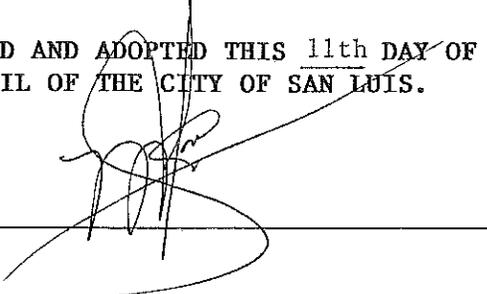
THAT the Mayor is authorized to sign a loan agreement with Desert Sun Bank, for an amount up to \$45,000 to be amortized over 10 years, at a fixed interest rate of 2% over current index rate; to be used for construction and administration costs associated with the construction and operation of the Access Gate, associated improvements, and the Industrial Complex.

THAT the Mayor is authorized to sign a Revocable License agreement with the U.S. General Services Administration (GSA) upon receipt of the License, in order to proceed with construction and on-going operation of the Access Gate.

RESOLUTION NO. 187 continued

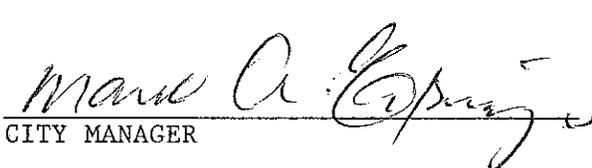
THEREFORE, FOR ALL THE REASONS SET FORTH ABOVE, THIS DECLARATION IS TO BE AN EMERGENCY MEASURE, AND IN ORDER TO PRESERVE THE PUBLIC HEALTH, WELFARE, AND SAFETY OF THE CITY OF SAN LUIS, IT IS NECESSARY THAT THIS RESOLUTION BECOME IMMEDIATELY OPERATIVE, AND SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE BY THE CITY COUNCIL.

PASSED AND ADOPTED THIS 11th DAY OF OCTOBER 1989, BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN LUIS.



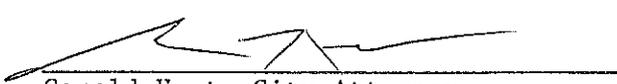
MAYOR

ATTEST:



CITY MANAGER

APPROVED AS TO FORM:



Gerald Hunt, City Attorney