

**MINUTES**  
**Regular Meeting**  
**San Luis City Council**  
**San Luis Council Chamber**  
**1090 E. Union Street**  
**June 10, 2015**  
**7:00 p.m.**

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| <p><b>APPROVED</b> by Council<br/><b>Date:</b> July 29, 2015<br/><b>Clerk's Office:</b> /s/ S. Cornelio</p> |
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**CALL TO ORDER** Mayor G. Sanchez called the Regular City Council meeting to order at approximately 7:02 p.m.

**ROLL CALL**

**PRESENT:** Mayor Gerardo Sanchez  
Vice-Mayor Matias Rosales  
Council Member Africa Luna-Carrasco  
Council Member Maria Cecilia Ramos  
Council Member Mario Buchanan Jr.  
Council Member Ruben Walshe  
Council Member Gloria Torres

**OTHERS PRESENT:** Robert Eads, City Manager  
Tadeo De La Hoya, Assistant to the City Manager  
Sonia Cornelio, City Clerk  
Angelica Cifuentes, Budget and Procurement  
Aracely De La Hoya, Senior Services Director  
Chris Kasid, Parks & Recreation Director  
Carlos Cortes, Assistant Finance Director  
Daniel Paz, I.T. Director  
Eulogio Vera, Public Works Director  
Geraldine Gutierrez, Asst. to Council/PIO  
Glenn Gimbut, City Attorney  
Hank Green, Fire Chief  
Jenny Torres, Community Development Director  
John Starkey, Building Safety Director  
Jose Guzman, Assistant Planner  
Kay Macuil, Assistant City Attorney  
Katie St. Louis, Finance Director  
Olivia Jenkins, Utilities Director  
Rosendo Morales, Court Magistrate  
Victor Figueroa, Acting Chief of Police  
Yolanda Dueñas, Fleet Services/Facilities  
Francisca Guzman, Meeting Translator  
Marcos Ramirez, San Luis Chamber of Commerce  
Charlene Fitzgerald, Yuma Metropolitan Planning Organization  
Diane Umphress, Amberly's Place  
Pamela Green, Visitor

Alfredo Campa, San Luis Police Sergeant  
Luis Cabrera, Resident

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member M. Buchanan Jr.

### **INVOCATION**

The invocation was made by Mr. Hank Green, Fire Chief

### **CONSENT AGENDA**

#### **Minutes of:**

- Special Council meeting held April 30, 2015
- Work Session held May 6, 2015

#### **DISBURSEMENTS from May 18, 2015 to May 29, 2015**

Total disbursements \$789,366.03

(Seven-Hundred, Eighty-Nine Thousand, Three-Hundred, Sixty-Six Dollars and Three Cents)

**MOTION:** Council Member A. Luna-Carrasco/ Council Member G. Torres to approve Consent Agenda as presented. Motion passed unanimously.

### **DISCUSSION AND POSSIBLE ACTION ITEMS:**

#### **5.1. Discussion and possible action on any and all matters regarding authorization of payment to Sun City Development, Inc., doing business as New Star Electric and/or SC Development, Juan Barajas Evangelista, qualifying party, for construction work performed at the Municipal Court. (Glenn Gimbut)**

Mr. Glenn Gimbut, City Attorney, explained that the San Luis Municipal Court had ordered and authorized construction work at the Court with Sun City Development, Inc. without following the procedures of the City Code. While work was performed by good rate by Sun City Development and the City received the benefit, the invoices that have been submitted appear to be in excess of \$21,000.00. Court staff are recommending the situation to be resolved as a settlement as possible claim for the sum of \$19,000.00. The total is over \$22,000.00 but because State laws says one must go into bid after \$20,000.00 under Title 24 staff see no reason to pay a sum greater than \$19,000.00. Mr. Gimbut added that according to Ms. Angelica Cifuentes, Budget and Procurement, no purchase orders were issued before work began; no request was made to Administration to approve a contract or issue a purchase order to authorize the beginning of the project. As a result, the first notice Administration received was when invoices were presented resulting in Ms. Cifuentes flagging the invoices because she was concerned about the lack of the purchase order and the fact that multiple items arrived with no apparent fitting.

Mr. Rosendo Morales, Court Magistrate, stated that an aggregate number of the projects were done. The first project that was done was the remodeling of the Court's existing rooms into a temporary court room. This invoice required over \$5,000.00 bid. Soon after that remodel, an electrical hazard occurred when the prior bench was removed in the interest of safety; Mr. Morales contacted the first available person who was able to respond immediately from some of the invoices they had received. Overall there was remodeling in the probation department, the temporary court room, the court room, and some work in Mr. Morales' office, which consisted mainly of lightening. There was no structural movement of any walls. These remodeling started October of last Fiscal Year, the invoices were submitted months later and there are still more coming in from finishing touches that need to be paid such as carpeting. All the contractors being used are licensed and in good timing. Council Member A. Luna-Carrasco suggested that this item be moved for an Executive Session for further discussion.

**MOTION:** Council Member A. Luna-Carrasco/ Council Member M. Buchanan Jr. to move the item to an Executive Session for the next scheduled meeting. Motion passed unanimously.

## **5.2. Discussion and possible action on any and all matters regarding approval of the Lighting and Retention Basin Assessment Districts Budget for the 2015-2016 Fiscal Year. (Carlos Cortes)**

Mr. Carlos Cortes, Assistant Finance Director, explained that the Assessment is performed to provide street lighting services and maintenance and management of the Retention Basins. Mayor G. Sanchez commented that Bienestar 9A and 9B are the highest improving districts being charged Mr. Cortes explained that both areas have 8.15 acres of Retention Basin. The amount of the project is close to the ones presented the previous fiscal years, with the addition of the on calls for the water department. Mayor G. Sanchez asked if there were any future developments that would help with it, wanting to make sure all districts are counted for and all developments are paying their dues.

Mr. Eulogio Vera, Public Works Director, informed the Mayor and Council that no future developments are planned in the area. The amounts presented are for the two specific subdivisions. In specific to 9A and 9B, being residential, and that several lots were purchased.

Mr. Glenn Gimbut, City Attorney, explained that since the adoption of the subdivision regulations all subdivisions, except for two (2) are covered by the distance. One of the two being Barkley Commercial Subdivision because as a Commercial Subdivision, it does not have any retention basin or need of enhanced municipal service. Also the street lightening is not part of the street lightening district. When the subdivision was approved Council decided those districts were not needed. Los Alamos that is because in 2004 the Council then, just before former Mayor Juan Carlos Escamilla and his people, decided not to require the districts as part of the plat. As a result, Los Alamos

never got to the districts and that became a reoccurring problem. He mentioned to build a park the City must purchase the property from the property owners. There were questions and answers provided amongst the City Council and staff.

**MOTION:** Council Member R. Walshe/ Council Member M. Buchanan Jr. to approve the Fiscal Year 2015-2016 assessment districts budget schedule as presented. Motion passed unanimously.

**5.3. Public hearing followed by discussion and possible action on any and all matters regarding recommendation of a Special Event Liquor License application to the Arizona Department of Liquor Licenses and Control to authorize Marcos Ramirez on behalf of San Luis FRONTERA Rotary Club to sell alcohol on July 4, 2015 to raise funds. (Marcos Ramirez)**

**A. Open Public Hearing**

**MOTION:** Council Member G. Torres/ Council Member M. Buchanan Jr. to open the public hearing. Motion passed unanimously.

Mr. Marcos Ramirez, San Luis Rotary Club, is requesting San Luis City Council to approve a special event liquor license for San Luis Rotary Club for the Fourth of July event. He added that on the Certificate of Liability, the Rotary year works a lot like the Fiscal year and ends on June 30<sup>th</sup>. In such, Rotary and their insurance provider are still negotiating the new policy that would take place July 2<sup>nd</sup>. Mr. Ramirez informed Council that if the application gets approved he will not submit it until the new insurance is brought in.

**B. Close Public Hearing**

**MOTION:** Vice-Mayor M. Rosales/ Council Member M.C. Ramos to close the public hearing. Motion passed unanimously.

**Action on Special Event Liquor License Application to the Arizona Department of Liquor Licenses & Control**

**MOTION:** Council Member G. Torres/ Council Member A. Luna-Carrasco to recommend the Special Event Liquor License Application to the Arizona Department of Liquor Licenses and Control. Motion passed with six (6) aye votes and one (1) nay vote from Council Member M.C. Ramos.

**5.4. Discussion and possible action on any and all matters regarding Resolution No. 1099. A Resolution of the Mayor and City Council of the City of San Luis, Arizona authorizing the San Luis Police Department submission of grant application in the 2015 Community Oriented Policing Services Hiring Program under the U.S. Department of Justice. (Acting Chief of Police Victor Figueroa)**

Mr. Victor Figueroa, Acting Chief of Police, requested authorization for submission of the cops grants to put two (2) full-time School Resource Officer (SRO's) at Southwest Junior High and San Luis Middle School. Through the Cops Grant, the grant would be paying seventy-five (75) percent for the salary of the officers and the City would pick up the twenty-five (25) percent. The officers would be committed three (3) years at the schools and would be fully staffed. That is two (2) Officers for three (3) years at a school and if for some reason the Police Station is not eligible to get another grant from the school, those officers may be let go. Currently there is only one (1) SRO at San Luis High School full-time.

**MOTION:** Council Member M. Buchanan Jr. / Council Member M.C. Ramos to approve and adopt Resolution No. 1099 for submission of the grant application in the 2015 Community Oriented Policing Services Hiring Program under the U.S. Department of Justice. Motion passed unanimously.

**5.5. Discussion and possible action on any all matters regarding Resolution 1100 of the Mayor and City Council of the City of San Luis, Arizona approving and adopting the inmate work intergovernmental agreement with the Arizona Department of Corrections. (Kay Macuil)**

Ms. Kay Macuil, Assistant City Attorney, explained that this is for the renewal of the contract with the Department of Corrections. This contract states that the City can call on available inmates for work related purposes without being locked in any certain amount. This intent an one (1) hour per inmate per the contract. Council Member M.C. Ramos asked about complaints from the citizens regarding the inmate workers. Mr. Eulogio Vera, Public Works Director, that there were no complaints from the citizens regarding the inmates or the help they are providing. He stated the only thing that has changed and affected the amount of work the inmates can do is the restriction such as the Public Works Department not working with them south of Juan Sanchez which most the streets working on are located at. Which Ms. Macuil explained that this is not mentioned in the contract, it may be an item that could be worked out. Mayor G. Sanchez commented that creating a yearly report would be a good idea, since it is a great program and seeing the hours inmates used would be a good benefit. He also added that, in order to approve the contract, Council and himself need to make sure the City is taking advantage of the program. Mr. Chris Kasid, Parks and Recreation Director, said that if there is a problem with the inmates, they get removed right away. In the program there are some restrictions such as, calling in every half hour to report where they are, they need to go over to the yard at a certain time and do head counts.

There are issues they wished they did not have to do because it indeed is a waste of time but at the end of the day they count for the man hours they do provide.

**MOTION:** Vice Mayor M. Rosales/ Council Member M.C. Ramos to approve and adopt the renewal of the inmate work an intergovernmental agreement between the City of San Luis and Arizona Department of Corrections No. 1519620 for a term of two (2) years. Motion passed unanimously.

#### **5.6. Discussion and possible action on any and all matters regarding acceptance of the tentative budget for Fiscal Year 2015-2016 (Katie St. Louis)**

Ms. Katie St. Louis, Finance Director, states that according to Title 42, Chapter 17, Article 125 the City is required to publish the budget for Fiscal Year 2015-2016. This started with the Budget Retreat in April with a negative amount of \$8,939,515.00 with the reduction and some adjustments right now it is at \$8,368,145.00. From that amount it includes the bonds for the debt for Water and Sewer that was obtained two (2) years ago. These projects have to do with budgeting again, taking into consideration the true number is approximately \$4 million. Ms. St. Louis added that most of the reductions from the \$600,000.00 where from the General Fund alone. Mayor G. Sanchez asked about the expenditures and modifications to the Council Budget regarding adding them without any problems. Ms. St. Louis responded there was no problem and that they are all included.

Mayor G. Sanchez inquired about the new Facilities structure, if the item was not in the tentative budget. Mr. Robert Eads, City Manager, explained that an extra \$400,000.00 was added to what is already budgeted. The total amount for the project was estimated to be \$650,000.00 and the City only had \$150,000.00 budgeted. This project is something that needs to be complete and done in phases. Other items budgeted from the Fiscal Year 2015-2016 includes the San Luis Fire Department fire truck, vehicles and staff for the Parks and Recreation Department, City Prosecutor Position at City Hall that still needs to be funded and possible salary adjustments that would be following the salary adjustment. In regards to the fire truck the money is budgeted for the 2015-2016 Fiscal Year. In addition, it too includes the request to have two (2) police officers funded for the incoming fiscal year that is outside of the Cops Grant, for a total of five (5) officers. Mr. Eads added that he hopes that after Council finalizes the budget there will be no more changes.

Ms. St. Louis furthermore added that with the ACT Building, the City is losing \$650,000.00 a year for the next seven (7) years. With the income that is generated it is \$600,000.00 and the debt that is owed is \$1.2 million annually.

According to Mr. Glenn Gimbut, City Attorney, the ACT Contract is a fixed contract in terms of the rent they pay for the life of the contract that ends in approximately seven (7) years. Ms. St. Louis stated that there has been no money placed in the fund yet but this year the City will cover \$585,000.00 for the debt. Mayor G. Sanchez asked about

the amount of income fees that remains from revenues that are addressed on page twelve (12) of fourteen (14) of the handout. (Ms. St. Louis responded, however the response is inaudible)

Ms. St. Louis explained that the total City's total budget is \$65,004,407.00 for Fiscal Year 2015-2016. There were questions and answers provided amongst the City Council and staff.

**MOTION:** Council Member A. Luna-Carrasco/ Vice Mayor M. Rosales to accept and adopt the tentative budget for Fiscal Year 2015-2016 as presented by City staff. Motion passed unanimously.

## **6. SUMMARY OF CURRENT EVENTS:**

Council Member M.C. Ramos reported that Ms. Jenny Torres, Community Development Director, and herself attended a discussion on a bond for improvements on the Yuma School District. One of the items discussed was the future high school in Somerton; Ms. Torres asked if the high school was built in Somerton if high scholars from San Luis would be able to attend, while there will be no limits or boundaries, anyone who wishes to attend the high school in Somerton would be eligible, but at the moment they see no start to the process. Council Member M.C. Ramos wanted more money to be added to the San Luis High School that host 2,642 students with more than 1,000 new freshman for more improvements and building but because the high school is fairly new they said no improvements will be done due to the fact that there are older high schools that need more improvements. Council Member M.C. Ramos believes someone from the South County, including Somerton, should be appointed to the School Board to voice the City's concerns.

## **7. CALL TO THE PUBLIC**

Ms. Charlene Fitzgerald, Yuma Metropolitan Planning Organization (YMPO), informed the Mayor and Council that YMPO did indeed secure the funding to do a circulation route study to figure out where the buses would be best suited to provide the route and services to what the City currently has. After they reviewed the City's budget they will not be charging the City to do the study. After the study is completed Council would be responsible for the purchases of busses if the City wishes to do so.

Mr. Fred Hoffman, 363 Villa St, stated he had received a letter from the Building and Safety Department regarding violation 105.1 of 2013 a required building setback. Mr. Hoffman stated that in 2000 when he was going to build the shade he was told he did not need the permit because it had no solid roof. He believes it is not fair.

Ms. Juana Del Valle, 330 Villa St, stated she too received the letter from the Building and Safety Department regarding the same violation. She stated she has had her shades for the last three (3) years. Ms. Del Valle believes that what Building and Safety

is doing is unfair and most importantly why did the department wait this long. Ms. Del Valle stated that several residents are worried and are thinking about joining together because they do not think it is fair for the City to take away something that is useful for the residents.

Mr. Jorge Flores, resident, stated he too is there to discuss the situation regarding the Building and Safety Department. In 1994 he had asked the City for permission for a fence around his lot and he was told there was no permission needed. In 1999 he asked the City for permission to add shades he was told again that it was not needed. Mr. Flores referenced the Arizona Law that states that after seven (7) years the City cannot do anything. He believes it is illogical because the other residents and he have had the shades made for a long time and the City is now enforcing the ordinance or law.

Mr. Rogelio Vargas, 923 Hidalgo Ave, stated that something has to be done with the methane gas that is being evaporated through the water system and apart from that, the bad water quality the residents are receiving. Mr. Vargas believes the City should add a direct extractor without a filter but with something on top that continuously burns the methane gas.

Mr. Jose Muñoz, resident, stated he is there to join with the fellow residents regarding the Building and Safety Department. Mr. Muñoz believes it is unfair the City is trying to remove their shades and that the City should add an amendment to the ordinance.

Mr. Pedro Meraz, resident, stated he is present to talk about the shades situations. Mr. Meraz stated he had a Building and Safety worker go to his residence, when he was going to build his structure. He was told he did not need permission or to pay to build it apart from that he only needed to leave a certain distance from the sidewalk. If the City had not told him anything regarding the structure he would not mind taking it down, but because the City said it was alright and he invested money in the structure he believes it is unfair.

Mr. Jose Figueroa, resident, stated he has had his shade structure for ten (10) years and the City had never told him anything, he was only told it couldn't be solid material and the sides could not be covered. Mr. Figueroa believes it is unfair for the City to do what they want to do, when the shades are helping the residents.

Ms. Maria Alvarez, 1333 Kennedy Ln, stated she too has had the shades more than ten (10) years. And feels the actions taken by the City are the wrong ones.

Ms. Ana Molina, 1050 San Luis Ln, stated she too is present in regards towards the shades. She believes the shade structures are causing no harm for them to be removed; the City did not give them a reason as to why they would have to remove the structures. Ms. Molina believes the extreme heat is alleviated with the shades as they are protecting them.

Ms. Lidia Castillo, 1177 C St, stated the same situation happened to her as the rest of the residents regarding the shades. Ms. Castillo has had her shade structure for seven (7) years now and stated it is not a luxury but a necessary item.

Ms. Jose Aguilar, 1071 Villa St, stated he is part of the other residents who are facing the same problem with Building and Safety.

Ms. Martina Albor, 1555 Monreal Ln, stated it is unfair for the City to try to remove the shade structures when she has worked to earn the money to build them.

Ms. Raquel Muñoz, 578 Sanchez Dr., stated she was there in respects to the shade structures, and agrees with the other residents present.

Ms. Maria Camacho, resident, stated that she finds it unfair for the City to remove her shade structure that is protecting her car from the heat.

Mr. Sergio Aguilar, 624 Garcia Ln, stated he wants the City's help with the shade structure. He had found a structure that would work for him and was under the City's rules and with the Building and Safety Department wanting to remove them, he finds it unfair.

Ramona Rascon, 1660 Washington Lane, stated and reminded the Mayor and Council that the shade structures are a necessity and not a luxury.

## **8. Adjournment**

**MOTION**: Council Member A. Luna-Carrasco/ Vice-Mayor M. Rosales to adjourn the meeting at approximately 8:51 p.m. Motion passed unanimously.



### **Certification of Council Minutes**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council meeting of the San Luis City Council held on June 10, 2014. I further certify the meeting was dully called and held and that the quorum was present and that the City Council approved these minutes at their Special Council meeting held on July 29, 2015.

Dated this 3<sup>rd</sup> day of August, 2015.

/s/ Sonia Cuello, City Clerk