

MINUTES
Special Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
July 29, 2015
6:30 p.m.

1. **CALL TO ORDER** Mayor G. Sanchez called the Regular City Council meeting to order at approximately 6:30 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
Alfredo Campa, Police Sergeant
Alejandro Rodriguez, Public Works Department
Aracely De La Hoya, Senior Services Director
Aurelio Jr. Galvan, Police Officer
Chris Kasid, Parks & Recreation Director
Daniel Paz, I.T. Director
Derek Duenas, I.T. Department
Dania Castillo, Economic Development Department
Eulogio Vera, Public Works Director
Enrique Luna, Senior Center Aide
Gabriela Guevara, Police Corporal
Geraldine Gutierrez, Asst. to Council/PIO
Glenn Gimbut, City Attorney
Hank Green, Fire Chief
Jenny Torres, Community Development Director
Juan Castillo, Meter Reader Technician
Joaquin Campa, Building Plans Examiner
John Starkey, Building Safety Director
Jonathan Dumadag, I.T. Technician
Jose Guzman, Development Services Department
Kay Macuil, Assistant City Attorney
Katie St. Louis, Finance Director
Luis Marquez, Police Officer

Marc Holyfield, Assistant Fire Chief
Marco Santana, Police Sergeant
Maria Chavoya, Cenpatico
Martha Jimenez, Building and Safety Department
Miguel Alvarez, Police Corporal
Omar Heredia, Human Resources
Olivia Jenkins, Utilities Director
Shanell Hernandez, Communications Officer
Vanessa Maldonado, Communications Officer
Yolanda Duenas, Fleet Services Director
Caty Navarro, Wester Arizona Area Health Education Center
Marcos Pinzon, Resident
Pamela Green, Visitor
Mercedes Pinzon, Resident

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member A. Luna-Carrasco.

3. INVOCATION

The invocation was made by Council Member M.C. Ramos.

4. PRESENTATIONS

4. A. Introduction/Presentation of new City of San Luis hires. (Tadeo A. De La Hoya)

Mr. Tadeo De La Hoya, Assistant to the City Manager, introduced the new City of San Luis hires for the following departments: Office of the City Attorney, Human Resources, I.T. Department, Parks and Recreation Aquatic Center, and Public Works Department.

4. B. Presentation and recognition of employees by the Employee Recognition and Awards program (ERAP) for their outstanding work and years of service with the City of San Luis. (Shanell Hernandez)

Ms. Shanell Hernandez, ERAP & Communications Officer, presented the fifteen (15) years of service award to Jesus Galvan from Public Works, Jesus Luna from Senior Center, Isidro Lopez from the Fire Department, Gilberto Torres from Wastewater Department, and Alejandro Rodriguez from Public Works. She too presented Mr. Derek Duenas from the I.T. Department with the Customer Service Award, Ms. Dania Castillo from Community Development Department with the Achievement Award, the Police Department C Squad with the Award of Excellence. In addition she presented Ms. Maria Sabori, Human Resources Specialist, as employee of the quarter.

4. C. Presentation followed by a video of the event by Officer Luis Marquez to the Golden Sponsors of this year's 5k and 1 mile run benefiting the Arizona Law Enforcement Special Olympics. (Luis Marquez)

Mr. Luis Marquez, Police Officer, stated that it was the third year the City of San Luis sponsored the event. This year they raised \$16,075.00 with just one event putting the City of San Luis in the top ten (10) most raised in a fundraising for the state and per capita.

Mr. Doc Montgomery, Arizona Law Enforcement Special Olympics, stated that he was grateful for all the San Luis Police Department has done for them. Mr. Montgomery then presented the San Luis Police Department with two (2) plaques.

Mayor G. Sanchez, City Council and Officer Marquez presented eleven (11) plaques to the Golden Sponsors for all the money they helped raise.

4. D. Presentation by PPEP, Inc., on the different programs offered to the community. (Aracely Escalante/Diana Sandoval)

Ms. Aracely Escalante and Ms. Diana Sandoval, PPEP inc., provided information regarding the different programs that are offered at PPEP for seasonal agricultural workers.

4. E. Recognition of Building Safety Department personnel. (Robert Eads)

Mr. Robert Eads, City Manager, stated that all personnel under the Building Safety Department recently became 100 percent certified under the International Code Council (ICC).

5. CONSENT AGENDA

5. A. Minutes of:

- Work Session held on June 4, 2015
- Regular Council Meeting held on June 10, 2015

5. B. Disbursements from June 29, 2015 to July 17, 2015

Total disbursements \$2,335,483.16

(Two Million, Three Hundred, Thirty-Five Thousand, Four Hundred, Eighty-Three Dollars and Sixteen Cents)

MOTION: Council Member M. Buchanan Jr./Council Member G. Torres to approve Consent Agenda as presented. Motion passed unanimously.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion on any and all matters regarding an award of a construction contract to CEMEX Construction Materials South LLC for Beach Street Sewer main and Roadway Improvements Project (CDBG Contract #132-15). (Jenny Torres)

Ms. Jenny Torres, Community Development Director, stated that the lowest bid for Beach Street Sewer Main and Roadway Improvements Project was from CEMEX for \$239,674.00. She added that if Council approves the contract, the City will submit a notice to proceed on August 17. The time of the construction is estimated to be ninety (90) days.

MOTION: Council Member G. Torres/Council Member A. Luna-Carrasco to approve the construction contract to CEMEX Construction Materials South LLC for the Beach Street Sewer Main and Roadway Improvements Project in the amount of \$239,674.00. Motion passed unanimously.

6. B. Discussion and possible action on any and all matters regarding Waiver of Right of Annexation into the shopping center for CSL Plasma, Inc. (Jenny Torres)

Ms. Jenny Torres, Community Development Director, stated that CSL Plasma is requesting a waiver to rezone the area from C1 to C2.

Mr. Glenn Gimbut, City Attorney, explained that what is being proposed is that the City propose a waiver stating the City will not exercise rights to incorporate the Dollar General store into the CC&R. The waiver would be like the one already presented, stating CSL Plasma no longer occupy the property. The grant would only be towards to occupant and will not be permanent.

Vice-Mayor M. Rosales asked about the main concern that CC&R Dollar General and CSL Plasma had.

Ms. Kay Macuil, Assistant City Attorney, responded that the main concern was medical offices restrictions.

MOTION: Vice-Mayor M. Rosales/Council Member G. Torres to approve the waiver of the shopping center CC&R to enable lot 6A owners to lease to be a blood or plasma collection center as presented by staff. Motion passed unanimously.

6. C. Discussion and possible action on any and all matters regarding appointment of directors/officers to the City's Municipal Corporations. (Kay Macuil)

Ms. Kay Macuil, Assistant City Attorney, presented the Mayor and Council with a list of perspective candidates for the City's Municipal Corporations. In addition she explained that the City has one (1) Industrial Development Authority and two (2) non-profit municipal corporations in which all terms have been expired and have been inactive for several years. She explained that the San Luis Municipal Property Corporation needs five (5) directors that are residents of San Luis. The Industrial Development Authority of the City of San Luis requires directors that are not Council Members or City employees. She also stated that the San Luis Facility Development requires members to be Council Members or City employees.

Ms. Jenny Torres, Community Development Director, stated that when going house to house to inquire names of who was interested in joining a corporation no one specifically stated which one they were interested in, with the exception of Mr. Marcos Pinzon, who is interested in the San Luis Facility Development.

MOTION: Vice-Mayor M. Rosales/Council Member M.C. Ramos to appoint Maria Gonzales, Gary Black, Eduardo Vasquez, Rosa Varela, Luis Magallon and Marco A. Pinzon to the San Luis Industrial Development Authority. Motion passed unanimously.

MOTION: Vice-Mayor M. Rosales/Council Member M.C. Ramos to appoint Antonio Carrillo, Luis Cabrera, Jose Castro, Eduardo Vasquez and Ruben Walsh to the San Luis Municipal Property Corporation. Motion passed unanimously.

MOTION: Vice Mayor M. Rosales/ Council Member M. Buchanan Jr. to appoint Jenny Torres, John Starkey, Olivia Jenkins, Marco A. Pinzon and Alex Joe Harper to the San Luis Facility Development Corporation as current director. Motion passed unanimously.

6. D. Discussion and possible action on any and all matters regarding authorization to enter into an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA). (Victor Figueroa)

Mr. Victor Figueroa, Acting Chief of Police, explained that he is requesting the approval of the City Council to enter into an agreement with DEA. In addition he is requesting a police officer assigned to DEA to do investigations. If the request is approved, Monday is the target day to start with this task.

MOTION: Council Member M. Buchanan Jr. / Council Member M.C. Ramos to approve the agreement between the United States Department of Justice, Drug Enforcement Administration and the City of San Luis Police Department as presented by staff. Motion passed unanimously.

6. E. Discussion and possible action on any and all matters regarding the authorization to partner with Lexipol to update the policies and procedures manual for the San Luis Police Department. (Victor Figueroa)

Mr. Victor Figueroa, Acting Chief of Police, stated that after the last Council Meeting he acquired more information about Lexipol that he presented Council with. He added that by working with Lexipol, policies would be updated.

MOTION: Vice-Mayor M. Rosales/Council Member A. Luna-Carrasco to authorize services through Lexipol to update the Policies and Procedures Manual and related services as presented by staff for the San Luis Police Department. Motion passed unanimously.

6. F. Discussion and possible action to approve construction work for Municipal Court and/or approve payment for work which has been completed. (Glenn Gimbut)

Mr. Glenn Gimbut, City Attorney, presented Council with the remaining construction work for the Municipal Court. The quotes that still need to be processed and completed include: a quote from Julio Juarez of \$1,650.00 to install carpet, a quote for Sierra Coating for \$25,000.00 to paint and a quote for Big Bobs Carpet for \$3,955.28 to purchase the carpet. He added that the following are still waiting payment for the work completed: Maya's Construction for \$985.10, Mic Homes for \$2,250.00 and Jose Serrano for \$627.45 adding that all are in the boundaries of the City Code. The absolute total of the expenses are \$11,967.83.

MOTION: Council Member M. Buchanan Jr./Council Member G. Torres to authorize payment to Mic Homes in the amount of \$2,250.00, Maya's Construction in the amount of \$985.10; and Jose Serrano in the amount of \$627.45 for work performed at the Municipal Court and authorize work to be done at the Municipal Court and authorize work to be done at the Municipal Court by Sierra Coating in an amount not to exceed \$2,500.00; Julio Juarez in an amount not to exceed \$1,650.00; and carpet tile to be purchased from Big Bob's Flooring Outlet in an amount not to exceed \$3,955.28. That no further remodeling work at the Municipal Court is to occur without Council's approval. Motion passed with six (6) aye votes and one (1) nay vote by Vice-Mayor M. Rosales.

6. G. Update on any and all matters regarding the water temperature data collection, report, and conclusion prepared by Nicklaus Engineering, Inc. (Eulogio Vera)

Mr. Eulogio Vera, Director of Public Works, stated that the data collected by the third party Nicklaus Engineering, Inc. was already generated.

Mayor G. Sanchez, asked for a detailed explanation of what was done.

Council Member M. Buchanan Jr. also asked for a list of the residents visited for the reports.

Mr. Kody Johnson, Nicklaus Engineering, explained that the list of residents visited is attached to the report. He added that they collected data from several areas by taking an initial reading from the immediate water that ran by using a thermometer and continuing to test the water that ran after to see if the water changed. This was done at every location. In addition they went AV Net Arizona and gathered information there. After the testing, they noticed that the well sites are very isolated and have very low flow causing it to absorb heat. He stated that the high temperature comes from the indirect flow of the water in the tubes.

Mayor G. Sanchez stated that because there is not a specific solution and he suggested Public Works to work on solutions to provide to the public and to provide the residents with options. He stated that something had to be done, even if the City needed to change their policies.

Mayor G. Sanchez stated that no motion was needed because it was a discussion item only.

6. H. Discussion and possible action on any and all matters regarding the First Reading of proposed Ordinance 339. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending Ordinance Number 229 to allow the imposition of an annual business license fee for Arizona-registered medical marijuana businesses; repealing any conflicting provisions; and providing for severability. (Kay Macuil)

Ms. Kay Macuil, Assistant City Attorney, stated that with the potential of a medical marijuana dispensary an amendment to the ordinance previously presented must be added. The amended ordinance will imply the City to put a fee on the medical marijuana dispensary.

A. Approval of the First Reading of Ordinance No. 339 by title only

MOTION: Council Member G. Torres/ Council Member A. Luna-Carrasco to approve the First Reading of Ordinance No. 339 by title only. Motion passed unanimously.

Mr. Tadeo De La Hoya, Assistant to the City Manager, read Ordinance No. 339 by title only.

7. SUMMARY OF CURRENT EVENTS

Mr. Tadeo De La Hoya, Assistant to the City Manager, reported that the City recently conducted a survey with City employees about the Employee Picnic and most employees were satisfied with the venue but not with the food problem that was presented.

Mr. Hank Green, Fire Chief, stated that Saturday morning there was an article on the newspaper regarding the trailer that had burned down at 4:00 a.m. He wanted to thank everyone who participated and helped out with the fire.

8. CALL TO THE PUBLIC

There were no comments from the public.

9. EXECUTIVE SESSION(S)

Vote to hold Executive Session(s) pursuant to A.R.S. §§38-431.03.A.1., 38-431.03.A.3 and 38-431.03.A.4

MOTION: Vice Mayor M. Rosales/ Council Member M. Buchanan Jr. to go to Executive Session at approximately 8:33 p.m. Motion passed unanimously.

9. A. Discussion and possible action to hold an executive session pursuant to A.R.S. §38-431.03.A.1 and 38-431.03.A.3 on any and all matters regarding the use of executive recruitment services through Waters & Company for the Chief of Police position. (Glenn Gimbut)

9. B. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§38-431.03.A.3, 38-431.03.A.4, and 38-431.03.A.3 on any and all matters relating to the position of prosecutor including but not limited to contracting an agency for the position for the 2015-2016 fiscal year and related matters and legal advice from the City Attorney regarding the position and related contracts. (Glenn Gimbut)

9. C. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§38-431.03.A.3, 38-431.03.A.4, and 38-431.03.A.7 for legal advice and to consider the City's position and instruct its attorney with respect to any and all matters regarding the potential purchase of land, financing, and potential lease, management contract, and construction manager at risk contract for the possible development and operation of landfill. (Glenn Gimbut)

10. MOTION TO GO BACK TO REGULAR SESSION

MOTION: Council Member M. Buchanan Jr./Vice Mayor M. Rosales to go back to Regular Session at approximately 9:35 p.m. Motion passed unanimously.

10. A. Discussion and possible action on any and all matters regarding the use of executive recruitment services through Waters & Company for the Chief of Police position. (Robert Eads)

MOTION: Vice-Mayor M. Rosales/ Council Member M.C. Ramos to approve the contract with Waters & Company for recruitment of candidates for the position of Chief of Police not to exceed \$23,500.00. Motion passed with five (5) aye votes and two (2) nay votes from Council Member G. Torres and Council Member A. Luna-Carrasco.

10. B. Discussion and possible action on any and all matters relating to the position of prosecutor including but not limited to contracting an agency for the position for the 2015-2016 fiscal year and related matters. (Glenn Gimbut)

MOTION: Vice-Mayor M. Rosales/ Council Member M.C. Ramos to approve the contract with ESI for the position of prosecutor. Motion passed with five (5) aye votes and two (2) nay votes from Council Member G. Torres and Council Member A. Luna-Carrasco.

10. C. Discussion and possible action on any and all matters regarding approval of an earnest money contract for the potential purchase of land for the intended purpose of a landfill. (Glenn Gimbut)

MOTION: Vice-Mayor M. Rosales/ Council Member A. Luna-Carrasco to approve the earnest money contract with RBC Citrus in the amount not to exceed \$25,000.00 as presented by staff. Motion passed with five (5) aye votes and two (2) nay votes from Council Member G. Torres and Council Member M. Buchanan Jr.

11. ADJOURNMENT

MOTION: Vice Mayor M. Rosales/Council Member A. Luna-Carrasco to adjourn the Special Council meeting at approximately 9:36 p.m. Motion passed unanimously.