

**MINUTES**  
**Work Session**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**September 16, 2015**  
**6:30 p.m.**

**1. CALL TO ORDER/ROLL CALL**

Mayor G. Sanchez called the Work Session to order at approximately 6:34 p.m.

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

**ABSENT:** Vice-Mayor Matias Rosales  
Council Member Ruben Walshe

**OTHERS PRESENT:** Robert Eads, City Manager  
Sonia Cornelio, City Clerk  
Tadeo A. De La Hoya, Assistant to the City Manager  
Glenn Gimbut, City Attorney  
Angelica Cifuentes, Budget & Procurement Officer  
Aracely De La Hoya, Senior Services Director  
Chris Kasid, Parks & Recreation Director  
Derek Dueñas, I.T. Technician  
Eulogio Vera, Public Works Director  
Geraldine Gutierrez, Assistant to Mayor and Council/PIO  
Hank Gree, Fire Chief  
Jennifer Cisneros, Assistant Parks and Recreation Director  
John Starkey, Building Safety Director  
Jose Guzman, Assistant Planner  
Kay Macuil, Assistant City Attorney  
Katie St. Louis, Finance Director  
Olivia Jenkins, Utilities Director  
Victor Figueroa, Acting Chief of Police  
Jonathan Dumadag, I.T. Technician  
Marc Holifield, Assistant Fire Chief  
Richard Bauerman, Fire Engineer

## **2. ACTION ITEMS:**

### **2.A. Discussion on any and all matters concerning the San Luis Regional Detention Center. (Hull Youngblood, General Counsel of Emerald Companies)**

Mr. Hull Youngblood, General Counsel of Emerald Companies, introduced himself to Mayor and Council. He informed that in January 20, 2015, new owner bought Emerald Correctional; he added that he was asked by the new owner to be their General Counsel. He mentioned that with the new ownership, things have improved so much. He informed that all problems will be solved by the end of November 2015. He mentioned that he will be available to meet with each Council Member to answer any questions and/or concerns regarding the facility.

Council Member M.C. Ramos left the meeting at approximately 6:42 p.m. as she was out of town and due to the bad reception of the audio.

### **2.B. Discussion on any and all matters regarding the City of San Luis Emergency Operation Plan: May 31, 2006. (Hank Green, Fire Chief)**

Mr. Hank Green, Fire Chief, introduced Mr. Marc Holifield as the new Assistant Fire Chief. Mr. Holifield has taken on this task and been working on what needs to be done. Mr. Green informed that Mr. Holifield is a Paramedic Instructor, HAZMAT Tech Instructor, a member of the Federal Resources for Disaster Medical Assistant Team, which responds to events such as Hurricane Katrina. He has a background of Emergency Management.

Mr. Holifield made a power point on the Emergency Operation Plan: May 31, 2006. This presentation included the following slides, Legal Basics for ICS, National Response Framework (NRF), NRF Emphasizes Partnerships, National Incident Management System, (NIMS): What Is It/What It's Not, Executive's/Senior Official's Role & Responsibilities, Summary: Incident Management Roles, Unity of Command & Unity of Effort, and Resource Request and Delivery Flow. A copy of the presentation is in file with the complete Agenda Packet at the Office of the City Clerk.

Mayor G. Sanchez commented that his main concern is that if something happens the response from the Fire Chief or the Assistant Fire Chief will not be immediate, since they both live in the City of Yuma.

Mr. Green replied that NIMS is a flexible framework and is not "hard and fast". He mentioned that this consists of two trainings, one for the policy makers and the second for the department heads and assistant directors, so that if an emergency hits everybody is aware of their role during a declared disaster and not wait until the Fire Chief or the Assistant Fire Chief get on the scene.

Mayor G. Sanchez commented that he would like to see a person in charge in case of an emergency, there need to be different plans so that everybody is on the same page.

Mr. Green commented that there will be one person in charge and different response positions. He stated that the City needs to have processes in place and be ready for an emergency. The more people know about it, the smoother the process will be. He informed that staff has started the process and collected points of contact phone numbers, the second part will be to layout a schedule for each responder. He added that this will have to be discuss during a Work Session or to set up individual training to define roles and responsibilities for each individual and continue from there.

### **2.C. Discussion regarding declaration and disposal of surplus items at City of San Luis Fire Department. (Hank Green, Fire Chief)**

Mr. Hank Green, Fire Chief, informed that the City of San Luis Fire Department was the recipient of a Federal Emergency Management Agency (FEMA) Assisantce to Firefighter Grant (AFG) to purchase new personal protective equipment (PPE) and self-contained apparatus (SCBA). For this reason the department has an accomulation of old gear and equipment. Some of this gear still has a service life and some must be taken out of service the FEMA grant criteria. There is also some equipment that is being taken out of service because of recent capital equipment purchases and have some service life. The San Luis Fire Department is suggesting donating the gear and equipment to the Bomberos de San Luis Rio Colorado, Mexico and some equipment to the Arizona Western College Fire Academy.

Mayor G. Sanchez commented that he would like to distribute the equipment and gear evenly between San Luis Rio Colorado, Mexico; Puerto Peñasco, Mexico and El Golfo de Santa Clara, Mexico.

Mr. Green responded that he would do anything Council decides and that he would like to get some direction from Mayor and Council.

Mayor G. Sanchez asked what is going to happen to the burnt apparatus.

Mr. Green replied that staff has been contacted by the insurance with some options, but staff still needs to determine what will be done.

### **2.D. Discussin on any and all matters regarding the purchase of a new WACHS Water Valve Maintenance Trailer for Public Works Department – Water Division. (Manuel Rojas, Assistant Public Works Director)**

Mr. Eulogio Vera, Public Works Director, informed that staff is requesting the approval from Council to purchase a WACHS Water Valve Maintenance Trailer, this will be replacing an existing damaged unit. The new equipment will enable the City to run a more efficient and accountable water valve maintenance program. He added that the

equipment will consist of a water main valve exercise machine, vacuum system, pressure washer and has GPS capabilities. He mentioned that the total purchase price is \$60,593.76 and if approved, this equipment will be purchased from Balar Equipmen from Phoenix, Arizona. This company is a factory direct dealer for E.H. WACHS in Arizona and since is a sole source provider, the bidding procedure does not apply under the City Purchasing code §36.02. Furthermore, he added that this new equipment is a budgeted item in the fiscal year 2015-2016.

**2.E. Discussion only regarding Resolution No. 1112. A resolution of the Mayor and Council of the City of San Luis, Arizona to designate official places for posting the City's Public Notices. (Sonia Cornelio, City Clerk)**

Mrs. Sonia Cornelio, City Clerk, informed that the City currently has three official posting locations for the City's Public Notices, but in addition staff would like to add the City's website as an official posting place. She added that the last time this was presented before Council was in year 2006.

There were no questions from Mayor and Council.

**3. DISCUSSION ITEMS:**

**3.A. Discussion on any and all matters regarding street names on the east mesa of the City. (John Starkey, Zoning Administrator)**

Mr. John Starkey, Zoning Administrator, informed that the City of San Luis staff would like to create a system to rename City streets, east to west roads at the East Mesa area more specifically on County 23 ½ Street, County 24 Street, County 24 ½ Streets and County 25<sup>th</sup> Street. He presented a map that shows the system that was created approximately 20 years, renaming the north to south roads to name those street to numbered avenues, to match what is in town. He added that there is no system identified to change the streets that goes east to west. Furthermore, he added that he would like to get this system done before the east mesa gets developed. He mentioned that he would like to have a sytem that matches San Luis's system. Mr. Starkey added that he presented this to the Planning and Zoning Commission, and their recommendation was to name the streets with the states surrounding the state of Arizona. He commented that one concept is that the streets can be numbered streets, just like the City of Yuma has. He asked Mayor and Council for direction to get something done before this land is developed.

Mayor G. Sanchez commented that it will be nice to have the children from schools involved in naming the streets.

**3.B. Discussion on any and all matters regarding a possible text amendment to the City of San Luis Zoning ordinance allowing open carports in the front setback. (John Starkey, Zoning Administrator)**

Mr. John Starkey, Zoning Administrator, informed that this item is to allow open carports in the required front setback. He mentioned that the front setback faces the street and is not a potential hazard for fire spread to adjacent properties. He added that per comments made by members of the community a few months ago, that cars get too hot when left in the sun. He commented that this will make a change in the zoning ordinance, and will not alleviate the requirements to get a building permit and that the structure needs to meet the requirement of the building codes. Furthermore, he added that the City Attorney suggested having the property owner sign a letter that will require to have the carport open at the three sides and will remain open forever. This will have to be recorded for future reference in case the homes get sold and the future owners are aware that no modification can be done to those structures. He added that staff can also have restrictions as to the type of construction, construction materials, and allow shade structures only in driveways with the 7 feet side setback required.

Mayor G. Sanchez asked Mr. Starkey if this will solve some of the problems regarding shade structures.

Mr. Starkey replied that this will not solve the problem, but will facilitate the owner to have a legal structure, and will have to meet the requirements of the building codes.

Mr. Glenn Gimbut, City Attorney, commented that this might solve the problem or will create more problems, this has the potential of creating both.

Mr. Starkey mentioned that as Mr. Gimbut stated, this might create or solve the problem and for this reason Mr. Gimbut is recommending having the property owner sign a letter and get it recorded and this will serve as legal notice.

Mayor G. Sanchez mentioned that he understands that this will not solve the problem.

Council Member M. Buchanan Jr. commented that property owners will be putting plants, trees, etc. around the structure.

Mr. Starkey replied that he understands that there is people that still will want to enclose the structure but that will not be allowed. And it will be the owner's responsibility if an accident happens when backing up, as visibility will be obstructed.

Mayor G. Sanchez asked if by allowing the structure in carports will make staff's job easier and will help work something with people affected.

Mr. Starkey replied that this allows people whose shade structures do not meet the building codes, however if one builds a structure, people will have to get a permit to be in compliance with the building code.

Mr. Robert Eads, City Manager, mentioned that this might be something the City may not want to proceed with. He added that the City cannot change the building codes, but staff is able to change local zoning ordinances. He commented that staff is looking for a solution to the previous problems.

Mr. Starkey informed that in order to make changes to the zoning codes, staff will have to sit down and review what needs to be done.

Mayor G. Sanchez commented that this might not be the solution, but this shows that staff is working in finding a solution.

**3.C. Discussion on any and all matters regarding the usage of Friendship Park and the Parking lot within the Park, including possibly creating a new entrance and exit site. (Christopher Kasid, Parks and Recreation Director)**

Mr. Chris Kasid, Parks and Recreation Director, showed a map with the location of Friendship Park with possible entrances to the park. He added that currently the park does not have an entrance nor exit road since the construction of the new downtown area. He added that staff is recommending moving the entrance and exit west of Archibald and Urtuzuastegui Street.

Mr. Robert Eads, City Manager, commented that with the downtown improvement, the entrance and exit has been blocked. He added that staff has considered other options to re-open the park for public parking.

Mr. Glenn Gimbut, City Attorney, reminded everybody that the land at Friendship Park is patent land and solely for the purpose of recreational use and if it is used for something else, the City will be in violation. For this reason the City will have to preserve some recreational areas.

Council Member A. Luna-Carrasco asked if this is a budgeted item.

Mr. Kasid replied that this is not a budgeted item, but staff can definitely start working on this project to present it during the budget retreat.

Mayor G. Sanchez mentioned that he would like new restroom in that park, as the ones currently there are very old. He stated that this project should be a priority and should be included in next year's budget.

**3.D. Discussion on any and all matter regarding Factor Sales delivery schedule and usage of forklift on Archibald Street. (Council Member Mario Buchanan Jr.)**

Council Member M. Buchanan Jr. stated that the reason he mentioned Factor Sales, is because is the most active grocery store along Archibald Street and that does not mean that this does not apply to other businesses in that area. He asked what is staff doing to solve this problem. He informed that he was provided with a draft resolution that Mr. Glenn Gimbut, City Attorney, worked on.

Mr. Glenn Gimbut, City Attorney, mentioned that this ordinance allows to restrict parking on street, but only in the areas designated in that resolution. He commented that he has reviewed the City map with the new downtown area improvements. He stated that Archibald Street, B Street, Urtuzuastegui Street, and 1<sup>st</sup> Avenue, is going to be no parking, standing, loading/unloading except between the hours of 10:00 p.m. and 5:00 a.m. Furthermore, he added that Urtuzuastegui it will be no parking, no stoping and between Archibald, Main Street, and 1<sup>st</sup> Avenue, the Public Works Director has been working in allowing up to four spaces in that area to load/unload. Mr. Gimbut mentioned that in respect to Main Street, the Chief of Police with the concurrece of the Public Works Director and City Engineer, shall limit parking in that area to passenger vehicles in mark parking spaces and allow the option of installation of parking meters in that area. He added that the adoption of this draft ordinance will restrict the use of forklift on Archibald.

Mr. Victor Figueroa, Acting Chief of Police, commented that adopting a resolution will make it easier. He stated that at this time truck drivers can only be cited for bloking the roadway, but at the time an officer gets there, the truck is no longer blocking the roadway and is inside the warehouse. He mentioned that by having a resolution it will help control the traffic flow on Archibald Street and Main Street. As it is right now, there are some UPS trucks and semi trucks park in the middle of the roadway on Main Street. Furthermore, he added that since the City does not have nothing in place, then the officer goes by the State Statute, but some parts of the statute do not apply. He mentioned that the biggest problem at this time is on Archiblad Street.

**3.E. Discussion on any and all matters regarding southbound issues including vehicles cutting in line, roadway closings and other related concerns. (Council Member Mario Buchanan Jr.)**

Council Member M. Buchanan Jr. stated that the reason he brought this item for discussion is because he has seen a lot of vehicles cutting in line.

Mr. Victor Figueroa, Acting Chief of Police, mentioned that the barricades, ropes and cones just arrived. The plan is that once the traffic starts to build up, San Luis Plaza Drive will be closed for traffic going up the hill, they will only be allowed to go down the hill. He added that to elimintae the third lane cutting in line, 500 feet of plastic chain link

will be extended along Archibald Street from Utuzuastegui Street to C Street. Furthermore, he added that barricades will be placed and if any vehicles go around barricades, will be cited, per state law. He mentioned that those businesses with exists to Archibald Street and that have alternative exits on Archibald Street will be closed, and they will have to use the alternative exits. He added that at this time there are some officers on foot that once the traffic starts to build up, they will start closing the lanes and putting up the barricades. Mr. Figueroa informed that the pedestrian traffic light will not be used, as an officer will be placed in that area during heavy traffic hours.

Mr. Glenn Gimbut, City Attorney, informed that there is an ordinance in place regarding cutting in line and it also states that vehicles should obey anybody directing traffic.

Mayor G. Sanchez suggested putting all this new changes in the City's website to get the public informed.

Mr. Figueroa replied that on the San Luis Police Department website, staff does notify the public of the traffic and the approximate time they should expect.

### **3.F. Update including dicussion on any and all matters regarding hot water issues. (Council Member Mario Buchanan Jr.)**

Mr. Eulogio Vera, Public Works Director, reported that the study was completed, letters were sent to the residents regarding the improvement that can be made and possible help to reduce the water temperature. He mentioned that the water study showed that the problem was not the distribution system.

Mr. John Starkey, Building Safety Director, mentioned that the letters sent out included suggestions and improvements that could be done to the home owners system to help mitigate the high water temperature, those suggestions were the following: 1) insulate the water line that are in the attic; 2) wrap the water heater with an insulation blanket and turn off the electicity during the hot months; and 3) replace the ¾" water services line between the meter and house with a 1" line and install the new line 24" below grade. He mentioned that staff can make changes to the plumbing code in order to avoid these types of problems in the future, some of the things that the City is allowed is to require is a water chiller for new developments, this will help cool the water in the house. Another of the changes will be to not allow water lines in the attic, this will alleviate most of the problems, but this is more expensive to the homeowner. He added that another thing that can be required is to insulate the water line.

Council Member M. Buchanan Jr. mentioned that those are possible solutions for the future, he asked if the problem that the residents have at this moment, if it is the City's problem or not.

Mr. Starkey replied that according to the engineer hired by the City, this is not the City's problem, as the houses that were tested showed that the heat gain was in the house not in the infrastructure. He added that this resident owner were given some suggestions that can alleviate the water heat problem. He mentioned that City staff will not know if the problem was solved until someone makes the changes and the water gets tested again.

Mayor G. Sanchez commented that the residents with the hot water problem are looking for someone to blame. He asked if there is enough information that says that is not the City's issue. He mentioned that residents are waiting for an answer and should not be kept waiting anymore. He stated that he understands that the study was posted in the City's website, but believe that those residents did not read the report. He asked staff to inform those people of the findings and close the case. Furthermore, he mentioned that if they are looking for someone to blame, staff has to make sure that they understand that it is not the City's problem, and explain to them that the problem is the way their homes were built. It is time for the City to say that according to the study performed. He added that there is no state statute that requires a city or town to provide cool water to residents.

Mr. Gimbut added that the only legal requirement is that a city or town provides potable water.

Mayor G. Sanchez stated that in the case that the City was found responsible, then it is required that something is done, but since the study did not find the City responsible, then staff can provide recommendations.

Mr. Robert Eads, City Manager, mentioned that now that Council has given directions, staff will provide information to each and the affected parties.

Council Member M. Buchanan Jr. stated that staff were given directions, but nothing has been done. He added that he had conversations with the City Manager via text regarding this problem, but yet nothing has been done. He stated that he wants to see this problem finalized, and do not want anymore phone calls from residents regarding this problem. He added that this is staff's responsibility to get this problem resolved.

#### **4. ADJOURNMENT**

**MOTION:** Council Member M. Buchanan Jr./Council Member A. Luna-Carrasco to adjourn the meeting at approximately 8:41 p.m. Motion passed unanimously.