

MINUTES
Regular Meeting
San Luis City Council
San Luis Council
Chambers
1090 E. Union Street
San Luis, AZ 85349
December 9, 2015
7:00 P.M.

1. 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 Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Maria Cecilia Ramos
Council Member Ruben Walshe

ABSENT: Council Member Gloria Torres

OTHERS PRESENT: Tadeo De La Hoya, Interim City Manager
Ralph Velez, City Consultant
Sonia Cornelio, City Clerk
Alfredo Campa, Police Department
Andrea Moreno, Police Department
Angel Ramirez, Fire Department
Angelica Cifuentes, Procurement and Budget Compliance Officer
Chris Kasid, Parks and Recreation Director
Eulogio Vera, Public Works Director
Glenn Gimbut, Assistant City Attorney
Hank Green, Fire Chief
Isidro Lopez, Fire Department
Jennifer Cisneros, Assistant Parks and Recreation Director
Jenny Torres, Community Development Director
John Starkey, Building Safety Director
Johnathan Dumadag, I.T. Technician
Jose Guzman, Assistant Planner
Josue Aranda, Court Compliance Officer
Kay Macuil, City Attorney
Katie St. Louis, Finance Director
Luis Marquez, Police Department
Manuel Rojas, Assistant Public Works Director

Maria Sabori, Human Resources Senior Analyst
Olivia Jenkins, Utilities Director
Omar Heredia, Human Resource Training and Programs Coordinator
Omar Velasquez, Parks Supervisor
Rick Bauermann, Fire Department
Rosendo Morales, Court Magistrate
Victor Figueroa, Acting Chief of Police
Pamela Green, Visitor
Francisca Guzman, Translator

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Maria Cecilia Ramos

3. INVOCATION

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

4. PRESENTATIONS

4. A. Presentation of Awards for the City of San Luis Founders' Day Parade held Saturday October 31, 2015. (Christopher Kasid, Parks and Recreation Director)

Mr. Chris Kasid, Parks and Recreation Director recognized participants of the San Luis Founders' Day Parade.

4. B. Presentation of plaque to former City Attorney, Glenn Gimbut, in recognition of his years of service to the City of San Luis. (Maria Sabori, HR Senior Analyst)

Mayor Gerardo Sanchez presented Mr. Glenn Gimbut, Assistant City Attorney, with a plaque in recognition of his years of service to the City of San Luis. Mayor Gerardo Sanchez also stated that Mr. Gimbut is an asset to the City of San Luis.

Mr. Glenn Gimbut, Assistant City Attorney, stated that it was an honor to serve the City of San Luis.

4. C. Presentation of awards to City of San Luis employees on behalf of the Employee Recognition and Awards Program. (Omar Heredia, Human Resources)

Mr. Omar Heredia, Human Resources, presented Years of Service and ERAP awards for the 4th Quarter.

Mayor Gerardo Sanchez thanked all the employees for their hard work.

5. CONSENT AGENDA

5. A. MINUTES OF

-Special Council meeting held November 10, 2015

5. B. DISBURSEMENTS

-From November 2, 2015 to November 13, 2015 – Total Disbursements \$622,021.76
(DISBURSEMENTS PULLED FROM THE CONSENT AGENDA FROM THE SPECIAL COUNCIL MEETING HELD NOVEMBER 24, 2015) and

-From November 16, 2015 to November 27, 2015 – Total Disbursements \$974,114.008

5. C. Discussion and possible action on any and all items regarding payment of claim to BLM for the placement of the solar panels at City Hall, Police Station, and Fire Station. (Kay Macuil, City Attorney)

MOTION: Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to approve the Consent Agenda as presented. Motion passed unanimously.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion and possible action on any and all matters regarding the authorization to expand Capital project funds to purchase Assistance to Firefighter Grant items. (Hank Green, Fire Chief)

Mr. Hank Green, Fire Chief, stated that the San Luis Fire Department was the recipient of the Assistance to Firefighters Grant and the San Luis Fire Department had used the money to purchase requested equipment. Mr. Green explained that there was a surplus of over \$38,000.00 and through an amendment to the agreement with FEMA Assistance to Firefighter Grant, they will be able to purchase the rest of the needed items, attached to the agenda packet. Mr. Green added that the San Luis Fire Department will be responsible for 10% of the purchase.

Mayor Gerardo Sanchez stated that the equipment asked for is reasonable and would complete the package.

MOTION: Council Member Mario Buchanan Jr./Council Member Maria Cecilia Ramos to approve transfer of funds in an amount not to exceed \$3,000.00 from line item account for Grant YRCS for portable mobile radios to the line item account for Assistance to Firefighters Grant in order to purchase the equipment as presented. Motion passed unanimously.

6. B. Discussion and possible action on any and all matters regarding the appointment of a member to serve on the Yuma County Intergovernmental Public Transportation Authority (YCIPTA). (Tadeo De La Hoya, Interim City Manager)

Mr. Tadeo De La Hoya, Interim City Manager, stated that with the resignation of former City Manager Robert Eads the City of San Luis has to appoint a representative to serve

on the Yuma County Intergovernmental Public Transportation Authority board. Mr. De La Hoya stated that it was recommended to appoint Mr. Ralph Velez, City Consultant, to the board.

Mayor Gerardo Sanchez commented that the vast majority of the residents of Yuma County that are using the YCAT are from San Luis, Arizona. Mayor Gerardo Sanchez added that it is very important to be involved in the YCIPTA committee.

MOTION: Council Member Africa Luna-Carrasco/Vice-Mayor Matias Rosales to appoint Ralph Velez to the Yuma County Intergovernmental Public Transportation Authority. Motion passed unanimously.

6. C. Discussion and possible action on any and all matters regarding the appointment of a member to serve on the Management Committee of the Western Arizona Council of Government (WACOG). (Tadeo De La Hoya, Interim City Manager)

Mr. Tadeo De La Hoya, Interim City Manager, stated that with the departure of Mr. Robert Eads, the City of San Luis has to appoint a representative to serve on the Management Committee of the Western Arizona Council of Government Board. Mr. De La Hoya stated it was recommended to appoint Mr. Ralph Velez, City Consultant.

MOTION: Vice-Mayor Matias Rosales/Council Member Mario Buchanan Jr. to appoint Ralph Velez to the Management Committee of WACOG Board. Motion passed unanimously.

6. D. Discussion and possible action on any and all matters regarding the presentation and adoption of the San Luis Focused Future II Economic Development Strategic Plan. (Jenny Torres, Community Development Director)

Ms. Jenny Torres, Community Development Director, stated that an update on the Focused Future Economic Development Plan was approved by APS for sponsorship. Ms. Torres explained that the Focused Future Plan creates a roadmap for the community on economic development and will guide the City of San Luis to set up a vision, goals, and strategies. Ms. Torres provided a PowerPoint and oral presentation on the Economic Development Strategic Plan.

Mayor Gerardo Sanchez commented that it was a great plan.

Council Member Africa Luna-Carrasco commented that the key points mentioned are truly needed.

MOTION: Council Member Mario Buchanan Jr./ Council Member Ruben Walshe to adopt the 2015 Focused Future II Economic Development Plan for the City of San Luis. Motion passed unanimously.

6. E. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2015-0289, a request by Alberto Geraldo, on behalf of Comite De Bien Estar, Inc., owner, for a Conditional Use Permit to allow the establishment of a religious institution at 1050 E. Arizona Street in San Luis, Arizona. (Item continued from October 28, 2015 Regular Council Meeting) (John Starkey, Zoning Administrator)

A. Open public hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to open public hearing. Motion passed unanimously.

Mr. Jose Guzman, Assistant Planner, stated that Mr. Geraldo requested the Conditional Use Permit to allow church community members at 1050 E. Arizona Street in San Luis, Arizona that was previously used by Comite De Bien Estar for a food program. Mr. Guzman added that the applicant would provide required parking, landscape, retention basins, and necessary changes for the building to be up to code.

Mayor Gerardo Sanchez asked how the trailer ended up at the location.

Mr. Guzman responded that it was part of the subdivision when it was constructed.

Mr. John Starkey, Zoning Administrator, stated that it is a factory building and was installed by Comite de Bien Estar fifteen (15) years ago.

Mr. Alberto Geraldo, Inglesia De Cristo, stated that there are thirty-five (35) members in his church and have been gathering in a rented area for a few years. Mr. Geraldo also stated that it would be a benefit for both parties if they were to be allowed to rent the area leaving a positive impact.

Mr. Jesus Moreno, 1405 E. San Francisco Street, stated that he works with the youth of the church and has seen a benefit on the youth's participation.

Ms. Ana Leticia Duarte, 1301 Babbit Lane, stated she is a biblical teacher for the youth at the church and supports Mr. Geraldo on his request.

B. Close public hearing

MOTION: Council Member Mario. Buchanan Jr./Vice-Mayor Matias. Rosales to close public hearing. Motion passed unanimously.

C. Action on Conditional use Permit Case No. 2015-0289

MOTION: Vice-Mayor Matias Rosales/Council Member Maria Cecilia Ramos to approve Conditional Use Permit case number 2015-0289. Motion passed unanimously.

6. F. Public Hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2015-0335. A request by Jesus A. Ortiz, property owner, for a Conditional Use Permit as per Article 2-6 Chapter 7 Section 7.1-C.3 of the City of San Luis Zoning Ordinance to allow outdoor dining at El Navegante Restaurant in a Neighborhood Commercial (C-1) zoning district, Assessor's Parcel No. 775-38-109, located at 8401 E. D Street, San Luis, Arizona. (Item continued from October 28, 2015 Regular Council Meeting) (John Starkey, Zoning Administrator)

A. Open public hearing

MOTION: Vice-Mayor Matias Rosales/Council Member Africa Luna-Carrasco to open public hearing.

Mr. John Starkey, Zoning Administrator, stated that Mr. Ortiz's business was originally located at the corner of B Street and 2nd Avenue; two (2) years ago he bought the location at 840 E. D Street and was allowed to move his food truck and have temporary dining until a permanent building was built. Mr. Starkey stated that Mr. Ortiz has submitted a set of plans that were approved for construction of a metal shade structure, a permit for the shade structure cannot be given to Mr. Ortiz until Council's approval is obtained.

Mr. Jesus Ortiz, El Navegante Restaurant Owner, stated that from the beginning his plan was to grow and have his business look well. Mr. Ortiz stated that his plan was to close the building and to have air conditioning for the summer. He added that for the moment the engineer will construct a metal shade structure with the permission of the City of San Luis. In a year he plans to remove what is currently in place he too will convert the house to a kitchen and better the garden to attract customers.

Vice-Mayor Matias Rosales asked about the letter, if it would be a year commitment from the date on the letter or a year from when the conditional use permit would be approved.

Mr. Ortiz stated it would be a year from the date of Council's approval.

Mr. Jose Villa, 733 Cesar Chavez Avenue, stated that the only problem he has with Mr. Ortiz's business is that there is not enough parking for the business. Mr. Villa added that he is uncomfortable with people using his driveway to make u-turns.

B. Close public hearing

MOTION: Vice-Mayor Matias Rosales/Council Member Ruben Walshe to close public hearing. Motion passed unanimously.

C. Action on Conditional Use Permit No. 2015-0335

MOTION: Council Member Ruben Walshe/Council Member Mario Buchanan Jr. to approve Conditional Use Permit case number 2015-0335 subject to the conditions that the applicant complies with the Zoning Compliance Agreement as presented and with all applicable regulations of the City of San Luis within a one (1) year time period from December 10, 2015. Motion passed with five (5) aye votes and one (1) nay vote from Council Member Africa Luna-Carrasco.

6. G. Discussion and possible action on any and all matters regarding Resolution No. 1121. A resolution of the Mayor and Council of the City of San Luis, Arizona approving the authorization to enter into agreement with the City of Yuma through the Yuma Police Department to share access to criminal justice databases. (Victor Figueroa, Acting Chief of Police and Monica Ruiz, Communications Supervisor)

Ms. Monica Ruiz, Communications Supervisor, stated that San Luis Police Department is requesting to go into agreement with the City of Yuma to provide shared access of the Arizona Criminal Justice Information Service Interface. The access will allow the San Luis Police Department to continue providing functions while complying with Criminal Justice Information System Security I.T. policies.

MOTION: Council Member Maria Cecilia Ramos/Vice Mayor Matias Rosales to approve Resolution No. 1121. Motion passed unanimously.

6. H. Discussion and possible action on any and all matters regarding Resolution No. 1124. A resolution of the Mayor and Council of the City of San Luis, Arizona in support of a Legislative Proposal to revise Arizona Revised Statute §42-6106, granting an Intergovernmental Public transportation Authority (IPTA) which has the same boundaries as the county in which it resides, the same authority as a Regional Transportation Authority (RTA) to levy one-half cent transportation excise tax if approved by the voters. (Tadeo De La Hoya, Interim City Manager)

Mr. Tadeo De La Hoya, Interim City Manager, stated that the item was requested by Yuma County Administrator in support of a Legislative Proposal for them to apply for the one-half cent transportation excise tax.

Mayor Gerardo Sanchez expressed his concerns and asked if the City of San Luis would see benefits.

Mr. De La Hoya responded that if it is approved someone would be appointed to serve on the Public Directors of the RTA.

MOTION: Council Member Africa Luna-Carrasco/ Vice-Mayor Matias Rosales to approve Resolution No. 1124. Motion passed unanimously.

6. I. Discussion and possible action on any and all matters regarding the First Reading of Ordinance No. 345. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending Section 34.05(E) of the City Code relating to Municipal Court probation Fees; repealing any conflicting provisions; and providing for severability. (Magistrate Rosendo Morales, Jr.)

Mr. Rosendo Morales, Court Magistrate, stated that in the proposed changes to the City Code relating to Municipal Court Probation Fees, it reflects current trends and models of probations. Mr. Morales added that at the moment there is a \$65.00 fee in every state, the City of San Luis will be charging \$15.00. He added that if the City of San Luis does not increase the charges they would have to provide the extra funding, for that not to happen a proposed mechanism would be in place.

MOTION: Council Member Maria Cecilia Ramos/Council Member Mario Buchanan Jr. to approve the First Reading of Ordinance No. 345 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 345 by title only.

6. J. Discussion and possible action on any and all matters regarding Ordinance No. 346. An ordinance of the Mayor and Council of the City of San Luis, Arizona, relating to San Luis Code of Ordinances as it pertains to traffic control by amending Title VII, Traffic Code, and Title XI, Business Regulations, of the Code of Ordinances of the City of San Luis by amending Chapter 70 General Provisions, Chapter 71 Traffic Control, Chapter 72 Parking, and Chapter 112 Transportation Business Regulations, by amending Section 71.04 Traffic Control Devices to Authority to Install Traffic Control Devices, Signs, Signals, Crosswalks, Safety Zones, and Mark Traffic Lanes; amending Section 71.05 to be Uniform Traffic Control Devices; amending Subsection 71.07 (A) regarding Authority to Place Restricted Turn Signs; adding Section 71.10 Obedience to Traffic Control Devices, adding Section 71.11 Unauthorized Painting of Curbs, Sidewalks, or Streets, Highways and Freeways; amending Section 72.04 to be Parking Upon Public Property; amending Subsections 72.07 (A) and 72.07 (B), repealing Subsection 72.07 (C) and renumbering Subsections 72.07 (D) and 72.07 (E) regarding Buses and Taxis; amending Section 72.10 to be establishment of rates for Parking Control Devices or Parking Meters; amending the definitions of Bus Stand, Taxi Stand, and Taxi Waiting Stand as contained at Section 112.02; amending Subsection 112.03(B) to Provide for Liveries; amending Section 112.07 to Provide for Liveries, Providing Penalties for Violations by amending Section 70.99 Traffic Code Penalty and amending Section 72.99 Penalty; repealing any conflicting provisions; providing for severability; and declaring an emergency. (Kay Marion Macuil, City Attorney)

Mr. Glenn Gimbut, Assistant City Attorney, stated that when the City of San Luis was incorporated, Mr. Bob Clark copied the City Code of Winslow. Mr. Gimbut added that compared to having five (5) different methods they want to have one (1) uniformed method that dealt with traffic control that is both safe and flexible. Mr. Gimbut explained that the Police Chief in conjunction with the Public Works Director, City Engineer and the Fire Chief would be involved in making traffic control decisions.

Ms. Kay Macuil, City Attorney, added that the City Council will choose where one-way streets would be located and how much will be charged on the parking meters.

Council Member Africa Luna-Carrasco added that she likes the parking meters on Main Street and the fee of \$.50 for an hour is reasonable.

Mr. Victor Figueroa, Acting Chief of Police, stated that the company from where the meters are from, allows the City to program the price and time on the meters by location.

MOTION: Vice-Mayor Matias Rosales/Council Member Mario Buchanan Jr. to approve Reading of Emergency Ordinance No. 346 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 346 by title only.

MOTION: Council Member Mario Buchanan Jr./Council Member Maria Cecilia Ramos to approve Ordinance No.346 and declare an emergency. A roll call vote was held as follows:

Council Member Mario Buchanan Jr. Aye

Council Member Africa Luna-Carrasco. Aye

Council Member Maria Cecilia Ramos. Aye

Council Member Ruben Walshe. Aye

Vice-Mayor Matias Rosales. Aye

Mayor Gerardo Sanchez. Aye

Motion passed unanimously with six (6) aye votes.

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez thanked everyone that took part in El Dia Del Campesino festival. Mayor Gerardo Sanchez added that after the festival he and other Council Members headed to El Golfo for the donation of the surplus items, their teams where very thankful. Firefighters of El Golfo commented they would like training from the San Luis Fire Department.

Mr. Hank Green, Fire Chief, agreed to provide volunteered weekend trainings at the San Luis Arizona Fire Department.

Mr. Tadeo De La Hoya, Interim City Manager, thanked and congratulated the Public Works Department and Parks and Recreation for their work on the Christmas tree on Main Street. Mr. De La Hoya added that he has received several positive comments.

Vice-Mayor Matias Rosales commented that Ms. Jenny Torres, Community Development Director, Mr. Ralph Velez, City Consultant, and he attended the Border Trade Alliance Conference in Washington D.C. adding that it was a positive experience.

8. CALL TO THE PUBLIC

There were no comments from the public.

9. EXECUTIVE SESSION

MOTION: Council Member Africa Luna-Carrasco/ Council Member Maria Cecilia Ramos to go to Executive Session at approximately 8:57 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)(3) for legal advice and to consider the City's position and instruct its attorney with respect to options regarding waste water line maintenance. (Mayor Gerardo Sanchez)

9. B. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§38-431.03(A)(3) and 38-431.03(A)(4) for presentation, discussion and legal advice as to any and all matters concerning the San Luis Regional Detention Center, its operations, possible modification of existing operating and management agreements with Emerald Correctional Management and the San Luis Facilities Development Corporation, and matters regarding pending litigations involving the San Luis Regional Detention Center. (Kay Marion Macuil, City Attorney)

10. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Vice-Mayor Matias Rosales/Council Member Mario Buchanan Jr. to go back to Regular Session at approximately 11:01 p.m. Motion passed unanimously.

11. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to adjourn the Regular Council meeting at approximately 11:02 p.m. Motion passed unanimously.