

MINUTES
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
May 25, 2016
7:00 P.M.

1. **CALL TO ORDER** Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:03 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 Gloria Torres
Council Member Ruben Walshe

OTHERS PRESENT: Tadeo De La Hoya, Interim City Manager
Sonia Cornelio, City Clerk
Angelica Cifuentes, Procurement and Budget Compliance
Carlos Cortes, Finance Assistant Director
Chris Hagen, Management Analyst
Craig Higgins, Chief of Police
Derek Dueñas, I.T. Manager
Eulogio Vera, Public Works Director
Hank Green, Fire Chief
Jennifer Cisneros, Acting Parks and Recreation Director
John Starkey, Zoning Administrator
Jonathan Dumadag, I.T. Technician
Joselyn Medina, PIO/ Assistant to Council
Kay Macuil, City Attorney
Manuel Rojas, Assistant Public Works Director
Olivia Jenkins, Utilities Director
Ric Bauermann, Fire Department
Arturo Garcia, Resident
Cesar Neyoy, Reporter
Charles Gutierrez, YMPO
Eduardo Garcia, Factor Sales
Francisca Guzman, Translator
Guillermina Fuentes, Resident
Lucky Hoyos, Visitor

Lucy Lopez, Visitor
Nieves Riedel, Riedel Holdings, L.L.C.
Pamela Green, Visitor
Shelly Kreger, YCIPTA

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Matias Rosales.

3. INVOCATION

The Invocation was led by Mr. Hank Green, Fire Chief.

4. PROCLAMATION/PRESENTATION

4. A. Proclamation on National Police Week May 15-20, 2016

Ms. Sonia Cornelio, City Clerk, read the Proclamation in its entirety.

Mayor Gerardo Sanchez stated that the City is honored and grateful for their members of the Police Department. A round of applause was followed to thank the Police Department for all they do.

4. B. Presentation on the San Luis Transit Route Circulation Study by Yuma County Intergovernmental Public Transportation Authority (YCIPTA) and Kimley-Horn. (Shelly Kreger, YCIPTA and Alex Lange, Kimley-Horn)

Mr. Charles Gutierrez, YMPO, stated that since the last presentation provided to Mayor and City Council a route that would best fit the answers received in the survey. He also provided information on the San Luis Transit Route Circulation.

Mayor Gerardo Sanchez asked what is to be done next.

Ms. Shelly Kreger, YCIPTA, replied that the projected start would be in January 2017 and would be funded for six (6) months with matching funds from the City of San Luis and federal funds.

5. CONSENT AGENDA

5. A. Minutes of:

- Work Session held April 6, 2016
- Special Council Meeting held April 14, 2016

5. B. Disbursements from May 2, 2016 through May 13, 2016

Total disbursements \$806,331.58

(Eight Hundred Six Thousand, Three Hundred Thirty-One Dollars and Fifty-Eight Cents)

Council Member Maria Cecilia Ramos made note that a correction needed to be made on the minutes for April 14, 2016.

MOTION: Council Member Gloria Torres/ Council Member Mario Buchanan Jr. to approve the Consent Agenda without the minutes for the Special Council Meeting held April 14, 2016. Motion passed unanimously.

6. DISCUSSION AND POSSIBLE ACTION ITEMS

6. A. Discussion and possible action on any and all matter regarding contract continuation and renewal with Standard Printing Company, Inc., DBA Information Outsource using Cooperative Procurement Procedures under Section 36.09 of the City Code for processing, printing and mailing of utility bills and notices. (Olivia Jenkins, Utilities Director)

Ms. Olivia Jenkins, Utilities Director, stated that they would like to renew the contract for printing and billing of utility bills with Standard Printing Company. Ms. Jenkins added that the company is flexible and their fees are reasonable.

MOTION: Council Member Africa Luna Carrasco/ Council Member Ruben Walshe to approve and authorize appropriate City officials to execute and continue the contract agreement with Standard Printing Company, Inc., DBA Information Outsource in the form as presented. Motion passed unanimously.

6. B. Discussion and possible action on any and all matters regarding the increase of the approved budget in Account No. 200-210-90010 (Highway User Revenue Funds). (Eulogio Vera, Public Works Director)

Mr. Eulogio Vera, Public Works Director, stated that the increase of the budget is required to pay Greater Yuma Port Authority for roadway improvement. Mr. Vera also stated that the project was approved last Fiscal Year but Yuma County had told them it was not due and a new invoice arrived this Fiscal Year.

Mayor Gerardo Sanchez asked why there was a confusion.

Mr. Vera stated that there were several moving parts in the project and when they tried to pay the roadway improvements it was had fallen under something that was already

paid. He added that when the County was going over previous documentation he noticed the payment was due to Greater Yuma Port Authority.

Ms. Kay Macuil, City Attorney, clarified that it was not a double payment.

Council Member Maria Cecilia Ramos asked if there was funds in the HURF account available.

Mr. Vera confirmed that funds were available.

MOTION: Council Member Gloria Torres/ Council Member Africa Luna-Carrasco to increase approved budget in Account No. 200-210-90010 for the current Fiscal Year 2015-2016 by eighty-five thousand dollars (\$85,000.00). Motion passed unanimously.

6. C. Discussion and possible action on any and all matters regarding a contract to James Davey and Associates, Inc. to provide construction administration and inspection services associated with the construction of the 1st Avenue and 4th Avenue intersections and Juan Sanchez Boulevard Roadway Improvements Phase I. (Eulogio Vera, Public Works Director)

Mr. Eulogio Vera, Public Works Director, stated that the Public Works Department has finally completed the design for construction this fiscal year and went out to bid and awarded the construction contract to DPE Construction. Mr. Vera added that James Davey and Associates has in the past undertaken and successfully completed several projects and will be starting Lakin Street Improvement's Project. Mr. Vera would like to recommend issuing a Construction Administration Contract with James Davey and Associates for the 1st Avenue and 4th Avenue intersections and Juan Sanchez Boulevard Roadway Improvements. If the contract is approved it would become effective on May 31, 2016.

Mayor Gerardo Sanchez asked how long it would take to complete.

Mr. Vera replied that the tentative schedule is estimated at one-hundred twenty (120) days.

Council Member asked if pictures of the project will be taken.

Mr. Vera replied that pictures would be taken before, during and after the project.

MOTION: Vice-Mayor Matias Rosales/ Council Member Maria Cecilia Ramos to approve JDA for the Contract Administration of the 1st Avenue and 4th Avenue intersections and Juan Sanchez Boulevard Roadway Improvement Project and

authorize the appropriate City officials to execute the contract and take all necessary steps to implement the contract as presented. Motion passed unanimously.

6. D. Public hearing followed by discussion on any and all matters regarding Rezoning Case No. 2016-065. A request by Edais Engineering, Inc., on behalf of Nieves Riedel, Riedel Holdings, L.L.X., owner, to rezone 27.58 acres located South of County 22nd Street between the East Main Canal and Las Quintas de San Luis Subdivision from Rural Area Residential (RA-10) to Medium Density Residential (R1-6). (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.

1. Staff Presentation

Mr. John Starkey, Zoning Administrator, stated that Edais Engineering, Inc. is requesting to rezone 27.58 acres of land located south of County 22nd Street between East Main Canal and Las Quintas de San Luis Subdivision.

2. Call to the Public on his item

Ms. Guillermina Fuentes, 1630 N. 9th Avenue, stated that she is directly impacted by the subdivision. For the record she added that she is not a friend, employee, builder, or someone who owes money to the developer but she is a resident who would be affected by the proposed project. She added that her common sense tells her that the subdivision is very dangerous and referenced that some things, such as traffic lights on 10th Avenue, are mentioned in the Development Agreement and are yet to be completed. In addition, she wants the City to consider hiring another engineer as one (1) engineer should not be doing the Subdivision by himself. With knowledge that one Council Member is pushing hard to have the project completed Ms. Fuentes wants them to emphasize on having everything on the Development Agreement is 100% completed before the City of San Luis issues a completion certificate. Her last request is have the Development Agreement mention that two (2) story houses are not allowed in the subdivision.

Council Member Maria Cecilia Ramos stated that Ms. Fuentes brought up some points that Council must discuss before a new agreement is made. Council Member Ramos added her statement sheds more light on Council discussion on widening and traffic lights on 10th Avenue.

Mayor Gerardo Sanchez commented that the City of San Luis has not had a new Development Agreement in the past eight (8) years and added that the Legal

Department has looked into the agreements and noted that they have no expiration date. Mayor Sanchez explained that City Council plans to enforce the agreements.

Vice-Mayor Matias Rosales asked Mr. Starkey how long it would take to get the final copy of the Development Agreement.

Mr. Starkey replied that the item presented was pertaining to the approval of the final copy of the agreement.

Ms. Nieves Riedel, owner of Riedel Holdings L.L.C., stated that she has discussed the three (3) issues the person brought up and agrees with Council that they had no control over those issues. Ms. Riedel added that the widening of 10th Avenue should have been done a long time ago, but due to the land being federal property the City must submit a petition to have it widened. She commented that an agreement for the street light on Juan Sanchez and 10th Avenue stated that the City of San Luis will pay 50%, Riedel Holdings would pay 25%, and Comite de Bien Estar would pay 25%. Adding that it is in the City's hands and when the City goes out to bid she would like to be a part of the process.

Council Member Maria Cecilia Ramos asked if the City of San Luis has approached Riedel on the issues with the lights and if there was written proof.

Ms. Riedel stated that the City has not pushed the issue and it was stated in the Development Agreement.

Vice-Mayor Matias Rosales asked Ms. Riedel if she has ever received a letter from the City to begin the project.

Ms. Riedel replied that she was never approached and stated that she was the one asking if the City was ready.

Council Member Ramos thanked Ms. Riedel for clarifying.

Council Member Mario Buchanan Jr. stated that it was a big concern.

Council Member Africa Luna-Carrasco commented that she was glad it came out so the City can start working on pursuing and getting it fixed.

Mr. Starkey stated for the record that the traffic signal on 10th Avenue and Juan Sanchez Boulevard has never been on any budget for the last fifteen (15) years. Mr. Starkey added that the item has been talked about before but was never put on any Agenda.

Mayor Gerardo Sanchez explained what was discussed was that when Juan Sanchez Boulevard gets expanded to four (4) lanes, the traffic light would have to be replaced. Being one (1) of the reasons it was not pursued before. Mayor Gerardo Sanchez added that lights are needed there, on 4th Street, and several different intersections.

Council Member Maria Cecilia Ramos commented that it has been sixteen (16) years of discussing the item and not putting it into action.

Mayor Gerardo Sanchez commented that at the time YMPO had the funds to expand Juan Sanchez Boulevard but Council did not want Juan Sanchez Boulevard to be expanded.

Mr. Eulogio Vera, Public Works Director, commented that Juan Sanchez Boulevard expansion was on the budget for Fiscal Year 2016 but was not moved as aggressively as 4th Avenue was because the traffic study did not recommend that many improvements with the traffic signal. Mr. Vera added that it is on Fiscal Year 2017 proposed budget. Mr. Vera also stated that he checked with Bureau of Land Management and the City has the right of way East of adjusting 10th Street.

Mayor Gerardo Sanchez for clarification asked if it was in the budget for this Fiscal Year.

Mr. Vera stated that it was.

Council Member Africa Luna-Carrasco asked why after sixteen (16) years the item was put on the budget.

Mayor Gerardo Sanchez commented that the Council at the time did not approve the expansion as it was not needed at the time. Adding that it would cost Council close to \$31,000,000.00.

B. Close public hearing

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

6. E. Discussion and possible action on any and all matters regarding Resolution No. 1145. A resolution of the Mayor and Council of the City of San Luis, Arizona approving Las Quintas de San Luis II Development Agreement between the City of San Luis, Arizona and Riedel Holdings, L.L.C. ITEM CONTINUED FROM REGULAR COUNCIL MEETING HELD APRIL 27, 2016. (John Starkey, Zoning Administrator)

Mr. John Starkey, Zoning Administrator, stated that the resolution would be adopting the area previously discussed. Mr. Starkey added all the changes requested were made.

Mayor Gerardo Sanchez asked if the developer agreed.

Mr. Starkey replied that the developers agreed.

Mayor Gerardo Sanchez also asked if the City Engineers had any comments or concerns regard the agreement.

Mr. Eulogio Vera, Public Works Director, replied that there were no comments from the review committee.

Council Member Maria Cecilia Ramos asked who would determine if a traffic study would be necessary.

Mr. Starkey replied Public Works Director in the consulting engineer firm hired for the review plan.

Council Member Mario Buchanan Jr. and Council Member Africa Luna-Carrasco stated that they would both like a traffic study regardless of what the firm states.

Mr. Vera commented that it could be added into the contract if it is what the City wants. He added that most of the time, a traffic study is determined by the base of the counts.

Mayor Gerardo Sanchez asked if the developer would be agreeing to do a traffic study.

Ms. Nieves Riedel, Riedel Holdings, L.L.C., replied that there is no problem with a traffic study being done as long as it does not take a long time to complete. Ms. Riedel also added that she would be paying for the study.

Council Member Mario Buchanan Jr. explained that it was not about judgement or trust but about having it in writing so there is no push back.

Ms. Riedel replied that she understands.

Vice-Mayor asked how the traffic study would be added to the resolution and asked what needed to be done.

Ms. Kay Macuil, City Attorney, commented that the resolution could be approved with the change and changes will be made before the resolution is signed. Ms. Macuil added that the resolution is conditional on whether the zoning changes passes.

MOTION: Council Member Ruben Walshe/ Council Member Mario Buchanan Jr. to approve and adopt Resolution No. 1145 with the changes on the Development Agreement on traffic study as discussed by Council. Motion passed unanimously.

6. F. Discussion and possible action on any and all matters regarding Second Reading of Ordinance No. 351. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending the official zoning map of the City of San Luis by changing the zoning classification of approximately 27.58 acres located South of County 22nd Street between the East Main Canal and Las Quintas de San Luis Subdivision from Rural Area Residential (RA-10) to Medium Density Residential (R1-6); repealing any conflicting provisions; and providing for severability. (John Starkey, Zoning Administrator)

Mr. John Starkey, Zoning Administrator, stated that two (2) public hearings were held relating to the item and a Resolution was adopted approving the changes in the

Developmental Agreement. Mr. Starkey added that this item would be for the rezoning of the area from Rural Area Residential to Medium Density Residential.

A. Approval of Second Reading of Ordinance No. 351 by title only

MOTION: Council Member Africa Luna-Carrasco/ Council Member Mario Buchanan Jr. to approve the Second Reading of Ordinance No. 351. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 351 by title only.

B. Approval and Adoption of Ordinance No. 351

MOTION: Council Member Africa-Luna Carrasco/ Council Member Ruben Walshe to approve and adopt Ordinance No. 351 subject to the terms and conditions of the Development Agreement which City Council adopted by Resolution No. 1145. Motion passed unanimously.

6. G. Discussion and possible action on any and all matters regarding the adoption of Resolution No. 1148. A resolution of the Mayor and Council of the City of San Luis, Arizona, authorizing the City Manager to amend the Classification and 2006 Salary Plan of the City of San Luis; create certain positions; and make other personnel and departmental changes to include transfers within the organization, in preparation for fiscal year 2016-2017. (Kay M. Macuil, City Attorney)

Mr. Tadeo De La Hoya, Interim City Manager, stated that the resolution is being presented to them as it was done before with previous City Managers. Mr. De La Hoya explained that the main change within the language is Section 1A and 1B that would be converting the Development Services and Building and Safety Division into Planning and Zoning Department and change the Building and Safety Director to a Planning and Zoning Director. In addition, the City Prosecutor would no longer be a contracted position but would be a salaried position as part of the Classification and Salary Plan. The resolution is in anticipation of the possible loss of the business license fee revenue from the Detention Facility Center.

Mayor Gerardo Sanchez commented that the City Manager already has the authority. Mayor Gerardo Sanchez added that when the City Prosecutor was hired it was discussed as well as the Development Services and Building Safety. He added that while there are issues with other departments the resolution would allow to tweak them based on the 2006 Salary Plan since the City did not accept the new Salary Plan.

Council Member Gloria Torres recommends that the item be continued for the next Regular Council Meeting as Mr. Ralph Velez, City Consultant, and Ms. Keti St. Louis, Finance Director, are not present.

Mr. De La Hoya clarified that Mr. Velez and Ms. St. Louis had worked on the resolution together.

Vice-Mayor Matias Rosales asked if the changes would be affecting the budget.

Mr. De La Hoya replied that they were not.

MOTION: Council Member Gloria Torres/ Council Member Africa Luna-Carrasco to continue this item to the next schedule meeting. Motion passed unanimously.

6. H. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2016-0204 and First Reading of Ordinance NO. 350. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending the San Luis City Code, Chapter 152 Zoning Regulations, Sections 152.259(B) and 152.260 relating to Temporary Signs and Political Signs; repealing any conflicting provisions; and providing for severability. (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.

1. Staff Presentation

Mr. John Starkey, Zoning Administrator, stated that any reference to political signs has been changed. Mr. Starkey added that the City of San Luis will also be enforcing what is stated in the Arizona Revised Statute. He explained that as long as the sign is not causing any traffic hazard the City must allow it as well as remove the limit of temporary signs.

Vice-Mayor Matias Rosales asked what the main change in temporary signs are.

Mr. Starkey replied that there would be no time restriction and a sign cannot be placed on the right of way.

Mayor Gerardo Sanchez asked Mr. Starkey to send the requirements to the running candidates for the upcoming City elections.

Ms. Sonia Cornelio, City Clerk, added that the information was included with the candidate packet.

2. Call to the Public on this Item

There were no comments from the public.

B. Close Public Hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to close Public Hearing. Motion passed unanimously.

C. Approval of First Reading of Ordinance No. 350 by title only

MOTION: Council Member Gloria Torres/ Council Member Mario Buchanan Jr. to approve the first reading of Ordinance No. 350 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 350 by title only.

6. I. Discussion and possible action on any and all matters regarding Second Reading of Ordinance No. 353. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending Title XV of the San Luis City Code, Chapter 150, adopting by reference NFPA 1 Fire Code 2012 (National Fire Protection Association 1 Fire Code 2012), including Annexes A, B, D, E, and G, and the amendments and providing a penalty for violations thereof. (Hank Green, Fire Chief)

Mr. Hank Green, Fire Chief, stated that the City of San Luis Fire Department is currently using NFPA 1 Uniform Fire Code 2003. He added that if the amendments are approved there will be a ninety (90) day period where they would do the required changes.

A. Approval of Second Reading of Ordinance No. 353 by title only

MOTION: Council Member Mario Buchanan Jr./ Council Member Gloria Torres approve the second reading of Ordinance No. 353 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 353 by title only.

B. Approval and adoption of Ordinance No. 353

MOTION: Council Mario Buchanan Jr./ Council Member Ruben Walshe to approve and adopt Ordinance No. 353. Motion passed unanimously.

6. J. Discussion and possible action on any and all matters regarding the Second Reading of Ordinance No. 354. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the Tax Code of the City of San Luis by adding Subsection 7A-460(d) relating to the sales tax rate for Retail Sales of Tangible Personal Property; adding Subsection 7A-610(e) relating to the use Tax Rate for Purchases of Tangible Personal Property; establishing an effective date; repealing Ordinance No. 348; repealing any conflicting provisions; and providing for severability. (Kay M. Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that Ordinance No. 348 will go into effect June 1st due to technical changes required by the Arizona Department of Revenue Ordinance No. 354 would be replacing Ordinance No. 348 but will not change the substance of the

ordinance. Ms. Macuil, added that Ordinance No. 354 is required so there is no confusion.

A. Approval of Second Reading of Ordinance No. 354 by title only

MOTION: Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to approve the Second Reading of Ordinance No. 354 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 354 by title only.

B. Approval and adoption of Ordinance No. 354

MOTION: Council member Mario Buchanan Jr./ Council member Ruben Walshe to approve and adopt Ordinance No. 354. Motion passed unanimously.

6. K. Discussion and possible action on any and all matters regarding Ordinance No. 355. An ordinance of the Mayor and City Council of the City of San Luis, Arizona authorizing Exchange of Real Property for Wastewater Diversion Lift Station Project; and declaring an emergency. (Eulogio Vera, Public Works Director)

Mr. Eulogio Vera, Public Works Director, stated that a piece of parcel was purchased for the placement of a new sewer lift station and during design a new location was recommended. Mr. Vera explained that they have ownership of a new parcel and the department is just switching it where it is needed.

A. Approval of Reading of Ordinance No. 355 by title only

MOTION: Council member Ruben Walshe/ Council Member Mario Buchanan Jr. to approve reading of Ordinance No. 355 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 355 by title only.

B. Approval and adoption of Ordinance No. 355 and declare an emergency

MOTION: Council Member Gloria Torres/ Council Member Mario Buchanan Jr. to approve and adopt Ordinance No. 355 and declare an emergency. Motion passed unanimously.

7. SUMMARY OF CURRENT EVENTS

Council Member Gloria Torres reported that Council Member Maria Cecilia Ramos and herself went to Safe Grad Night event that morning and stated that San Luis Police Department and Fire Department did a great job.

Council Member Maria Cecilia Ramos added that it was a very realistic scenario and created a great impact on the youth.

Mr. Tadeo De La Hoya commented that on May 26th at 10:00 a.m. they will be doing the final walk through and acceptance of the TURF Field. Mr. De La Hoya clarified that it is not the ribbon cutting.

Mayor Gerardo Sanchez reported that Vice-Mayor Matias Rosales and he went to Mexico City to discuss Port of Entry I and II. Mayor Gerardo Sanchez added that the presentation was done with Mr. Martin Reyna, Mayor of San Luis Rio Colorado, Mexico. He added that there was a lot of support from Mexico.

Vice-Mayor Matias Rosales commented that those meetings are productive. Vice-Mayor Matias Rosales added that he went to Vegas for the Re-Com Trade Show with Ms. Jenny Torres, Community Development Director, and Mr. Ralph Velez, City Consultant.

Council Member Maria Cecilia Ramos commented that she attended the monthly meeting for domestic violence and had support from two (2) representatives that will be providing letters of support for the San Luis Safe House.

8. CALL TO THE PUBLIC

There were no comments from the public.

9. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./ Vice-Mayor Matias Rosales to adjourn the Regular Council Meeting at approximately 8:55 p.m. Motion passed unanimously.