

MINUTES
Special Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
November 2, 2016
6:30 P.M.

<p>APPROVED by Council Date: February 22, 2017 Clerk's Office: /s/ S. Cornelio</p>

1. CALL TO ORDER/ROLL CALL Mayor Gerardo Sanchez called the Special City Council meeting to order at approximately 6:33 p.m.

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 Manger
Melissa Lopez, Deputy City Clerk
Aracely De La Hoya, Senior Services Director
Craig Higgins, Chief of Police
Chris Hagan, Management Analyst
Derek Dueñas, I.T. Manager
Eulogio Vera, Public Works Director
Hank Green, Fire Chief
Isaac Gutierrez, GIS Technician
Javier Gonzalez, Fire Department
Javier Morales, Visitor
Jenny Torres, Community Development Director
John Starkey, Planning & Zoning Director
Johnathan Dumadag, I.T. Technician
Jose de la Vara, City Prosecutor
Jose Guzman, Assistant Planner
Kay Macuil, City Attorney
Luis Marquez, Police Officer
Manuel Rojas, Assistant Public Works Director
Olivia Jenkins, Utilities Director
Ralph Velez, Consultant
Ric Bauermann, Fire Department
Victor Figueroa, Police Lieutenant
Cesar Neyoy, Bajo El Sol Reporter
Francisca Guzman, Meeting Translator
Lucy Lopez, San Luis News Reporter

2. PLEDGE OF ALLEGIANCE

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

3. DISCUSSION AND POSSIBLE ACTION ITEM:

3. A. Public hearing and discussion only regarding Annexation No. A-2016-01 a proposed annexation of territory contiguous to the municipal boundaries of the City of San Luis to include the Gadsden area of southern Yuma County as shown on the petition for annexation recorded at No. 2016-24496 of the Records of Yuma County, Arizona on October 12, 2016. (Glenn Gimbut, Assistant City Attorney)

A. Motion to open public hearing.

MOTION: Council Member Africa Luna-Carrasco/Council Member Ruben Walshe to open public hearing. Motion passed unanimously.

1. Presentation by staff.

Mayor Gerardo Sanchez thanked everyone present and stated that the purpose of the meeting is to explain the process of the proposed annexation and to listen to the residents of Gadsden on their vision, concerns and what infrastructure is needed in Gadsden. Furthermore, he said that the annexation process is easy when only land will be annexed but annexing someone's home is a complicated process and becomes an issue. Mayor Gerardo Sanchez explained that the City of San Luis is not an enemy to the residents of Gadsden.

Mr. Glenn Gimbut, Assistant City Attorney, explained that an annexation is a voluntary process, a majority of property owners both by number and assessed valuation must sign the petition before the area can be annexed, if there are not enough signatures, there is no annexation. Also annexation takes a while and no decisions will be made at this meeting by the Mayor and City Council, but the City Council wants to hear from the residents of Gadsden and added that City staff members from all departments were present to answer questions so they get the information they think they need about how this may affect Gadsden residents and their homes.

Mr. Gimbut proceeded to explain the process of an annexation as follows:

1. Blank petitions are filed with the Recorder's Office, which were done;
2. Give notices for public hearing and hold the public hearing, which is tonight, beginning next week the City can begin the process of possibly gather signatures to

petitions. If Gadsden residents are interested in signing the petition at that time, they may call the City at the Planning & Zoning and they will try to help him/her with that.

Mr. Gimbut mentioned that the following are the benefits of annexation:

1. Utilities – The City of San Luis is currently supplying to a portion of Gadsden sewer service, but there is a 30% surcharge on the bill primarily because that is an area that is not inside the City, City services are for the City's residents. If they were not part of the original sewer district, they cannot hook-on today as the City has limited capacity of the sewer plant and the capacity rights that the City transferred to the district have already been used. The City is considering and thinking about buying the Gadsden water company from Mr. Jim Deere. The City will need to look at what the rate structure will be, but the City is hoping to have this as part of the City's system and hoping that Gadsden residents are part of the City of San Luis residents.

2. Public Safety – The Rural Metro has moved out of the fire station and is no longer there, the closest Rural Metro fire truck or ambulance that might get to Gadsden resident is approximately 30 minutes away on the response time; 30 minutes on a fire is too long. The City of Somerton is trying to cover Gadsden as best as they can, but they have five (5) people on duty which is one (1) crew on one (1) truck to cover all of their area. The City of San Luis has more people, trucks, crews; the City is running three (3) ambulances at the moment. The City of San Luis Fire Department's Certificate of Necessity area is the City's limits now and in the future, therefore upon annexation Gadsden residents will be in the City of San Luis' limits so they would be covered by two (2) ambulance services, Somerton and San Luis. Gadsden residents currently pay the Rural Metro subscriptions and Gadsden is inside the City of San Luis and covered by the City of San Luis Fire Department, the home owner's insurance premium will lower.

Gadsden is covered by the Sheriff's Department, but on response time, the City of San Luis Police Department is faster. The City of San Luis is the fifth safest city in Arizona.

3. Street and road maintenance – Gadsden's streets and roads are fixed and maintained by Yuma County; the City of San Luis provides frequent maintenance service in southern Yuma County than currently provided by the County.

There are no property tax in San Luis, so as a result the property taxes would not go up for Gadsden, the City of San Luis runs off the sales tax.

4. Parks and recreation services - although Yuma County maintains parks, they do not have a true recreation department providing regular recreation services. The City of San Luis does, and is quite proud of what it provides to the youth of the City.

5. Solid waste collection - Gadsden residents pay private companies, the City of San Luis rates are less and picks up twice a week.

Mayor Gerardo Sanchez mentioned that public safety is very important to the City of San Luis.

2. Call to the public to take all written and/or oral public comments on this item.

Mr. Louie Gradias, Gadsden resident, stated that he is opposed to the annexation due to sentimental opposition, they have an identity as Gadsden residents; many of them have grown there including their grandparents, this is rural community that is near and they pride the Gadsden name and are proud of the lifestyle they have there. The quality of life and the rural setting is something that many of them have lived there, that is the reason why they are there, this is the way of life that they enjoy. There is minimal crime in Gadsden other than the issues that Border Patrol has. In regards to public safety, the Gadsden community work very close with the Sheriff's Office, they are respondant to their needs. He is aware of the mutual aid agreement there are between the Sheriff's Office and other Law Enforcement agencies where assistance can be provided for a community until the Deputy from the Sheriff's Office arrives. Gadsden residents do not wait 30 minutes for the Sheriff's Department to arrive on scene, sometimes the police from San Luis, Somerton or Border Patrol through their mutual aid agreement provide the need for public safety and it is appreciated. Many of them found out about the proposed annexation by reading it on the newspaper then a short time after that, they received the notice in the mail. Mr. Gradias criticized the comment made by Mayor Gerardo Sanchez regarding his concern about the condition of the streets, sidewalks, whether or not Gadsden residents are being adequately served with fire and police protection, but yet not once did the Mayor nor any Council Member tried to reach out to residents or their community development board to see if there was something that they needed. He believes that the annexation benefits the City of San Luis greatly as it will provide greater tax based with opportunities to increase the City' funding as well as the state's funding; and if these are the reasons then as homeowners they have the right to know what the City's intents are. Mr. Gradias questioned about the land on the proposed annexation to be excluded, as it is being considered as County island, but yet there is federal land that is being proposed to be annexed. There is no desire for the City of San Luis to grow north but east of the City. Mr. Gradias provided a summary of their good relationship with the County Public Works Department, about their smaller non-conforming lots and streets including sidewalks. He suggested that the Mayor and City Council take the time to contact the Gadsden community organization already in existence to assist the City Council in the decision making of this process.

Mayor Gerardo Sanchez responded that due to legal requirements to be followed, he was not allowed to speak to Gadsden residents beforehand until it was official that the City was thinking of annexing, however his intentions after today are that he will meet individually with different groups in the Gadsden community and discuss the proposed

annexation. In addition, he explained that the intention of the City of San Luis is not to change Gadsden's name nor their lifestyle.

Mr. Louie Gradias Sr., Gadsden resident, expressed that he has been a resident of this community since 1942. He said that Gadsden residents received the letter from the City of San Luis about the annexation, however no one knew anything about it in addition he explained his bad experience in 1994 when Gadsden was used as an entity to obtain a grant to obtain a fire engine for the City of San Luis and how the Gadsden Community Development Board was formed. They like the way they live in Gadsden and he included that there are no political issues in that community. Mr. Gradias stated that he maintains the Gadsden Park since 1994. Furthermore, he said that he is not totally against the annexation, but he does not see the need at the moment.

Mr. Sergio Ortiz, Gadsden resident, stated that he has been residing in Gadsden for 42 years, even though he also has a home in Yuma but prefers Gadsden. He said that Gadsden residents do not need the City of San Luis and to go east, they are not buying the City's services. He asked where the City of San Luis was 42 years ago when there was nothing there; now the City of San Luis wants tax money. Mr. Ortiz concluded by saying that they do not need more roads nor the City of San Luis public safety protection.

Ms. Magdalena Garcia, Gadsden resident, stated that she is in agreement with what the previous residents have expressed and added that the concerns they have are losing their peace and quiet in addition to the financial impact that will acquire once they become annexed to the City of San Luis. When Gadsden obtained the sewer project, they were told that Gadsden was never going to be annexed. They began paying \$18.00 for sewer four (4) years ago and now they are paying \$52.00, the majority of them pay \$10.00 a month for water. They do not need any security because they do not have any problems with the residents as they take care of themselves.

Ms. Carmen Verdugo, San Luis resident, stated that she has lived in San Luis for more than 13 years and she has been listening about the proposed annexation, maintenance of roads and streets for Gadsden. She said that a citation was issued to her and that she sees no change for the past ten (10) years. She opposes to the annexation and added that the City of San Luis should start here first, before considering Gadsden as there is no decent access to Arizona Desert School and San Luis Middle School. Ms. Verdugo asked what the problem is and as a taxpayer requested that the dirt road to the schools be fixed.

Ms. Margarita Meraz, Gadsden resident, stated that she agrees with the residents who have addressed the Mayor and City Council tonight and does not think that it is time for an annexation as they have been able to take care of themselves and the development of the community board was organized in 1994 and created the improvements district,

the sewer was put in and the water extended. She mentioned that herself and neighbors do not have the desire to be annexed.

Ms. Delia Gradias, Gadsden resident, stated that she is against the annexation and asked if the City of San Luis is going to build a Wal-Mart, fix the streets and add lights and added that just like every government, they promise everything and nothing gets done. They have their supervisor and has not done a thing for Gadsden, he took credit for the sewer and that is not true; the only time Mr. Tony Reyes came around was when he needed a vote but lately no one runs against him so he does not come to Gadsden knocking on their doors. Ms. Gradias asked why the City of San Luis wants to annex Gadsden and added that they are very united.

Ms. Yoly Mendez, Gadsden resident, stated that she does not agree to be annexed as she has been there her entire life and has an emotional attachment. Ms. Mendez explained that when it comes to Parks & Recreation, they can have it in Gadsden; in regards to emergency services, every time she has needed them, they have been there.

Ms. Consuelo Duarte, Gadsden resident, stated that she has been a resident of Gadsden for 37 years and is retired, therefore she does not get the money to pay to live in a City where utility services are more expensive and expressed that she opposes the annexation.

Mr. Manuel Rivera, Gadsden resident, stated that he has been residing in Gadsden since 2000 and thanked the Mayor and City Council for caring so much about Gadsden. He mentioned that all the services that have been offered has a cost and as a retired individual and handicapped person, he cannot pay more. Furthermore, he said that in every city the sewer is charged based on the consumption of water, and asked that if they pay \$11.00 for water then, why they have to pay more than \$50.00 for sewer. The City of San Luis wants to annex them, however they do not want to be annexed. The City of San Luis did not intervene when the sewer was put in, it was Mr. Gradias that did everything.

Mr. David Alejandro Frausto, Gadsden resident, stated that he has been a resident of Gadsden for approximately 30 years and added that having San Luis coming in to their community worries him as running a city is a business. His fear is that Gadsden will be used to obtain more funding and asked what they will get out of this. Mr. Frausto asked the Mayor and City Council to re-consider this proposal.

Mr. Louie Gradias Sr. thanked the Mayor and City Council for their time and hopes that they can stay in touch and see where this goes as this needs to be sold to them.

Mayor Gerardo Sanchez thanked everyone present and for their comments. He said that all the information provided is very important, for the next of couple of days they will be holding meetings and added that it is up to the residents of Gadsden, if they do not

want to be annexed, they will not be annexed; this is not a guarantee that an annexation will occur.

Ms. Kay Macuil, City Attorney, explained that by law the blank petitions are not to be circulated until ten (10) days from this meeting, therefore the date is November 12, 2016. Any Gadsden resident wanting to be annexed can request a petition to be mailed to them or one can be provided at the City Clerk's Office. If not enough signatures are gathered, then the annexation does not go through.

There were some inaudible comments made from the public.

B. Motion to close public hearing.

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

4. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr. /Council Member Gloria Torres to adjourn the Special Council meeting at approximately 7:39 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 Special Council meeting of the San Luis City Council held on November 2, 2016. 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 Regular Council meeting held on February 22, 2017.

Dated this 27th day of February 2017.

/s/ Sonia Cornelio, City Clerk