

MINUTES
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
October 12, 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
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Maria Cecilia Ramos
Council Member Gloria Torres
Council Member Ruben Walshe

ABSENT: Vice-Mayor Matias Rosales

OTHERS PRESENT: Olivia Jenkins, Acting City Manager
Sonia Cornelio, City Clerk
Craig Higgins, Chief of Police
Derek Dueñas, I.T. Manager
Edgar Juarez, Youth Center
Eulogio Vera, Public Works Director
Hank Green, Fire Chief
Jonathan Dumadag, I.T. Technician
Jose Guzman, Assistant Planner
Joselyn Medina, PIO/ Assistant to Council
Kay Macuil, City Attorney
Ketie St. Louis, Finance Director
Manuel Rojas, Assistant Public Works Director
Miguel Alvarez, Police Lieutenant
Marco Santana, Police Sergeant
Rick Bauermann, Firefighter/EMPT
Victor Figueroa, Police Lieutenant
Victor Olivarez, Animal Control Officer
Yolanda Dueñas, Fleet/Facilities Manager
Diane Umphress, Amberly's Place
Eduardo Garcia, Factor Sales
Francisca Guzman, Translator

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gloria Torres.

3. INVOCATION

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

4. PRESENTATION

4. A. Certificate of Appreciation to Tony Rico, Firehouse Subs Safety Foundation Regional Manager, for the support given to the City of San Luis Police Department. (Craig Higgins, Chief of Police)

Mr. Craig Higgins, Chief of Police, stated that Mr. Tony Rico, Regional Manager for the Firehouse Subs Safety Foundation, facilitated a life-saving equipment to the City of San Luis Police Department and thanked him for the support.

Mr. Tony Rico, Regional Manager for the Firehouse Subs Safety Foundation, thanked the San Luis Police Department and added that he likes helping law enforcement agencies.

Mr. Miguel Alvarez, Police Lieutenant, presented a Certificate of Appreciation to Mr. Rico.

Mayor Gerardo Sanchez thanked Mr. Rico for the support given to the City of San Luis.

5. CONSENT AGENDA

5. A. MINUTES OF

-Regular Council meeting held August 10, 2016

5. B. DISBURSEMENTS FROM SEPTEMBER 17, 2016 TO SEPTEMBER 30, 2016

Total Disbursements \$785,338.81

(Seven Hundred Eighty-Five Thousand, Three Hundred Thirty-Eight Dollars and Eighty-One Cents)

5. C. Discussion and possible action on any and all matters regarding the contract with Century Link to provide fiber optic services at the Business Incubator over the next five (5) years. (Jenny Torres, Community Development Director)

MOTION: Council Member Gloria Torres/Council Member Mario Buchanan Jr. 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 authorization to award South Yuma County Landfill the City's landfill services for Fiscal Year 2016-2017 and ratification of the same. (Manuel Rojas, Assistant Public Works Director)

Mr. Manuel Rojas, Assistant Public Works Director, explained that the quote received for the landfill services is \$27.50 per ton plus the ADEQ tax of \$.25 per ton on all waste that was deposited into the landfill for Fiscal Year 2016-2017. Mr. Rojas explained that the average increase per ton is 3.5% nationally and in Arizona it varies from 30 to 30.25 in addition they will be preparing requests for proposals sometime in March-April 2018 for the upcoming fiscal year and try to expand it over the years.

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to approve the contract with South Yuma County Landfill as presented, to waive formal procurement procedures under San Luis Purchasing Code, and to ratify payments made to South Yuma County Landfill from July 1 to the present. Motion passed unanimously.

6. B. Discussion and possible action on any and all matter regarding the City of San Luis entering into contract with American Pavement Preservation for application of Type 2 and Type 3 slurry seal as part of the 2017 Pavement Preservation Project. (Eulogio Vera, Public Works Director)

Mr. Eulogio Vera, Public Works Director, stated that the City of San Luis will piggy-back with the City of Yuma's contract. Staff recommends approval of the contract with American Pavement Preservation.

MOTION: Council Member Mario Buchanan Jr./Council Member Maria Cecilia Ramos to approve the contracts with American Pavement Preservation for a total amount of \$220,000.00 for slurry seal services. Motion passed unanimously.

6. C. Discussion and possible action on any and all matters regarding authorization to award a construction contract to DPE Construction, Inc. for Merrill Avenue Improvements Project. (Jenny Torres, Community Development Director)

Mr. Eulogio Vera, Public Works Director, explained that this is a CDBG project and that DPE was the lowest bid and the project consists of paving a section on Merrill Avenue from Juan Sanchez Boulevard and Villa Street as well as eliminating a drainage issue in this area at the retention basin located on Rio Sonora Street and Merrill Avenue. This is a project of two phases, with this one being phase one; phase two is paving Merrill Avenue from Villa Street to Los Oros. Mr. Vera provided details on the process for obtaining a grant for phase two.

Mayor Gerardo Sanchez asked that residents of those areas be notified and granted access to and from their homes while the construction is going on and completed. Furthermore, he thanked staff for being pro-active and their hard work.

Council Member Maria Cecilia Ramos commented that she is happy that these projects are getting started as those streets are deteriorated.

MOTION: Council Member Mario Buchanan Jr./Council Member Maria Cecilia Ramos to award DPE Construction, Inc. the construction contract for Merrill Avenue Improvement Project in the amount of \$291,198.00 as presented. Motion passed unanimously.

6. D. Public hearing followed by discussion and possible action on any and all matters regarding recommendation of a Special Event Liquor License application to the Arizona Department of Liquor Licenses and Control to authorize San Luis FRONTERA Rotary Club to sell alcohol at the Lunas De Octubre event to be held October 20, 2016. (Marcos Ramirez, Sergeant at Arms of the San Luis FRONTERA Rotary Club)

A. Open public hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to open the public hearing. Motion passed unanimously.

1. Staff Presentation

Mr. Marcos Ramirez, San Luis Frontera Rotary Club, mentioned that they were approached by Parks & Recreation staff to inquire if they were interested in participating at this event. San Luis Frontera Rotary Club is interested in participating at this particular event and submitted all the necessary paperwork.

Mayor Gerardo Sanchez commended the San Luis Frontera Rotary Club for their professionalism and thanked them for their participation at various City of San Luis events.

2. Call to the Public on this item

There were no comments from the public on this item.

B. Close public hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to close the public hearing. Motion passed unanimously.

C. Action on Special Event Liquor License Application to the Arizona Department of Liquor Licenses & Control

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to recommend to the Arizona Department of Liquor Licenses and Control approval of the San Luis Frontera Rotary Club application as presented. Motion passed with 5 aye votes and one nay vote by Council Member Maria Cecilia Ramos.

6. E. Public hearing followed by discussion and possible action on any and all matters regarding recommendation of a Special Event Liquor License application to the Arizona Department of Liquor Licenses and Control to authorize San Luis FRONTERA Rotary Club to sell alcohol at the Founder's Day event to be held November 5, 2016. (Marcos Ramirez, Sergeant at Arms of the San Luis FRONTERA Rotary Club)

A. Open public hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Gloria Torres to open the public hearing. Motion passed unanimously.

1. Staff Presentation

Mr. Marcos Ramirez, San Luis Frontera Rotary Club, stated that he was also approached by Parks & Recreation staff on this event. The San Luis Frontera Club has agreed to participate at this event and added that all the necessary documentation was submitted for consideration and approval.

Mayor Gerardo Sanchez asked if they contract with different vendors or if it was always the same one. Mr. Ramirez responded that it is always with the same one as they have an agreement and have never had any issues.

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 Ruben Walshe to close the public hearing. Motion passed unanimously.

C. Action on Special Event Liquor License Application to the Arizona Department of Liquor Licenses & Control

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to recommend to the Arizona Department of Liquor Licenses and Control approval of the San Luis Frontera Rotary Club application as presented. Motion passed with 5 aye votes and one nay vote by Council Member Maria Cecilia Ramos.

6. F. Discussion and possible action on any and all matters regarding the purchase of one (1) new animal control and one (1) new patrol vehicle. (Victor Figueroa, Lieutenant)

Mr. Victor Figueroa, Police Lieutenant, explained that the San Luis Police Department is requesting authorization to purchase one (1) new animal control vehicle to replace one of the two vehicles currently in their fleet. The vehicle will be outfitted with the animal control equipment; the other vehicle will be added to their fleet which is greatly needed. Lt. Figueroa added that both vehicles will be equipped through Arizona Emergency Products.

Council Member Africa Luna-Carrasco asked how many Animal Control Officers are there. Lt. Figueroa responded that there are two (2) full time officers and added that the animal control vehicles are ran almost every day except for Sundays, however Patrol Officers take animal control calls on Sundays and utilize these vehicles.

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to approve the purchase of one (1) animal control vehicle and one (1) patrol vehicle for the amount of \$54,295.00 for both and equip both vehicles for the amount of \$47,148.00 as presented. Motion passed unanimously.

6. G. Discussion and possible action on any and all matters regarding Resolution No. 1160. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring its intention to purchase electricity, and maintain poles, luminaries, and underground conduit, together with a charge for use of lighting facilities, for lighting public streets within an area described as Southwest Arizona Industrial Subdivision, Yuma County, Arizona. (Jose Guzman, Assistant Planner)

Mr. Jose Guzman, Assistant Planner, explained that the Subdivision Regulations requires new subdivisions to create improvement districts as this allows the City to recover the costs for electricity, street lighting and the retention basins maintenance. This resolution is to form the improvement district of the subdivision located at the Southwest corner of County 24th and Avenue E, previously as Sam's Group Subdivision but they changed the name to Southwest Arizona Industrial Subdivision.

Mayor Gerardo Sanchez asked if the improvement district will be paying for the lighting and maintenance. Mr. Guzman responded that with this resolution the improving district will be paying for the lighting and maintenance.

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to approve Resolution No. 1160. Motion passed unanimously.

6. H. Discussion and possible action on any and all matters regarding Resolution No. 1161. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring its intention to provide the enhanced municipal services of operating and maintaining certain retention basins within the area described as Southwest Arizona Industrial Subdivision, Yuma County, Arizona. (Jose Guzman, Assistant Planner)

Mr. Jose Guzman, Assistant Planner, explained that this resolution is for the enhanced municipal services for the retention basins' costs and maintenance.

MOTION: Council Member Gloria Torres/Council Member Ruben Walshe to approve Resolution No. 1161. Motion passed unanimously.

6. I. Discussion and possible action on any and all matters regarding Resolution No. 1162. A resolution of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the City Engineer to order the purchase of electricity and to order the maintenance of poles, luminaries and underground conduit incident to the installation of street lights for lighting public streets within an area described as Southwest Arizona Industrial Subdivision, Yuma County, Arizona. (Jose Guzman, Assistant Planner)

Mr. Jose Guzman, Assistant Planner, said that this resolution is needed in order to activate the improvement district for street lighting.

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to approve Resolution No. 1162. Motion passed unanimously.

6. J. Discussion and possible action on any and all matters regarding Resolution No.1163. A resolution of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the City Engineer to order the operation and maintenance of certain retention basins for an area described as Southwest Arizona Industrial Subdivision, Yuma County, Arizona. (Jose Guzman, Assistant Planner)

Mr. Jose Guzman, Assistant Planner, explained that this resolution is to activate the enhanced municipal services district for the retention basins.

MOTION: Council Member Gloria Torres/Council Member Mario Buchanan Jr. to approve Resolution No. 1163. Motion passed unanimously.

6. K. Discussion and possible action on any and all matters regarding Second Reading of Ordinance No. 358. An ordinance of the Mayor and City Council of the City of San Luis, Arizona amending the San Luis City Code Title 9, Chapter 95 relating to animals by adding Section 95.03, Personal Dog Kennels; repealing any conflicting provisions; establishing an effective date and providing for severability. (Marco Santana, Police Department Sergeant)

Mr. Marco Santana, Police Sergeant, stated that this ordinance will enforce personal dog kennels. There were questions/answers exchanged amongst the City Council and Mr. Santana regarding the number of dogs allowed, animal cruelty enforcement, vaccines and nuisance.

A. Second Reading of Ordinance No. 358 by title only

MOTION: Council Member Mario Buchanan Jr./Council Member Gloria Torres to approve Second Reading of Ordinance No. 358 by title only. Motion passed with five (5) eyes and one (1) nay vote by Council Member Africa Luna-Carrasco.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 358 by title only.

B. Approval and adoption of Ordinance No. 358

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to approve and adopt Ordinance No. 358. Motion passed unanimously.

7. SUMMARY OF CURRENT EVENTS

Council Member Maria Cecilia Ramos reported that she participated at the annual domestic violence walk and added that the community's feedback is positive, furthermore Ms. Ramos thanked the Mayor and City Council for supporting this event.

Mayor Gerardo Sanchez congratulated the Parks & Recreation, Police and Fire Departments who made it possible for the City of San Luis to host the Aguilas de Mexicali and added that baseball is back in San Luis, Arizona. He thanked the All-Star Team from San Luis, Arizona. He included that positive comments were received from Mayor Reyna from San Luis Rio Colorado, Sonora, Mayor-Elect Yepez, Mayor and Council Members from Somerton. Mayor Gerardo Sanchez also said that the baseball field is really nice but the digital score board needs some work.

Council Member Gloria Torres reported that she and Council Member Maria Cecilia Ramos visited the three (3) shelters including the orphanage in San Luis Rio Colorado, Sonora and added that it was really sad to see the seniors and children's needs at these shelters. She encouraged everyone to participate by donating food, clothes or money.

Mayor Gerardo Sanchez agreed with Council Member Gloria Torres. Council Member Maria Cecilia Ramos said that it was a heartbreaker to see children sleep on thin foam mats and added that people complain about things they are blessed with.

8. CALL TO THE PUBLIC

Ms. Diane Umphress, Amberly's Place, stated that every 20 seconds a domestic violence victim is beaten in this country, one (1) out of three (3) women will experience domestic violence sometime in their life as in seven (7) men; October has been set aside as the domestic violence awareness month and Governor Deucey along with the Governor's Commission has asked the State of Arizona to light-up in purple and as she drove-up to City Hall it was wonderful to see the purple lights in front of the building. She thanked the Mayor, City Council and Administration for the support given to Amberly's Place.

Gerardo Sanchez, 1067 7th Avenue, San Luis, AZ, stated that it was brought to his attention by the UPS driver about a problem that happens on a daily basis on Main Street when it comes to a vehicle parking illegally which gets towed immediately. He understands that there are private towing companies who have invested in the community, but there is no hesitation on towing the vehicles. This happened to a young mother of twins in a stroller during a day where the temperature was 112 degrees. She parked in a business as it was the nearest parking; was gone for approximately 15 minutes and upon her return the car had not been towed yet and said to the towing driver that she was not away longer than 15 minutes and asked how much it was going to cost her. The towing driver told her that it was going to cost her \$75.00 now but if he towed the vehicle it was going to cost her \$125.00 or \$150.00, there was no compassion. Mr. Sanchez's biggest concern is that it is always the same person, always the same company towing those vehicles. He doesn't know if this is business friendly and he knows the City does regulate their business but it is a bad practice as it is not the first time. Maybe the City should start hiring their own person that goes around and issues citations and have that individual call the towing company when those services are needed. Mr. Sanchez asked how many complaints are needed to start doing something about this. The lady is not a resident of the City of San Luis and she does not want to come to San Luis again due to that bad experience.

9. EXECUTIVE SESSION

9. A. Discussion and possible action to hold an executive session pursuant to A.R.S. §§38-431.03(A)(3) and (4) for discussion or consultation for legal advice with the City Attorney or City's Attorneys in order to consider its position and instruct the City Attorney or City's Attorneys regarding the public body's position regarding contracts that are the subject of negotiations or in settlement discussions conducted in order to avoid or resolve litigation regarding an update on the San Luis Regional Detention Center. (Kay Marion Macuil, City Attorney)

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to go into Executive Session at approximately 8:04 p.m. Motion passed unanimously.

10. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to go back into Executive Session at approximately 8:38 p.m. Motion passed unanimously.

11. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to adjourn the meeting at approximately 8:38 p.m.