

MINUTES
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
March 22, 2017
7:00 p.m.

APPROVED by Council Date: June 14, 2017 Clerk's Office: /s/ S. Cornelio
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1. CALL TO ORDER/ROLL CALL: Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:01 p.m.

PRESENT: Mayor Gerardo Sanchez
Vice-Mayor Matias Rosales
Council Member Mario Buchanan Jr.
Council Member Ruben Walshe (arrived at approximately 7:04 p.m.)

ABSENT: Council Member Africa Luna-Carrasco
Council Member Maria Cecilia Ramos
Council Member Gloria Torres

OTHERS PRESENT: Tadeo De La Hoya, City Manager
Sonia Cornelio, City Clerk
Aracely De La Hoya, Senior Services Director
Axel Chaira, I.T. Technician
Chris Hagan, Management Analyst
Craig Higgins, Chief of Police
Derek Dueñas, I.T. Manager
Eulogio Vera, Public Works Director
Francia Alonso, Administrative Assistant
Jorge Perez, Administrative Coordinator
Johnathan Dumadag, I.T. Technician
Jose Guzman, Acting Planning & Zoning Director
Kay Macuil, City Attorney
Ketie St. Louis, Finance Director
Laura Herrera, PIO/Assistant to the City Council
Lizandro Galaviz, Parks & Recreation Director
Manuel Rojas, Assistant Public Works Director
Maria Sabori, Human Resources Department
Olivia Jenkins, Human Resources Director
Ric Bauermann, Fire Department
Tere Varela, Senior Services

Yolanda Dueñas, Fleet and Facilities Office Manager
Francisca Guzman, Translator
Cesar Neyoy, Reporter
Eduardo Garcia, Factor Sales
Jorge Villicaña, Resident
Maria Robles, Resident

2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Ruben Walshe.

3. INVOCATION

The invocation was led by Mr. Tadeo De La Hoya, City Manager.

CALL TO THE PUBLIC

Mayor Gerardo Sanchez moved Call to the Public to be next on the agenda; there was no opposition from the City Council. He clarified that call to the public is just for comments as nothing can be discussed due to not being a lined item for discussion on the agenda and added that staff can be directed.

Mr. Arturo Garcia, resident, stated that the shades are a necessity, and asked if the City will make a decision on this matter. The home lots are very small and there is no place to plant a tree. Mr. Garcia added that the electors elected the Mayor and City Council to represent them and to find a solution to what the City is saying is a problem and asked how can the shade structures item be placed on the agenda for discussion so that everyone can be heard as they want time to be heard and not only five (5) minutes.

Mayor Gerardo Sanchez stated that staff will be directed to hold a public meeting with those interested in discussing the item. This is one of the reasons why providing an address and a telephone number is very important as any update or information can be provided individually.

Mr. Raul Luzanilla, 617 San Pedro Street, San Luis, AZ stated that they are present to complain and vent their frustrations they currently have with the issue of the ramadas without any answers, as this item does not appear on the agenda and cannot be discussed in depth. Last time the City Council told them that nothing was going to be done temporarily but at the same time no one was going to be allowed to build a new ramada either.

Mr. Luzanilla added that the City is mailing letters but not everyone affected is receiving the letters providing more information on this matter. The ramadas were built because they are a need and not a luxury.

Mayor Gerardo Sanchez said that this issue has been going for the past two (2) years. And to his knowledge only two (2) letters were mailed; a public meeting will be held to provide information and options to bring the shade structures in compliance. At the last meeting an engineer was present and stated that he was going to provide his services but yet, he has not been seen. Mayor Gerardo Sanchez added that he invites everyone from the community to attend the City Council meetings, it is unfortunate that there are approximately 12 people present at the regular City Council meetings.

Mr. Jose Razo, resident, stated that he built a shade due to a need not because of a luxury, he does not know why the City Council has a problem with the shades and want to remove them and asked the Mayor and City Council to consider that the majority of the affected families have children that cannot be exposed to the sun. He also mentioned that the foundation of the block walls located on Urtuzuastegui will fall down and that should be the City's priority.

Ms. Silvia Montijo, 1469 Monreal Lane, San Luis, AZ, said that she received a letter stating that she had until March 16, 2017 to remove her mesh shade if not she will be taken to the municipal court. She asked what consequences will there be as she did not remove the mesh shade or will she have to wait with everyone else in the group until an agreement is reached with the City.

Mayor Gerardo Sanchez commented that the City Attorney will be present at the public meeting and she will be able to inform Ms. Montijo of her options.

Mr. Jose, resident, said that many people that have a green card use it to come to San Luis to steal bicycles. He asked the Mayor and City Council to listen to his petition and ask merchants to have cameras outside their businesses as he was a victim of having his bike stolen. Mr. Jose added that the police does not arrive until after 30 minutes of the incident and victims are treated like if they were the one who had stolen the bicycles.

Mr. Jorge Villicaña, 1445 Babbitt Lane, San Luis, AZ, asked the Mayor and City Council if they would hold a meeting exclusively for this matter. With this meeting everyone will be able to talk about it, look at the different options, the pros and the cons but overall asked if the City will give some flexibility to the affected residents on this issue.

Mr. Villicaña indicated that there has been variances requesting the sides to be reduced from 7 feet to 4 feet, the City Council can also approve the mesh shades in the same form, exceptions can be done, has asked to work together and come into an agreement. The majority of the residents is composed of low income families and asked the Mayor and City Council to take that in consideration.

Mayor Gerardo Sanchez responded that he first wants them to meet with staff; he cannot promise or create a law, but at the public meeting everyone will gather, all the information is obtained and a legal solution is formulated based the information provided to staff from the residents. There are currently ordinances in place and it is very important that residents make time to attend the meetings.

Mr. Leo Valdez, 602 San Francisco Street, San Luis, AZ, said that there are people who have had their mesh shades for five (5) years and asked how will the new codes affect them. He also commented on the City's police patrolling as there is not police patrol at San Francisco Street and sometimes the neighbors or himself are placing cones as vehicles drive thru there more than 25 miles per hour and children are outside playing.

Mr. Daniel Albor, 1555 Monreal Lane, San Luis, AZ, said that everyone that built a mesh shade did not build it thinking they were breaking the law because he called Planning & Zoning to obtain information on the requirements for it and he was asked what was it going to be made of and when he told them structure and mesh, he was told it was not a problem. He received a letter from the City stating that he will be sent to court by the 13th, he further stated that he thinks all this is unfair.

Mayor Gerardo Sanchez commented that the information will be sent to him, once it goes to the court it is in. The City Attorney can give him his options after the meeting tonight.

Ms. Susana Zambrano, the new Associate Dean for South Yuma County Services at Arizona Western College, introduced herself to the Mayor and City Council. Ms. Zambrano stated she is very excited about helping students in this new capacity and in working closely with the City of San Luis. She invited the Mayor and City Council to attend their Governing Body Board meeting tomorrow at 9:00 a.m. and to the Horizon Symposium & Dinner on April 28, 2017.

Mr. Tadeo De La Hoya, City Manager, stated that the public meeting will be held next Wednesday, March 29, 2017 at 5:00 p.m. at City Hall. Information will be provided about the purpose of what the City wants to do and it is not against the mesh shades but for them to be in compliance with the codes and for safety issues.

4. PROCLAMATION/PRESENTATIONS

4. A. Proclamation-National Library Week April 9 - 15, 2017

Ms. Megan Pared, San Luis Library Manager, introduced herself to the Mayor and City Council and thanked them for the support provided.

Mayor Gerardo Sanchez thanked Ms. Pared for all they do for the community of San Luis.

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

4. B. Presentation and donation of a Cesar Chavez poster by Ms. Maria Robles to the City of San Luis Parks & Recreation Department. (Maria Robles, Resident)

Ms. Maria Robles, 1195 California Street, San Luis, AZ stated the Mr. Cesar Chavez was her favorite when it comes to leadership. She wants to donate the poster to the City of San Luis Parks & Recreation as it will be a better place to contemplate and learn more about this painting and its meaning. Ms. Robles introduced Mr. Miguel Sandez who worked and joined forces with Mr. Chavez.

Mayor Gerardo Sanchez acknowledged and thanked Mr. Sandez and Ms. Robles for the presentation and donation of the poster.

4. C. Photo presentation of the Arizona State Karate Championships 2017. (Enrique Partida, Partida Karate Academy)

Mr. Enrique Partida, Partida Karate Academy, stated that in February 2017 he took 39 participants to the karate state championship and as a team a total of 53 medals were won, representing the City of San Luis. The Partida Karate Academy is recognized as one of the best karate academy in the state of Arizona. Mr. Partida introduced some of the advanced participants in the academies and thanked the Mayor and City Council for the support they provide.

Mayor Gerardo Sanchez thanked Mr. Partida for his dedication and hard work towards these children and wished them all good luck in their future competitions.

5. CONSENT AGENDA

5. A. MINUTES OF

- Regular City Council meeting held January 11, 2017
- Work Session held January 18, 2017
- Regular City Council meeting held January 25, 2017
- Regular City Council meeting held February 8, 2017
- Regular City Council meeting held February 22, 2017

5. B. DISBURSEMENTS FROM FEBRUARY 25, 2017 THROUGH MARCH 10, 2017

Total Disbursements \$691,801.31

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

MOTION: Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to approve the Consent Agenda as presented. Motion passed unanimously.

Mayor Gerardo Sanchez stated that during call to the public he made a comment that only 12 people are present at the City Council meeting and currently there are only 13 people. It is important that members of the community attend the City Council meetings.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion and possible action on any and all matters regarding the location of the 2017 Employee Annual Picnic at Wild River Family Entertainment Center, purchase of food, use of amenities and waiver of purchasing procedures as permitted under San Luis City Code Section 36.01 (H). (Olivia Jenkins, Human Resources Director)

Ms. Olivia Jenkins, Human Resources Director, explained that she is seeking waiver of the procurement to engage in the proposal from Wild River for the 2017 Employee Annual Picnic. Ms. Jenkins added that the budgeted amount for this event is \$10,000.00, in addition she said that with Waylon's being out of business the Human Resources Department is looking into other options for the employee picnic.

The menu and activities were discussed including the schedule of the event which will be a four (4) to five (5) hour block for just City of San Luis employees from 11:00 am to 4:00 pm. The tentative date for the event is April 22, 2017.

Mayor Gerardo Sanchez, Vice Mayor Matias Rosales and Council Member Mario Buchanan Jr. mentioned that there are many things going on in April and probably selecting another date will be best.

MOTION: Vice Mayor Matias Rosales/Council Member Mario Buchanan Jr. to continue this item for further research or options in regards to the date and the options being offered to the packet to the next scheduled meeting. Motion passed unanimously.

6. B. Discussion and possible action on any and all matters regarding Resolution No. 1177. A resolution of the Mayor and City Council of the City of San Luis, Arizona authorizing a temporary reduction in certain fees under Resolution No. 770 Parks and Recreation fee schedule. (CONTINUED ITEM FROM REGULAR CITY COUNCIL MEETING HELD MARCH 8, 2017) (Lizandro Galaviz, Parks and Recreation Director)

Mr. Lizandro Galaviz, Parks & Recreation Director, explained that there has been a fee structure since 2007, this year the fees are being updated and when they were presented to the soccer programs a few months ago, they became concerned. They were paying for the use of the fields but not for the lights or the lining of the fields which currently has a fee of \$10.00. Mr. Galaviz asked the Mayor and City Council to authorize the City Manager and himself to lower the fees by 50% for what has not being charged in the past while working with the youth and the different programs and leagues.

Mr. Tadeo De La Hoya, City Manager, explained that this is only for the fees that were never imposed not all of them until the new fee schedule is adopted.

Mayor Gerardo Sanchez said he has been approached by some residents and some of the concerns is the liability involvement as they think that when they pay the fee for the usage of the facilities they are also paying for insurance. He wants clarification on when they pay the \$25.00 and when they are part of an organization such as little league baseball, is that fee paying for insurance. Mayor Gerardo Sanchez added as the fees are being decreased at the same time the City needs to know what its liability is.

Mr. Galaviz responded they do not belong to an association, the boxing club does and it is being something that is being worked on with the City Manager.

Vice Mayor Matias Rosales asked if residents are signing a waiver form. Mr. Galaviz responded his understanding is that there is no liability from the City as residents are renting from the City and are not participating at City's events.

Mayor Gerardo Sanchez said his understanding is that the City is responsible.

Mr. Galaviz replied that to a certain point the City is liable but if the City provides a facility that is in good condition.

Ms. Kay Macuil, City Attorney, explained that the City can require people to provide certificates of insurance for using the City's facilities.

MOTION: Council Member Ruben Walshe/Vice Mayor Matias Rosales to approve Resolution No. 1177. Motion passed unanimously.

6. C. Discussion and possible action on any and all matters regarding First Amendment to Development Agreement for Las Quintas De San Luis Two (II) Subdivision, owner Riedel Holdings, L.L.C. and Nieves Riedel. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this is an agreement between the City of San Luis, Nieves Riedel and Riedel Holdings, L.L.C., who is the applicant for Las Quintas II Subdivision.

There was a glitch at the beginning of the subdivision where the engineer thought that there was a connection to the sewer line at a different location and when it went to City's review he was informed that there was no sewer line there. Now the City offers to negotiate with the high school for an easement for the wastewater line and this agreement is for the developer to absorb all the obligations that are in the agreement with the school. Ms. Macuil added that there were no objections by either party.

MOTION: Council Member Ruben Walshe/Council Member Mario Buchanan Jr. to approve the First Amendment to the Development Agreement for Las Quintas de San Luis Two (II) Subdivision and authorize appropriate staff to take all action necessary to put it into effect.

6. D. Discussion and possible action on any and all matters regarding Resolution No. 1178. A resolution of the Mayor and City Council of the City of San Luis, Arizona, approving and adopting an Intergovernmental Agreement with Yuma Union High School District #70 (San Luis High School) and the City of San Luis regarding the joint development and construction of infrastructure, a utility easement and ancillary facilities located on Yuma Union High School District #70 property. (CONTINUED ITEM FROM REGULAR CITY COUNCIL MEETING HELD MARCH 8, 2017) (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that the previous item approved would not make sense unless this item is also approved. This is the agreement with the high school with all the obligations that are in it, on the City and the Mayor and City Council approved the obligations going to the developer. The easement will be dedicated to the City and in exchange for the easement from the High School District, the City (through the agreement with Riedel Holdings, L.L.C. and Nieves Riedel) is to move the fence currently in place ten (10) feet south, to provide a wastewater line, then 45 days after building the wastewater line, build a concession stand and a restroom both for the recreational areas, and hold a fund of \$4,500.00 to be used for any future fees the City may impose on the district into the future. If the concession stand and restroom are not built, then the school has the option of taking the \$15,000.00. Riedel Holdings, L.L.C. has already provided to the City a \$19,500.00 cashier's check to cover these funds. If the \$15,000.00 is not used it will be returned to Riedel Holdings, L.L.C. plus any interests accrued. The High School District did not want a time limit on the \$4,500.00 so that amount cannot be returned to Riedel Holdings, L.L.C. If the wastewater line is not built within 5 years then the City returns the easement to the High School District.

Mayor Gerardo Sanchez asked if the City is liable for any of obligations. Ms. Macuil responded the City is not liable for any of the obligations other than there is the usual dedication of the easement and the sewer line maintenance.

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to approve and adopt Resolution No. 1178. Motion passed unanimously.

6. E. Discussion and possible action on any and all matters regarding Resolution No.1179. A resolution of the Mayor and City Council of the City of San Luis, Arizona electing overlapping terms for the Directors of the Industrial Development Authority of the City of San Luis, Arizona. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained that this authority is like a municipal corporation but it is a special one under a different statute in the Arizona Law with a peculiar provision that the governing body has to designate which people have overlapping terms. In November of 2015 the IDA met and voted to recommend which directors would serve which terms. The Directors voted to have the terms as follows:

2-year term: Rosa Varela and Gary Black
4-year term: Francisco Magallon and Marco Pinzon
6-year term: Maria Gonzalez and Eduardo Vasquez

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to approve Resolution No. 1179. Motion passed unanimously.

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez reported that the City of San Luis or the region has been awarded the start of the construction bid for the pedestrian annexed building, this is a structure of 8,300 sq. ft. to process pedestrians and this will be a big positive impact to the City.

8. CALL TO THE PUBLIC

There were no further comments from the public.

9. ADJOURNMENT

MOTION: Mayor Gerardo Sanchez/Council Member Ruben Walshe to adjourn the Regular City Council Meeting at approximately 8:40 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 Regular Council meeting of the San Luis City Council held on March 22, 2017. 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 June 14, 2017.

Dated this 19th day of June 2017.

/s/ Sonia Cornelio, City Clerk