

MINUTES
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
February 8, 2017
7:00 P.M.

1. CALL TO ORDER/ROLL CALL Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:00 p.m.

PRESENT: Mayor Gerardo Sanchez
Vice Mayor Matias Rosales (arrived at approximately 7:32 p.m.)
Council Member Ruben Walshe
Council Member Maria Cecilia Ramos
Council Member Africa Luna-Carrasco
Council Member Mario Buchanan Jr.
Council Member Gloria Torres

OTHERS PRESENT: Tadeo De La Hoya, City Manager
Ralph Velez, City Consultant
Francia Alonso, Acting City Clerk
Aracely De La Hoya, Senior Center Director
Axel Chaira, I.T. Technician
Chris Hagan, Management Analyst
Craig Higgins, Chief of Police
Eulogio Vera, Public Works Director
Hank Green, Fire Chief
Isaac Gutierrez, GIS Technician
Jenny Torres, Community Development Director
Jose Guzman, Assistant Planner
Kay Macuil, City Attorney
Katie St. Louis, Finance Director
Lizandro Galaviz, Parks and Recreation Director
Manuel Rojas, Assistant Public Works Director
Olivia Jenkins, Human Resources Director
Cesar Neyoy, Reporter
Eduardo Garcia, Factor Sales
Francisca Guzman, Translator
Guillermina Fuentes, Resident/Contractor
Lucy Lopez, Reporter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Matias Rosales

3. INVOCATION

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

4. CONSENT AGENDA

4. A. MINUTES OF

-Work Session held October 19, 2016

4. B. DISBURSEMENTS FROM JANUARY 14, 2017 TO JANUARY 27, 2017

Total Disbursements \$635,089.23

(Six Hundred Thirty-Five Thousand, Eighty-Nine Dollars and Twenty-Three Cents)

MOTION: Council Member Gloria Torres/Council Member Maria Cecilia Ramos to approve the Consent Agenda as presented. Motion passed unanimously.

5. DISCUSSION AND POSSIBLE ACTION ITEMS:

5. A. Discussion and possible action on any and all matters regarding the approval to award a one-inch (1") asphaltic concrete overlay project to DPE Construction for the International Plaza Two Subdivision and waive formal purchasing requirements as is allowed under San Luis City Code-Purchasing Section 36.01(H). (Eulogio Vera, Public Works Director)

Mr. Eulogio Vera, Public Works Director, explained that as part of the Pavement Preservation Project Fiscal Year 2017, staff recommends application of a one-inch (1") asphalt overlay to the International Plaza Two Subdivision streets. After assessing the condition of the street in the subdivision, staff proceeded with a 1" asphalt overlay test trial at Santa Fe Drive, which due to the good results led to providing the same to the Price Center parking lot. Staff estimated project cost based on the Price Center parking lot prices but all quotes received had the cost per square yard higher than expected. Staff recommends the approval of the overlay project by DPE Construction for a total of \$40,164.00 to complete all the side streets for the entire subdivision.

The San Luis City Code-Purchasing Section 36.01(E) requires three (3) written quotes for amounts of \$15,000.00 up to \$34,999.99. On this project DPE Construction gave the lowest quote. However, the total amount will be \$40,164.00. The San Luis City Code-Purchasing Section 36.01(F) requires formal bidding for amounts of

\$35,000.00 and above. However, a bidding process would be an unnecessary expense to the City in this case, given the lowest quote was DPE Construction. Staff is recommending that the formal purchase procedures be waived as is allowed under the San Luis City Code-Purchasing Section 36.01(H).

Mr. Vera added that the road conditions in that area are bad and need improvements.

MOTION: Council Member Africa Luna-Carrasco/Council Member Ruben Walshe to approve DPE Construction for the International Plaza Two Subdivision one-inch asphaltic concrete overlay project as presented and to waive formal purchasing procedures for the reasons presented. Motion passed unanimously.

5. B. 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 approving and adopting an Intergovernmental Agreement with Yuma Union High School District #70 regarding a wastewater utility easement. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this Intergovernmental Agreement (IGA) is still being worked on some last details to get the IGA complete, the school removed it from their agenda therefore Ms. Macuil recommended continuing this item to February 22, 2017.

MOTION: Council Member Ruben Walshe/Council Member Maria Cecilia Ramos to continue this item to the February 22, 2017 Regular City Council meeting. Motion passed unanimously.

6. SUMMARY OF CURRENT EVENTS

Council Member Maria Cecilia Ramos reported that herself, Council Member Gloria Torres and Vice Mayor Matias Rosales attended the Ed Pastor Elementary School tour of the 19 new classrooms and the preview of the new administration offices.

Mayor Gerardo Sanchez reported that he attended a meeting regarding the work ADOT has been doing and the issues with inspections that occur at the second Port of Entry. It is amazing to see ADOT and the other agencies modifying adjusting normal level 1 inspections from 55 minutes to 25 minutes.

Council Member Ruben Walshe thanked the City Council for the hard work they do and recognized everyone involved in the installation of the LED lights at San Luis High School and added that the community is extremely happy about this.

7. CALL TO THE PUBLIC

Ms. Guillermina Fuentes, 1630 N. 9th Avenue, SLAZ, stated that one more time she addresses the Mayor and City Council as she still believes that there are decent Council Members wanting to do the best for their city. Last Friday, Officer Alvarez, sent two (2) police officers to her house to investigate a call from Nieves, without following a protocol for a complaint. Then Monday, Ms. Fuentes was called in to the San Luis Police Department regarding an investigation as she was being accused of harassment. Tuesday, another police officer went to Ms. Fuentes' house with a court document and was questioned what is going on as she had a man in the back of her house. Ms. Fuentes responded she did have a man in the back of the house, a man she needed to hire to take care of her house from the mentally unbalanced person harassing her with the help of the police.

Furthermore, Ms. Fuentes said that the Mayor and City Council need to do something, she does not know what to do or say anymore. Ms. Fuentes added that her mother cries whenever she sees the police outside Ms. Fuentes home. It has been 7 police officers harassing her because an unbalanced person tells them to go to Ms. Fuentes home. Ms. Fuentes added that the one who should be taken care of is herself, not Nieves, now there is a court order that Ms. Fuentes cannot turn and look at her project or else they will do something to her; this is intimidation not only from the ill lady but from the police as well.

Ms. Fuentes mentioned that if another police officer goes to her house without a warrant for her arrest... they are not dealing with a criminal; adding she has been in this community for 45 years and she does not have a criminal action against her. The police should not be doing everything the lady tells them to do or else she will think that the Mayor and City Council are also part of this non-sense. The lady that spoke on Call to the Public was intimidated easily by receiving a letter from the attorney, but nothing intimidates Ms. Fuentes, as she is entitled to her rights and hopes that the City Council stops the Police Department from harassing Ms. Fuentes as she already had enough with her.

The second matter is for Mr. Walshe who insists on playing the role of a child. Ms. Fuentes informed Ms. Macuil, City Attorney, she could provide her with copies as Ms. Macuil gave a letter to the City Council stating Mr. Walsh does not have a conflict. There was a meeting, a Work Session on April 20 and Mr. Walsh participated on this issue. On May 26th there was a Regular City Council meeting, not only did Mr. Walsh participate but he made a motion on this issue. So it is not like Ms. Macuil does not know nor has the documents. Ms. Fuentes thinks that Ms. Macuil should protect the citizens of this community, her obligation is to protect the public not a Council Member.

According to not having anything to do with Riedel, because Riedel stated in Bajo El Sol on July that she sold the property and if noticed the votes were made before, so again Ms. Kay this is a formal complaint of a conflict of interest.

8. EXECUTIVE SESSION

Vote to hold and Executive Session pursuant to A.R.S. §38-431.03(A)(1), (3), and (4)

8. A. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §38-431.03(A)(1), A.R.S. §38-431.03(A)(3), and A.R.S. §38-431.03(A)(4) on any and all matters relating to the position of Chief of Police including evaluation of performance and possible discussion of approval of terms and conditions pursuant to San Luis City Code §32.02 and possible consultation with and/or instruction to the City Attorney or City's attorneys. (Tadeo A. De La Hoya, City Manager and Kay Marion Macuil, City Attorney)

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to go into Executive Session at approximately 7:21 a.m. Motion passed unanimously.

9. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Mario Buchanan Jr./Council Member Ruben Walshe to go back to Regular Session at approximately 8:00 p.m. Motion passed unanimously.

10. DISCUSSION AND POSSIBLE ACTION ITEM:

11. Discussion and possible action on any and all matters regarding the position of the Chief of Police Craig Higgins including modifying his employment agreements to extend the time to complete Arizona Peace Officer Standards and Training certification to May 31, 2017. (Tadeo De La Hoya, City Manager and Craig Higgins, Chief of Police)

MOTION: Vice Mayor Matias Rosales/Council Member Mario Buchanan Jr. to extend the current contract and extend the time for Craig Higgins to obtain the Arizona Post Certification to May 31, 2017 and direct staff to prepare and amend the employment contract for this extension. Motion passed with five (5) ayes and two (2) nays from Council Members Africa Luna-Carrasco and Ruben Walshe.

12. ADJOURNMENT

MOTION: Vice Mayor Matias Rosales/Council Member Ruben Walshe to adjourn the Regular Council meeting at approximately 8:01 p.m. Motion passed unanimously.