

**MINUTES**  
**Regular Meeting**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**April 26, 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  
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 A. De La Hoya, City Manager  
Sonia Cornelio, City Clerk  
Carlos Cortes, Assistant Finance Director  
Chris Hagen, Management Analyst  
Craig Higgins, Chief of Police  
Derek Dueñas, IT Manager  
Eulogio Vera, Public Works Director  
Glenn Gimbut, Assistant City Attorney  
Hank Green, Fire Chief  
Jenny Torres, Community Development Director  
Jonathan Dumadag, IT Technician  
Jorge Perez, Administrative Coordinator  
Jose Guzman, Acting Planning & Zoning Director  
Kay Macuil, City Attorney  
Laura Herrera, PIO/Assistant to Council  
Lizandro Galaviz, Parks & Recreation Director  
Ralph Velez, City Consultant  
Ric Bauermann, Fire Department  
Yolanda Dueñas, Fleet and Facilities Office Manager  
Cesar Neyoy, Reporter  
Eduardo Garcia, Factor Sales Inc.  
Francisca Guzman, Translator

Guillermina Fuentes, Resident  
John Starkey, Visitor  
Joselyn Medina, HSI STEM INSTINCT2 AWC Grant Advisor  
Lucy Lopez, Reporter  
Marcos Ramirez, FRONTERA Rotary Club  
Najeh Edais, Edais Engineering  
Pamela Green, Visitor  
Rosa Varela, Resident

## **2. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Council Member Maria Cecilia Ramos.

## **3. INVOCATION**

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

## **4. PROCLAMATIONS/PRESENTATION**

### **4. A. Proclamation- Administrative Professionals Day April 26, 2017**

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

### **4. B. Annual Presentation of services provided to the City of San Luis by Amberly's Place. (Diane Umphress, Executive Director)**

Ms. Diane Umphress, Amberly's Place Executive Director, provided a PowerPoint presentation on the last 12 months of services provided to the City of San Luis. She added that they are thankful for the support they receive from the City of San Luis.

Mayor Gerardo Sanchez, thanked Ms. Umphress and Amberly's Place for their services and their dedication.

### **4. C. Introduction of the new Arizona Western College (AWC) Associate Dean for the South Yuma County and AWC's new Computer Informatics Program. (Joselyn Medina, HSI STEM INSTINCT2 Grant Advisor/ Outreach Coordinator)**

Ms. Susana Zambrano, 691 E. George Place, Somerton, Arizona, introduced Mr. Daniel Corr, President of the Arizona Western College to the City Council.

Mr. Daniel Corr, President of Arizona Western College, stated that he has made it a priority to look at the services provided in the South Yuma County particularly in the City of San Luis. He added that there will be a new facility in San Luis and that AWC will be offering a degree in informatics.

Adding to his presentation Ms. Dawn Ponce and Ms. Joselyn Medina, Computer Informatics Grant Advisor, provided a small presentation on what will be needed for the informatics degree and further explained the degree. In addition, they touched basis on the outreach that has been done for the informatics program.

Mayor Gerardo Sanchez commented that this is a degree that is in high demand and added that this is the degree of the future.

## **5. CONSENT AGENS DA**

### **5. A. MINUTES OF**

-Work Session held January 21, 2017

### **5. B. DISBURSEMENTS FROM APRIL 1, 2017 TO APRIL 14, 2017**

Total Disbursements \$1,347,321.43

(One Million, Three Hundred Forty-Seven Thousand, Three Hundred Twenty-One Dollars and Forty-Three Cents)

**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. Discussions and possible action on any and all matters regarding approval of contract between the City of San Luis and a professional musical band, Los Chicos del 512 at the 2017 4<sup>th</sup> of July Festivities. (Lizandro Galaviz, Parks & Recreation Director)**

Mr. Lizandro Galaviz, Parks & Recreation Director, stated that Los Chicos del 512 is a hometown group and stated that they are excited to put on a great performance for the community.

**MOTION:** Council Member Africa Luna-Carrasco/Council Member Ruben Walshe to approve the contract with the musical band, Los Chicos del 512 for the festivities on Fourth of July 2017 in the amount of \$7,000.00. Motion passed unanimously.

**6. B. Discussion and possible action on any and all matters regarding the approval of payment between the City of San Luis and ULTRA SHOW MAKERS, who will be providing sound, stage set up and lighting for all musical guests performing at the 2017 4<sup>th</sup> of July festivities. (Lizandro Galaviz, Parks & Recreation Director)**

Mr. Lizandro Galaviz, Parks & Recreation Director, stated that Ultra Show Makers were the lowest of the three (3) quotes. He added that Ultra Show Makers will be covering everything needed and any additional things, that being said the City will not need to worry about any last minute additions or riders.

**MOTION:** Council Member Africa Luna-Carrasco/ Council Member Mario Buchanan Jr. to approve negotiating for an amount of \$14,400.00 with Ultra Show Makers for lighting, stage and sound services and equipment for the 2017 4<sup>th</sup> of July Festivities. Motion passed unanimously.

**6. C. Public hearing followed by discussion and possible action on any and all matters regarding recommendation of an Application For Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control to authorize La Bodega Kitchen and Bar to sell alcohol on May 6, 2017. (Ruben Walshe, La Bodega Kitchen and Bar)**

**A. Open public hearing**

**MOTION:** Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to open public hearing. Motion passed unanimously.

**1. Staff and/or applicant presentation**

Mr. Ruben Walshe, La Bodega Kitchen and Bar, stated he had requested the Extension of Premises/Patio Permit for a one (1) day event that will be taking place on May 6, 2017 at La Bodega Kitchen and Bar.

Council Member Gloria Torres asked if the event will be outside the parking lot.

Mr. Walshe, confirmed that it was and stated that it is the same permit that had been requested for the Off-Road Expo Sign-Up event that he had hosted. He added that as a requirement there will be a fenced area for bar.

Ms. Sonia Cornelio, City Clerk, stated that the Clerk's Office did not receive any calls or letters from the public in favor of or opposing this request. No notice or application needed to be posted as it is a one day event and it is not a requirement.

## **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./ Vice Mayor Matias Rosales to close public hearing. Motion passed unanimously.

## **C. Action on Application for Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses & Control**

**MOTION:** Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to recommend approval to the Arizona Department of Liquor Licenses and Control the application for extension of premises/patio permit of La Bodega, LLC as presented. Motion passed with five (5) aye votes; one (1) nay vote from Council Member Maria Cecilia Ramos and one (1) abstention from Council Member Ruben Walshe

**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 Cesar Chavez Cultural Center during the "Bingo Night" event to be held May 6, 2017. (Marcos Ramirez, Sergeant at Arms of the San Luis FRONTERA Rotary Club)**

## **A. Open public hearing**

**MOTION:** Council Member Africa Luna-Carrasco/ Council Member Mario Buchanan Jr. to open public hearing. Motion passed unanimously.

### **1. Staff and/or applicant presentation**

Mr. Marcos Ramirez, Sergeant at Arms of the San Luis FRONTERA Rotary Club, stated that on May 6, 2017 the San Luis FROTERA Rotary Club, will be hosting a Bingo Night event.

He added that they are not looking to serve a large amount of beer and added that the event is part of their international project that they do across the border in San Luis Mexico.

## **2. Call to the public on this item**

Mayor Gerardo Sanchez asked where the event would be taking place.

Mr. Ramirez replied that it would be taking place at the San Luis Cultural Center.

Council Member Gloria Torres commented that she had attended the event the previous year and it was fun.

## **B. Close public hearing**

**MOTION:** Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to close public hearing. Motion passed unanimously.

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

**MOTION:** Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to recommend approval to the Arizona Department of Liquor Licenses and Control the application for the special event liquor license of San Luis FRONTERA Rotary club as presented. Motion passed with six (6) aye votes and one (1) nay vote by Council Member Maria Cecilia Ramos

## **6. E. Discussion and possible action on any and all matters regarding the City of San Luis entering into two (2) contracts 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 contracts with American Pavement Preservation are a piggyback with the City of Yuma Slurry Seal Service. Mr. Vera added that one of the contracts that he is seeking approval is a Type 2 and Type 3 Slurry. A map of the roads they would be working on can be found in the agenda packet.

Mayor Gerardo Sanchez thanked Mr. Vera for his hard work and asked if the City would be able to do the same in the upcoming year.

Mr. Vera replied that the contract does not expire until 2020 adding that when it does expire the City of San Luis has the ability to piggyback onto their contracts. Mr. Vera stated that some of the streets need more than just slurry that is why they are being reconstructed.

Ms. Kay Macuil, City Attorney, informed City Council that there will be two (2) motions one for the Type 2 slurry and one for the Type 3 slurry.

**MOTION:** Council Member Africa Luna-Carrasco/ Council Member Maria Cecilia Ramos to approve the Type 2 slurry Pavement Preservation Project as presented in the amount not to exceed \$220,000.00 and further move to approve the Type 3 slurry pavement preservation project as presented in an amount not to exceed \$220,000.00. Motion passed unanimously.

**6. F. Discussion and possible action on any and all matters regarding authorization to award an Engineering Contract to James Davey and Associates for Downtown Parking and Park Master Plan. (Jenny Torres, Community Development Director)**

Ms. Jenny Torres, Community Development Director, stated that the engineering contract would be creating a master plan for parking and park facilities in downtown. She added that they are seeking approval of the engineering contract with James Davey and Associates to provide a schematic design and construction cost estimate to develop a master plan to be presented to the City Council.

**MOTION:** Council Member Gloria Torres/Council Member Maria Cecilia Ramos to approve the engineering contract with James Davey and Associates in the amount of \$20,948.00 for master planning parking and parks down town and authorize appropriate staff to take all action necessary to put it into effect. Motion passed unanimously.

**6. G. Discussion and possible action on any and all matters regarding authorization to release funds deposited at First Bank Yuma to meet U.S. Department of Commerce Economic Development Administration (EDA) Special Award Condition No. 15 for the business incubator. (Jenny Torres, Community Development Director)**

Ms. Jenny Torres, Community Development Director, stated that during the process of the application for the Business Incubator EDA placed a special condition that funding needed to be put into a bank and not withdrawn unless making a payment of the lease.

Ms. Torres is requesting authorization to release the funds deposited now that the business incubator has met all of their requirements.

Council Member Gloria Torres asked if there are tenants already in the business incubator.

Ms. Torres replied that there are two (2) tenants, one (1) is in the process and added that there are two (2) other potential tenants.

**MOTION:** Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to authorize the release of the funds in the account set-up under the EDA program for the business incubator to the general fund of the City of San Luis. Motion passed unanimously.

**6. H. Discussion and possible action on any and all matters regarding Resolution No. 1189. A resolution of the Mayor and City Council of the City of San Luis, Arizona, withdrawing an Intergovernmental Agreement with Gadsden Elementary School District to apply for the rights of way from the State of Arizona and to make improvement on the rights of way and repealing Resolution No. 1174. (Jenny Torres, Community Development Director)**

Ms. Jenny Torres, Community Development Director, stated that they were informed by the Gadsden Superintendent that they would be going their separate ways in applying for the right of way from the State of Arizona. Ms. Torres added that the board passed an intergovernmental agreement but was never executed.

Ms. Kay Macuil, City Attorney, stated that the IGA was passed by the school board and the City Council on the condition that it would be approved by legal. Ms. Macuil further explained that the school board never got approval from legal as it was written with the liability on the school. She added the Resolution No. 1189 will repeal the previously adopted Resolution No. 1174.

Vice Mayor Matias Rosales asked what will be happening with the right of way.

Ms. Jenny Torres replied that the City is going to submit the application to acquire the land and make their own improvements. She added that the City's intent is to pay for the land this fiscal year and allocate funding for the improvements this coming fiscal year.

Mayor Gerardo Sanchez asked if there was a time frame.

Ms. Torres replied that if there was sufficient evidence it would be a five (5) year term, if there is evidence that work was done it could be extended but the amount of years is unknown.

Mayor Gerardo Sanchez also asked if an accident was to happen on the dirt road would the City be responsible, so that something can be done from the City's end.

Mr. Glenn Gimbut, Assistant City Attorney, suggested that a letter be written to make the City's position clear to the school district.

Mr. Eulogio Vera, Public Works Director, stated that the intention of the school is to put fencing against the 1<sup>st</sup> Avenue alignment near the school as well as both sides of Union Street all the way to 4<sup>th</sup> Avenue. He added that he in the letter it should mention which portions are to be improved by the school and which are to be improved by the City.

Ms. Guillermina Fuentes, 1630 N. 9<sup>th</sup> Avenue, commented that the situation between the school and the City of San Luis is between both parties but she does suggest that both parties go their separate ways so that things can move along quickly and time is not wasted. She added that neither party wants to be responsible if an accident was to happen.

Mayor Gerardo Sanchez commented that his problem is that this situation has been going on for several years and it needs to be fixed. If both parties are to go their separate ways, he fears that the District will not get this done.

Ms. Fuentes replied that as the executive board, both the school and the City represent the same party and both the school board and the City must assure that it is done.

Council Member Maria Cecilia Ramos commented that both parties need to remember that they are representing the student's health and safety.

Mayor Gerardo Sanchez emphasized that the City of San Luis will do their part and their best to get it done. He added that the City will be efficient and will not wait to get this done and will be trying their hardest to make it the safest area there is.

**MOTION:** Council Member Africa Luna-Carrasco/ Council Member Maria Cecilia Ramos to adopt and approve Resolution 1189. Motion passed with six (6) aye votes and one (1) abstention vote from Council Member Gloria Torres for possible conflict of interest.

**6. I. Discussion and possible action on any and all matters regarding possible amendment to Chapter 152 of the City Code of the City of San Luis, Zoning Regulations, to amend the Light Industrial Zoning District to allow the refining, processing, or packaging of agricultural or edible food products as a conditional use and possible action of instructions to staff for such a staff initiated amendment to the Zoning Regulations and/or a staff initiated conditional use permit to allow such a use. (Jose A. Guzman, Acting Planning and Zoning Director)**

Mr. Glenn Gimbut, Assistant City Attorney, stated that this item and item 6.J. are related. He stated that a company that is looking into setting up a food processing enterprise at the business incubator or San Luis Cooling which are both located at the Industrial Park. Mr. Gimbut added that under the current zoning regulations, this is allowed only in a Heavy Industrial District and with a conditional use permit. Staff does believe that it is too restrictive and such a use can be permitted in the Light Industrial District as a conditional use. With Item 6.J. it is amending the Sign Regulations for Denny's. Mr. Gimbut stated for the record that they are asking the Mayor and the Council as Administrators that they do not mind it happening while a good faith change in the law is going through the process.

Mr. Jose Guzman, Acting Planning and Zoning Director, stated that this item will allow staff to allow the use while staff work on the text amendment. Mr. Guzman added that staff has already looked into making adjustments in the Light Industrial District.

Ms. Jenny Torres, Community Development Director, stated that the company is looking at two (2) different sites in the City of San Luis and they are a food processing firm where they would be refining and processing dates into small chocolates. She added that there would be five (5) employees and stated that the company is ready to make the decision and cannot wait six (6) months for the City to respond.

Mr. Guzman added that any restrictions will be established in the text amendment.

**MOTION:** Vice-Mayor Matias Rosales/ Council Member Maria Cecilia Ramos to instruct staff, as policy, to proceed with a staff-initiated amendment to the zoning regulations on the Light Industrial District to allow the refining, processing, or packaging of agricultural or edible food products as a conditional use, and, one amended, to authorize a staff-initiated application for a conditional use permit for a use for the food processing and packaging of figs into edible food products. Motion passed unanimously.

**6. J. Discussion and possible action on any and all matters regarding possible amendment to Chapter 152 of the City Code of the City of San Luis, Zoning Regulations, to amend §152.262 of the Sign Regulations to allow a deviation from the standards and criteria of Table No. 16 by conditional use permit with possible action of instructions to staff for such a staff-initiated amendment to the Zoning Regulations and/or a staff-initiated conditional use permit to Denny's to place a sign or signs in deviation from such standards. (Jose A. Guzman, Acting Planning and Zoning Director)**

Mr. Jose Guzman, Acting Planning and Zoning Director, explained that in the Zoning Regulations it does not allow signs to go over the top of the roof line and stated that when the City received the application for Denny's one of the signs was over the roof line. Mr. Guzman also stated that they were seeking to do a variance but they did not meet the criteria and stated that staff was already looking at making this amendment in the Zoning Regulations.

Vice Mayor Matias Rosales asked if the City of San Luis ordinances are stricter than others. He mentioned that the reason he is asking this is because the developer has never had the issue with different cities.

Mr. Guzman replied that was how the section of the ordinance was established and stated that because there has been several different scenarios it is the reason they are looking into amending the Zoning Regulations.

Mayor Gerardo Sanchez stated that the signs regulations need to be modified.

**MOTION:** Vice Mayor Matias Rosales/ Council Member Maria Cecilia Ramos to instruct staff as a matter of policy to proceed with a staff-initiated amendment to the Zoning Regulations of the City of San Luis to amend §152.262 of the City Code of the City of San Luis to allow deviation from the standards and criteria of table no. 16 by conditional use permit with further instructions to staff for such a staff-initiated amendment to the Zoning Regulations and a staff-initiated conditional use permit to Denny's to allow a sign or signs in deviation from such standards. Motion passed unanimously.

**6. K. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2017-0123. A request by Alberto Geraldo, on behalf of Comite de Bienestar Inc., owner, for a Conditional Use Permit to allow the establishment of a religious institution at 1050 E. Arizona Street in San Luis, Arizona. (Jose A. Guzman, Acting Planning and Zoning Director)**

## **A. Open public hearing**

**MOTION:** Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to open public hearing. Motion passed unanimously.

### **1. Presentation by staff and applicant**

Mr. Jose Guzman, Acting Planning & Zoning Director, stated that in 2015 the occupant was issued a Conditional Use Permit but they never occupied the building. He added that the occupant is ready to occupy the building and is willing to do any changes that are needed.

### **2. Call to the public on this item**

Mayor Gerardo Sanchez asked if the proposal has changed since 2015.

Mr. Guzman confirmed that the proposal was the same.

## **B. Close public hearing**

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

## **C. Action on Conditional Use Permit Case No. 2017-0123**

**MOTION:** Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to approve Conditional Use Permit Case No. 2017-0123 as presented. Motion passed with six (6) aye votes and one (1) abstention vote from Council Member Gloria Torres for possible remote conflict of interest.

**6. L. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2017-073 followed by First Reading of Ordinance No. 364. 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 a total of 35.82 acres located east of Avenue F between Aracely Street and County 24th Street; 34.63 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) and 1.19 acres from Medium-High Density Residential (R-2) to Community Commercial (C-2); repealing any conflicting provisions; and providing for severability. (Jose A. Guzman, Acting Planning and Zoning Director)**

## **A. Open public hearing**

**MOTION:** Council Member Mario Buchanan Jr./ Council Member Africa Luna-Carrasco to open public hearing. Motion passed unanimously.

### **1. Presentation by staff and applicant**

Mr. Jose Guzman, Acting Planning and Zoning Director, stated that the purpose of the zoning change is to allow a future residential subdivision "Santa Cecilia" with 160 lots. He added that the other rezoning request is for commercial purpose, and that the developer wants the commercial in order to develop the lot as a small commercial plaza. Mr. Guzman added that the developer requested to exclude mortuaries and general auto repairs from the area. Staff recommends approval with the condition of a traffic study and with the developer's request.

### **2. Call to the public on this item**

Mayor Gerardo Sanchez asked if storage facilities were included.

Mr. Guzman replied that an amendment was made to allow storage units in C-2. He added the request would have to go through the City Council and they would have to approve the conditions.

Council Member Gloria Torres asked who the owner is.

Mr. Guzman stated that the application was received by an agent of the owner.

Mayor Gerardo Sanchez asked if they will be placing a pharmacy in the area.

Mr. Guzman replied that R1-6 does not allow pharmacies adding that the minimum lot size is 6,000 square feet.

## **B. Close public hearing**

**MOTION:** Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to close public hearing. Motion passed unanimously.

## **C. Action on First Reading of Ordinance No. 364 by title only**

**MOTION:** Vice Mayor Matias Rosales/ Council Member Mario Buchanan Jr. to approve the First Reading of Ordinance No. 364 by title only.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 364 by title only.

## **7. SUMMARY OF CURRENT EVENTS**

Mayor Gerardo Sanchez reported that the City of San Luis Budget Retreat will be April 28-30 2017.

Vice-Mayor Matias Rosales reported that the Softball League is coming to an end and the Baseball League will be starting soon.

Council Member Maria Cecilia Ramos invited the Mayor and City Council to attend the National Day of Prayer on May 4, 2017 outside City Hall by the flag pole at 6:00 p.m. She also reported that during the Yuma County Domestic Violence Coalition they were provided with a presentation on the Hope Assessment Center and is hoping to bring the presentation to City employees.

## **8. CALL TO THE PUBLIC**

There were no comments from the public.

## **9. ADJOURMENT**

**MOTION:** Council Member Mario Buchanan Jr./Vice-Mayor Matias Rosales to adjourn the Regular City Council Meeting at approximately 8:37 p.m. Motion passed unanimously.