

**MINUTES**  
**Special Meeting**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**July 25, 2017**  
**6:30 p.m.**

<p><b>APPROVED</b> by Council <b>Date:</b> November 8, 2017 <b>Clerk's Office:</b> /s/ M. Lopez</p>
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**1. CALL TO ORDER/ROLL CALL:** Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 6:31 p.m.

**PRESENT:** Mayor Gerardo Sanchez  
Vice-Mayor Maria Cecilia Ramos (via phone)  
Council Member Ruben Walshe  
Council Member Gloria Torres  
Council Member Matias Rosales  
Council Member Africa Luna-Carrasco  
Council Member Mario Buchanan Jr.

**OTHERS PRESENT:** Tadeo A. De La Hoya, City Manager  
Angel Ramirez, Assistant Director of Fire Department  
Aracely De La Hoya, Senior Services Manager  
Axel Chaira, I.T. Technician  
Chris Hagen, Management Analyst  
Derek Dueñas, I.T. Manager  
Eulogio Vera, Director of Public Works  
Glenn Gimbut, City Attorney  
Hank Green, Fire Chief  
Jenny Torres, Director of Community Development  
Jesus Meza, Assistant Director of Parks & Recreation  
Johnny Morris, Fire Department  
Jorge Perez, Billing & Collections Manager  
Jose Guzman, Acting Director of Planning & Zoning  
Katie St. Louis, Director of Finance  
Laura Herrera, PIO/Assistant to City Council  
Lizandro Galaviz, Director of Parks & Recreation  
Luis Marquez, Police Department  
Olivia Jenkins, Director of Human Resources  
Richard Jessup, Acting Chief of Police  
Victor Figueroa, Police Department  
Cesar Neyoy, Reporter

Lucy Lopez, Reporter  
Riedel Nieves, Resident  
Jose Manuel Castro, Resident  
Guillermina Fuentes, Resident

## **2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Africa Luna-Carrasco.

## **3. INVOCATION**

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

## **4. PRESENTATION**

### **4. A. Presentation of awards by the San Luis Police Department to Golden Sponsors for the 10 Mile Poker Ride Held December 2016 and for the 5K – 1 Mile Run held on April 22, 2017 for the Arizona Special Olympics. (Luis Marquez, Police Officer)**

Mr. Luis Marquez, Police officer, thanked all the sponsors for this event and presented an award of appreciation to them.

Mayor Gerardo Sanchez thanked all the participants and sponsors for their support.

## **5. CONSENT AGENDA.**

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

Work Session held May 3, 2017  
Work Session held May 10, 2017

### **5. B. DISBURSEMENTS FROM JULY 1, 2017 THROUGH JULY 14, 2017**

Total Disbursements \$888,169.75  
(Eight Hundred Eighty-Eight Thousand, One Hundred Sixty-Nine Dollars and Seventy-Five 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. Discussion and possible action on any and all matters regarding Subdivision Case No. 2017-0433F. A request by Nieves Riedel on Behalf of R&G Associates, LLC, for the final plat approval for San Cecilia Subdivision. The property is located at the north east corner of County 24<sup>th</sup> Street and Avenue "F", Assessor's Parcel No. 227-10-010, San Luis, Arizona. (Jose A. Guzman, Acting Planning and Zoning Director)**

Mr. Jose Guzman, Director of Planning & Zoning, explained that this project was presented to the City Council during the rezoning process. This residential subdivision consists of 163 lots to be located on the east side of Avenue F and Aracely Street with lot sizes ranging from 6,000 to 10,700 square feet. Staff recommends approval with the condition that the applicant addresses the letter from staff dated July 20, 2017.

**MOTION:** Council Member Matias Rosales/Council member Mario Buchanan Jr. to approve the final plat subdivision Case No. 2017-0433F with the condition that the applicant address staff's July 20, 2017 letter sent to the applicant as presented. Motion passed unanimously.

Ms. Nieves Riedel thanked the Mayor, City Council and Mr. Jose Guzman.

## 7. SUMMARY OF CURRENT EVENTS

There were no summary from the Mayor, Council Members and/or City Manager

## 8. CALL TO THE PUBLIC

There were no comments from the public

## 9. EXECUTIVE SESSION

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

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, and/or with the City Attorney of City's attorneys regarding code enforcement in order to consider its position and instruct its attorneys regarding City Council's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussion conducted in order to avoid or resolve litigation. **(Glenn Gimbut, Assistant City Attorney)**

**MOTION:** Council Member Mario Buchanan Jr. /Council Member Ruben Walshe to go into Executive Session at approximately 7:04 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 Regular Session at approximately 8:08 p.m.

## **11. DISCUSSION AND POSSIBLE ACTION ITEM:**

### **11. A. Discussion and possible action on any and all matters regarding a program for settlement of claims arising from shade structure enforcement including a program of settlement with appropriate instructions to staff. (Glenn Gimbut, Assistant City Attorney)**

Mr. Glenn Gimbut, Assistant City Attorney, stated that the City is considering a resolution dealing with the shade structures within the community. In 1980, City Ordinance No. 13 adopted the city's first zoning code which established a 7-foot side yard set-back, 20-foot front yard set-back and a 10-foot back yard set-back, therefore unless one's home was built prior to 1980, one is not grandfathered. The other aspect is even if one was grandfathered, one cannot be grandfathered from a health or safety hazard or regulation. The city is proposing settlement agreements as a way to resolve the problem with the shade structures. There are two (2) settlement agreement versions; one is for existing shade structures who were part of a listing done by Development Services as of April 2017 which totals 195 shade structures with property, address listing which will be part of the record with the City Clerk. The settlement agreement will have several provisions, will include a legal description and will be recorded. The second settlement agreement is for 12 people who voluntarily complied with the city's ordinance, to pay a certain sum of money with proof of what was invested on the shade structure to a max cap of \$6,000.00. Both proposed settlement agreements would have to be approved by the City Council.

**MOTION:** Mayor Gerardo Sanchez/Council Member Africa Luna-Carrasco to approve and authorize a program of settlement of claims arising from shade structure enforcement as contained in the memorandum dated July 25, 2017 as presented to Council including the forms of settlement agreement as attached thereto, this program for settlement should be available only for the 195 properties listed in the inventory of shade structures effective as of April 27, 2017 and for no other properties. This program should be available only until December 1, 2017 and shall not be extended beyond that date. Any property not included in the inventory that does not accept terms of settlement offer comply with the terms of the settlement agreement or that otherwise does not comply with the ordinance and codes of the city, the city shall be subject to enforcement. Staff is directed to implement the program as outlined in the memorandum of July 25, 2017 and this motion. Motion passed with six (6) aye votes and one (1) nay vote from Vice Mayor Maria Cecilia Ramos.

Mayor Gerardo Sanchez thanked the residents for being present and added that the City Council just approved the settlement agreements and the 195 property owners will be informed accordingly. With the settlement agreement the problem will be resolved.

Council Member Gloria Torres thanked Mayor Gerardo Sanchez for listening to the community and added that everyone present elected them to represent them.

Mr. Jorge Villicaña, resident, stated that as a representative of the people who have been supporting this cause he would like to thank the Mayor, City Council and Administration for listening to the community on this matter.

## **12. ADJORNMENT**

**MOTION:** Council Member Mario Buchanan Jr. /Council Member Ruben Walshe to adjourn the Regular Council Meeting at approximately 8:21 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 July 25, 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 November 8, 2017.

Dated this 13<sup>th</sup> day of November 2017.

/s/ Sonia Cornelio, City Clerk