



NOTICE OF WORK SESSION

In accordance with §38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of City Council and to the general public that the Mayor and Council of the City of San Luis, Arizona, will hold a Work Session meeting at 6:30 p.m., Wednesday, September 20, 2017. The Work Session will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Sonia Cornelio, City Clerk

AVISO DE SESION DE TRABAJO

De acuerdo con los Estatutos del Estado de Arizona A.R.S. §38-431.01, se le informa a los miembros del Cabildo y al público en general que el Alcalde y el Cabildo, tendrán una Sesión de Trabajo a las 6:30 p.m., el día Miércoles, 20 de Septiembre del 2017. La junta se llevará a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. El público está cordialmente invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicado en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona A.R.S §1-602.A.9, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones políticas para hacer una grabación de audio o video de su hijo menor de edad. Las juntas del Cabildo se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabación, o tomar acción personal para asegurarse que su hijo menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con los Estatutos del Estado de Arizona A.R.S. §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Sonia Cornelio, Actuaría de la Ciudad



AGENDA
Work Session
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
September 20, 2017
6:30 p.m.

PLEASE TAKE NOTICE THAT MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION; THE MAYOR OR ACTING MAYOR FOR THIS MEETING MAY CHANGE THE ORDER OF THE ITEMS.

- 1. CALL TO ORDER/ROLL CALL**
- 2. AGENDA ITEMS:**
 - 2. A.** Discussion and possible directions to staff on any and all matters regarding authorization to purchase a new Chevrolet Colorado for the Parks and Recreation Department Facilities Division. **(Yolanda Dueñas, Facilities Supervisor)**
 - 2. B.** Discussion and possible directions to staff on any and all matters regarding changing/updating the current 1st Bank Yuma authorized signatures. **(Carlos Cortes, Assistant Director of Finance)**
 - 2. C.** Discussion and possible directions to staff on any and all matters regarding Rezoning Case No. 2017-0546. A request by Riedel Holdings LLC, on behalf of Border Ranches LLC, owner, to rezone approximately 33 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located on the northwest corner of County 24th Street and 20th Avenue in San Luis, Arizona. **(Jose A. Guzman, Acting Director of Planning & Zoning)**
 - 2. D.** Discussion and possible directions to staff on any and all matters regarding Text Amendment Case No. 2017-0457. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations, by adding the definition and regulations regarding personal dog kennels. **(Jose A. Guzman, Acting Director of Planning & Zoning)**
- 3. DISCUSSION ITEM:**
 - 3. A.** Discussion and possible directions to staff on any and all matters regarding the disposal of obsolete Self-Contained Breathing Apparatus (SCBA) parts, testing and certification equipment. **(Hank Green, Fire Chief)**
- 4. ADJOURNMENT**

IN THE EVENT A MAJORITY OF THE COUNCIL IS NOT PRESENT, AN INFORMAL WORK SESSION MAY BE HELD.



AGENDA ITEM REVIEW FORM

Work Session

2.A.

Meeting Date: 09/20/2017

Department Head: Lizandro Galaviz, Director of Parks & Recreation, Parks & Recreation Department

Submitted By: Yolanda Duenas, Facilities Supervisor, Parks & Recreation Department, Facility Maintenance

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Discussion and possible directions to staff on any and all matters regarding authorization to purchase a new Chevrolet Colorado for the Parks and Recreation Department Facilities Division. **(Yolanda Duenas, Facilities Supervisor)**

SUMMARY:

Staff seeks approval for the purchase of a new Chevrolet Colorado for the Parks and Recreation Facilities Division. The truck would be replacing a 1996 S10 truck that is not worth investing any money to repair. Staff contacted Midway Chevrolet, Nissan, Isuzu Truck from Phoenix, Arizona, they are under state contract for subject purchase. The vendor provided a quote of \$26,319.30. We also contacted Fisher Chevrolet Buick GMC in Yuma, Arizona and the local vendor provided a quote of **\$25,043.17** which is \$1,276.13 less than the state contract. Under San Luis City Code-Purchasing Section 36.01(D) for purchasing in this amount require 3 quotes or under San Luis City Code-Purchasing Section 36.09 no quotes if by state contract. Since staff found a price lower than the state contract, it is appropriate under San Luis City Code-Purchasing Section 36.01(H), for City Council to waive formal purchasing procedures. Staff requests waiver of the formal purchasing requirements and recommends the approval to purchase the vehicle. The vehicle was approved in the budget for Fiscal Year 2017-2018.

RECOMMENDATION / SUGGESTED MOTION:

Discussion and possible directions to staff only, no action.

Supporting information not attached to the Agenda Item Review Form:

N/A

Document to be Recorded?: No

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	Yes
CITY/STATE/FEDERAL FUNDS:	City Funds
TOTAL:	\$25,043.17
BUDGETED AMOUNT:	\$26,200.00
AVAILABLE AMOUNT TO TRANSFER:	N/A

ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: Capital Outlay Equipment Acct.
#100-999-90000 / Remaining
Balance: \$249,725.88

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

This item was budgeted for Fiscal Year 2017-2018.

Attachments

Fisher Chevrolet Quote
Midway Chevrolet Quote

Yolanda Duenas

From: gunny@itsafisher.com
Sent: Wednesday, August 16, 2017 11:19 AM
To: Yolanda Duenas
Subject: RE: 2018 Chevrolet Colorado

Yolanda,

Your price for the Colorado without the tow package and with the 4 Cyl engine will be \$23,100 after rebate the taxes are \$1943.17 which brings your cost out the door without license plates to \$25,043.17.

This is exactly the same truck and pricing I just received the PO for the City.

Thank you

Gunny

----- Original Message -----

Subject: 2018 Chevrolet Colorado
From: Yolanda Duenas <YDuenas@cityofsanluis.org>
Date: Thu, August 10, 2017 1:46 pm
To: "GUNNY@ITSAFISHER.COM" <GUNNY@ITSAFISHER.COM>

Good Afternoon Mr. Williams,

As per our conversation, City of San Luis, Facilities Division is looking to purchase a 2018 Chevrolet Colorado truck, 2WD, Extended Cab, automatic, solar tint glass, tow package, Work 1 convenience package. I very much would appreciate your assistance in providing a quote for mentioned vehicle.

Thank you

Yolanda Duenas
Facilities Supervisor

City of San Luis
Facilities Department
720 N. 2nd Avenue | P.O. Box 1170 | San Luis, Arizona 85349
Phone: (928) 341-8590 Ext. 1420 | Fax: (928) 627-7763
yduenas@cityofsanluis.org

Yolanda Duenas

From: Ball, Gregg <GBall@vtaig.com>
Sent: Wednesday, August 16, 2017 1:48 PM
To: Yolanda Duenas
Subject: RE: [External] RE: Colorado Quote

Yolanda,

The current published contract is for 2017 models. The 2018's will be published soon. The adjustment reflects the change amount the will be submitted for the 2018 model Colorado which is what your order would be at this time.

I hope this helps, please call with any questions.

Thank You

Gregg Ball
Sales Director
Midway Chevrolet, Nissan, Isuzu Truck
Phoenix, Arizona
602-733-2251

Arizona State Contract Dealer:
**Cars, Trucks, Vans, SUV's, Police, Fire, Utility, Specialty, Medium Duty
Sales, Service, Parts, Collision, Accessories, Municipal Lease, Grants**

From: Yolanda Duenas [mailto:YDuenas@cityofsanluis.org]
Sent: 16 August, 2017 11:42 AM
To: Ball, Gregg
Subject: RE: [External] RE: Colorado Quote

Good Morning Mr. Ball,

I received the quote for the Chevrolet Colorado I requested, it states under contract vehicle it is a 2017 Chevrolet, is that correct? It also states 2018 Model Adjustment under additional options, can you please clarify?

Thanks

From: Ball, Gregg [mailto:GBall@vtaig.com]
Sent: Tuesday, August 1, 2017 5:29 PM
To: Yolanda Duenas <YDuenas@cityofsanluis.org>
Subject: RE: [External] RE: Colorado Quote

Here you are Yolanda. Please see attached. I can still honor the previous quote.

Thank You

Gregg Ball
Sales Director
Midway Chevrolet, Nissan, Isuzu Truck
Phoenix, Arizona
602-733-2251

Arizona State Contract Dealer:
Cars, Trucks, Vans, SUV's, Police, Fire, Utility, Specialty, Medium Duty
Sales, Service, Parts, Collision, Accessories, Municipal Lease, Grants

From: Yolanda Duenas [<mailto:YDuenas@cityofsanluis.org>]
Sent: 01 August, 2017 11:38 AM
To: Ball, Gregg
Subject: [External] RE: Colorado Quote

Good Morning Mr. Ball,

I would like to request an updated quote for the Chevrolet Colorado Truck, 2WD, Ext Cab, automatic.

Thank you in advance for your assistance.

From: Ball, Gregg [<mailto:GBall@vtaig.com>]
Sent: Tuesday, January 31, 2017 5:52 PM
To: Yolanda Duenas <YDuenas@cityofsanluis.org>
Subject: Colorado Quote

Yolanda,

Attached please find the Colorado quote requested. I included options and price difference for the Tow package and the V-6 options.

Let me know how I can assist!

Thank You

Gregg Ball
Sales Director
Commercial, Fleet and Government
Midway Chevrolet, Nissan, Isuzu Truck
2201 W. Bell Rd.
Phoenix Arizona 85023
Cell: 602-733-2251
gball@vtaig.com

Cars, Trucks, SUV's, Vans, Police, Fire, Utility, Specialty, Custom Vehicles, Medium Duty, Procurement & Grant Sales, Business Financing/Leasing, CAPS, Fleet/Commercial Service, Wholesale Parts, Accessories, Collision.

Arizona State Contract Dealer



AGENDA ITEM REVIEW FORM

Work Session

2.B.

Meeting Date: 09/20/2017

Department Head: Carlos Cortes, Assistant Director of Finance, Finance Department

Submitted By: Carlos Cortes, Assistant Director of Finance, Finance Department

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Discussion and possible directions to staff on any and all matters regarding changing/updating the current 1st Bank Yuma authorized signatures. **(Carlos Cortes, Assistant Director of Finance)**

SUMMARY:

1st Bank Yuma requires Council's action in order to add and remove authorized signers on the City's bank accounts (General Deposit Checking Account, Payable Checking, Payroll Checking, and Utility Savings). As a common practice for internal control, it is recommended to have the Mayor, Vice-Mayor, one Council Member and the City Manager as authorized signers. Therefore, it is requested that Council Member Matias Rosales, previous Vice Mayor, and Mr. Ralph Velez, previous City Manager, be removed from the City's bank accounts and that Vice Mayor Maria Cecilia Ramos and City Manager Tadeo A. De La Hoya be added.

RECOMMENDATION / SUGGESTED MOTION:

Discussion and possible directions to staff only, no action.

Supporting information not attached to the Agenda Item Review Form:

N/A

Document to be Recorded?: No

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: N/A

CITY/STATE/FEDERAL FUNDS: N/A

TOTAL: N/A

BUDGETED AMOUNT: N/A

AVAILABLE AMOUNT TO TRANSFER: N/A

ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

N/A



AGENDA ITEM REVIEW FORM

Work Session

2.C.

Meeting Date: 09/20/2017

Department Head: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

Submitted By: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Discussion and possible directions to staff on any and all matters regarding Rezoning Case No. 2017-0546. A request by Riedel Holdings LLC, on behalf of Border Ranches LLC, owner, to rezone approximately 33 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located on the northwest corner of County 24th Street and 20th Avenue in San Luis, Arizona. **(Jose A. Guzman, Acting Director of Planning & Zoning)**

SUMMARY:

The subject property is located on the east mesa of the City of San Luis; west side of 20th Avenue between Aracely Street and County 24th Street. The properties to the north and west are zoned Medium Density Residential (R1-6) and two (2) new subdivisions are under construction, Bienestar 9A Phase 2 to the north and Santa Cecilia 1 Subdivision to the west. The south and east properties adjacent to the project are undeveloped land and zoned as Medium-High Density Residential (R-2).

As an effort to alleviate the demand for bigger houses, the City Council approved Ordinance No. 347, an ordinance to set up the minimum lot size to 6,000 square feet. After this ordinance was adopted, single detached dwellings are no longer allowed in Medium-High Density Residential (R-2) zoning district.

The purpose of the zone change is to allow a future residential subdivision to be called Santa Cecilia 2. This subdivision will consist of 167 lots and one tract for storm water retention.

The reason for the rezoning request is that the property is zoned as Medium-High Density (R-2) which, as previously mentioned, does not allow construction of single detached dwellings. The appropriate zoning for the construction of the proposed subdivision is the one requested, Medium Density Residential (R1-6).

CITIZEN REVIEW MEETING:

As required by State Statute and the City Code, a Citizen Review meeting was held on September 5, 2017, at City Hall Council Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. There were no people from the public were present.

AGENCY REVIEW:

As part of the review process, all land use cases are reviewed by various city and outside agencies.

As required by State Statute, staff sent notification letters to property owners within 300 feet of the

proposed project (19 letters). The city has not received any other significant concerns or objections from the various review agencies or adjacent property owners.

GENERAL PLAN:

The current General Plan designation for this parcel is Neighborhood which is appropriate for the R1-6. The intent of Neighborhood land designation is to focus on the primary living areas in the community.

PLANNING AND ZONING COMMISSION MEETING:

The Planning and Zoning Commission held a public hearing on September 12, 2017, at the City Hall Council Chambers at 7:00 p.m. The applicant's representative was present and had the opportunity to explain the request and answer questions from the Commission. The Commission gave the opportunity to the public to express any concerns or comments during the public hearing; there were no concerns or comments from the public.

The Commission recommended approval of the rezoning request as presented by staff.

ANALYSIS:

The applicant has provided information and materials necessary for the review of the rezoning request. The proposed zoning is appropriate for the land use designation of the General Plan 2020.

Staff recommends approval of Rezoning Case No. 2017-0546.

RECOMMENDATION / SUGGESTED MOTION:

Discussion and possible directions to staff, no action.

Supporting information not attached to the Agenda Item Review Form:

Proposed Ordinance

Document to be Recorded?: No

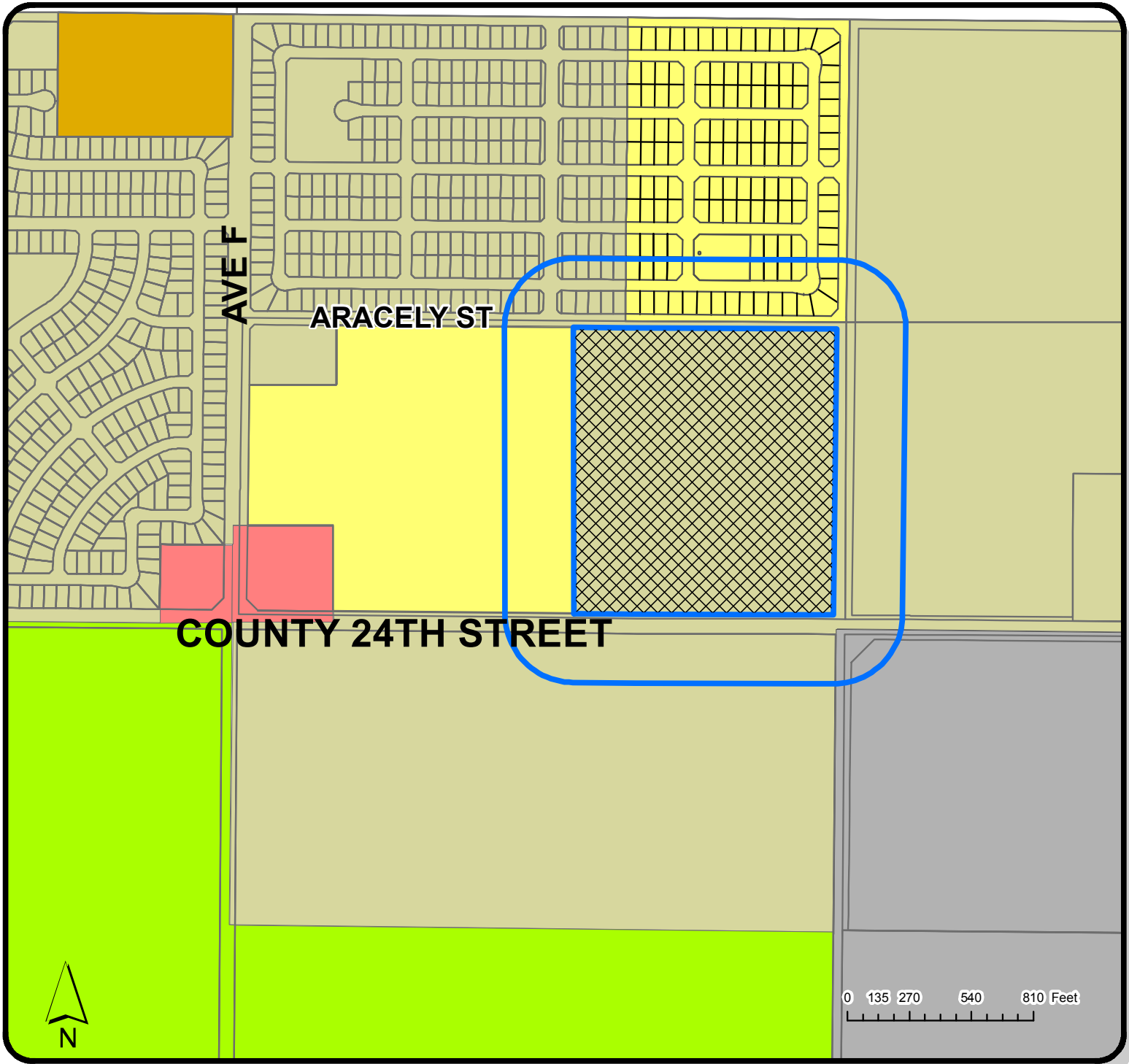
N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: N/A
CITY/STATE/FEDERAL FUNDS: N/A
TOTAL: N/A
BUDGETED AMOUNT: N/A
AVAILABLE AMOUNT TO TRANSFER: N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: N/A
FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):
N/A

Attachments


Location Map
Santa Cecilia Master Plan
Picture of Location



LOCATION OF SUBJECT PROPERTY

Location Map

REZONING
REZONE FROM R-2 to R1-6

 Santa Cecilia Subdivision Parcel: 227-10-012
 Section: 10 Township: 11S Range: 24W BEG AT SW COR TH
 ELY 1447.50 FT ALONG S SEC LINE TH NLY 50 FT TO T0 POB
 TH NLY 1290.42 FT TH ELY 1153.93 FT ALONG S R/W LINE TH
 SLY 1240.41 FT TH WLY 1154.13 ALONG N R/W LINE TO POB
 AKA LOT 1C PER BORDER RANCHES LOT

- MULTIPLE RESIDENCE ZONING DISTRICTS
- R-2
- R-3
- INDUSTRIAL ZONING DISTRICTS
- I-1
- COMMERCIAL ZONING DISTRICTS
- C-2
- SINGLE RESIDENCE ZONING DISTRICTS
- RA-10

Date:
8/10/2017



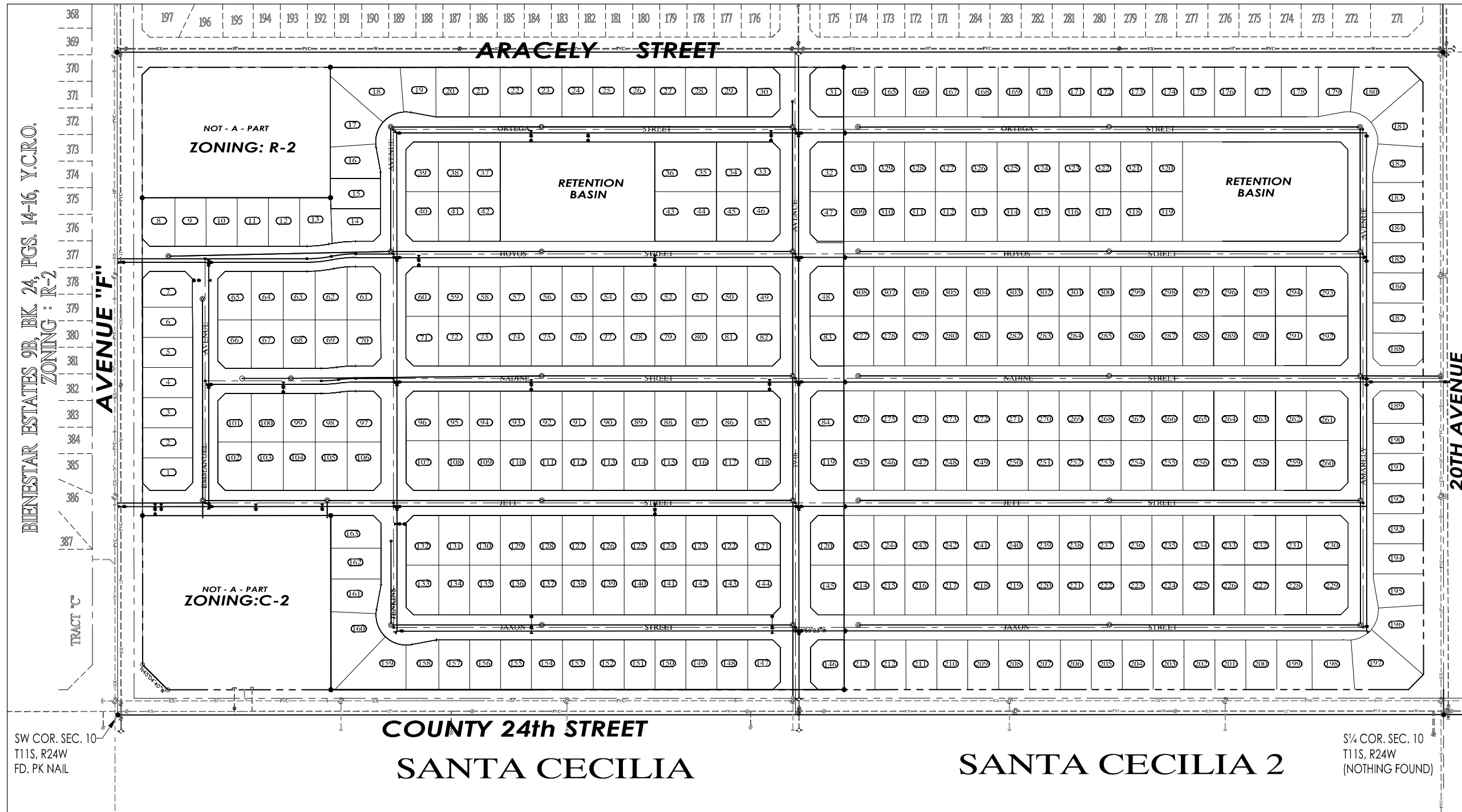
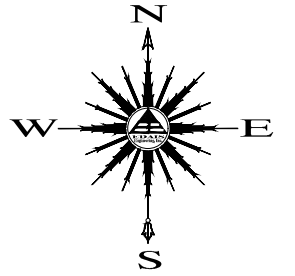
Prepared By:
IG

Case No.
2017-0546

Checked By:
ROMAN PACHECO

APPROVED BY:
JOSE A. GUZMAN

SANTA CECILIA MASTER PLAN



BIENESTAR ESTATES 9B, BK. 24, PGS. 14-16, Y.C.R.O.
ZONING: R-2

AVENUE 'F'

20TH AVENUE

COUNTY 24th STREET
SANTA CECILIA

SANTA CECILIA 2

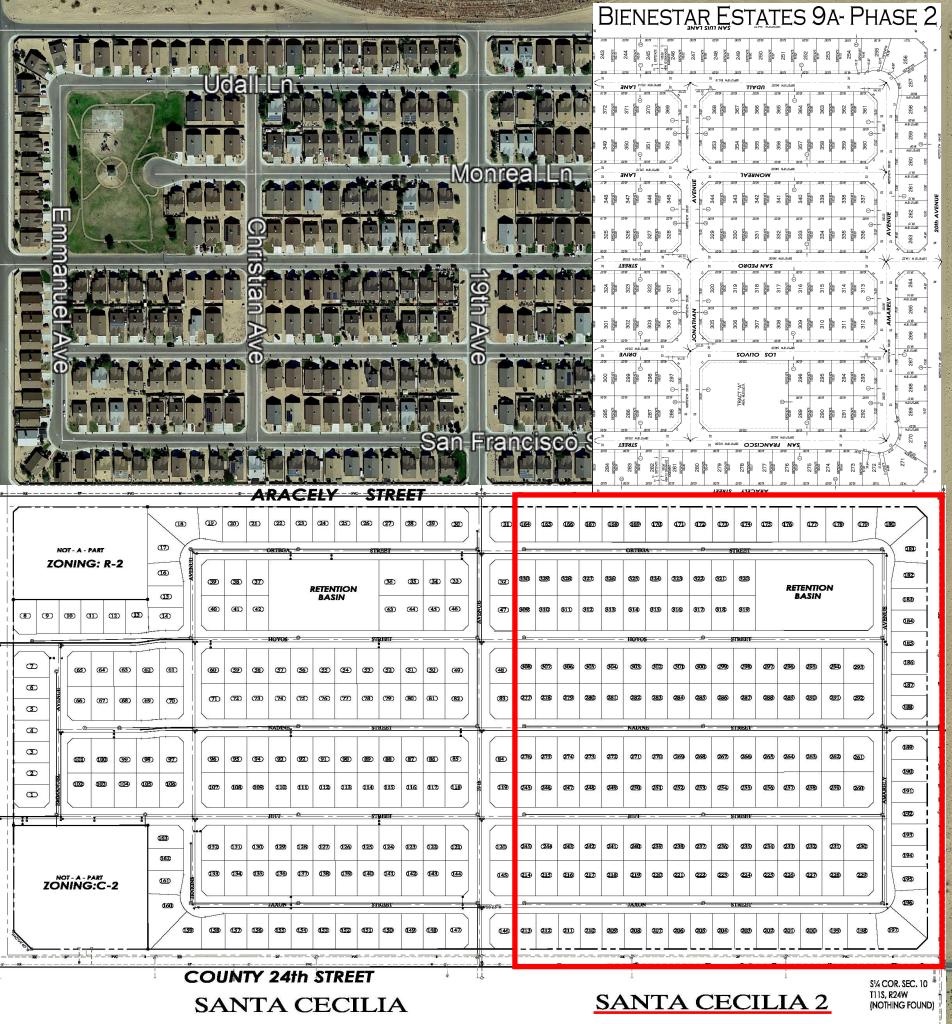
SW COR. SEC. 10
T11S, R24W
FD. PK NAIL

1/4 COR. SEC. 10
T11S, R24W
(NOTHING FOUND)

Rezoning Case No. 2017-0546

Santa Cecilia Subdivision Phase 2

Legend



Google Earth

© 2017 Google



2000 ft



AGENDA ITEM REVIEW FORM

Work Session**2.D.****Meeting Date:** 09/20/2017**Department Head:** Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department**Submitted By:** Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department**Action Requested:** Discussion Item - No Action to be Taken

ITEM:

Discussion and possible directions to staff on any and all matters regarding Text Amendment Case No. 2017-0457. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations, by adding the definition and regulations regarding personal dog kennels. **(Jose A. Guzman, Acting Director of Planning & Zoning)**

SUMMARY:

On October 12, 2016, City Council adopted Ordinance No. 358 amending the San Luis City Code by adding a section relating to Personal Dog Kennels. This was done in an effort to alleviate issues related to the over-population of dogs that San Luis was experiencing. Ordinance No. 358 established requirements for space, sanitation, elimination of excessive noise, spaying and neutering of the dogs. Now an annual permit is required, and the City has the ability to revoke the permit if the standards for a personal kennel are not met.

In order to have consistency throughout the City Code, the Zoning Regulations need to be amended. Text Amendment Case No. 2017-0457 will create this consistency by adding the definition and regulations for Personal Dog Kennels as adopted by Ordinance No. 358.

This item was presented to the Planning and Zoning Commission at their regular meeting on August 8, 2017. The Commission and staff recommends approval of Text Amendment Case No. 2017-0457

RECOMMENDATION / SUGGESTED MOTION:

Discussion and possible directions to staff, no action.

Supporting information not attached to the Agenda Item Review Form:

The attachments are drafts there may be changes at the time of the meeting.

Document to be Recorded?: No

N/A

Fiscal Impact**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** N/A**CITY/STATE/FEDERAL FUNDS:** N/A

TOTAL: N/A
BUDGETED AMOUNT: N/A
AVAILABLE AMOUNT TO TRANSFER: N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: N/A
FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):
N/A

Attachments

Proposed Ordinance No. 368
Ordinance No. 358 (10-12-16)

NO. 368

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING THE SAN LUIS CITY CODE TITLE XV LAND USAGE, CHAPTER 152 ZONING REGULATIONS, BY ADDING THE DEFINITION AND REGULATIONS REGARDING PERSONAL DOG KENNEL; REPEALING ANY CONFLICTING PROVISIONS; ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona as follows:

SECTION 1: That Title XV Land Usage, Chapter 152, Zoning Regulations Section 152.013(B) of the San Luis City Code is hereby amended by adding the definition of “personal dog kennel” to read as follows:

PERSONAL DOG KENNEL. any premise in which seven (7) to a maximum of twelve (12) Dogs of three (3) months of age or older are kept in accordance with San Luis City Code Chapter 95;

SECTION 2: That Title XV Land Usage, Chapter 152, Zoning Regulations Section 152.221(B) of the San Luis City Code is hereby amended by adding Section 152.221(B)(9) to read as follows:

(9) Personal dog kennels in a single family home in accordance with Chapter 95 Animals of the City of San Luis City Code.

SECTION 3: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, code, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance shall govern.

SECTION 4: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of City of San Luis, Arizona, on this _____ day of _____, 2017.

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

NO. 358

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING THE SAN LUIS CITY CODE TITLE IX, 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.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona as follows:

Section 1: That Title IX, Chapter 95, of the San Luis City Code relating to Animals, be amended by adding Section 95.03, Personal Dog Kennels to read as follows:

§95.03 PERSONAL DOG KENNELS

(A) **Definitions.** For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DOG. A member of the *canis familiaris* family over the age of four (4) months.

ENFORCEMENT OFFICER. Any person delegated by the City Manager or his or her designee who is responsible for the enforcement of this Chapter and the regulations promulgated under this Chapter.

IMPOUND FACILITY. Any establishment authorized for the confinement, maintenance, safekeeping and control of Dogs and other animals that come into the custody of the Enforcement Officer in the performance of his or her official duties.

KENNEL. Either

- (1) any premise in which seven (7) to a maximum of twelve (12) Dogs of four (4) months of age or older are kept or

- (2) any premise where the business of buying, selling, breeding, grooming, training or boarding of Dogs is conducted; does not include veterinary hospitals or humane societies.

SERVICE ANIMAL. As it is defined under the provisions of Title 28 Code of Federal Regulations Chapter 1, Part 35, relating to nondiscrimination on the basis of disability in state and local government services at 28 CFR 35.104. Any Dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a Service Animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

- (B) **Interpretation.** For purposes of this San Luis City Code on personal kennels, headings and titles of sections and subsections are for convenience of reference only, and shall in no way be of any weight in interpretation of these provisions.

(C) **Personal Dog Kennel Permits.**

- (1) A permit for a Personal Dog Kennel shall be required for any person who owns, maintains or harbors seven (7) to a maximum of twelve (12) Dogs on property not zoned for kennels. The maximum allowed Dogs shall be less than twelve (12) Dogs if in the particular case the requirements of Personal Dog Kennel Permit cannot be met for that individual Dog owner. For example, a person's lot size may not be big enough for the enclosure requirements of the Personal Dog Kennel Code.
- (2) The enclosure shall meet the requirements of this Personal Dog Kennel Code.

- (3) Any person who owns, maintains or harbors six (6) or fewer Dogs over four (4) months of age is not required to obtain a Personal Dog Kennel Permit.

(D) Circumstance Personal Dog Kennel Permits not required.

- (1) Emergency: The permit provisions do not apply to emergency situations where a person or nonprofit entity boards Dogs, subject to the following conditions:
 - a. The person boarding Dogs will submit a sworn and notarized statement that they are caring for the Dogs for a maximum of thirty (30) calendar days per Dog.
 - b. This statement shall contain the name, address, and phone number of the individual or organization who provided the Dog or Dogs to the boarder.
 - c. No more than two (2) Dogs will be permitted under this emergency exception.
 - d. The boarder will provide the Enforcement Officer with the final disposition of the animal within the thirty (30) calendar days for each Dog noted on the original statement, as well as the name and contact information of the adopting party. Extensions of the time limit of thirty (30) days may be permitted at the discretion of the Enforcement Officer, but in no event shall such extension exceed six (6) months per animal.
 - e. The goal of this emergency exception is to protect the animals that are in foster care rather than to punish law abiding pet owners.
- (2) Service Animals: Any Service Animal as defined in section (A) above shall not be counted toward the six (6) Dogs allowed without a personal Kennel Permit.
 - a. The provisions of Title 28 Code of Federal Regulations Chapter 1, Part 35, relating to nondiscrimination on the basis of disability in state and local government services at 28 CFR 35.136(f) apply to inquiries about Service Animals. The Enforcement Officer shall not ask about the nature or extent of a person's disability, but may make two (2) inquiries to determine whether an animal qualifies as a Service Animal for purposes of this section.
 - i. A public entity may ask if the animal is required because of a disability and

- ii. what work or task the animal has been trained to perform.
 - b. Generally, the Enforcement Officer may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (for example, the Dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).
 - c. The Enforcement Officer shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
- (E) **Duration of Permits.** Each Personal Dog Kennel Permit shall be valid for twelve (12) consecutive months and expire on the first anniversary of the permit and shall become delinquent thirty (30) calendar days from the date of expiration. Each subsequent permit issued will be valid for a one-year period and expire on the respective anniversary date. The fee is established by resolution. A late fee shall be charged on all delinquent Personal Dog Kennel Permits, as established by resolution. No Personal Dog Kennel Permit shall be prorated or refunded nor shall the permit be transferable.
- (F) **Dogs to be Vaccinated, Licensed, and Fixed.** All Dogs covered by a Personal Dog Kennel Permit shall be vaccinated, licensed by Yuma County, and spayed or neutered. A Dog owner may apply for a waiver of the spay or neuter requirement as long as they obtain a veterinarian's written opinion that such surgery would endanger the safety of the Dog, or a certification from a veterinarian determining that the other Dogs owned by the owner or those maintained or harbored at the same address are spayed and/or neutered. At the discretion of the Enforcement Officer and upon documented proof, the spaying and neutering requirement shall not apply to Dogs registered by the American Kennel Club or by the Continental Kennel Club.
- (G) **Commercial Use of Dogs Prohibited.** At no time shall Dogs covered under this section be used for trade, business, profit or gain. There shall be no boarding or breeding of Dogs covered by this permit. All Dogs shall be the exclusive property of the permittee.
- (H) **Sanitation and Noise Elimination.** The permittee shall operate the Personal Dog Kennel in such a manner to eliminate excessive noises by day or night which disturbs the peace of any person or family, to eliminate offensive odors from the kennel and to maintain the kennel and grounds in a sanitary condition.

- (I) **Fence.** The property covered by this permit shall be surrounded by a fence of sufficient height and strength to confine the Dogs. Sufficient height and strength will be determined by an Enforcement Officer based on the Dog being confined and the provisions and the provisions of this Personal Kennel Code.
- (J) **Violations.** Any violations of this Chapter shall be cause to revoke any Dog Kennel Permit. The permit may be revoked by the Chief of Police after notice and hearing. The notice, hearing and appeal procedures shall be handled in the same manner as similar provisions set forth in §113.11 of this Code as nearly as practicable, except that for matters involving this Chapter, the Enforcement Officer shall assume the duties that the that the Chief of Police or the City Zoning Administrator is responsible for in §113.11 and the Chief of Police shall assume the duties that the City Manager is responsible for in §113.11.
- (K) **Excess of Dogs.** Any Dogs over the allotted number allowed will either be surrendered to the Enforcement Officer or to new homes found by the owner within thirty-six (36) hours after the discovery of the excess number of Dogs by Enforcement Officers. The holder of a Personal Kennel Permit shall not be bound by the same requirements governing a commercial Dog kennel.
- (L) **Inspection.** The Enforcement Officer shall, within thirty (30) calendar days before the annual renewal date for the Personal Kennel Permit, inspect the premises to confirm compliance with provisions of this chapter. In no event shall a renewal be issued unless the inspection is made and all non-compliant matters are corrected before the annual renewal date.
- (M) **Kennel Specifications.** Enclosures for Dogs must meet the following minimum requirements:
1. General requirements.
 - a. Enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.
 - b. Enclosures must be constructed and maintained so that they:
 - i. Have no sharp points or edges that could injure the Dogs;
 - ii. Protect the Dogs from injury;
 - iii. Contain the Dogs securely;
 - iv. Keep other animals from entering the enclosure;

- v. Enable the Dogs to remain dry and clean;
- vi. Provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to all the Dogs;
- vii. Provide sufficient shade to shelter all the Dogs housed in the primary enclosure at one time;
- viii. Provide all the Dogs with easy and convenient access to clean food and water;
- ix. Enable all surfaces in contact with the Dogs to be readily cleaned and sanitized in accordance or be replaceable when worn or soiled;
- x. Have floors that are constructed in a manner that protects the Dogs' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the Dogs' feet to pass through any openings in the floor; and
- xi. Provide sufficient space to allow each Dog to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner.

2. Space.

- a. Each Dog housed in an enclosure (including weaned puppies) must be provided a minimum amount of floor space, calculated as follows: Find the mathematical square of the sum of the length of the Dog in inches (measured from the tip of its nose to the base of its tail) plus 6 inches; then divide the product by 144. The calculation is: $(\text{length of Dog in inches} + 6) \times (\text{length of Dog in inches} + 6) = \text{required floor space in square inches}$. $\text{Required floor space in inches} / 144 = \text{required floor space in square feet}$.
- b. Each female Dog with nursing puppies must be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices as determined by a veterinarian. If the additional amount of floor space for each nursing puppy is less than five (5) percent of the minimum requirement for the female Dog, such housing must be approved by a veterinarian.
- c. The interior height of a primary enclosure must be at least six (6) inches higher than the head of the tallest Dog in the enclosure

when it is in a normal standing position *provided* that each Dog must be able to stand in a comfortable normal position.

3. All Dogs housed in the same enclosure must be compatible, as determined by observation. Puppies under 4 months of age may not be housed in the same primary enclosure with adult Dogs, other than with the natural mother or foster mother of the puppies. Dogs with a vicious or aggressive disposition must be housed separately.
4. Dogs that are part of a mobile or traveling show or act may be kept, while the show or act is traveling from one temporary location to another, in transport containers that comply with all requirements of Title 9 of the Code of Federal Regulation §3.14. When the show or act is not traveling, the Dogs must be placed in enclosures that meet the minimum requirements of this Personal Kennel Code.
5. Tethering of Dogs is prohibited for use as an enclosure.
6. Interpretations of Title 9 Code of Federal Regulations §3.6 may be used as a guide to interpret the above Kennel Specifications of this Personal Kennel Permit Code.

Section 2: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, code, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance shall govern.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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Section 4: The effective date of this Ordinance shall be April 1, 2017.

PASSED AND ADOPTED by the Mayor and Council of City of San Luis, Arizona, on
this 12th day of October, 2016.



Gerardo Sanchez, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney



AGENDA ITEM REVIEW FORM

Work Session

3.A.

Meeting Date: 09/20/2017

Department Head: Hank Green, Fire Chief, Fire Department

Submitted By: Hank Green, Fire Chief, Fire Department

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Discussion and possible directions to staff on any and all matters regarding the disposal of obsolete Self-Contained Breathing Apparatus (SCBA) parts, testing and certification equipment. **(Hank Green, Fire Chief)**

SUMMARY:

In 2013, the San Luis Fire Department (SLFD) was the recipient of a FEMA, Assistance to Firefighter Grant. In addition to 34 full sets of personal protective equipment (PPE), SLFD received 22 self-contained breathing apparatus and 12 additional masks to outfit all fire suppression personnel. The SCBA were a different brand than SLFD had previously used. SLFD had trained and maintained factory certifications for two technicians who performed repairs, annual regulator flow, and mask fit tests. SLFD also had purchased and maintained annual certifications on the factory equipment necessary to perform these repairs, the flow and fit tests. The new SCBA were from a different manufacturer and therefore would require the purchase of different equipment, parts, and retraining of our technicians. When the costs associated with the retraining of our personnel, replacement of test equipment and purchase of parts was compared to the annual costs of having a factory authorized dealer and technician team and the transfer of all liability to a third party agent, SLFD decided to cease the in house maintenance, testing and certification of our SCBA. SLFD still has the SCBA parts and testing equipment on hand. This equipment was not disposed through our surplus equipment auctions, for fear of potential or future liability of use by an untrained person. FDC Rescue Products, our vendor for our present (new) SCBA equipment is interested in acquiring our old testing equipment and parts. FDC Rescue Products is willing to provide a \$3,000.00, in store credit for this equipment. SLFD believes that this transaction is a fair offer and beneficial to all parties concerned.

- The City of San Luis and SLFD has no purpose to retain this equipment; we no longer have SCBA technicians and do not service nor certify our SCBA equipment,
- Liability and ongoing certification of this equipment is assumed by FDC Rescue Products,
- SLFD will be able to obtain necessary repairs or new equipment from FDC Rescue Products, without cost, to the limits of the credit,
- This equipment has no value if retained by SLFD,
- Disposal through a surplus property sale may present some vicarious liability if sold as scrap material and then used to repair, test or certify breathing equipment. SLFD is requesting authorization to dispose of this equipment, in exchange for an "in store credit" of \$3,000.00 at FDC Rescue Products.

RECOMMENDATION / SUGGESTED MOTION:

Discussion item only, no action.

Supporting information not attached to the Agenda Item Review Form:

N/A

Document to be Recorded?: No

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: NO
CITY/STATE/FEDERAL FUNDS: N/A
TOTAL: \$0.00
BUDGETED AMOUNT: N/A
AVAILABLE AMOUNT TO TRANSFER: N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

There is no fiscal impact, apart from the potential receipt of \$3,000.00 of equipment, parts or repairs of SCBA equipment from FDC Rescue Products, in exchange for obsolete SCBA equipment, currently owned by SLFD.
