

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
September 12, 2018
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 Maria Cecilia Ramos
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Matias Rosales
Council Member Gloria Torres

ABSENT: Council Member Ruben Walshe

OTHERS PRESENT: Tadeo De La Hoya, City Administrator
Sonia Cornelio, City Clerk
Angel Ramirez, Assistant Fire Chief
Aracely De La Hoya, Senior Center Manager
Axel Chayra, IT Technician
Eulogio Vera, Director of Public Works
Francia Alonso, PIO/Assistant to the City Council
Glenn Gimbut, Assistant City Attorney
Jenny Torres, Economic Development Manager
Jorge Mungaray, I.T. Technician
Jorge Perez, Billing & Collections Manager
Jose Guzman, Director of Planning & Zoning
Kay Macuil, City Attorney
Lizandro Galaviz, Director of Parks & Recreation
Monica Castro, Director of Finance
Olivia Jenkins, Human Resources Manager
Ralph Velez, City Consultant
Ric Bauermann, Fire Department
Adrian Siqueiros, Resident
Cesar Neyoy, Reporter
Eduardo Garcia, Factor Sales Inc.
Diane Umphress, Amberly's Place
Guillermina Fuentes, Resident
Javier Vargas, Resident
Jose Ponce, Council Member Elect/Resident
Lucy Lopez, Reporter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Gerardo Sanchez.

3. INVOCATION

The Invocation was led by Ms. Aracely De La Hoya, Senior Center Manager.

4. CONSENT AGENDA

4. A. DISBURSEMENTS FROM AUGUST 11, 2018 TO AUGUST 31, 2018

Total Disbursements \$1,048,996.34

(One Million, Forty-Eight Thousand, Nine Hundred Ninety-Six Dollars and Thirty-Four Cents)

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to approve the Consent Agenda as presented. Motion passed unanimously.

Mayor Gerardo Sanchez moved Call to the Public to be next on the agenda; there was no opposition from the City Council.

7. CALL TO THE PUBLIC

Ms. Diane Umphress, Amberly's Place, reminded the Mayor and City Council that next month is domestic violence awareness month. She added that Governor Ducey invited Mayor Gerardo Sanchez and City Council to lighten City Hall with purple lights as in previous years. Ms. Umphress said that they have some trainings and presentations for the City of San Luis for next month, she thanked the Mayor and City Council for their continued support.

Ms. Socorro Perucho, 1478 Bentu Avenue, San Luis, AZ, thanked the Mayor and City Council for what they have done for Plaza I and to remind them about what they have not done. She has read in the newspaper where the city is planning more green areas spending millions of dollars and Plaza I is not that much. The streets are ugly, have holes and residents have fell while walking in the sidewalks as they are used as parking for vehicles and are not able to walk. She asked the Mayor and City Council to consider the residents of that area.

Mayor Gerardo Sanchez responded that Mr. Eulogio Vera, Director of Public Works; Mr. Manuel Rojas, Assistant Director of Public Works are going to meet with them to let them know when they will complete the construction of the roads in Plaza I. And with Mr. Lizandro Galaviz, Director of Parks & Recreation, as some trees need to be checked as they will be replaced. It is important that the neighbors of that area meet not just two or three residents.

Mr. Eulogio Vera, Director of Public Works, stated that the biddings for this project will take place next month.

Ms. Maria De Jesus Juarez, 1465 Arden Avenue, San Luis, AZ, invited the Mayor and City Council to drive in her neighborhood to see the holes there are in the roads.

Ms. Edelmira Orduño, 1364 Arden Avenue, San Luis, AZ, mentioned that back in the day when the roads were not paved, they were very wide after the roads were paved they became narrow. In addition, there is a neighbor that owns taxi cabs and he occupies the entire road/sidewalks with them and do not have sidewalks to walk on.

Mr. Jeff Shpon, Arizona Public Service (APS), explained that Proposition 127 which is an initiative introduced by California Governor Tom Steyer, which will require Arizona utilities non-governmental to add 50% of their generation in the renewable state budget. Those utilities including APS do not believe is in the best interest of customers nor the energy policy. This initiative proposes to change the Arizona constitution versus debt through their normal regulatory body the Arizona Corporation Commission. So this will permanently require utilities to produce in this matter as well as permanently increase and change the cost of electricity over the course of that period of time. He encouraged the Mayor and City Council to read on it and to contact him or Ms. Anna Chaulk for further information and requested that their partners in municipalities publicly support APS and endorse them in this proposition.

Mayor Gerardo Sanchez commented and asked if this proposition includes the renewable energy that this going to be more affordable as people have been complaining about the high costs of installing cellular at their homes and having to pay for 20 years.

Mr. Glenn Gimbut, 1534 9th Avenue, San Luis, AZ, reminded the Mayor and City Council that Title 9 prohibits the City Council on getting involved on any ballot issue or any election issue of any kind.

5. DISCUSSION AND POSSIBLE ACTION ITEMS:

Mayor Gerardo Sanchez changed the order of the agenda as follows:

5. B. Presentation followed by discussion on any and all matters regarding the San Luis Sustainable Development Technical Assistance Final Report. (Karen Handsfield of General Service Administration (GSA) and Scott Stollman of Environmental Protection Agency (EPA))

Ms. Karen Handsfield, General Service Administration Urban Development/Good Neighbor Program, explained the final report that they produced which is based on a technical assistance process and an Intergovernmental Agreement with Environmental Protection Agency. She briefly touched on the opportunities and constraints; design Charrette; preferred design alternative; next steps matrices and resources for implementation. Ms. Handsfield introduced Mr. Anthony Kleppe, Land Port of Entry Program Manager. The final report is attached to the agenda packet filed with the City Clerk.

Mr. Kleppe provided a current status of San Luis I Land Port of Entry project and the intention to expand the land port of entry.

Mayor Gerardo Sanchez thanked Ms. Handsfield and Mr. Kleppe for the report. There have been some citizens that did not understand the concept of what the city and Mayor have to do in regards to the port of entry. It is a team effort working together with GSA, the governor, different Mayors and CBP to accomplish it. Mayor Gerardo Sanchez thanked them both for their hard work and dedication to the City of San Luis.

This item required no action from the Mayor and City Council as it was a presentation only.

5. C. Discussion and possible action on any and all matters regarding the contribution to the Greater Yuma Port Authority, Inc. for Fiscal Year 2018-2019. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Acting Public Information Officer)

Mr. Tadeo De La Hoya, City Manager, stated that there are no significant changes to the agreement and the city's contribution is \$50,000.00 as discussed in the budget meeting. Staff recommends approval of these funds.

Council Member Matias Rosales asked if they would be approving release of the funds or an agreement.

Ms. Kay Macuil, City Attorney, explained that the funds were approved during the budget preparation, but this item is to release of funds.

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to approve the contribution of \$50,000.00 to the Greater Yuma Port Authority for Fiscal Year 2018-2019. Motion passed unanimously.

5. D. Discussion and possible action on any and all matters regarding approval of a contract with Yuma County Arts and Cultural Group for the 2019 Annual Blazing Desert ComicCon event in San Luis, Arizona for Fiscal Year 2018-2019. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Acting Public Information Officer)

Mr. Tadeo A. De La Hoya, City Manager, informed that since 2016 the Yuma County Arts and Cultural Group and Arizona Western College have put on a successful event. He stated the proposed agreement is the same as last fiscal year's. He mentioned that during the budget preparation it was agreed upon Mayor and Council that a contribution in the amount of \$2,000 be contributed for this event, for this reason staff is recommending approval.

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to approve the contribution of \$2,000.00 in support of the San Luis Blazing Desert ComicCon event during 2018-2019 fiscal year. Motion passed unanimously.

5. E. Discussion and possible action on any and all matters regarding approval of a contract with Yuma County Arts and Cultural Group for the San Luis Film Festival event in San Luis, Arizona for Fiscal Year 2018-2019. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Acting Public Information Officer)

Mr. Tadeo A. De La Hoya, City Manager informed that for the last three (3) years the Yuma County Arts and Cultural Group have put on a successful event. He informed that during the budget preparation was agreed upon Mayor and Council that a contribution in the amount of \$3,000.00 be contributed for this event, for this reason staff is recommending approval.

Mayor Gerardo Sanchez asked if this group already presented a press conference.

Mr. Lizandro Galaviz, Director of Parks & Recreation, replied that indeed the group held a preliminary press conference. He informed that the group is currently working in obtaining other sponsorships. He added that the event is scheduled for November 2018. Furthermore, he added that this year the Yuma County Arts and Cultural Group are working with the Mexican Consulate.

Council Member Matias Rosales asked if the city allows the event coordinator to use the city logo and also asked if as stated in the agreement does city staff review their financial books.

Mr. Galaviz replied that the use of the city logo is part of the sponsorship.

Mr. De La Hoya replied that reviewing the financial books is on the agreement, but it has never been done.

Mr. Galaviz informed that the group has provided with a breakdown of what came in revenues and their expenses. He stated that this year when they provide their report, he would make sure the City Manager receives a copy.

Council Member Matias Rosales asked if the group requesting the sponsorship has always been called the Yuma County Arts and Cultural Group.

Mr. De La Hoya replied that last year the group changed their name because of conflicts with Arizona Western College.

Council Member Matias Rosales stated that the group should change their name if the City of San Luis is the only entity sponsoring for this event. He suggested staff talking with the director to see if the name can be changed.

Ms. Kay Macuil, City Attorney, explained that the group is incorporated and it might take longer to change their name in the Arizona Corporation Commission.

Council Member Matias Rosales asked if this group also holds other events throughout the county, or is this just to attract more people from the county.

Mr. De La Hoya informed that the money contributed by the city is specifically for the San Luis ComicCon and not for any other event in Yuma County.

MOTION: Council Member Gloria Torres/Council Member Mario Buchanan Jr. to approve \$3,000.00 to the Yuma County Arts and Cultural Group in support of the November 2018 San Luis Arts Festival. Motion passed unanimously.

5. F. Discussion and possible action on any and all matters regarding the appointments of members of the Public Safety Personnel Retirement System Board for Police and Fire Departments. (Tadeo A. De La Hoya, City Manager)

Mr. Tadeo A. De La Hoya, City Manager, informed that to be in compliance with Arizona Revised Statute §38-847, the Chairman of this board is the Mayor or the mayor's designee and is approved by the City Council. He added that there are two (2) citizen members that are appointed by the Mayor with the approval of City Council. Furthermore, he added that as per his conversation with Phil Coleman, Employer Relationships Manager with the Public Safety Personnel Retirement System, Mr. Coleman recommended appointing Mr. De La Hoya as the Chairman to the boards. He informed that appointment recommendations are as follows, Chairman Tadeo A. De La Hoya; Members Monica Castro, Finance Director and Olivia Jenkins, Human Resources Manager; Non-Voting Secretary Members Diana Hernandez, Secretary for the Fire and Monica Ruiz, Secretary for the Police. Mr. De La Hoya informed that he will call for a secret ballot election as the board needs two (2) additional contributing member for the Fire and Police Boards.

Mayor Gerardo Sanchez designated Mr. Tadeo A. De La Hoya as Chairman to both local PSPRS Boards for the Fire and Police Groups and appointed Monica Castro and Olivia Jenkins as new citizen members to both local PSPRS Boards for the Fire and Police Group.

MOTION: Council Member Matias Rosales/Council Member Mario Buchanan Jr. to approve the designation and appointments of the Mayor. Motion passed unanimously.

5. G. Discussion and possible action on any and all matters regarding Resolution No. 2054. A resolution of the Mayor and Council of the City of San Luis, Arizona declaring and adopting the results of the Primary Election held August 28, 2018 in the City of San Luis, Arizona. (Sonia Cornelio, City Clerk)

Mrs. Sonia Cornelio, City Clerk, informed that this resolution declares and adopts the results of the Primary Election held August 28, 2018. She informed that the following

are the candidates that received the highest number of votes for the office sought, Gerardo Sanchez with 1,557 votes for Mayor; and Mario Buchanan Jr. with 1,425 votes for Council Member, Africa Luna-Carrasco with 1,569 votes for Council Member, and Jose Ponce with 1,340 votes for Council Member. She stated that all seats have been filled at the Primary Election, therefore no General Election will be required.

Council Member Africa Luna-Carrasco thanked Unidos Vamos Por Mas for the help and the great job done. She also thanked the community for voting for her and her team and for giving them the opportunity to serve the community for another four (4) years.

Mayor Gerardo Sanchez thanked the community for their support. He also thanked Mario Buchanan Jr., Africa Luna-Carrasco and Jose Ponce for the great team.

MOTION: Council Member Matias Rosales/Council Member Mario Buchanan Jr. to approve and adopt Resolution No. 2054. Motion passed unanimously.

5. H. Issuance of Certificates of Election to Mayor-Elect Gerardo Sanchez and Council Members-Elect Mario Buchanan Jr., Africa Luna-Carrasco and Jose Ponce. (Sonia Cornelio, City Clerk)

Mrs. Sonia Cornelio, City Clerk, informed that Resolution No. 2054 identified the results of the Primary Election for the City of San Luis held August 28, 2018. She presented Certificates of Election to Mayor-Elect Gerardo Sanchez and Council Members-Elect Mario Buchanan Jr., Africa Luna-Carrasco and Jose Ponce.

5. I. Discussion and possible action on any and all matters regarding the appointment of a member to serve on the San Luis Complete Count Committee for the Census 2020. (CONTINUED ITEM FROM REGULAR CITY COUNCIL MEETING HELD AUGUST 22, 2018) (Jose A. Guzman, Director of Planning and Zoning)

Mr. Jose A. Guzman, Director of Planning and Zoning, informed that the city will be part of the Complete Count Committee for the Census 2020. He stated that the city will be represented by six (6) members. During the last meeting, council appointed five (5) members; this item is to appoint the 6th member which need to be a community leader.

Mr. Tadeo A. De La Hoya, City Manager, asked Mayor and Council to continue this item, since there is enough representation in the committee. He informed that the committee will also look for representation from the local schools and local non-profit organizations. He stated that during the last committee meeting Ms. Rosy Figueroa from the Gadsden School District and Ms. Emma Torres from Campesinos Sin Fronteras were present. Furthermore, he added that the community is well represented, unless Mayor and Council has a recommendation.

Mayor Gerardo Sanchez stated that he wanted to appoint Mr. James Allen; he added that he spoke to Mr. Allen and he agreed to be part of the committee as he has worked for the Census before.

Mr. De La Hoya replied that Mr. Allen can be appointed as the city is not limited in the membership.

Council Member Africa Luna-Carrasco stated that she wanted to nominate Mr. Adrian Siqueiros to the committee, as he has shown an interest in serving the community.

Mayor Gerardo Sanchez suggested appointing Mr. James Allen and Mr. Adrian Siqueiros to the Complete Count Committee for the Census 2020. There was no opposition from the City Council.

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to appoint James Allen and Adrian Siqueiros to the Complete Count Committee. Motion passed unanimously.

5. J. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0298 and Ordinance No. 383. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code, Chapter 152 Zoning Regulations by adding Section 152.301 Landscaping Exemptions and Waivers; repealing any conflicting provisions, and providing for severability. (Jose A. Guzman, Director of Planning and Zoning)

A. Open public hearing

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

1. Staff presentation

Mr. Jose A. Guzman, Director of Planning & Zoning, informed that the current regulation sometimes requires too many trees and landscape, which in the long term creates a burden to the city for future maintenance. This amendment will allow staff to negotiate or come up with a design that will not cost a lot to the developer nor to the city. He informed that the landscaping design would be presented at the time of approval of the development through either a rezoning, conditional use or subdivision plat. Mr. Guzman stated that this is only a temporary fix, because of all the projects going on. The next step would be to amend the specifics of the requirements and make is compatible with the city.

Mayor Gerardo Sanchez asked if the complaint is the requirement of too many trees.

Mr. Guzman replied that the current regulations require a lot of landscape that in the long run it creates a burden to the city. He mentioned that rather than giving discretion to staff to deviate from City Code requirements, this amendment would allow staff to negotiate with the developer a design that looks good and requires minimum maintenance.

Mayor Gerardo Sanchez stated that there are not a lot of trees in the community.

Mr. Eulogio Vera, Director of Public Works, informed that there are several things that impact the process as it is at this moment. For example the city had three (3) complete residential subdivisions in the last four (4) years and one of them did not have any right-of-way landscaping, because the street was very narrow, this subdivision was La Quintas 3, which the landscaping at the entrance are rocks and a couple trees. He informed that a normal subdivision with a whole perimeter, the ordinance requirement is 1 tree every 40 feet, in many cases the standard right-of-way requirements only allow between the sidewalk and the perimeter wall, if city was to put up those trees the city will have significant maintenance issues with root lifting up the sidewalk and trees encroaching into private property. Mr. Vera stated that with these proposed changes staff wants to negotiate in instances that there is not enough right-of-way for a tree, place shrubs or small ground cover trees. He mentioned that at this time there is no flexibility for staff to make decisions.

Mr. Glenn Gimbut, Assistant City Attorney, informed that for several subdivisions the imposition of the ordinance does not make sense, there were problems in different subdivisions, where the ordinance as written, staff did not want it. He stated that for this reason, the proposed ordinance states that a waiver can be obtain, but it will have to come before Council and be done with the subdivision plat approval.

Mayor Gerardi Sanchez stated that his biggest issue is that the city will be very flexible with developers, that there are no green areas in the community. He mentioned that staff needs to be very consistent with all developers and enforce this ordinance with everybody.

Council Member Matias Rosales asked if this would allow staff to work closely with the developers and be able to make faster decisions instead of going back and forth. He mentioned that this would control how the landscape is done.

Mayor Gerardo Sanchez stated that this is the only city that focuses on retention basins landscaping instead of focusing on city landscaping.

Mr. Guzman informed that this will focus in the landscape along the outside the subdivision.

Council Member Africa Luna-Carrasco asked if this would apply to the entire city or only new subdivisions.

Mr. Guzman replied that the changes would apply for all new subdivisions.

Council Member Matias Rosales mentioned that by doing this change, staff would be able to see how the subdivision will look at the end.

Mayor Gerardo Sanchez asked Council to continue this item for a work session, as this will not be consistent. He stated that he agrees with staff and knows that changes have been made. He added that there are 3-4 developments on their way and for this reason; the city has to be consistent with the decisions to be made regarding this item and be consistent with every developer.

Council Member Rosales agreed with Mayor Gerardo Sanchez and mentioned that staff would need to be very careful for the decisions to be made.

2. Call to the Public on this item

There were no comments from the public on this item.

B. Close public hearing

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

C. Action on Reading of Ordinance No. 383 by title only

D. Action on Ordinance No. 383

MOTION: Council Member Africa Luna-Carrasco/Council Member Matias Rosales to continue this item to the next Work Session. Motion passed unanimously.

5. A. Discussion and possible action to approve and authorize the transfer of funds from Council Contingencies to the general non-departmental section to cover an unexpected invoice regarding the Interagency Agreement with the Arizona Department of Revenue (AZDOR). (Monica Castro, Director of the Finance)

Mrs. Monica Castro, Director of Finance, stated that per A.R.S. §42-5041 requires the Arizona Department of Revenue (AZDO) to assess and collect fees from cities and towns to recover a portion of the administrative and cost incur in providing administration and tax collection services to local governments. She informed that unfortunately, this expenditure was not included during the preparation of the budget, for this reason staff is asking Council to authorize the transfer of funds from Council's Contingency Fund to be able to cover the charges for these fees. The invoice total amount is \$77,833.40.

MOTION: Council Member Mario Buchanan Jr. /Council Member Africa Luna Carrasco to approve and authorize appropriate city officials to execute the transfer of funds from Council Contingencies to General Non-Departmental section to cover the invoice from the Arizona Department of Revenue as presented. Motion passed unanimously.

6. SUMMARY OF CURRENT EVENTS

Council Member Maria Cecilia Ramos asked that Mayor and Council remember the first responders during the 911 event.

Mayor Gerardo Sanchez invited the public to join him and Council Members Africa Luna-Carrasco, Mario Buchanan Jr. and Councilmember-Elect Jose Ponce at the Joe Orduño Park to join them with a hot-dog at the park after 6:30 p.m.

7. CALL TO THE PUBLIC

There were no additional comments from the public.

8. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr. /Council Member Gloria Torres to adjourn the meeting at approximately 8:40 p.m. Motion passed unanimously.