



NOTICE OF REGULAR COUNCIL MEETING

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 Regular City Council meeting at 7:00 p.m., Wednesday, September 25, 2019. The meeting 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 JUNTA REGULAR

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 Junta Regular a las 7:00 p.m., el día Miercoles, 25 de Septiembre del 2019. 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



AMENDED AGENDA

9/24/2019

AGENDA
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
September 25, 2019
7:00 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; IF AUTHORIZED BY LAW AND BY A MAJORITY VOTE OF A QUORUM OF CITY COUNCIL MEMBERS PRESENT, AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE VOTE IN ACCORDANCE WITH A.R.S. §38-431.03(A) AND THE MEETING WILL BE TEMPORARILY RECESSED WHILE THE CITY COUNCIL RETIRES TO EXECUTIVE SESSION WHICH WILL NOT BE OPEN TO THE PUBLIC.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. PROCLAMATIONS

4. A. Human Resources Professionals Day - September 26, 2019

4. B. National Custodian Workers Recognition Day - October 2, 2019.

4. C. Breast Cancer Awareness Month October 2019

4. D. Domestic Violence Awareness Month October 2019

4. E. National Community Planning Month October 2019

5. PRESENTATION

5. A. Presentation of the 2019-2020 San Luis Youth Council. **(Francia Alonso, Public Information Officer/Assistant to Council)**

6. CONSENT AGENDA

All matters are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

6. A. MINUTES OF

- Special Council meeting held September 4, 2019
- Work Session meeting held September 4, 2019

6. B. DISBURSEMENTS FROM SEPTEMBER 1, 2019 THROUGH SEPTEMBER 25, 2019.

Total Disbursements \$587,846.44

(Five Hundred Eighty-Seven Thousand, Eight Hundred Forty-Six Dollars and Forty-Four Cents)

7. DISCUSSION AND POSSIBLE ACTION ITEMS:

- 7. A.** 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 2019-2020. **(Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)**
- 7. B.** Discussion and possible action on any and all matters regarding Resolution No. 2102. A resolution of the Mayor and Council of the City of San Luis, Arizona approving a contribution to the transit fund for the Yuma County Area Transit (YCAT) Public Transportation Services. **(Tadeo A. De La Hoya, City Manager)**
- 7. C.** Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2019-0405 and Ordinance No. 392. An ordinance of the Mayor and City 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 36.76 acres of real property located on the southeast corner of San Luis Lane and 20th Avenue from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). **(Jose A. Guzman, Director of Planning and Zoning)**

A. Open public hearing

1. Staff presentation

2. Call to the Public on this item

B. Close public hearing

C. Approval of Reading of Ordinance No. 392 by title only
(City Clerk to read the ordinance by title only)

D. Action on Ordinance No. 392

8. SUMMARY OF CURRENT EVENTS

Events by Mayor, Council Members and/or City Manager pursuant to A.R.S. §38-431.02 (K).

9. CALL TO THE PUBLIC

This is the time for the public to comment. Members of the City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01 (H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

10. EXECUTIVE SESSION

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

Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§38-431.03(A)(3) and 38-431.03(A)(4) on any and all matters relating to settling the city's claim against LPC Construction, Inc. and its bonding company for completion of contracted road work for discussion or consultation for legal advice with the City Attorney or the City's Attorneys and in order to consider the City's position and instruct its Attorneys. **(Kay Marion Macuil, City Attorney)**

11. MOTION TO GO BACK INTO REGULAR SESSION

12. DISCUSSION AND POSSIBLE ACTION ITEM:

- 12. A.** Discussion and possible action on any and all matters regarding settling the City's claim against LPC Construction, Inc., for the failure of the trench work along Cesar Chavez Boulevard for the Lift Station Project. **(Kay Marion Macuil, City Attorney)**

13. ADJOURNMENT



PROCLAMATION

Regular City Council Meeting

4. A.

Meeting Date: 09/25/2019

Title:

Human Resources Professionals Day - September 26, 2019

Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

"HUMAN RESOURCES PROFESSIONALS DAY" **September 26, 2019**

WHEREAS, Human Resources Professionals are an organization's experts for staffing, employee and labor relations and safety and health; and,

WHEREAS, the Human Resources Professionals that work in San Luis businesses, organizations, schools, and state and local government agencies are the committed team members tasked with obtaining and growing our workforce; and,

WHEREAS, these professionals help the employer adapt to an ever-changing and competitive work environment while responding to workplace needs and economic challenges; and,

WHEREAS, attracting, recruiting, training and maintaining a talented and skilled workforce play an essential role as we work to reinvent the great state of Arizona; and,

WHEREAS, on this day, we recognize the vital importance of Human Resources Professionals in our city and state. We encourage all residents to learn about the career opportunities available in human resources;

NOW, THEREFORE, I Gerardo Sanchez, mayor of the City of San Luis, Arizona, do hereby proclaim September 26, 2019, as Human Resources Professionals Day.

PASSED AND ADOPTED this 25th day of September 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk



PROCLAMATION

Regular City Council Meeting

4. B.

Meeting Date: 09/25/2019

Title:

National Custodian Workers Recognition Day - October 2, 2019.

Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

"NATIONAL CUSTODIAN WORKERS RECOGNITION DAY" October 2, 2019

WHEREAS, custodial workers work behind the scenes and are often unappreciated for the hard work that they do day after day keeping schools, hospitals, office buildings, museums, churches, etc., clean and well maintained,

WHEREAS, these people are an important part of the success of many businesses as a clean, well maintained, and an operation building is a reflection on the business itself,

WHEREAS, the City's Facilities Department always strive to keep the City's buildings and offices well maintained and cleaned,

NOW THEREFORE, I, Gerardo Sanchez, Mayor of the City of San Luis hereby proclaim October 2, 2019 as **"National Custodian Workers Recognition Day"** thanking and recognizing the hard work of the City's Facilities Department and custodians throughout this municipality.

PASSED AND ADOPTED this 25th day of September, 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk



PROCLAMATION

Regular City Council Meeting

4. C.

Meeting Date: 09/25/2019

Title:

Breast Cancer Awareness Month October 2019

Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

Breast Cancer Awareness Month October 2019

WHEREAS, breast cancer is the second most commonly diagnosed form of cancer for women in the United States and remains the second leading cause of cancer death among American women; and

WHEREAS, mammography, an "x-ray of the breast," is recognized as the single most effective method of detecting breast changes long before physical symptoms can be seen or felt. Early detection and improved treatment is believed to have significantly reduced the number of deaths caused by breast cancer; and

WHEREAS, researchers, scientists, and numerous nonprofit organizations, are dedicated to discovering the cure for breast cancer. During the month of October, we acknowledge the extraordinary commitment and effort invested in this cause; and

WHEREAS, we recognize that over two and a half million Americans are breast cancer survivors that give us hope of a better future.

NOW THEREFORE, I Gerardo Sanchez, Mayor of the City of San Luis, hereby proclaim the month of October 2019, to be Breast Cancer Awareness Month in the City of San Luis and encourage all residents of this city to support the education, prevention, and treatment efforts of those fighting this disease.

PASSED AND ADOPTED this 25th day of September 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk



PROCLAMATION

Regular City Council Meeting

4. D.

Meeting Date: 09/25/2019

Title:

Domestic Violence Awareness Month October 2019

Attachments

Proclamation



OFFICE OF THE
MAYOR
CITY OF SAN LUIS

Proclamation

Domestic Violence Awareness Month October 2019

WHEREAS, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse including abuse to children and the elderly; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people, but cut across all economic, racial and societal barriers, and are supported by societal indifferences, and

WHEREAS, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, and the community at large;

WHEREAS, families are indispensable to a stable society, and they should be a place of support to instill responsibility and values in the next generation;

WHEREAS, the impact of domestic violence is wide ranging, directly effecting individuals and society as a whole, in this community, throughout the State of Arizona, the United States and the world; and

WHEREAS, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem; and

WHEREAS, only a coordinated community effort will put a stop to this terrible crime; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

NOW THEREFORE, I Gerardo Sanchez, Mayor of the City of San Luis, hereby proclaim the month of October 2019, to be Domestic Violence Awareness Month, in recognition of victims of domestic violence and those who serve them during this month and throughout the year.

PASSED AND ADOPTED this 25th day of September 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk



PROCLAMATION

Regular City Council Meeting

4. E.

Meeting Date: 09/25/2019

Title:

National Community Planning Month October 2019

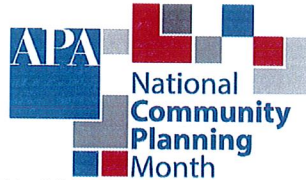
Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS



COMMUNITY PLANNING MONTH – October, 2019

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and planners can help manage this change in a way that provides better choices for how people work, live, and play live; and

WHEREAS, community planning provides an opportunity for all residents to be equally involved in making choices that determine the shared-vision of their neighborhoods; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our neighborhoods and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commission and other citizen planners who have contributed their time and expertise to the improvement of the City of San Luis, Arizona; and

NOW, THEREFORE, I, Gerardo Sanchez, Mayor of the City of San Luis, Arizona, do hereby proclaim the month of October 2019 as Community Planning Month. Accordingly, I encourage our citizens to join with their communities in participation in Community Planning Month activities in conjunction with the celebration of National Community Planning Month.

[Remainder of page left intentionally blank. Signature page follows.]

PASS AND ADOPTED this _____ day of October 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

5. A.

Meeting Date: 09/25/2019

Summary

Presentation of the 2019-2020 San Luis Youth Council. **(Francia Alonso, Public Information Officer/Assistant to Council)**



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

6. A.

Meeting Date: 09/25/2019

Summary

MINUTES OF

- Special Council meeting held September 4, 2019
 - Work Session meeting held September 4, 2019
-

Attachments

9/4/2019 SCM

9/4/2019 WS

MINUTES
Special Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
September 4, 2019
6:00 p.m.

1. **CALL TO ORDER/ROLL CALL:** Mayor Gerardo Sanchez called the Special City Council meeting to order at approximately 6:04 p.m.

PRESENT: Mayor Gerardo Sanchez
Vice Mayor Maria Cecilia Cruz
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres

OTHERS PRESENT: Tadeo A. De La Hoya, City Manager
Melissa Lopez, Deputy City Clerk
Kay Marion Macuil, City Attorney
America Cano, Administrative Coordinator
Andrea Soto, Office Assistant
Angel Ramirez, Fire Chief
Angelica Cifuentes, Purchasing Coordinator
Axel Chayra, Information Technology Technician
Ayleen Larios, Customer Service Representative
Debora Luna, Accountant
Edgar Carbajal, Acting Human Resources Manager
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Francia Alonso, PIO/Assistant to Council
Glenn Gimbut, Assistant City Attorney
Janet Taylor, Legal Secretary
Jenny Torres, Economic Development Manager
Jonathan Dumadag, Information Technology Technician
Jorge Mungaray, Information Technology Technician
Jorge Perez, Billing & Collections Manager
Jose Garcia, Building Inspector
Jose Guzman, Director of Planning & Zoning
Lizandro Galaviz, Director of Parks & Recreation
Lizeth Varela, Recreation Coordinator
Marco Santana, Lieutenant
Maria Sabori, Risk Management Manager
Martha Jimenez, Building Inspector
Mary French-Jones, Grants Coordinator

Miguel Ramirez, Accountant
Monica Castro, Director of Finance
Osvaldo Rodriguez, Lead Custodian
Richard Bauernann, Fire Inspector
Rogelio Martinez, Office Assistant
Yigal Duarte, Recreation Specialist
Yolanda Dueñas, Facilities Manager
Adelaida Buchanan, Resident
Azuzena Torres, Resident
Brian De La Hoya, Resident
Cecilia C. McCollough, Town of Wellton Mayor
Cesar Neyoy, Reporter
Eric Jones, Visitor
Lucy Lopez, Reporter
Maria Toledo, Resident
Maria Robles, Resident
Mario Buchanan Sr., Resident
Marco Antonio Reyes Sr., Yuma County Supervisor
Perla De La Hoya, Resident
Rafael Torres, Resident
Russ Jones, City of San Luis Grand Marshall

Mayor Gerardo Sanchez acknowledged Mr. Russ Jones, 40th Anniversary Grand Marshall of the City of San Luis.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mario Buchanan Jr.

3. PROCLAMATION

- City of San Luis 40th Anniversary

Ms. Melissa Lopez, Deputy City Clerk, read the proclamation.

Mayor Gerardo Sanchez thanked all those involved in making possible the incorporation of the city to include its residents. He thanked Cecilia C. McCollough, Town of Wellton Mayor, Marco Antonio "Tony" Reyes Sr., Yuma County Supervisor for being present during this celebration.

Mr. Russ Jones, City of San Luis Grand Marshall, stated that he is grateful with San Luis and its residents. He informed that when the city incorporated, it was only 1100 residents. He commented that it is an honor to be the Grand Marshall for this celebration. He informed that other visionaries that worked together as a committee was Josefina Rodriguez and Elias Bermudez; he added that there was opposition that did not want San Luis to be incorporated.

Mrs. Guillermina Fuentes, Former Mayor, stated that she is very happy to be part of the growth of the community; she thanked Mayor and Council and encouraged them to continue to work for the betterment of the community.

Mr. Marco Antonio "Tony" Reyes Sr., former Mayor and current Yuma County Supervisor, mentioned it is not the work of a single person to make San Luis grow, every person who has served on council had a part in making this community bigger. He stated that the number of people to be thanked is uncountable. He congratulated the city on its 40th anniversary.

Council Members thanked everybody for joining the city in this celebration. They stated that they are proud to be part of the growth of the community. They mentioned that a lot of changes have happened for the betterment of the city.

Ms. Kay Marion Macuil, City Attorney, made a power point presentation that contained history of the city. A copy of this presentation is filed with the complete agenda packet in file in the City Clerk's Office.

Mayor Gerardo Sanchez, thanked Mr. Glenn Gimbut, Assistant City Attorney, for being part of the community and for dealing with the vast majority of legal issues in the City of San Luis.

Mr. Glenn Gimbut, Assistant City Attorney, stated that he is proud to be a member of this community. He thanked everyone that has contributed to this community.

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr., to adjourn the meeting at approximately 6:34 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez
Vice Mayor Maria Cecilia Cruz
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres

APPROVED:

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special City Council meeting for the City Council of the City of San Luis, Arizona held on September 4, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk

MINUTES
Work Session
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
September 4, 2019
6:30 p.m.

1. CALL TO ORDER/ROLL CALL: Mayor Gerardo Sanchez called the Work Session to order at approximately 6:33 p.m.

PRESENT: Mayor Gerardo Sanchez
Vice Mayor Maria Cecilia Cruz
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres

OTHERS PRESENT: Tadeo A. De La Hoya, City Manager
Melissa Lopez, Deputy City Clerk
Kay Marion Macuil, City Attorney
Andrea Soto, Office Assistant
Angel Ramirez, Fire Chief
Angelica Cifuentes, Purchasing Coordinator
Axel Chayra, Information Technology Technician
Ayleen Larios, Customer Service Representative
Debora Luna, Accountant
Derek Dueñas, Information Technology Manager
Edgar Carbajal, Acting Human Resources Manager
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Francia Alonso, PIO/Assistant to Council
Glenn Gimbut, Assistant City Attorney
Jenny Torres, Economic Development Manager
Jorge Perez, Billing & Collections Manager
Lizandro Galaviz, Director of Parks & Recreation
Monica Castro, Director of Finance
Richard Jessup, Chief of Police
Richard Bauermann, Fire Inspector

2. ITEMS FOR DISCUSSION ONLY:

2. A. Discussion and possible directions to staff regarding the Fleet Maintenance Facility Expansion Project. (Eulogio Vera, Director of Public Works)

Mr. Eulogio Vera, Director of Public Works, presented the Mayor and Council with the design of the new city shop which will increase the productivity of the shop and will provide much-needed space for safer operations. He informed that he is presenting the proposal and the consultant and the legal department will put the contract together. The cost of design and construction will be approximately \$105,000.00. He stated that what was budgeted this fiscal year would not complete the project; the idea was to get a design this fiscal year to get construction going.

Council Member Jose Ponce asked how much the completed project would cost.

Mr. Vera replied that the estimated cost of this project is \$1,005,000.00; for this reason, the cost has been divided into two (2) fiscal years.

Council Member Gloria Torres asked if the new city shop would have storage as it is very much needed.

Mr. Vera replied that the design would include storage for the shop operations.

Mayor Gerardo Sanchez directed Mr. Vera to proceed with this project.

2. B. Discussion and possible directions to staff on any and all matters regarding authorization to purchase new tasers with associated warranty and replacement cartridges using Fiscal Year 2020 Capital Project Budgeted funds. (Richard Jessup, Chief of Police)

Mr. Richard Jessup, Chief of Police, informed that staff allocated \$135,320.00 to purchase body cameras. He mentioned that staff would like to use those funds plus \$24,257.00 from the special revenue account to pay for the purchase of tasers. He informed that the funds for the purchase of the tasers were approved as a fiscal year 2020 capital project and \$58,000.00. He added that since the legislature bill requiring the purchase of body cameras that required the Police Department to have funds allocated did not pass, staff is requesting the use of those funds for this project. Furthermore, he informed that AXON Enterprise, Inc., will take a one lump sum in the amount of \$155,764.54 or the second option is a 5 year payment plan with annual payment in the amount of \$31,901.56 for the first year and \$31,896.36 every year after for five (5) years. Mr. Jessup mentioned if staff goes with the 5-year plan, there be a saving of approximately \$3,800.00.

Mayor Gerardo Sanchez asked what is going to happen to the old tasers and asked if they can be donated to San Luis Rio Colorado, Sonora, Mexico.

Mr. Jessup informed that the old tasers are no longer functional as the life span on them will expire soon and cannot be utilized by the San Luis Police department. He replied that the

donation can be possible if that is the council's desire. He mentioned that he would have Lieutenant Reynoso find out what will be the steps to follow to proceed with the donation.

Ms. Kay Mario Macuil, City Attorney, asked Mayor Sanchez what will be the direction from Council with the two options presented by Mr. Jessup.

Mr. Jessup mentioned that he would like to proceed with the 5-year plan; this will save some money to the department.

Ms. Monica Castro, Director of Finance, stated that regardless of which option is approved, the department would have to have the funds available. She mentioned that she has concerns about the 5-year plan.

Mayor Gerardo Sanchez directed Mr. Jessup to proceed with the purchase.

2. C. Discussion and possible directions to staff on any and all matters regarding authorization to purchase two (2) evidence drying cabinets for the San Luis Police department using Fiscal Year 2020 Capital Project Budgeted funds. (Richard Jessup, Chief of Police)

Mr. Richard Jessup, Chief of Police, informed that the San Luis Police Department is seeking approval to purchase two (2) evidence-drying cabinets. He informed that staff obtained four (4) quotes and have chosen the lowest quote obtained. The total cost for the purchase of the two (2) new cabinets is \$15,577.95, including tax.

Mayor Gerardo Sanchez directed Mr. Jessup to proceed with the purchase.

2. D. Discussion and possible directions to staff on any and all matters regarding the purchase of a new ambulance. (Angel Ramirez, Fire Chief)

Mr. Angel Ramirez, Fire Chief, informed that currently there are three (3) ambulances with no backup units available. He added that staff wants to stay proactive and provide the best customer service to the residents. He mentioned that each year they have been putting 70,000 miles on every unit. He informed that staff would like to utilize the Houston-Galveston Area Council (HGAC) contract as authorized by the San Luis City Code Chapter 36, Section 36.09 – Cooperative Purchasing the estimated total purchase price will be \$167,726.59. He added that when staff received the estimated cost, it did not include the taxes and for this reason, staff is also requesting budget transfer to cover state taxes in the amount of \$8,894.59.

Mayor Gerardo Sanchez directed Mr. Ramirez to proceed with the purchase.

2. E. Discussion and possible directions to staff on any and all matters regarding approval to purchase computers and Microsoft Office licenses to replace outdated computer systems. (Derek Dueñas, Information Technology Manager)

Mr. Derek Dueñas, Information Technology Manager, informed that this year 40 computer systems are in need of replacement to meet the Microsoft Windows 7 end of life support

deadline. He stated that these computers are currently running an outdated operating system with an end of life support deadline of January 14, 2020. He asked Mayor and Council approval to purchase computer replacement and Microsoft licenses not to exceed \$49,600.00 from CDWG. He added that this purchase is a budgeted item.

Mayor Gerardo Sanchez directed Mr. Dueñas to proceed with the purchase.

2. F. Discussion and directions to staff on any and all matters regarding a possible pedestrian and vehicular traffic video on the San Luis Port of Entry I. (Maria Cecilia Cruz, Vice Mayor)

Vice-Mayor Maria Cecilia Cruz mentioned that this item was discussed in a previous meeting. She commented that this video would be utilized to present to different congressional delegations when presentations regarding the port of entry are done.

Ms. Jenny Torres, Economic Manager, informed that she met with the port director and he will be providing a copy of the video they had which was taken with a drone. She suggested making another video to include interviews with business owners and agricultural workers on how the long waits affect businesses downtown. She stated that all needed is funding for this project.

Mayor Gerardo Sanchez asked how the money would be needed for this project.

Ms. Torres replied that if directed by the Mayor and Council to proceed, she would start obtaining quotes and present them to council for approval. She stated that this video would be able to show the reality at the port because when representatives come to the city and get a tour of the city, the port is not congested and the traffic is just flowing.

Ms. Francia Alonso, Public Information Officer/Assistant to Council, informed that the idea would be to start recording at 2:00 a.m. every hour for at least 10 minutes and show every hour to 9:00 a.m. the same way will be for vehicular crossing but extended to 4:00 p.m. this will show more of the impact. She stated that it would be ideal to do the video during the holidays than on a regular day, as there is more impact during that season.

Ms. Torres informed that it would be hard to video record at the San Luis Port as they are very strict. She mentioned that she would get in contact with the Mexican authorities to let them know that a video will be recorded that will include their port of entry and to request authorization from them.

Mayor Gerardo Sanchez directed Ms. Torres to proceed with this project and present a quote within a month.

2. G. Discussion and update on any and all matters regarding the Founder's Day/40th City of San Luis Anniversary. (Council Member Mario Buchanan Jr.)

Council Member Mario Buchanan Jr. stated that he would like to obtain a status on this event as he has been contacted requesting information on this event.

Ms. Jenny Torres, Economic Development Manager, informed that a consultant was hired to prepare a marketing plan for the 40th Anniversary. A copy of this marketing plan was provided to each council member. Also, a copy of this plan is included in the complete agenda packet filed in the City Clerk's Office. She informed that all departments were involved and each got a month that they will focus on a celebration for that month. Ms. Torres added that each department is contributing to the activities that are happening that month. The kickoff was July 4, 2019 and every month will focus on a celebration for that month.

Mr. Lizandro Galaviz, Director of Parks & Recreation, informed that the big celebration would be during the Founder's Day Event. During this event, there will be quality entertainment for the community. All these celebrations have come together as a team effort by sharing ideas. He mentioned that other activities are to have a time capsule in which Public Works is in charge of this activity. Furthermore, he added that KYMA is doing a contest and Telemundo is advertising the event to get it promoted. He mentioned that former mayor Guillermina Fuentes would chair the parade committee. He informed that the parade team would be a cowboy theme.

Mayor Gerardo Sanchez asked staff to keep council and the community informed. He also asked to work together as a team and to improve communication among departments.

Council Member Gloria Torres thanked staff for the great event held as a start of the series of events for the celebration of the 40th Anniversary.

3. ADJOURNMENT

MOTION: Council Member Jose Ponce/Council Member Africa Luna-Carrasco to adjourn the meeting at approximately 7:50 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez
Vice Mayor Maria Cecilia Cruz
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres

APPROVED:

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session meeting for the City Council of the City of San Luis, Arizona held on September 4, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

6. B.

Meeting Date: 09/25/2019

Summary

DISBURSEMENTS FROM SEPTEMBER 1, 2019 THROUGH SEPTEMBER 25, 2019.

Total Disbursements \$587,846.44

(Five Hundred Eighty-Seven Thousand, Eight Hundred Forty-Six Dollars and Forty-Four Cents)

Attachments

Disbursements



City of San Luis

Finance Department

RECEIVED

2019 SEP 16 P 3:20

CITY OF SAN LUIS
OFFICE OF THE CITY CLERK

COUNCIL MEETING SEPTEMBER 25, 2019
Disbursement Reports from 9/1/2019 to 9/13/2019

<u>Bank Accounts</u>	<u>Check Date</u>	<u>Amount</u>	<u>Schedule</u>
Payroll Check Account	9/4/2019	\$ 329,823.63	Schedule A
Accounts Payable Check Account	9/5/2019	\$ 120,087.99	Schedule B
Payroll Check Account	9/9/2019	\$ 4,419.62	Schedule C
Accounts Payable Check Account	9/12/2019	\$ 133,515.20	Schedule D

Total Disbursements: \$ 587,846.44

Please contact Ms. Monica Castro prior to the meeting if additional information is needed.

Prepared by Angelica V. Castro:

Verified by Director of Finance:

For Council approval on: _____

Mayor: _____

Council: _____



Schedule A

Pay Day Register

Pay Date Range 08/17/19 - 08/30/19

Pay Batch 201918

PSPRS POLICE DB RATE - TIER	3,088.12	26,507.53	BUILDING- NOC OPER BY	1,175.61	32,475.98
PSPRS POLICE DB RATE - TIER 2	1,113.22	9,555.54	BUS COMPANY AND DRIVERS	152.66	2,765.61
PSPRS POLICE DB RATE - TIER 3	1,664.48	16,745.20	CLERICAL OFFICE/ LIBRARY/	250.13	104,198.75
STANDARD LIFE ADDTNL	938.33	.00	Electrician	59.11	1,882.40
TRANSWESTERN MEXICAN	96.50	.00	FIREFIGHTERS & DRIVERS	3,419.48	97,143.89
U.S. MEX DENTAL - EE &	655.96	.00	GARBAGE/ ASH/ REFUSE	280.10	4,481.60
U.S. MEX DENTAL - EE &	63.48	.00	MUNICIPAL/ TOWN/	81.42	4,652.42
UNITED WAY	14.00	.00	PARKS- NOC ALL EMPLOYEES	537.34	17,333.66
US & MEX DENTAL= FAMILY	581.24	.00	POLICE OFFICERS	4,562.83	104,174.64
US & MEX HEALTH = C	6,291.60	.00	RECREATION- ALL EMPLOYEES/	211.38	15,429.18
US & MEX HEALTH = FAMILY	4,812.15	.00	SEWAGE DISPOSAL/ PLANT	676.69	19,671.72
US & MEX HEALTH = SP	749.00	.00	Street or Road Construction	1,742.44	21,698.61
VSP - VISION FAMILY	634.28	.00	WATERWORKS OPERATIONS	633.83	18,265.94
Net	<u>\$329,823.63</u> ✓		Total	<u>\$14,103.78</u>	

Direct Deposits	Amount
1st Bank Yuma	23,365.09
ACADEMY BANK	3,131.74
Bank of America	1,587.24
BANKCORP BANK	250.00
BBVA COMPASS	915.55
Charles Sch	200.00
Chase Bank	141,386.66
CHASE BANK CA	3,065.46
CHASE BANK MORGAN	1,240.13
chase centro	1,035.56
Federal Credit Union	35,582.51
FF CREDIT UNION	300.00
FIREFIGHTER FIRST CREDIT UNION	4,067.52
GREEN DOT BANK	815.10
National Bank	500.00
Navy Federal	13,276.97
NetSpend Corporation DD	120.00
NORTH ISLAND CREDIT UNION	1,108.96
Sunbank	1,660.25
USAA FEDERAL SAVING	1,539.05
WASHINGTON FEDERAL	1,077.86
Wells Fargo	61,206.00
WELLS FARGO ARKANSAS	1,757.50
Total	<u>\$299,189.15</u>

Check \$30,634.48

Prepared by:
Debora Luna

Date:

Approved:
C. Torres

City of San Luis

Payment Register

From Payment Date: 9/2/2019 - To Payment Date: 9/5/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
91053	09/05/2019	Open			Accounts Payable	ZAMUDIO, ROCIO	\$50.00		
91054	09/05/2019	Open			Accounts Payable	ZAVALA, DANIELLE	\$50.00		
91055	09/05/2019	Open			Accounts Payable	JESSUP, RICHARD	\$167.00		
Type Check Totals:							\$120,087.99		
1BYPAYABLE - 1st BY Accounts Payable Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	86	\$120,087.99	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	86	\$120,087.99	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	86	\$120,087.99	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	86	\$120,087.99	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	86	\$120,087.99	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	86	\$120,087.99	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	86	\$120,087.99	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	86	\$120,087.99	\$0.00

Prepared By:
Maggie Dominguez
Date: 9/5/19

Payment Register

From Payment Date: 9/2/2019 - To Payment Date: 9/5/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
1BYPAYABLE - 1st BY Accounts Payable									
Check									
90970	09/04/2019	Open			Accounts Payable	CALIFORNIA STATE DISBURSEMENT UNIT	\$92.30		
90971	09/04/2019	Open			Accounts Payable	CHARGO PA, GURSTEL	\$26.95		
90972	09/04/2019	Open			Accounts Payable	FOP/ALC	\$345.00		
90973	09/04/2019	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$100.00		
90974	09/04/2019	Open			Accounts Payable	SAN LUIS POLICE OFFICERS ASSOC	\$405.00		
90975	09/04/2019	Open			Accounts Payable	SUPPORT PAYMENT CLEARINGHOUSE	\$4,142.72		
90976	09/04/2019	Open			Accounts Payable	UNITED WAY OF YUMA COUNTY INC.	\$14.00		
90977	09/04/2019	Open			Accounts Payable	UNITED YUMA FIRE FIGHTERS ASSOC	\$75.50		
90978	09/04/2019	Open			Accounts Payable	UNITED YUMA FIRE FIGHTERS- IAFF	\$800.00		
90979	09/05/2019	Open			Accounts Payable	24 KARAT JEWELERS	\$40.08		
90980	09/05/2019	Open			Accounts Payable	ALSCO, INC	\$4,713.25		
90981	09/05/2019	Open			Accounts Payable	ALVAREZ, MIGUEL	\$91.00		
90982	09/05/2019	Open			Accounts Payable	ANGEL'S TOWING SERVICE/AUTO SALES	\$900.00		
90983	09/05/2019	Open			Accounts Payable	ARCHIVESOCIAL INC.	\$4,788.00		
90984	09/05/2019	Open			Accounts Payable	ARIZONA WESTERN COLLEGE	\$500.00		
90985	09/05/2019	Open			Accounts Payable	AZ STATE PRISON COMPLEX - YUMA	\$80.10		
90986	09/05/2019	Open			Accounts Payable	AZ STATE PRISON COMPLEX - YUMA	\$250.25		
90987	09/05/2019	Open			Accounts Payable	BILL ALEXANDER FORD	\$6,950.41		
90988	09/05/2019	Open			Accounts Payable	BOUND TREE MEDICAL, LLC.	\$4,017.96		
90989	09/05/2019	Open			Accounts Payable	CAMPESINOS SIN FRONTERAS	\$2,000.00		
90990	09/05/2019	Open			Accounts Payable	CARDENAS, JUAN, A	\$180.00		
90991	09/05/2019	Open			Accounts Payable	CARRASCO, ADRIANNA	\$50.00		
90992	09/05/2019	Open			Accounts Payable	CARRILLO MIRANDA, CESAR, H	\$18.00		
90993	09/05/2019	Open			Accounts Payable	CASTRO, GENOVEVA	\$50.00		
90994	09/05/2019	Open			Accounts Payable	CDWG	\$221.73		
90995	09/05/2019	Open			Accounts Payable	CELAYA, PAOLA	\$60.00		
90996	09/05/2019	Open			Accounts Payable	CENTURYLINK	\$1,327.81		
90997	09/05/2019	Open			Accounts Payable	CENTURYLINK	\$287.09		
90998	09/05/2019	Open			Accounts Payable	CHAYRA, AXEL	\$91.00		
90999	09/05/2019	Open			Accounts Payable	CITY OF YUMA	\$625.32		
91000	09/05/2019	Open			Accounts Payable	CORE ENGINEERING GROUP, PLLC	\$8,823.50		
91001	09/05/2019	Open			Accounts Payable	DE LA VARA, JOSE	\$268.00		
91002	09/05/2019	Open			Accounts Payable	DESERT VETERINARY CLINIC PLC	\$78.50		
91003	09/05/2019	Open			Accounts Payable	DESERT WATER	\$425.67		
91004	09/05/2019	Open			Accounts Payable	DESTINY SOFTWARE, INC	\$6,200.00		
91005	09/05/2019	Open			Accounts Payable	DUEÑAS, DEREK	\$150.00		
91006	09/05/2019	Open			Accounts Payable	DUMADAG, JONATHAN	\$91.00		
91007	09/05/2019	Open			Accounts Payable	EMAZON, JESUS	\$144.00		
91008	09/05/2019	Open			Accounts Payable	ESPINOZA, JAVIER, A	\$90.00		

Payment Register

From Payment Date: 9/2/2019 - To Payment Date: 9/5/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
91009	09/05/2019	Open			Accounts Payable	FDC RESCUE, LLC	\$335.76		
91010	09/05/2019	Open			Accounts Payable	FIREFIGHTER SELECTION, INC.	\$880.50		
91011	09/05/2019	Open			Accounts Payable	FNP-C & ASSOCIATES PLLC	\$90.00		
91012	09/05/2019	Open			Accounts Payable	FRANCO, MARTIN, A	\$18.00		
91013	09/05/2019	Open			Accounts Payable	GAITAN, CESAR	\$187.00		
91014	09/05/2019	Open			Accounts Payable	GARCIA, OSCAR, EDUARDO	\$10.00		
91015	09/05/2019	Open			Accounts Payable	GOMEZ-DOMINGUEZ, FRANCISCO	\$4,998.84		
91016	09/05/2019	Open			Accounts Payable	GUEVARA, ALAN	\$327.00		
91017	09/05/2019	Open			Accounts Payable	GUZMAN, JOSE, A	\$160.00		
91018	09/05/2019	Open			Accounts Payable	HEINFELD, MEECH & CO., P.C.	\$22,176.25		
91019	09/05/2019	Open			Accounts Payable	IHS/PRC FISCAL INTERMEDIARY	\$515.14		
91020	09/05/2019	Open			Accounts Payable	JOHN'S GLASS SERVICE	\$387.49		
91021	09/05/2019	Open			Accounts Payable	KINGHOSE INDUSTRY LLC	\$923.76		
91022	09/05/2019	Open			Accounts Payable	L.N. CURTIS & SONS	\$24.13		
91023	09/05/2019	Open			Accounts Payable	LOWE'S HIW, INC.	\$1,164.95		
91024	09/05/2019	Open			Accounts Payable	MACHADO, IVAN & AIXIA GUTIERREZ	\$300.00		
91025	09/05/2019	Open			Accounts Payable	MANHATTANLIFE ASSURANCE CO	\$317.84		
91026	09/05/2019	Open			Accounts Payable	MARRUFO, IDALY, R	\$50.00		
91027	09/05/2019	Open			Accounts Payable	MEDINA, JOSE	\$18.00		
91028	09/05/2019	Open			Accounts Payable	MILLER, DAMIAN	\$327.00		
91029	09/05/2019	Open			Accounts Payable	NAPA AUTO PARTS	\$25.36		
91030	09/05/2019	Open			Accounts Payable	NEW BORDER TACTICAL, INC.	\$410.66		
91031	09/05/2019	Open			Accounts Payable	NPG OF YUMA-EL CENTRO LLC	\$650.00		
91032	09/05/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$1,828.34		
91033	09/05/2019	Open			Accounts Payable	PACHECO, ROMAN	\$160.00		
91034	09/05/2019	Open			Accounts Payable	PETTY CASH/ ANGELICA CIFUENTES	\$481.64		
91035	09/05/2019	Open			Accounts Payable	QUINONEZ, FRANCISCO	\$75.00		
91036	09/05/2019	Open			Accounts Payable	RAMIREZ, TERESITA, D	\$90.00		
91037	09/05/2019	Open			Accounts Payable	RAMIREZ MUNGUIA, ARTURO, I	\$18.00		
91038	09/05/2019	Open			Accounts Payable	REAL PURIFIED WATER LLC	\$42.00		
91039	09/05/2019	Open			Accounts Payable	SAN LUIS AIR CONDITIONING LLC	\$150.00		
91040	09/05/2019	Open			Accounts Payable	SHUCK DRILLING COMPANY LLC	\$19,466.88		
91041	09/05/2019	Open			Accounts Payable	SILVA, JUAN, MANUEL	\$240.00		
91042	09/05/2019	Open			Accounts Payable	SMITH, RALPH E. SR.	\$1,650.00		
91043	09/05/2019	Open			Accounts Payable	SYNOVIA SOLUTIONS, LLC	\$1,474.71		
91044	09/05/2019	Open			Accounts Payable	THOMPSON DESIGN ARCHITECTS P.C.	\$3,800.00		
91045	09/05/2019	Open			Accounts Payable	TRANSWESTERN INSURANCE ADMIN	\$193.00		
91046	09/05/2019	Open			Accounts Payable	VALENZUELA, JAIME	\$129.01		
91047	09/05/2019	Open			Accounts Payable	VEGA, ISELA	\$50.00		
91048	09/05/2019	Open			Accounts Payable	VISION SERVICE PLAN OF ARIZONA	\$3,968.88		
91049	09/05/2019	Open			Accounts Payable	WAL-MART RESTITUTION RECOVERY	\$7.00		
91050	09/05/2019	Open			Accounts Payable	WAXIE SANITARY SUPPLY	\$1,050.90		
91051	09/05/2019	Open			Accounts Payable	YUMA REGIONAL MEDICAL CENTER	\$825.78		
91052	09/05/2019	Open			Accounts Payable	YUMA TRUCK PARTS	\$308.03		



Schedule C

Pay Day Register

Pay Date Range 09/01/19 - 09/30/19

Pay Batch 201909M

Pay Batch 201909M Total

Employees in Pay Batch 7

Female Employees in Pay Batch 3

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
102 - SALARY	.0000	7,550.00	Gross	7,700.00	Dental Council	265.31 .00
806 - TELEPHONE STIPEND	.0000	150.00	Imputed Income		EODCRS - COUNCIL	108.00 1,800.00
Total	0.0000	\$7,700.00	FEDERAL TAX WITHHOLDING	114.73 5,550.86	EODCRS - DISABILITY	2.26 1,800.00
			SOCIAL SECURITY TAX	477.40 7,700.00	EODCRS/EORP LEGACY RATE	997.74 1,800.00
			MEDICARE	111.64 7,700.00	Health Council	6,693.88 .00
			STATE WITHHOLDING	151.60 5,550.86	Retirement Council EORP	3,532.23 5,750.00
			Council Retirement EORP	588.50 5,750.00	Vision Council	76.37 .00
			Dental Council	147.98 .00	Total	\$11,675.79
			EODCRS - COUNCIL	144.00 1,800.00		
			EODCRS - DISABILITY	2.26 1,800.00	Workers' Comp	Gross Base
			GARNISHMENT	220.87 .00	MUNICIPAL/ TOWN/	134.77 7,700.00
			Medical Council	1,216.20 .00	Total	\$134.77
			MISCELLANEOUS	55.00 .00		
			Vision Council	50.20 .00	Direct Deposits	Amount
			Net	\$4,419.62 ✓	1st Bank Yuma	728.71
					Chase Bank	688.14
					Federal Credit Union	918.16
					Sunbank	919.53
					WASHINGTON FEDERAL	751.40
					Wells Fargo	413.68
					Total	\$4,419.62
					Check	\$0.00

Prepared by:

Debora Luna

Date:

Approved by:

City of San Luis

Payment Register

From Payment Date: 9/9/2019 - To Payment Date: 9/12/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Stopped	0	\$0.00		
					Total	107	\$133,515.20	\$0.00	
		All			Status	Count	Transaction Amount	Reconciled Amount	
					Open	107	\$133,515.20	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	107	\$133,515.20	\$0.00	
Grand Totals:									
		Checks			Status	Count	Transaction Amount	Reconciled Amount	
					Open	107	\$133,515.20	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	107	\$133,515.20	\$0.00	
		All			Status	Count	Transaction Amount	Reconciled Amount	
					Open	107	\$133,515.20	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	107	\$133,515.20	\$0.00	

Prepared By:
Maggie Dominguez
 Date: Maggie D.
9/12/19

Payment Register

From Payment Date: 9/9/2019 - To Payment Date: 9/12/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
1BYPAYABLE - 1st BY Accounts Payable									
<u>Check</u>									
91057	09/10/2019	Open			Accounts Payable	CHAVEZ, NOEL	\$194.00		
91058	09/10/2019	Open			Accounts Payable	ELIZARRARAS, MARIO	\$194.00		
91059	09/10/2019	Open			Accounts Payable	GOMEZ, MARCOS	\$194.00		
91060	09/10/2019	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$220.86		
91061	09/10/2019	Open			Accounts Payable	O'DELL, MICHAEL	\$194.00		
91062	09/11/2019	Open			Utility Management Refund	ALEGRIA, ALEJANDRA & SILVA, FRANCISCO	\$87.53		
91063	09/11/2019	Open			Utility Management Refund	CASILLAS, DULCE & RAMIRO	\$81.84		
91064	09/11/2019	Open			Utility Management Refund	COMITE DE BIENESTAR INC	\$17.67		
91065	09/11/2019	Open			Utility Management Refund	COMITE DE BIENESTAR INC	\$15.79		
91066	09/11/2019	Open			Utility Management Refund	CONDE, PORFIRIO & YESENIA	\$113.77		
91067	09/11/2019	Open			Utility Management Refund	DANIELS, TIM , L	\$1.33		
91068	09/11/2019	Open			Utility Management Refund	DELGADO, RAYMUNDO	\$74.97		
91069	09/11/2019	Open			Utility Management Refund	GALVAN, OLIVIA M & AURELIO	\$98.53		
91070	09/11/2019	Open			Utility Management Refund	GASTELUM, FRANCISCO & VILLEGAS, ADRIANA	\$169.46		
91071	09/11/2019	Open			Utility Management Refund	GONZALEZ, JUAN M	\$138.99		
91072	09/11/2019	Open			Utility Management Refund	HERNANDEZ, NESTOR & GERALDINE	\$83.00		
91073	09/11/2019	Open			Utility Management Refund	HOLQUIN, MARYBEL	\$74.02		
91074	09/11/2019	Open			Utility Management Refund	INZUNZA, MARTHA , Y	\$109.38		
91075	09/11/2019	Open			Utility Management Refund	LIZARRAGA, CARMEN, J	\$3.36		
91076	09/11/2019	Open			Utility Management Refund	MARTINEZ RUIZ, SERGIO	\$80.77		
91077	09/11/2019	Open			Utility Management Refund	MORALES, CLAUDIA	\$76.72		
91078	09/11/2019	Open			Utility Management Refund	MORENO, PERLA, M	\$151.59		
91079	09/11/2019	Open			Utility Management Refund	NINO, MA DE CARMEN	\$169.11		
91080	09/11/2019	Open			Utility Management Refund	PAYLESS SHOE SOURCE SITE#03392	\$16.60		
91081	09/11/2019	Open			Utility Management Refund	PENA BOJORQUEZ, JULIO CESAR	\$78.74		
91082	09/11/2019	Open			Utility Management Refund	POWER CONTRACTING/LUIS NUNEZ	\$226.16		
91083	09/11/2019	Open			Utility Management Refund	PRIETO, NAYELLY	\$115.47		

Payment Register

From Payment Date: 9/9/2019 - To Payment Date: 9/12/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
91084	09/11/2019	Open			Utility Management Refund	RODRIGUEZ, RICARDO & ALEJANDRINA MEZA	\$184.48		
91085	09/11/2019	Open			Utility Management Refund	RODRIGUEZ, DANIEL, A	\$69.86		
91086	09/11/2019	Open			Utility Management Refund	RODRIGUEZ, GRACIELA	\$254.66		
91087	09/11/2019	Open			Utility Management Refund	ROMERO HINOJOSA, JEOVANNA	\$25.88		
91088	09/11/2019	Open			Utility Management Refund	THE SAN LUIS CO	\$214.40		
91089	09/12/2019	Open			Accounts Payable	A & H ELECTRIC	\$170.00		
91090	09/12/2019	Open			Accounts Payable	ALBERT HOLLER & ASSOCIATES	\$2,000.00		
91091	09/12/2019	Open			Accounts Payable	ALSCO, INC	\$122.46		
91092	09/12/2019	Open			Accounts Payable	AMERICANA POLYGRAPH & PRIVATE INVESTIGATION	\$450.00		
91093	09/12/2019	Open			Accounts Payable	ANGEL'S TOWING SERVICE/AUTO SALES	\$150.00		
91094	09/12/2019	Open			Accounts Payable	ARTCRAFT & FOREMOST, INC.	\$1,914.95		
91095	09/12/2019	Open			Accounts Payable	ARVIZU VILLAR, GLORIA	\$100.00		
91096	09/12/2019	Open			Accounts Payable	BILL ALEXANDER FORD	\$2,641.07		
91097	09/12/2019	Open			Accounts Payable	BINGHAM EQUIPMENT CO	\$1,663.21		
91098	09/12/2019	Open			Accounts Payable	BORDER CONSTRUCTION SPECIALTIES	\$2,036.03		
91099	09/12/2019	Open			Accounts Payable	CARRASCO, AFRICA	\$30.00		
91100	09/12/2019	Open			Accounts Payable	CELAYA, JOSE E	\$1,391.20		
91101	09/12/2019	Open			Accounts Payable	CENTURYLINK	\$6,651.06		
91102	09/12/2019	Open			Accounts Payable	CITY OF YUMA	\$2,502.18		
91103	09/12/2019	Open			Accounts Payable	COBIAN, STEPHANIE	\$200.00		
91104	09/12/2019	Open			Accounts Payable	CORNELIO, SONIA	\$135.00		
91105	09/12/2019	Open			Accounts Payable	DANA-KEPNER COMPANY INC.	\$3,169.60		
91106	09/12/2019	Open			Accounts Payable	DATA IV INC.	\$1,378.97		
91107	09/12/2019	Open			Accounts Payable	DESERT VALLEY POWER SYSTEMS	\$2,412.47		
91108	09/12/2019	Open			Accounts Payable	DNK PLUMBING SUPPLY	\$8.49		
91109	09/12/2019	Open			Accounts Payable	DUEÑAS, DEREK	\$91.00		
91110	09/12/2019	Open			Accounts Payable	EXCEPTIONAL WATER SYSTEMS, LLC	\$3,634.63		
91111	09/12/2019	Open			Accounts Payable	FERGUSON ENTERPRISE, INC.	\$486.70		
91112	09/12/2019	Open			Accounts Payable	FERGUSON WATERWORKS	\$3,076.94		
91113	09/12/2019	Open			Accounts Payable	FISHER CHEVROLET - PARTS	\$99.71		
91114	09/12/2019	Open			Accounts Payable	GARCIA-BONILLA, ELIZABETH	\$17.00		
91115	09/12/2019	Open			Accounts Payable	GILA ELECTRONIC	\$3,095.50		
91116	09/12/2019	Open			Accounts Payable	GIMBUT, GLENN J.	\$256.00		
91117	09/12/2019	Open			Accounts Payable	GLOBAL EQUIPMENT COMPANY INC.	\$947.47		
91118	09/12/2019	Open			Accounts Payable	GUEVARA, GABRIELA	\$17.00		
91119	09/12/2019	Open			Accounts Payable	GUEVARA, ALAN	\$17.00		
91120	09/12/2019	Open			Accounts Payable	HANSBERGER REGRIGERATION & ELECTRIC CO	\$1,237.50		
91121	09/12/2019	Open			Accounts Payable	JAMES COOKE & HOBSON INC.	\$416.34		
91122	09/12/2019	Open			Accounts Payable	KINGHOSE INDUSTRY LLC	\$613.57		

Payment Register

From Payment Date: 9/9/2019 - To Payment Date: 9/12/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
91123	09/12/2019	Open			Accounts Payable	LAWSON PRODUCTS INC.	\$4,419.04		
91124	09/12/2019	Open			Accounts Payable	LOPEZ, MELISSA	\$135.00		
91125	09/12/2019	Open			Accounts Payable	MCCROMETER, INC.	\$1,231.53		
91126	09/12/2019	Open			Accounts Payable	MCNEECE BROS. OIL COMPANY, INC	\$35,159.49		
91127	09/12/2019	Open			Accounts Payable	MECHO'S MOBIL WELDING	\$3,270.00		
91128	09/12/2019	Open			Accounts Payable	MENDEZ ROBLES, NAZZER, O	\$4,405.50		
91129	09/12/2019	Open			Accounts Payable	MGM INTERNET SOLUTIONS, INC	\$318.00		
91130	09/12/2019	Open			Accounts Payable	MUNGARAY, JORGE	\$17.00		
91131	09/12/2019	Open			Accounts Payable	O'REILLY AUTO PARTS	\$1,056.27		
91132	09/12/2019	Open			Accounts Payable	OCHOA, ANA, K	\$50.00		
91133	09/12/2019	Open			Accounts Payable	ON TRACK OVERHEAD DOORS	\$95.00		
91134	09/12/2019	Open			Accounts Payable	QUINONEZ, FRANCISCO	\$75.00		
91135	09/12/2019	Open			Accounts Payable	R&M ELECTRIC SUPPLY LLC	\$1,534.52		
91136	09/12/2019	Open			Accounts Payable	RAMON MOSQUEDA	\$275.19		
91137	09/12/2019	Open			Accounts Payable	RDO EQUIPMENT CO.	\$10.97		
91138	09/12/2019	Open			Accounts Payable	REAL PURIFIED WATER LLC	\$42.00		
91139	09/12/2019	Open			Accounts Payable	REDBURN TIRE COMPANY	\$2,265.94		
91140	09/12/2019	Open			Accounts Payable	ROSALES, MATIAS	\$171.00		
91141	09/12/2019	Open			Accounts Payable	ROVIRA, MARCO, ANTONIO	\$80.00		
91142	09/12/2019	Open			Accounts Payable	RUIZ, MONICA	\$17.00		
91143	09/12/2019	Open			Accounts Payable	RWC INTERNATIONAL LTD	\$597.29		
91144	09/12/2019	Open			Accounts Payable	SAN LUIS AIR CONDITIONING LLC	\$11,140.00		
91145	09/12/2019	Open			Accounts Payable	SANCHEZ, MARIA	\$50.00		
91146	09/12/2019	Open			Accounts Payable	SIGN MASTERS	\$1,092.79		
91147	09/12/2019	Open			Accounts Payable	SUN STATE RECREATION CO.	\$217.87		
91148	09/12/2019	Open			Accounts Payable	TEJEDA, GUSTAVO	\$215.00		
91149	09/12/2019	Open			Accounts Payable	TISCHLERBISE, INC.	\$5,976.00		
91150	09/12/2019	Open			Accounts Payable	TORRES, JENNY	\$171.00		
91151	09/12/2019	Open			Accounts Payable	UNITED RENTALS (NORTH AMERICA), INC.	\$1,066.05		
91152	09/12/2019	Open			Accounts Payable	USA BLUE BOOK	\$122.76		
91153	09/12/2019	Open			Accounts Payable	VAPEX ENVIRONMENTAL TECHNOLOGIES, LLC	\$1,796.68		
91154	09/12/2019	Open			Accounts Payable	WBA INC	\$26.02		
91155	09/12/2019	Open			Accounts Payable	WESTWOODS OF YUMA INC.	\$1,084.12		
91156	09/12/2019	Open			Accounts Payable	YUMA COUNTY RECORDER	\$418.50		
91157	09/12/2019	Open			Accounts Payable	YUMA NURSERY SUPPLY	\$625.45		
91158	09/12/2019	Open			Accounts Payable	YUMA PRINTING & GRAPHIC DEPT.	\$825.68		
91159	09/12/2019	Open			Accounts Payable	YUMA TRUCK PARTS	\$680.83		
91160	09/12/2019	Open			Accounts Payable	YUMA WINNELSON CO.	\$4,404.72		
91161	09/12/2019	Open			Accounts Payable	24-7 GET FIT SL, LLC	\$594.00		
91162	09/12/2019	Open			Accounts Payable	BORDER GYM FITNESS LLC	\$418.00		
91163	09/12/2019	Open			Accounts Payable	GUTIERREZ, JUAN, F	\$500.00		
Type Check Totals:									
1BYPAYABLE - 1st BY Accounts Payable Totals							\$133,515.20		

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	107	\$133,515.20	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. A.

Meeting Date: 09/25/2019

Department Head: Tadeo A. De La Hoya, City Manager, Administration

Submitted By: Francia Alonso, PIO/Assistant to Council, Administration

Action Requested: Motion

ITEM:

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 2019-2020. **(Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)**

SUMMARY:

Every year the San Luis Film Festival committee puts on a successful venue, which will take place in November 2019. They will use the city logo in their advertising for the event. The city Council has already budgeted funds in the amount of **\$5,000.00** for Fiscal Year 2019-2020.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE \$5,000.00 TO THE YUMA COUNTY ARTS AND CULTURAL GROUP IN SUPPORT OF THE NOVEMBER 2019 SAN LUIS FILM FESTIVAL.

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	Yes
CITY/STATE/FEDERAL FUNDS:	City
TOTAL:	\$5,000.00
BUDGETED AMOUNT:	\$5,000.00
AVAILABLE AMOUNT TO TRANSFER:	No transfer required
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE:	100-110-80000, Contractual Services/\$399,920.00

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

N/A

Attachments

San Luis Film Festival Contract
Contribution Letter FY 19-20

AGREEMENT

This agreement (Agreement) made this _____ day of September 2019, between Yuma County Arts and Cultural Group, of P.O. Box 4293 San Luis, Arizona 85349, ("Group"), and City of San Luis, 1090 East Union Street, P.O. Box 1170, San Luis, Arizona ("City").

SECTION ONE. ANNUAL SAN LUIS FILM FESTIVAL

The 2019 San Luis Film Festival event shall be held in San Luis, Arizona, beginning on or about November 12, 2019, and ending on or about November 15, 2019, pursuant to the terms and conditions of this Agreement.

SECTION TWO. DUTIES OF GROUP

Group shall properly advertise and promote the San Luis Film Festival and do or cause to be done all other things necessary or advisable to make the event a success.

SECTION THREE. ADVERTISING OF CITY'S NAME

Group shall cause City's name to appear prominently in all advertising and publicity in connection with the San Luis Film Festival.

SECTION FOUR. DUTIES OF CITY

- A. City shall pay \$5,000.00 to Group. Payment shall be made out to Yuma County Arts and Cultural Group in care of Antonio Carrillo.
- B. City shall make the Cesar Chavez Cultural Center, 1015 North Main Street, San Luis, Arizona available for the 2019 San Luis Film Festival events.
- C. Otherwise, all expenses in any way pertaining to the San Luis Film Festival shall be the sole and separate liability of Group. City assumes no financial responsibility of any kind or nature relative to the San Luis Film Festival.

SECTION FIVE. LIABILITY INSURANCE

Group shall provide City a Certificate of Insurance. Group shall carry proper liability insurance in an amount and with companies acceptable to City, naming City as an insured and fully protecting and indemnifying City from every possible claim for accidents or other liabilities, to employees and all other persons, that might arise in connection with the San Luis Film Festival including preparation for the events, the events themselves, and any acts in any way connected with the events.

SECTION SIX. BOOKS AND RECORDS

Group shall keep accurate and current books showing disbursements and the purpose of disbursements and retain all receipts to account for the City's Sponsorship. Such books shall be kept in a place convenient for City, and City shall have access to and the right to examine such books at any and all reasonable times. Group shall prepare a report and submit it to the City, to the City's Public Information Officer, by December 16, 2019, showing an accounting of the City's Sponsorship and providing copies of receipts.

SECTION EIGHT. COOPERATION OF PARTIES

City shall lend cooperation and support to and work with Group for the purpose of making the San Luis Film Festival successful.

SECTION NINE. ASSIGNMENT OF RIGHTS

The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

SECTION TEN. NO WAIVER

The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as subsequently waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

SECTION ELEVEN. TERMINATION ON DEFAULT

If Group fails to comply with any of the terms and conditions of this Agreement, City may terminate this Agreement immediately, in which case City shall have no further liability or obligation to Group.

SECTION TWELVE. GOVERNING LAW

It is agreed that this Agreement shall be governed by, construed, and enforced in accordance with the laws of Arizona.

SECTION THIRTEEN. SEVERABILITY

The invalidity of any portion of this Agreement shall not be deemed to affect the validity of any other provision. If any provision of this Agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provision.

SECTION FOURTEEN. ENTIRE AGREEMENT

This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

SECTION FIFTEEN. MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if placed in writing and signed by each party or an authorized representative of each party.

SECTION SIXTEEN. SECTION HEADINGS

The titles to the sections of this Agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this Agreement.

SECTION SEVENTEEN. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

The parties have executed this Agreement at San Luis, Arizona the day and year first set forth above.

City of San Luis, Arizona

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney

Yuma County Arts & Cultural Group

Antonio Carrillo, President & CEO

February 28, 2019

City of San Luis Mayor Gerardo Sanchez and Council Members
P.O. Box 1170
San Luis, Arizona 85349

Dear Mayor Sanchez and members of the Council,

I would like to thank you for your continued support to the San Luis Film Festival (SLFF) since its inception as an event highlighting our community for the past seven years. This year, I am reaching out to you for your support to bring this festival to San Luis once more. **The 2019 SLFF is planned for November 12-15, 2019.**

This event first premiered in the year 2012 as part the statewide centennial celebration. It is our goal to screen renowned and international films as well as to serve as a platform for local and regional talents to showcase their own projects. It provides the community with quality artistic projects and entertaining movies for the entire family.

The activities planned for the November event are as follows. Four movies will be screened along with a Q&A session with the audience by some of the guests who have participated in the films. A short film competition to include international and Arizona projects will be included as part of this festival. At this juncture, we are negotiating with two different movies one from Europe with an emphasis on local and regional content, and one movie made in Hollywood. We will be able to provide you with additional information once a formal agreement is reached. We hope for a live participation of some artists involved in these projects.

We are grateful to the community of San Luis and the region for their participation and their support throughout these seven years and we hope for their continued loyalty for years to come. Regretfully, the negotiating and accommodating guests, transporting, marketing, insurance, printing, planning, volunteers' incentives, etc., is an economical burden as all the organizers work in this event on a voluntary basis. We will be able to hold the event for this November in San Luis, but we need your help. We are reaching to you to assist us with some financial support for the November, 2019 event. We would like to request your financial assistance in the amount of \$5,000.00. (An itemized statement of the costs incurred last year is included for your convenience).

This event has placed as one of the attractions for the City of San Luis and the region. The public participation has been increasing year by year highlighting San Luis as an artistic hub along the different artistic activities taking place here throughout the year.

If you have any questions, please contact me at your convenience at (928) 246-5212 or via email.

Respectfully,



Antonio C. Carrillo, M.A./M.Ed.

Cc: Mr. Tadeo de La Hoya

**San Luis Film Festival
Income Statement
For Year Ending December 31, 2018**

REVENUE

AZ Community Foundation Grant	\$3,500.00
City of San Luis, Arizona Contribution	\$2,000.00
Private donations	<u>\$1,000.00</u>
Total Revenue	\$6,500.00

OTHER REVENUE

Direct Payment to hotel by CCCC	<u>\$810.00</u>	
Total Other Revenue	\$810.00	
Net Revenue		\$7,310.00

EXPENSES

Travel	\$1,994.48
Movie Fees	\$510.09
Hotel	\$810.00
Meals Local	\$198.49
Committee Meetings	\$592.20
Transportation	\$357.42
Short Films	\$500.00
Miscellaneous	\$543.23
Administrative	<u>\$4,444.36</u>
Total Expenses	\$9,950.27

OTHER EXPENSES (Volunteer Hours)*

Carrillo, A. 120 @ \$30.00	\$3,600.00	
Navarro, C. 100 @ \$24.69	\$2,469.00	
Estrada, S. 100 @ \$24.69	\$2,469.00	
Valencia, E. 20 @ \$24.69	\$493.80	
Aguirre, I. 20 @ \$24.69	\$493.80	
Alvarez, A. 50 @ \$24.69	\$1,235.00	
Sosa, D. 50 @ \$24.69	\$1,235.00	
Castillon, M. 20 @ \$24.69	<u>\$493.80</u>	
Total Other Expenses	\$12,488.40	
Total Expenses and Other Expenses		\$22,438.67

NET SURPLUS/DEFICIT

Revenue minus Expenses	-\$15,128.67
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*The estimated value of volunteer time for 2018 is \$24.69 per hour, according to Independent Sector, a coalition of charities, foundations, corporations, and individuals that publishes research important to the nonprofit sector. It reports annual statistics on the estimated dollar value of volunteer time, including historical values back to 1980 and values for each state. (Note, there is a lag of almost one year in the government's release of data.)



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. B.

Meeting Date: 09/25/2019

Department Head: Tadeo A. De La Hoya, City Manager, Administration

Submitted By: Francia Alonso, PIO/Assistant to Council, Administration

Action Requested: Motion

ITEM:

Discussion and possible action on any and all matters regarding Resolution No. 2102. A resolution of the Mayor and Council of the City of San Luis, Arizona approving a contribution to the transit fund for the Yuma County Area Transit (YCAT) Public Transportation Services. **(Tadeo A. De La Hoya, City Manager)**

SUMMARY:

Service: Yuma County Area Transit (YCAT) provides bus and transit services for the city and the surrounding county areas.

Amount: The city has contributed to YCAT since 2012 under an Intergovernmental Agreement (IGA). The city has already budgeted funds in the amount of **\$70,573.00** to help services continue until the end of Fiscal Year 2019-2020. The City of San Luis and seven (7) other entities entered into the IGA in 2012 with YCAT to provide regional public transportation. Under the IGA, San Luis is to contribute a share of funding YCAT's public transportation. Other contributions come from Yuma County, the City of Yuma, the City of Somerton, the Town of Wellton, the Cocopah Indian Tribe, Arizona Western College, and Northern Arizona University. Under the twenty-five year, IGA of 2012, a formula of the percentage of contribution is developed every year.

At the April 1, 2019, open meeting of the Yuma County Intergovernmental Public Transportation Authority, the contribution was calculated for San Luis for a total of \$70,573.00. This is only one dollar more than the contribution for the first year in 2012 (\$70,572.00).

Procedure of Approval: Under the IGA, the city's approval is to be by way of resolution.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE AND ADOPT RESOLUTION NO. 2102.

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	Yes
CITY/STATE/FEDERAL FUNDS:	City
TOTAL:	\$70,573.00
BUDGETED AMOUNT:	\$70,573.00
AVAILABLE AMOUNT TO TRANSFER:	N/A

ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: 100-110-80000, Contractual
Services/\$427,350.00

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

N/A

Attachments

Resolution No. 2102

Contribution Letter FY 19-20

YCIPTA April 1, 2019 Minutes

Master IGA YCIPTA



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2102

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA APPROVING CONTRIBUTION TO TRANSIT FUND FOR THE YUMA COUNTY AREA TRANSIT (YCAT) PUBLIC TRANSPORTATION SERVICES

WHEREAS, in 2012, the City of San Luis entered into a twenty-five-year, intergovernmental agreement (IGA) with the Yuma County Intergovernmental Public Transportation Authority (YCIPTA) along with Yuma County, the City of Yuma, the City of Somerton, the Town of Wellton, the Cocopah Tribe, Arizona Western College, and Northern Arizona University; and

WHEREAS, Paragraph 2.3 of said IGA requires that YCIPTA develop a formula annually and each member timely contribute its designated share of non-federal funds with the approval by resolution of each member in its budgetary process; and

WHEREAS, the YCIPTA at its April, 1, 2019 meeting adopted a formula for a total amount of \$70,573.00 for the contribution for San Luis which is the same dollar amount that was approved by City Council last fiscal year; and

WHEREAS, the Council of the City of San Luis has approved a budget which included this contribution;

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

Section 1. The appropriate City officials are authorized and directed to submit the contribution for YCAT transportation services in the amount not to exceed \$70,573.00 of non-federal funds.

[Intentionally left blank, signature page to follow]

PASSED, ADOPTED and APPROVED by the Mayor and Common Council of the City of San Luis, Arizona, this ____ day of October 2019.

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney



Yuma County Intergovernmental Public Transportation Authority

2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076

Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycipta.az.gov

May 1, 2019

Ralph Velez
City of San Luis
P.O. Box 1170
San Luis, AZ 85349

RE: Request for FY 2020 Transit Funding for Yuma County Area Transit

Dear Mr. Velez:

On April 1, 2019, the Yuma County Intergovernmental Public Transportation Authority Board of Directors approved the Fiscal Year 2020 Member Agencies Contributions which will fund Yuma County Area Transit and YCAT On Call services from July 1, 2019 to June 30, 2020. Below is the breakdown for the City of San Luis's local share of match funding required for the operation of the transit system:

ANNUAL TOTAL

YCAT/On Call Transit Match	\$ 70,573
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The amount is consistent with what has been paid in FY 2019 and is not anticipated to change at this time. This is not an invoice, but is a request based on the Board of Directors action on April 1, 2019. Invoices will be sent at a later date.

Should you have any questions regarding this request, please don't hesitate to contact me at (928) 539-7076 ext. 101 or email skreger@ycipta.az.gov.

Sincerely,

Shelly Kreger
Transit Director
Yuma County Intergovernmental Public Transportation Authority

Yuma County Intergovernmental Public Transportation Authority Board Of Directors

Larry Killman – Chairperson – Town of Wellton, Susan M. Zambrano – Vice Chairperson - Arizona Western College,
Dr. Michael Sabath – Secretary/Treasurer. - Northern Arizona University, Greg Wilkinson – City of Yuma,
Brian Golding, Sr.-Quechan Tribe, Ralph Velez - City of San Luis, Paul Soto – Cocopah Tribe,
Ian McGaughey - City of Somerton, Susan Thorpe – Yuma County

Shelly Kreger, Transit Director

The Yuma County Intergovernmental Public Transportation Authority (YCIPTA) met in Special Board Meeting Monday, April 1, 2019 at Yuma County Department of Development Services, Aldrich Hall; 2351 West 26th Street, Yuma, AZ 85364. The Chairman, Susan Thorpe called the meeting to order at 1:32 P.M.

Members Present:

Larry Killman/Town of Wellton/ Chairman
Susanna Zambrano/Arizona Western College/Vice Chair
Michael Sabath/Northern Arizona University/ Secretary/Treasurer
Ralph Velez/City of San Luis
Ian McGaughey/City of Somerton
Paul Soto/Cocopah Indian Tribe
Greg Wilkinson/City of Yuma
Brian Golding, Sr./Quechan Indian Tribe

Members Excused:

Susan Thorpe/Yuma County

Others Present:

Shelly Kreger/YCIPTA/Transit Director
Carol Perez/YCIPTA/Transit Operations Manager
Chona Medel/YCIPTA/Financial Services Operations Manager
Elizabeth Williams/RATP Dev/General Manager
Jeffery Stewart/RATP Dev/Maintenance Manager
Minda Davy/Benesch & Davy Law Firm/Legal Counsel

The Pledge of Allegiance was led by Mr. Velez.

CONSENT CALENDAR:

No. 1: Adopt the January 8, 2019 executive session minutes and January 28, 2019 regular and executive session minutes. Action required.

A motion was made by Mr. McGaughey to approve item No.1 as presented.

Mr. Golding noted an omission in the January 28, 2019 regular session minutes, minutes omitted the appointment of Dr. Sabath as Secretary and Treasurer.

The chairman requested a change in motion.

Motion (McGaughey /Velez): Approve January 8, 2019 minutes as presented.

Voice Vote: Motion Carries, (7-0) with Ms. Thorpe and Mr. Wilkinson being excused.

Mr. Wilkinson arrived at 1:36 p.m.

Motion (Golding /Soto): Approved upon amendment to January 28, 2019 regular session minutes to include Dr. Sabath's appointment as Secretary and Treasurer.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

DISCUSSION & ACTION ITEMS:

No. 1: Discussion and or action regarding Election of Personnel Subcommittee Action required.

Ms. Kreger presented report as contained in the member packet.

Mr. Killman stated that he was already a part of the personnel subcommittee.

Mr. Killman inquired if there were any members was interested in volunteering to be part of the personnel subcommittee.

Ms. Zambrano stated that she would be happy to be part of the personnel subcommittee.

Motion (Sabath/Wilkinson): Elect Ms. Zambrano to be a member of the personnel subcommittee.
Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

Ms. Kreger inquired if Mr. Golding would like to continue being a part of the subcommittee. Mr. Golding stated that he would continue.

Mr. Golding stated that previous Board Chair was not part of the subcommittee. Mr. Golding stated that she was kept apprised of everything, she felt that Chair should be of the subcommittee.

Ms. Kreger stated that adding the Chair to the subcommittee could be added to the bylaws.

Mr. Golding requested that the amendment of the bylaws be brought before the board at the next board meeting.

No. 2: Discussion and or action Yuma County Intergovernmental Transportation Authority's Updated Public Participation Plan. Action required.

Ms. Kreger presented the report as contained in the member packet. Ms. Kreger stated that YCIPTA had previously used YMPO public participation plan. During the triannual review it was recommended YCIPTA have its own public participation plan.

Dr. Sabath stated that he was part of the chamber's board and would happy to assist with any outreach efforts on YCIPTA's behalf.

Mr. Golding stated that there had been attempts to establish YCIPTA's transit committee but had not been successful. Mr. Golding stated that it was important to continue the effort.

Ms. Zambrano stated that she knew of people that might be interested in joining the committee. Ms. Kreger encouraged them to apply online or to contact her.

Motion (Golding/Sabath): Approve item as presented.
Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

No. 3: Discussion and or action regarding the Sixth Amendment to Independent Contractor Agreement for Vanpool Subsidy Program with Enterprise Leasing, Company of Phoenix, LLC. Action required.

Ms. Kreger stated staff recommended an additional extension which would allow staff sufficient time to issue a Request for Proposal (RFP).

Motion (Velez/ McGaughey): Approve item as presented.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

No. 4: Discussion and or action to adopt Resolution No. 2019-001, authorizing the Transit Director to file for FTA funding for Fiscal Year 2019-2020. Action required.

Ms. Kreger stated that this was an annual requirement for Federal Transit Administration (FTA).

Motion (Velez/ McGaughey): Approve item as presented.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

No. 5: Public hearing on the submission of the FTA Sections 5310 application to the Arizona Department of Transportation and authorize the Transit Director to submit the applications. Action required.

Ms. Kreger stated that this was also a requirement for Federal Transit Administration (FTA). Ms. Kreger also stated that Ms. Perez's position was partially funded by this grant. The funding was for mobility training.

Mr. Sabath inquired as to how much the grant was for. Ms. Kreger stated that it was \$25,000.

Motion (Sabath/Velez): Approve item as presented.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

No. 6: Discussion and or action regarding member agencies contributions for Fiscal Year 2019-2020. Action required.

Ms. Kreger presented the report as contained in the member packet. Ms. Kreger stated that this year's contribution would remain the same.

Motion (Velez/ Sabath): Approve item as presented.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

No. 7: Discussion and or action regarding National Express Transit mediation and litigation, and related matters. No action required.

Chairman stated this would be discussed after progress report.

PROGRESS REPORTS:

No. 1: Operations Manager Report – Elizabeth Williams, General Manager – RATP Dev. Introduction of Matt Booterbaugh, Senior Vice President, Operations & Innovation, RATP Dev USA. *No action required.*

Ms. Williams stated that unfortunately, Mr. Booterbaugh was unable to attend due to issues with his flight. Ms. Williams presented her report as contained in the member packet.

No. 2: Maintenance Manager Presentation – Jeffrey Stewart – RATP Dev Maintenance Manager. *No action is required.*

Mr. Stewart presented the report as contained in the member packet.

Mr. Stewart stated that currently there was 3,400 miles between road calls, last time it was 1,800 miles. Mr. Stewart further stated that although it has increased there was still room for improvement.

Mr. Velez inquired as to what number was Mr. Stewart's goal.

Mr. Stewart replied that 20,000 miles was a suitable number.

Ms. Kreger stated that the industry standard is 6,500 miles between road calls.

Dr. Sabath stated that he was impressed and the miles between road calls was significantly better than at the school district.

Mr. Stewart presented the Board with some pictures showing different issues and concerns that he had observed. Mr. Stewart stated that most issues were caused by previous maintenance technicians and old practices.

Ms. Zambrano inquired as to how long will it take to get away from issues caused by the previous maintenance personnel.

Mr. Stewart stated that his best guess was about 6 months to thoroughly examine the fleet

Dr. Sabath stated that appreciated the pictures.

Mr. Stewart stated that he strived to provide transparency to ensure that the Board has confidence in the service that is being delivered.

No. 3: Transit Director Report – Shelly Kreger, YCIPTA Transit Director. *No action is required.*

Ms. Kreger presented the report as contained in the member packet.

No. 4: Transit Ridership – Carol Perez, Transit Operations Manager. *No action is required.*

Ms. Perez presented the report as contained in the member packet.

Ms. Zambrano stated that she was thankful to Ms. Perez for assistance answering questions relating to YCAT services.

No. 5: Financial Report – Chona Medel, YCIPTA Financial Services Operations Manager. No action is required.

Mrs. Medel presented the report as contained in the member packet.

Mr. Velez inquired regarding the locations Green route 4 serviced.

Ms. Perez provided general route and locations serviced by Green route 4.

Mr. Velez noted that there was a significant increase in ridership January 2019 for Green route 4.

Ms. Kreger inquired if the Board would like to view one of the newly purchased buses.

Mr. Killman recessed the meeting to view the bus at 2:22 p.m. and reconvened at 2:31 p.m.

Upon vote of the Directors, the Chairman recesses the Regular Session and convenes Executive Session.

Motion (McGaughey / Sabath): Recess Regular Session and convene Executive Session.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

EXECUTIVE SESSION:

No. 1: Discussion and/or consultation for legal advice with YCIPTA legal counsel regarding National Express Transit mediation and litigation, and related matters pursuant to A.R.S. §§ 38-431.03(A)(3) & (4).

Chairman adjourns Executive Session and reconvenes Regular Session.

No. 2: Discussion and or action regarding National Express Transit mediation and litigation, and related matters.

Motion (Sabath / Zambrano): Accept settlement agreement from National Express, giving legal counsel the authority to negotiate agreement and Transit Director to execute agreement.

Voice Vote: Motion Carries, (8-0) with Ms. Thorpe being excused.

SCHEDULE NEXT MEETING DATE AND IDENTIFY AGENDA ITEMS:

The next Board meeting April 22, 2019

YCIPTA's FY2019-2020 Annual Budget FY2019-2020 Program of Projects Annual Performance Report

FY2017-2018 CAFR & Audit

ADJOURNMENT

There being no further business to come before the Authority, the Chairman adjourned the meeting at 2:56 PM.

YUMA COUNTY INTERGOVERNMENTAL TRANSPORTATION AUTHORITY
Adopted this May 28, 2019, Agenda Item CC1



Carol Perez, Board Secretary

**MASTER INTERGOVERNMENTAL AGREEMENT
YUMA COUNTY INTERGOVERNMENTAL PUBLIC
TRANSPORTATION AUTHORITY**

This Master Intergovernmental Agreement ("Master IGA") is made effective as of the 1st day of January, 2012, ("Effective Date") by and between Yuma County Intergovernmental Public Transportation Authority ("YCIPTA"); Yuma County, a body politic and corporate of the State of Arizona ("County"); the City of Yuma, an Arizona municipal corporation ("Yuma"); the City of San Luis, an Arizona municipal corporation ("San Luis"); the City of Somerton, an Arizona municipal corporation ("Somerton"); the Town of Wellton, an Arizona municipal corporation ("Wellton"); the Arizona Board of Regents acting for and on behalf of Northern Arizona University-Yuma, an Arizona state university ("NAU-Yuma"); Arizona Western College, an Arizona community college ("AWC") and the Cocopah Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934 ("Cocopah"). The parties to this Master IGA may be collectively referred to herein as the Parties, or each individually as a Party.

RECITALS

A. The County is authorized by the provisions of A.R.S. §28-9101 et seq. to establish an intergovernmental public transportation authority ("IPTA") with authority to conduct a periodic survey of regional transportation needs in the IPTA; to determine an appropriate public transportation system to meet those needs and the means to finance the system; to operate the system directly or to contract with outside parties for the operation of all or part of the system; and to enter into an intergovernmental agreement with the member entities (hereinafter a "Member," or the "Members") to provide that IPTA has sole authority for designing, operating and maintaining the public transportation system within the designated area (the "Regional Transportation System"). The IPTA shall exercise its authority to operate and maintain a Regional Transportation System pursuant to the terms of this Master IGA and as provided in one or more Service Agreements and Service Provider Agreements (as further defined herein) to be executed in the future.

B. Coordination of public transportation services to meet regional needs is a primary objective of YCIPTA. During the transition from transit services currently provided by other entities ("Existing Transit Services") to the Regional Transportation System operated by YCIPTA, the Parties agree that it may be effective and efficient to provide for the continued operation of Existing Transit Services through an agreement ("Service Provider Agreement") with a public entity or a private contractor capable of providing such services through the fiscal year ending June 30, 2012.

C. On October 20, 2010, the Yuma City Council adopted a resolution authorizing the City Administrator to petition the Yuma County Board of Supervisors ("Board of Supervisors") to establish an IPTA, pursuant to A.R.S. §28-9102(B). The Yuma Petition is attached hereto as Exhibit "A" ("Yuma Resolution and Petition").

D. On October 13, 2010, the San Luis City Council adopted a resolution to petition the Board of Supervisors to establish an IPTA, as provided by A.R.S. §28-9102(B). The San Luis Petition is attached hereto as Exhibit "B" ("San Luis Resolution").

E. On September 21, 2010, the Somerton City Council voted to petition the Board of Supervisors to establish an IPTA, as provided by A.R.S. §28-9102(B). The Somerton documentation is attached hereto as Exhibit "C" ("The Somerton Request").

F. On September 21, 2010, the Wellton Town Council voted to petition the Board of Supervisors to establish an IPTA, as provided by A.R.S. §28-9102(B). The Wellton documentation is attached hereto as Exhibit "D" ("The Wellton Request").

G. On October 4, 2010, under the authority of President John Haeger, NAU-Yuma petitioned the Board of Supervisors for inclusion into a prospective IPTA through an IGA, as provided by A.R.S. §28-9102(B). The NAU-Yuma Petition is attached hereto as Exhibit "E" ("The NAU-Yuma Petition").

H. On or about December 13, 2010, the County Board of Supervisors, pursuant to the provisions of A.R.S. §28-9101 et seq. adopted Resolution (No.10-52) to establish the Yuma County Intergovernmental Public Transportation Authority ("YCIPTA"). The Resolution is attached hereto as Exhibit "F". (The "Board of Supervisors" Resolution)

I. On August 16, 2011, under the authority of President Dr. Glenn Mayle, AWC petitioned the YCIPTA for inclusion into YCIPTA through an IGA, as provided by A.R.S. §28-9102 et seq. The AWC Petition is attached hereto as Exhibit "G" ("The AWC Petition").

J. On October 18, 2011, the Cocopah Indian Tribe petitioned YCIPTA for inclusion into YCIPTA through an IGA as provided by A.R.S. §28-9102 et seq. The Cocopah request is attached hereto as Exhibit "H". ("The Cocopah Request")

K. Yuma County Intergovernmental Public Transportation Authority ("YCIPTA") is a corporate body and political subdivision of the state of Arizona, with all of the powers and privileges granted to it by law.

L. The purpose of this Master IGA is to provide that the YCIPTA has sole authority for designing, operating and maintaining the public transportation system, as provided by A.R.S. §28-9124(A).

M. The goals of the Parties in creating YCIPTA are to take a regional, collaborative approach to creating a comprehensive integrated Regional Transportation System to serve the transportation needs of the region efficiently. The Regional Transportation System will endeavor to provide services that assist each of the Parties to meet federal transit-related requirements, with an equitable allocation of costs.

N. The boundaries of YCIPTA include all of the area within the boundaries of the Cities of Yuma, Somerton, San Luis and the Town of Wellton, as well as all of the unincorporated areas within Yuma County.

O. Members. The Members of YCIPTA are currently:

1. Yuma County
2. City of Yuma
3. City of San Luis
4. City of Somerton
5. Town of Wellton
6. NAU – Yuma
7. Arizona Western College
8. Cocopah Indian Tribe

P. The YCIPTA may be dissolved in accordance with the provisions of A.R.S. §28-9104, and this Master IGA shall terminate following dissolution and the winding up of the affairs of YCIPTA.

Q. The growth of Yuma County's population to more than two hundred thousand persons shall not cause the dissolution of YCIPTA pursuant to A.R.S. §28-9104(C).

AGREEMENTS

For and in consideration of the covenants and conditions hereinafter set forth, it is agreed as follows:

1. **Power and Authority.** YCIPTA agrees that it will perform all functions required by statute.

1.1 **Sole Authority.** The Parties agree that YCIPTA shall have sole authority for designing, operating and maintaining the Regional Transportation System, including a regional bus system (the "Bus System") and community funded transportation services including dial-a-ride programs and special needs transportation services within the boundaries established and subject to the terms and conditions of this Master IGA and any Service Agreements or Service Provider Agreements.

1.2 **Definitions.** As used in this Master IGA, the enumerated terms shall be defined as follows:

A. "Regional Transportation System" means a system of public transportation within the boundaries of YCIPTA including a regional bus system and community funded transportation services including dial-a-ride programs and special needs transportation services as developed by YCIPTA.

B. "Public Transportation Program" means the five year public transportation program described in A.R.S. §28-9123B.

C. "Regional Transportation Plan" means the plan adopted by Yuma Metropolitan Planning Organization pursuant to requirements of the Federal Transit Administration.

D. "Public Transportation System" means a system of public transportation established pursuant to A.R.S. §28-9124A, and is used interchangeably with the term "Regional Transportation System."

1.3 **Service Provider Agreements.** YCIPTA may enter into one or more Service Provider Agreements as part of the Regional Transportation System. No new public transportation services may be provided by any Party to this Master IGA after the Effective Date, except as provided in the plans for the Regional Transportation System (the "Public Transportation Program") or with the approval of YCIPTA.

1.4 **Coordination.** YCIPTA shall be responsible for coordinating and implementing among the Parties the establishment of the Public Transportation Program, subject to the terms of this Master IGA, any Service Agreements and any Service Provider Agreements.

1.5 **YCIPTA Treasurer and Accounting Systems.** YCIPTA has entered into an intergovernmental agreement with the Yuma County Treasurer to provide financial services for YCIPTA.

1.6 **Non-Member Participation.** An agency, person, or entity that is not a Party to this Master IGA, but wishes to purchase transit services from YCIPTA shall be required to enter into a Service Agreement that describes the services to be purchased and assigns responsibilities for construction, operation and maintenance of the services and any related capital improvements.

1.7 **Voting Rights.** Each Member, through its appointed Director, will have one equally weighted vote on any decision that does not involve program funding. For votes on funding matters, each Member of YCIPTA, through its appointed Director, will have one vote, regardless of the respective financial contributions of any individual entity toward program funding. Additional votes on program funding matters will be granted to only those Member entities making financial contributions to the particular program being voted upon. In those instances, the appointed Director of any Member entity contributing 35% or more of the funding for a specific program will be entitled to four (4) additional votes, for a total of five (5) votes.

2. Responsibilities of the Members.

2.1 **Collaboration for Planning.** Each of the Parties shall, upon request, collaborate with the planning staff of YCIPTA as required by the Federal Transit Administration ("FTA") to maintain the Regional Transportation Plan adopted by Yuma Metropolitan Planning Organization ("YMPO").

2.2 **Furnishing Update for Plans.** Each of the Members shall, upon request, provide YCIPTA staff with updates for inclusion in the Regional Transportation Plan and/or Public Transportation Program as appropriate.

2.3 **Contribution of Funding.** Each of the Members shall timely contribute its designated share of non-federal funds pursuant to a formula to be developed and adopted annually by the YCIPTA with the approval by resolution of each Member in its budgetary process. The current formula is the same formula applied by YMPO, to wit:

Contributions FY 2011/2012

Agency	Funding	%
Yuma County	\$ 154,960	30.30%
City of Yuma	\$ 200,000	39.10%
City of Somerton	\$ 29,919	5.85%
Town of Wellton	\$ 14,499	2.85%
City of San Luis	\$ 70,572	13.80%
Cocopah Tribe	\$ 41,496	8.11%
Arizona Western College	\$50,000*	0.00%
Northern Arizona University	\$3,400*	0.00%
TOTAL	\$564,846	100%

*Arizona Western College and Northern Arizona University each have a separate memorandum of understanding with YCIPTA and their contributions are based on their student populations per semester. The numbers reflected above are based on their participation as of January 2012 for half the fiscal year.

2.4 **Qualifying YCIPTA as Designated Recipient.** YMPO is the designated recipient of federal funds for the area included in the boundaries of YCIPTA, and will remain as such until YCIPTA is designated as a recipient and/or a grantee of federal funds. Each of the Members shall, at the request of YCIPTA or YMPO, take such actions as are necessary to secure the designation of YCIPTA as the recipient and/or grantee of federal funds for the area included in the boundaries of YCIPTA.

2.5 **Cooperation Regarding Federal Funding.** Each of the Members will support the pursuit of federal funds that will enable YCIPTA to achieve its goals.

3. Records and Audit Rights.

Each Member's work and accounting records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by YCIPTA or a funding agency to substantiate charges and claims related to this Master IGA shall be open to inspection and subject to audit and/or reproduction by authorized representatives of YCIPTA, the FTA, and the Auditor General of the State of Arizona ("Auditors"), as applicable, to the extent necessary to adequately permit evaluation and verification of the performance of the work, and to conduct and prepare all audits and reports required by law. Auditors shall be afforded access, at reasonable times and places, to a Member's pertinent records and personnel, pursuant to the provisions of this Section, throughout the terms of this Agreement, and for a period of five (5) years after last or final payment.

4. **Mediation.**

4.1 **Dispute Resolution.** If a dispute arises out of or relates to this agreement and if the dispute cannot be resolved through negotiation, the Parties agree first to try in good faith to resolve the dispute by mediation before resorting to litigation or some other dispute resolution procedure. This section does not constitute a waiver of the parties' rights to initiate legal action if a dispute is not resolved through good faith negotiation or mediation, or if provisional relief is required under the Arizona Rules of Civil Procedure.

4.2 **Fees and Costs.** Each Party agrees to bear its own fees and costs in mediation. The Parties shall enter into a written agreement with the mediator(s) regarding the mediator(s)' fees and expenses before the first mediation session. The Parties shall share equally the mediators' fees and mediation expenses.

5. **Term.** This Master IGA shall be for an Initial Term of twenty-five (25) years, commencing on the Effective Date and continuing on an annual basis thereafter until terminated.

6. **Insurance and Indemnification.**

6.1 **Liability Insurance.** YCIPTA shall maintain, and shall require Service Provider to maintain, insurance for activities associated with operating a public transportation system. Insurance provided by YCIPTA or its Service Provider will include property, general liability, business/auto transit, public officials errors and omissions, employment practices liability and umbrella liability at levels deemed appropriate by the YCIPTA Board of Directors. YCIPTA, and a Service Provider, as applicable, will purchase the insurance policies and keep them on file for all Members to review, and provide certificates of insurance naming each Member entity as additional insured. Such insurance shall be in an amount of not less than Thirty Million Dollars (\$30,000,000) and shall be primary against all related claims. The policy of insurance shall contain a waiver of subrogation against any Member, its departments, agencies, boards, representatives, commissions, officers, officials, agent and employees for any losses or claims paid.

Service IGA's and Service Provider Agreements may require additional insurance to be maintained against risks arising from or related to the services provided pursuant to such IGA or Agreement.

6.2 **Indemnification.** YCIPTA (as "Indemnitor") agrees to defend, indemnify and hold harmless the Member entities, their officers, officials, employees, agents, representatives and directors (collectively the "Indemnitees") from and against any and all claims, demands, losses, liabilities, causes of action and costs (including expert witness fees, attorneys fees and other reasonable costs of defense and any appeals) (collectively "Claims"), which may be imposed upon, incurred by or asserted against the Indemnitee, attributable (directly or indirectly) to, or arising in any manner by reason of,

the act, omission, negligence, misconduct or other fault of the Indemnitor, or of any agent, officer, servant or employee of the Indemnitor, or anyone for whom Indemnitor may be legally liable in the performance of this Master IGA.

Insurance provisions set forth in this Master IGA are separate and independent from the indemnity provisions of this section and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this section shall not be construed in any way to limit the scope, magnitude or applicability of the insurance provisions.

7. **Conflict of Interest.** This Agreement is subject to termination for conflict of interest, pursuant to the provisions of A.R.S. §38-511.

8. **Adherence to Laws.** YCIPTA and all committees, subcommittees and advisory committees appointed by the YCIPTA Board of Directors are subject to and shall adhere to all of the requirements of the Arizona Open Meeting Law (A.R.S. §38-431 et seq.), the Conflicts of Interest Law (A.R.S. §38-501 et seq.) and the Public Records Law (A.R.S. §39-121 et seq.) as they may from time to time be amended.

9. **Withdrawal.** A Member may resign from YCIPTA by appropriate resolution of the Member's governing body delivered to the YCIPTA Board of Directors. Delivery of the resignation shall divest the Member of voting rights and representation on the Board of Directors. Such resignation shall not relieve the Member of any accrued obligation to pay dues, assessments or other charges which have accrued prior to the effective date of the Member's resignation. No Member shall have any right to the return or withdrawal of any capital contributions to YCIPTA, unless such withdrawal is consented to by all other Members.

10. **General Provisions.**

10.1 **Entire Agreement.** This Master IGA constitutes the entire understanding of the Parties and supersedes all previous representations, written or oral, with respect to the services specified herein. This Agreement may not be modified or amended, except by a written document, signed by authorized representatives of each Party.

10.2 **Governing Law and Venue.** This Agreement shall be governed and interpreted according to the laws of the State of Arizona. The Parties shall institute and maintain any legal actions or judicial proceedings arising from this Master IGA in Yuma County Superior Court. The Parties irrevocably consent to jurisdiction and venue in such court, and agree not to seek transfer or removal of any action therefrom.

10.3 **Assignability.** This Agreement is non-assignable in whole or in part by any Party hereto without the written consent of all Parties.

10.4 **Modifications.** Except as otherwise specifically provided in this Master IGA, any amendment, modification or variation of the terms of this Master IGA requires the written approval of all Parties.

10.5 **Attorneys Fees and Damages Limitation.** In the event any Party brings any action for any relief, declaratory or otherwise, arising out of this Master IGA, or on account of any breach or default of this Master IGA, the prevailing Party shall be entitled to receive from the other Party reasonable attorneys fees and reasonable costs and expenses, as determined by the court sitting without a jury, which shall be deemed to have accrued on the commencement of such action and shall be enforceable, whether or not such action is prosecuted to judgment. The Parties hereby waive any right to seek consequential, punitive, multiple, exemplary or any damages other than actual damages.

10.6 **Individual Nonliability.** Unless expressly stated otherwise in this Master IGA, no Member, official, representative, agent, attorney or employee shall be individually liable for any obligation of YCIPTA.

10.7 **Notices.** All notices or demand required to be given, pursuant to the terms of this Agreement, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested at the addresses set forth below, or to such other address as the Parties may substitute by written notice, given in the manner prescribed in this paragraph. Services shall be deemed complete within three (3) business days of mailing, or actual receipt of notice, whichever is first.

If to YCIPTA: Transit Director
 2715 East 14th Street
 Yuma, Arizona 85365
 Tel: (928) 539-7076 ext 237
 Fax: (928) 783-0309

If to County: County Administrator
 198 S. Main St.
 Yuma, Arizona 85364
 Tel: (928) 373-1010
 Fax: (928) 373-1120

If to Yuma: City Administrator
 One City Plaza
 Yuma, Arizona 85364
 Tel: (928) 373-5011
 Fax: (928) 373-5012

If to San Luis: City Manager
1090 East Union Street
P.O. Box 1170
San Luis, Arizona 85349
Tel: (928) 341-8520
Fax: (928) 341-8539

If to Somerton: City Manager
110 North State Avenue
P.O. Box 637
Somerton, Arizona 85350
Tel: (928) 627-8866
Fax: (928) 627-3794

If to Wellton: Town Manager
28364 Oakland Avenue
Wellton, Arizona 85356
Tel: (928) 785-3348
Fax: (928) 785-4374

If to NAU-Yuma: Campus Executive Officer
P.O. Box 6236
Yuma, Arizona 85366-6236
Tel: (928) 317-6400
Fax: (928) 317-6419

If to AWC: President
P.O. Box 929
Yuma, Arizona 85366-0929
Tel: (928) 344-7501
Fax: (928) 344-7730

If to Cocopah: Chairperson
Cocopah Indian Tribe
14515 S. Veterans Drive
Somerton, AZ 85350
Tel: (928) 627-2102
Fax: (928) 627-1617

10.8 **Force Majeure.** No Party shall be responsible for delays or failures in performance resulting from acts beyond their control. Such acts shall include, but not be limited to, acts of God, riots, acts of war, acts of terrorism, epidemics, governmental regulations imposed after the fact, fire, communication line failures or power failures.

10.9 **Counterparts.** This Master IGA may be executed in one or more

counterparts, and each originally executed duplicate counterpart of this Master IGA shall be deemed to possess the full force and effect of the original.

10.10 **Severability.** If any term or provision of this Master IGA shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this Master IGA shall remain in full force and effect, and such term or provision shall be deemed to be deleted.

10.11 **Authority.** Each Party hereby warrants and represents that it has full power and authority to enter into and perform this Master IGA, and that the person signing on behalf of each Party has been properly authorized and empowered to enter this Master IGA. Each Party further acknowledges that it has read this Master IGA, understands it, and agrees to be bound by it.

10.12 **Third-Party Beneficiaries.** This Agreement shall not create any rights to enforcement of the provisions herein to any person or entity that is not a Party to this Agreement.

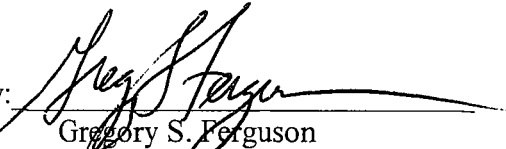
IN WITNESS WHEREOF, the Parties hereto have executed this Master IGA.

Attest:


Robert L. Pickels, Jr.
County Administrator/Clerk of the Board

**YUMA COUNTY, a body corporate and
politic of the State of Arizona**

By:


Gregory S. Ferguson
Chairman of the Board

Attest:

Lynda Bushong
City Clerk

By:

Greg Wilkinson
City Administrator

**CITY OF YUMA, an Arizona municipal
corporation**

Attest:

Sonia Cuello
City Clerk

By:

Juan Carlos Escamilla
Mayor

**CITY OF SAN LUIS, an Arizona
municipal corporation**

10.10 **Severability.** If any term or provision of this Master IGA shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this Master IGA shall remain in full force and effect, and such term or provision shall be deemed to be deleted.

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IN WITNESS WHEREOF, the Parties hereto have executed this Master IGA.

YUMA COUNTY, a body corporate and politic of the State of Arizona

Attest:

Robert L. Pickels, Jr.
Clerk of the Board

By: _____
Gregory S. Ferguson
Chairman of the Board

CITY OF YUMA, an Arizona municipal corporation

Attest:

Lynda Bushong
City Clerk

By: _____ MAY 31, 2012
Greg Wilkinson
City Administrator

CITY OF SAN LUIS, an Arizona municipal corporation

Attest:

Sonia Cuello
City Clerk

By: _____
Juan Carlos Escamilla
Mayor

CITY OF SOMERTON, an Arizona municipal corporation

Attest:

Bill Lee
City Clerk

By: _____
Martin Porchas
Mayor

counterparts, and each originally executed duplicate counterpart of this Master IGA shall be deemed to possess the full force and effect of the original.

10.10 **Severability.** If any term or provision of this Master IGA shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this Master IGA shall remain in full force and effect, and such term or provision shall be deemed to be deleted.

10.11 **Authority.** Each Party hereby warrants and represents that it has full power and authority to enter into and perform this Master IGA, and that the person signing on behalf of each Party has been properly authorized and empowered to enter this Master IGA. Each Party further acknowledges that it has read this Master IGA, understands it, and agrees to be bound by it.

10.12 **Third-Party Beneficiaries.** This Agreement shall not create any rights to enforcement of the provisions herein to any person or entity that is not a Party to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Master IGA.

**YUMA COUNTY, a body corporate and
politic of the State of Arizona**

Attest:

Clerk of the Board

By: _____
Chairman of the Board

**CITY OF YUMA, an Arizona municipal
corporation**

Attest:

City Clerk

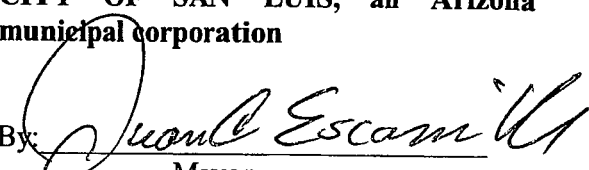
By: _____
City Administrator

**CITY OF SAN LUIS, an Arizona
municipal corporation**

Attest:



City Clerk

By: 

Mayor

Attest:

Bill Lee
Bill Lee
City Clerk

**CITY OF SOMERTON, an Arizona
municipal corporation**

By: Martin Porchas
Martin Porchas
Mayor

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

Attest:

Christy Isbell
Christy Isbell
Board Secretary

By: John Andoh
John Andoh
Transit Director

**TOWN OF WELLTON, an Arizona
municipal corporation**

Attest:

Rodney L. Rinehart
Rodney L. Rinehart
Town Clerk

By: James L. Deermey
James L. Deermey
Mayor

**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By: John Haeger
John Haeger
President

**ARIZONA WESTERN COLLEGE, an
Arizona community college**

By: Dr. Glenn E. Mayle
Dr. Glenn E. Mayle
President

**COCOPAH INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By: Sherry Cordova
Sherry Cordova
Chairperson

Attest:

Bill Lee
City Clerk

**CITY OF SOMERTON, an Arizona
municipal corporation**

By: _____
Martin Porchas
Mayor

Attest:

Christy Isbell
Christy Isbell
Board Secretary

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

By: _____
John Andon
John Andon
Transit Director

Attest:

Rodney L. Rinehart
Town Clerk

**TOWN OF WELLTON, an Arizona
municipal corporation**

By: _____
James L. Deermer
Mayor

**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By: _____
John Haeger
President

**ARIZONA WESTERN COLLEGE, an
Arizona community college**

By: _____
Dr. Glenn E. Mayle
President

**COCOPAH INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By: _____
Sherry Cordova
Chairperson

Attest:

Bill Lee
City Clerk

**CITY OF SOMERTON, an Arizona
municipal corporation**

By: _____
Martin Porchas
Mayor

Attest:

Christy Isbell
Board Secretary

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

By: _____
John Andoh
Transit Director

Attest:

Rodney L. Rinehart
Town Clerk

**TOWN OF WELLTON, an Arizona
municipal corporation**

By: _____
James L. Deerner
Mayor

**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By: _____
John Haeger
President

**ARIZONA WESTERN COLLEGE, an
Arizona community college**

By: _____
Dr. Glenn E. Mayle
President

**COCOPA INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By: _____
Sherry Cordova
Chairperson

**CITY OF SOMERTON, an Arizona
municipal corporation**

Attest:

City Clerk

By: _____
Mayor

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

Attest:

By: _____
John Andoh,

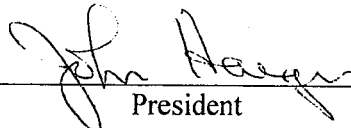
**TOWN OF WELLTON, an Arizona
municipal corporation**

Attest:

Town Clerk

By: _____
Mayor

**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By:  _____
President

AWC, an Arizona community college

By: _____
President

**COCOPAH INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By: _____
Chairperson

Attest:

Bill Lee
City Clerk

**CITY OF SOMERTON, an Arizona
municipal corporation**

By: _____
Martin Porchas
Mayor

Attest:

Christy Isbell
Board Secretary

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

By: _____
John Andoh
Transit Director

Attest:

Rodney L. Rinehart
Town Clerk

**TOWN OF WELLTON, an Arizona
municipal corporation**

By: _____
James L. Deerner
Mayor

**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By: _____
John Haeger
President

**ARIZONA WESTERN COLLEGE, an
Arizona community college**

By: Glenn E. Mayle
Dr. Glenn E. Mayle
President

**COCOPA INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By: _____
Sherry Cordova
Chairperson

**CITY OF SOMERTON, an Arizona
municipal corporation**

Attest:

City Clerk

By: _____
Mayor

**YUMA COUNTY INTERGOVERNMENTAL
PUBLIC TRANSPORTATION
AUTHORITY**

Attest:

By: _____
John Andoh,

**TOWN OF WELLTON, an Arizona
municipal corporation**

Attest:

Town Clerk

By: _____
Mayor

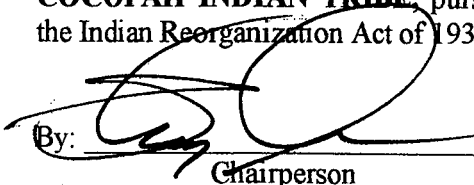
**Arizona Board of Regents, acting for and
on behalf of Northern Arizona University-
Yuma, an Arizona State University**

By: _____
President

AWC, an Arizona community college

By: _____
President

**COCOPA INDIAN TRIBE, pursuant to
the Indian Reorganization Act of 1934**

By:  _____
Chairperson

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this 12 day of April, 2012

By: 
Jon R. Smith
Yuma County Attorney

Dated this _____ day of _____, 2012

By: _____
Steven W. Moore
Yuma City Attorney

Dated this _____ day of _____, 2012

By: _____
Glenn Gimbut
San Luis City Attorney

Dated this _____ day of _____, 2012

By: _____
Gerald Hunt
Somerton City Attorney

Dated this _____ day of _____, 2012

By: _____
Don B. Engler
Wellton Town Attorney

Dated this _____ day of _____, 2012

By: _____
Michelle Geneva Parker
Attorney for Arizona Board of Regents

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this _____ day of _____, 2012

By: _____
Jon R. Smith
Yuma County Attorney

Dated this _____ day of _____, 2012

By: Richard W. Files (for)
Steven W. Moore
Yuma City Attorney

Dated this _____ day of _____, 2012

By: _____
Glenn Gimbut
San Luis City Attorney

Dated this _____ day of _____, 2012

By: _____
Gerald Hunt
Somerton City Attorney

Dated this _____ day of _____, 2012

By: _____
Don B. Engler
Wellton Town Attorney

Dated this _____ day of _____, 2012

By: _____
Michelle Geneva Parker
Attorney for Arizona Board of Regents

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this _____ day of _____, 2012

By: _____
Yuma County Attorney

Dated this _____ day of _____, 2012

By: _____
Yuma City Attorney

Dated this _____ day of April, 2012

By: _____
San Luis City Attorney

Dated this _____ day of _____, 2012

By: _____
Somerton City Attorney

Dated this _____ day of _____, 2012

By: _____
Wellton Town Attorney

Dated this _____ day of _____, 2012

By: _____
Attorney for Arizona Board of Regents

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this ____ day of _____, 2012

By: _____
Jon R. Smith
Yuma County Attorney

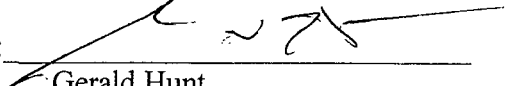
Dated this ____ day of _____, 2012

By: _____
Steven W. Moore
Yuma City Attorney

Dated this ____ day of _____, 2012

By: _____
Glenn Gimbut
San Luis City Attorney

Dated this 1st day of JUNE, 2012

By: _____

Gerald Hunt
Somerton City Attorney

Dated this ____ day of _____, 2012

By: _____
Don B. Engler
Wellton Town Attorney

Dated this ____ day of _____, 2012

By: _____
Michelle Geneva Parker
Attorney for Arizona Board of Regents

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this ____ day of _____, 2012

By: _____
Jon R. Smith
Yuma County Attorney

Dated this ____ day of _____, 2012

By: _____
Steven W. Moore
Yuma City Attorney

Dated this ____ day of _____, 2012

By: _____
Glenn Gimbut
San Luis City Attorney

Dated this ____ day of _____, 2012

By: _____
Gerald Hunt
Somerton City Attorney

Dated this 24 day of MAY, 2012

By: _____
Don B. Engler
Wellton Town Attorney

Dated this ____ day of _____, 2012

By: _____
Michelle Geneva Parker
Attorney for Arizona Board of Regents

INTERGOVERNMENTAL AGREEMENT APPROVAL

This Master IGA has, prior to its execution, been submitted to the attorney for each Party, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to such Party.

Dated this _____ day of _____, 2012

By: _____
Yuma County Attorney

Dated this _____ day of _____, 2012

By: _____
Yuma City Attorney

Dated this _____ day of _____, 2012

By: _____
San Luis City Attorney

Dated this _____ day of _____, 2012

By: _____
Somerton City Attorney

Dated this _____ day of _____, 2012

By: _____
Wellton Town Attorney

Dated this 20th day of April, 2012

By: Michelle R. Fisher
Attorney for Arizona Board of Regents

Dated this 8th day of May, 2012

By: John C. Richardson
Attorney for Arizona Western College

Dated this _____ day of _____, 2012

By: _____
Michael M. Smith
Attorney for Cocopah Indian Tribe

Dated this _____ day of _____, 2012

By: _____
Wayne C. Benesch
Attorney for YCIPTA

Dated this _____ day of _____, 2012

By: _____
Attorney for Arizona Western College

Dated this 29 day of March, 2012

By: Wm. Michael Smith
Attorney for Cocopah Indian Tribe

Dated this 2nd day of May, 2012

By: Wayne C. Benish
Attorney for YCIPTA

Exhibit "A"

RESOLUTION NO. R2010-58

**A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING THE CITY'S PARTICIPATION IN AN
INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY
WITH A SUNSET CLAUSE**

WHEREAS, an Intergovernmental Public Transportation Authority (IPTA) is a public body organized in counties with populations of 200,000 or less to operate public transportation systems in a designated operating area; and,

WHEREAS, the City of Yuma acknowledges a need for public transportation; and,

WHEREAS, an IPTA is eligible to apply for and receive United States Department of Transportation grants for operation of a public transportation system until such time as the urbanized area exceeds 200,000 population; and

WHEREAS, until such time as a Regional Transportation Authority is formed and the qualified electors of Yuma County approve or reject a transportation excise tax to fund a regional transportation system, or the IPTA is no longer eligible to receive transportation system operational grants, it is the intent of the City of Yuma to petition the Yuma County Board of Supervisors for the formation of an IPTA and to participate therein; and,

WHEREAS, an initial IPTA Board of Directors shall be appointed by the governing bodies/participants of the public entities, with at least five (5), but not more than nine (9) members on the board; and,

WHEREAS one board member of the IPTA will be appointed by the County Board of Supervisors if any part of the authority is located in an unincorporated area of Yuma County with the balance of the members apportioned among the participating municipalities according to their respective populations; and,

WHEREAS, Yuma County has offered to provide support functions regarding financial services and human resource assistance upon request by the organizing board of the IPTA; and,

WHEREAS, it is reasonably anticipated that the other participating entities would offer similar support as resources may allow.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: That the City Administrator is hereby authorized to perform all necessary acts to petition the Yuma County Board of Supervisors to form an Intergovernmental Public Transportation Authority pursuant to Arizona Revised Statutes (A.R.S.) §28-9101 et seq.

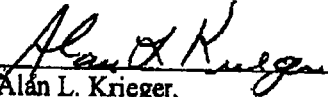
SECTION 2: That the City of Yuma shall participate in the IPTA until such time as a Regional Transportation Authority is formed pursuant to A.R.S. § 48-5301 et seq. and the qualified electors of Yuma County approve or reject a transportation excise tax to fund a regional transportation system, or the IPTA is no longer eligible to receive transportation system operational grants.

SECTION 3: That the City Administrator shall give 90 days written notice of the City's intent to withdraw from the IPTA and thereafter withdraw from the IPTA when either: (1) the IPTA is no longer eligible, as determined by United States Department of Transportation criteria, to receive federal transportation system operational grants, or (2) a Regional Transportation Authority is formed and more than one year has passed since the formation of the Regional Transportation Authority and (a) no election on a transportation excise tax to fund a regional transportation system has been held, or (b) an election on a transportation excise tax has been held and the qualified electors of Yuma County have either approved or rejected the ballot measure.

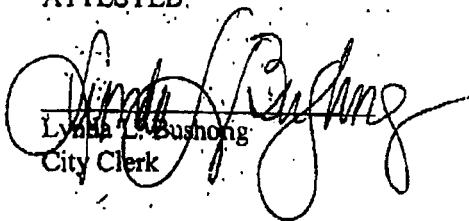
SECTION 4: That the City Council of the City of Yuma may, from time to time, amend this Resolution as necessary.

Adopted this 20th day of October, 2010.

APPROVED:


Alan L. Krieger,
Mayor

ATTESTED:


Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

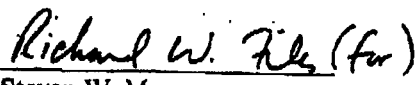

Steven W. Moore
City Attorney

Exhibit "B"



City of San Luis

P.O. Box 1170
1090 E. Union Street
San Luis, AZ 85348-1170
Ph (928) 341-8520 • Fax (928) 341-8538

October 7, 2010

Kathryn R. "Casey" Prochaska, Chairman
Yuma County Board of Supervisors
198 S. Main Street
Yuma, AZ 85364

RE: Petition for Formation of an Intergovernmental Public Transportation Authority,
Pursuant to A.R.S. §28-9101, et seq.

Dear Chairman Prochaska,

The City Council for the City of San Luis, having voted in a public meeting on October 13, 2010, and pursuant to A.R.S. §28-9102, hereby requests the Yuma County Board of Supervisors to establish an intergovernmental public transportation authority consisting of the area within the Incorporated boundary of the City of San Luis, and any other city or town within Yuma County petitioning for said formation.

It is further requested that all actions described in A.R.S. §28-901, et seq. toward the formation of an intergovernmental public transportation authority be undertaken forthwith.

Please advise the City Manager for the City of San Luis as to what additional steps and actions may be required of the City of San Luis toward completion of the requested action.

Sincerely,

Juan Carlos Escamilla
Mayor

JUAN CARLOS ESCAMILLA, Mayor
GERARDO SANCHEZ, Vice Mayor

MARIO BUCHANAN JR., Council Member
MARCO A. PINZON, Council Member

AFRICA LUNA-CARRASCO, Council Member
JOSE LEONARDO SUAREZ, Council Member

RAFAEL TORRES, Council Member
RALPH VELEZ, City Manager



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

RESOLUTION NO.903

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA APPROVING JOINING IN THE FORMATION OF AN INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY IN YUMA COUNTY, ARIZONA; BECOMING A MEMBER OF SUCH AN AUTHORITY; AND AUTHORIZING PETITIONING THE BOARD OF SUPERVISORS OF YUMA COUNTY, ARIZONA FOR SUCH FORMATION

Whereas, Chapter 26 of Title 28 of the Arizona Revised Statutes provides for the Intergovernmental Public Transportation Authorities;

Whereas, the formation of such an authority is deemed to be in the best interests of the citizens and residents of the City of San Luis, State of Arizona;

Whereas, A.R.S. §28-9102 provides that to form such an authority, the governing body of one or more incorporated cities or towns may petition the county board of supervisors to establish such an authority; and

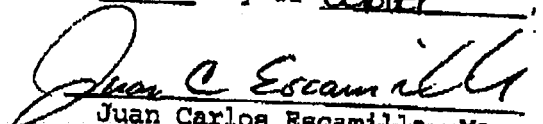
Whereas the City of Somerton has already petitioned the Yuma County Board of Supervisors to form an intergovernmental public transportation authority and it is desired that the City of San Luis join with Somerton and other municipalities in Yuma County to form such an authority;

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

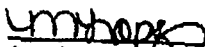
Section 1: That the City Council of the City of San Luis, Arizona hereby authorizes and approves the formation of an Intergovernmental Public Transportation Authority in Yuma County, Arizona; authorizes and approves the City of San Luis becoming a member of such an authority; and authorizes approves petitioning the Board of Supervisors of Yuma County, Arizona, to form such an authority.

Section 2: That the Mayor is hereby authorized to petition the Board of Supervisors of Yuma County, Arizona of behalf of the City of San Luis, Arizona, to form an Intergovernmental Public Transportation Authority and to execute any document needed or necessary to accomplish and/or effectuate such formation.

PASSED AND ADOPTED by the Mayor and Common Council of the City of San Luis, Arizona, this 13th day of October, 2010.


Juan Carlos Escamilla, Mayor

ATTEST:


for Sonia Cuello, City Clerk

APPROVED AS TO FORM:

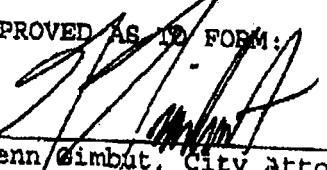

Glenn Gimbut, City Attorney

Exhibit "C"

**CITY OF SOMERTON
MINUTES
REGULAR COUNCIL MEETING
OF THE CITY COUNCIL**

7:00 P.M.

Tuesday September 21, 2010

Council Members:

M. Porchas, Mayor
A. Magaña, Vice-Mayor
L. Ramirez
G. Anaya
M. Villalpando
L. Galindo
J. Yepez

Staff:

B. Lee, City Manager (P)
L. Galaviz, Park & Rec. Dir (P)
B.B. Cotman, Int. Chief of Police (P)
S. Palacios, Int. Public Works Dir (P)
G.W. Hunt, City Attorney (P)
M. Figueroa, City Magistrate (A)
G. Halford, Admin. Svcs. Dir (P)
VACANT, Com. Dev. Dir (A)
P. De Anda, Fire Chief (P)

Mayor Porchas called the meeting to order at 7:02 p.m.

Pledge of Allegiance was led by Vice-Mayor Magana and recited in unison.

The City Clerk took Roll Call. Council member Villalpando and Ramirez were absent.

PETITION OR COMMENTS BY THOSE CITIZENS PRESENT

Call to the Public:

NONE

CONSENT AGENDA

1. Arizona's State Treasure's Report LGIP for August 2010
2. Regular Council Meeting Minutes September 7, 2010.

Mayor Porchas requested a motion on the consent agenda. Council member Yepez moved to approve the Consent Agenda as presented. Council Member Galindo seconded. All voted in favor of the motion. Motion passed.

OLD BUSINESS

All items are for discussion and possible action

1. **ORDINANCE 2010-006 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SOMERTON, ARIZONA, AMENDING THE CITY CODE, "CHAPTER 10, OFFENSES" BY ADDING "SECTION 10-1-29, FIREWORKS"**

- a) Second Reading by Title Only
- b) Approval of Ordinance

Paul De Anda – presented the second reading of Ordinance 2010-006 and also address the question by Vice-Mayor Magana concerning who has adopted this Ordinance, spoke to Steven Shon from Arizona Marshals Association and gave me a list of participants and they are Payson, Prescott, Tempe, El Mirage, Flagstaff, Kingman, Paradise Valley just to mention a few.

Council member Yepez- are they doing any amendments to that or just going as is? Paul- Carefree did mention New Year's they were going to make an exception.

Council member Yepez- not to satisfy totally banning the fireworks believes we should have special occasions or holidays when they are allowed. Can we later amend something to this.

Jerry Hunt- Yes you can amend the Ordinance. Mayor Porchas- I see it as we don't do it now why start!

Mayor Porchas entered a motion on second reading by title only. Council member Yepez moved to approve the second reading of Ordinance 2010-006. Council member Anaya seconded the motion. All voted in favor of the motion. Motion passed.

Mayor Porchas entered a motion to approve of the Ordinance. Council member Yepez moved to approve the Ordinance. Council members Galindo seconded the motion. All voted in favor of the motion. Motion passed.

2. Update on Sales Tax.

Gary Halford- presented the Council with an update on sales tax collected in the month of August thru today. August received \$140,000 in September \$85,000 so far.

3. Discussion and possible award of equipment for our Somerton Curbside Recycling Program.

Bill Lee – approval to purchase conveyor belt from local agency for \$49,295.00 funded from sanitation budget.

Chris Coil- from Allied waste very interested in the recycling program and once operation is in full force would like to tour facility and maybe even partnering together.

Council member Yopez- next time would like all bidders presented and amount for the bid.

Mayor Porchas entered a motion to award the equipment to AR-2 Mechanical & Consulting, LLC. for the Somerton Curbside Recycling Program. Council member Anaya moved to approve the award. Council member Galindo seconded the motion. All voted in favor of the motion. Motion passed.

4. Request on direction on trial 4 day work week for City employees.

Bill Lee- presented the council the customer and employee surveys that were completed. Bringing this back for direction to keep 4 day work week or back to 5 days.

Council member Yopez- asked if there was a way people could pay their bill somewhere else around town on Friday? Would like to see if we could set something up where people could pay around town.

Mayor Porchas entered a motion to approve 4 day work week.

Patty Salazar took Roll Call:

Jerry Anaya - yea

Jose Yopez- yea

Martin Porchas-yea

Luis Galindo-yea

Arturo Magana- Nay

4 yea and 1 nay. Motion passed.

NEW BUSINESS

All items are for discussion and possible action

1. Discussion and possible direction pertaining to commercial trash collection within the City of Somerton City Limits.

Bill Lee- new legislation in Arizona in which municipalities must open up there commercial trash collection does not affect our residential customers. Should the City stay in commercial trash I believe we should keep it for the next six months and bring it back to council in March 2011 and will see what our numbers look like. Vice-Mayor Magana liked the idea that the City Manager presented to keep it for 6 months.

Mayor Porchas entered a motion to keep commercial trash for the next 6 months. Vice-Mayor Magana moved to approve the six month trial. Council member Galindo seconded the motion. All voted in favor. Motion passed.

2. Discussion and possible direction on possible support for information of Intergovernmental Public Transportation Authority within Yuma County.

Bill Lee- presented document put together by the County Administrator on Public Transportation Authority within Yuma County and what they are looking for is that all the municipalities to sign on to request to form the board made up of the City Managers.

Mayor Porchas moved to approve to support the Intergovernmental Public Transportation Authority. Vice-Mayor Magana seconded the motion. All voted in favor of the motion. Motion Passed.

3. Discussion and possible direction to enter agreement with Humane Society of Yuma.

Bill Lee- city has always had a contract with Humane Society and we have reduced the contract they are no longer picking up dead animals and now falling on our public works department. We are looking into the Community Development to take over the animal control that we have.

Council member Yopez- is there a proper way to dispose of the animals. Pancho- put them in a bag and throw them in the trash. What is the actually cost now? Bill - \$2500.00.

Mayor Porchas entered a motion to approve the Humane Society agreement. Vice-Mayor Magana moved to approve the agreement. Council member Galindo seconded the motion. All voted in favor of the motion. Motion passed.

4. Parks and Recreation Commission Appointment

Louie Galaviz- presented Frank Atondo's letter of interest to the Parks and Recreation Commission.

Mayor Porchas entered a motion to approve new Parks and Recreation Commissioner. Vice-Mayor Magana moved to approve Frank Atondo as a new commissioner. Council member Yopez seconded the motion. All voted in favor. Motion passed.

Summary of current events by Mayor, Council Members, and or City Manager, pursuant to A.R.S. §38-431.02(K) provided that the public body does not propose, discuss, deliberate or take legal action on any matter in the summary.

A motion to ADJOURN was made by Mayor Porchas. Motion approved 6-0.

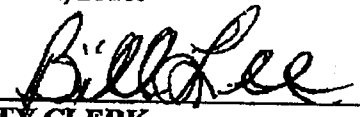
ADJOURNMENT

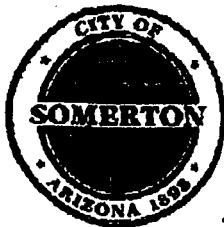
Meeting was adjourned at 8:30 P. M.


MAYOR MARTIN PORCHAS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of Tuesday September 21, 2010.


CITY CLERK



City of Somerton

110 N. State Avenue
P.O. Box 638
Somerton, Arizona 85350

(928) 627-8866
Fax: (928) 627-3794
TTD: (928) 627-8866

AGENDA ITEM REVIEW FORM

TO: Mayor and City Council
FROM: Bill Lee, City Manager
SUBJECT: Discussion and Possible Direction on possible support for formation of Intergovernmental Public Transportation Authority within Yuma County.

DATE: Aug. 10th 2010

Background: See attached letter from County Administrator.

Recommendation: Without LTAF funding from the State this may be one of the only options available to the Cities in Yuma County to keep public transportation available to the public at this time.

Fiscal Impact:

000028

Intergovernmental Public Transportation Authorities

What are they?

Intergovernmental Public Transportation Authorities (IPTA) are public bodies organized in counties with populations of 200,000 or less to operate public transportation systems in a designated operating area.

How are they formed?

The governing bodies of those cities or towns that want to form an IPTA petition the county board of supervisors to establish one. Once the board of supervisors receives the petition, it will hold at least one (1) public hearing in one of the petitioning municipalities to determine public support and whether establishing the authority would be in the public interest. If the board of supervisors determines that establishing the authority would serve the public convenience, necessity, safety or welfare, the board of supervisors shall establish the authority by a resolution that includes a description of the boundaries of the authority.

Can any other organizations be included?

The enabling statutes limit representative membership to cities and towns. However, any university under the jurisdiction of the Arizona board of regents located within a petitioning municipality may become a member by intergovernmental agreement. Further, Indian tribes could be included for service by intergovernmental agreement, but not as members of the IPTA.

What is the operating area?

The area within the incorporated boundary of the municipalities petitioning for the formation will be the operating area for the IPTA. Additionally, if there are intervening unincorporated areas separating those municipalities, then the county must be included in the IPTA.

How would an IPTA be funded in Yuma County?

The dedicated funding currently supporting the YCAT and Dial-A-Ride programs through the Yuma Metropolitan Planning Organization (YMPO) would be used as the local match funding for the IPTA. The IPTA would continue to draw down the Federal Transit Administration (FTA) reimbursement funds that YMPO uses to make up the balance of the transit system costs.

000029

How is the initial IPTA board of directors organized?

The initial board of directors is appointed by the governing bodies of the public entities. There must be at least five (5), but not more than nine (9) members on the board. One (1) member will be appointed by the county board of supervisors if any part of the IPTA boundary is in an unincorporated area. If a university is a member, then the president of the university appoints one (1) member. The balance of the members is apportioned among the participating public entities according to their population.

When would the IPTA take over managing the transit system?

Once the IPTA is formed, the executive director of the regional council of governments (COG) functions as the organizing director of the authority (*note - as Yuma County is an urban planning area, transit functions are managed by the Yuma Metropolitan Planning Organization. As such, the Executive Director of that organization may qualify to serve as the initial organizing director of the IPTA). As soon as possible, the organizing board appoints a general manager and the executive director of the COG is relieved. The organizing board will also employ other employees as may be necessary. Once the appropriate employees are in place, the IPTA should be in a position to assume all management functions for the transit system.

Where would the IPTA offices be located?

Initially, the IPTA would likely maintain offices within the Yuma Metropolitan Planning Organization building.

Would operational support be offered by other public entities?

Yuma County would continue to offer support functions (financial services, human resources assistance, etc.) as may be requested by the organizing board of the IPTA. Further, it is anticipated that the other participating entities would offer similar support as resources may allow.

000026

September 14, 2010

Kathryn R. "Casey" Prochaska, Chairman
Yuma County Board of Supervisors
198 S. Main St.
Yuma, Arizona 85364

Re: Petition for Formation of an Intergovernmental Public Transportation Authority, Pursuant
to A.R.S. § 28-9101, et seq.

Dear Chairman Prochaska:

The undersigned cities and towns of Yuma County, having voted in a public meeting, and pursuant to A.R.S. § 28-9102, hereby request the Yuma County Board of Supervisors to establish an intergovernmental public transportation authority consisting of the area within the incorporated boundaries of the cities and town requesting formation, and any unincorporated area within Yuma County as may be deemed appropriate and necessary by the Yuma County Board of Supervisors.

It is further requested that all actions described in A.R.S. § 28-901, et seq. toward the formation of an intergovernmental public transportation authority be undertaken forthwith.

Please advise the City and Town Administrators of the petitioning entities as to what additional steps and actions may be required of them toward completion of the requested action.

Sincerely,

James Deerner, Mayor
Town of Wellton

Martin Porchas, Mayor
City of Somerton

Al Krieger, Mayor
City of Yuma

Juan Carlos Escamilla, Mayor
City of San Luis

000021

Exhibit "D"

September 14, 2010

Kathryn R. "Casey" Prochaska, Chairman
Yuma County Board of Supervisors
198 S. Main St.
Yuma, Arizona 85364

Re: Petition for Formation of an Intergovernmental Public Transportation Authority, Pursuant
to A.R.S. § 28-9101, et seq.

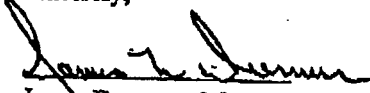
Dear Chairman Prochaska:

The undersigned cities and towns of Yuma County, having voted in a public meeting, and pursuant to A.R.S. § 28-9102, hereby request the Yuma County Board of Supervisors to establish an intergovernmental public transportation authority consisting of the area within the incorporated boundaries of the cities and town requesting formation, and any unincorporated area within Yuma County as may be deemed appropriate and necessary by the Yuma County Board of Supervisors.

It is further requested that all actions described in A.R.S. § 28-901, et seq. toward the formation of an intergovernmental public transportation authority be undertaken forthwith.

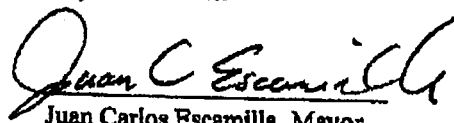
Please advise the City and Town Administrators of the petitioning entities as to what additional steps and actions may be required of them toward completion of the requested action.

Sincerely,


James Deerner, Mayor
Town of Wellton


Martin Porchas, Mayor
City of Somerton

Al Krieger, Mayor
City of Yuma


Juan Carlos Escamilla, Mayor
City of San Luis

**OFFICE OF THE
WELLTON TOWN COUNCIL
28634 Oakland Avenue
Wellton, Arizona 85356**



**TOWN OF WELLTON
COUNCIL MINUTES
SEPTEMBER 21, 2010**

Mayor James L. Deerner called the regular session to order at 7:00 p.m. on Tuesday, September 21, 2010, lead the pledge of allegiance and gave the invocation. Roll call was taken.

Council Members Present: Mayor James L. Deerner, Vice Mayor Emma Q. Moser and Councilmen J. Keith Milam, Cecilia C. McCollough and Alejandro M. Bejarano establishing there was a quorum present.

Staff Present: Town Manager Rodney L. Rinehart, Deputy Town Clerk Becky J. Hopkins, Police Chief Keith W. Titus, Judge Cora M. Romine, Fire Chief Mark Rivera and Public Works Director Joe Grant.

Guests: Juell and Vera Barker, Gilbert Lopez Jr. and Terry Signor.

- **Call To The Public - No Comments**
- **Department Head Reports**
 - A. **Police Department**
 - B. **Magistrate & Court Department**
 - C. **Fire Department**
 - D. **Public Works Department**

The Police Department, Town Magistrate, Fire Department and Public Works Department heads gave the Council a summary of their Department's current activity.

DISCUSSION AND ACTION ITEMS

Discussion and possible action to sponsor a petition to submit to the Yuma County Board of Supervisors to form an independent Transportation Authority.

A motion was made by Councilman Milam, seconded by Vice Mayor Moser, to submit a petition to the Yuma County Board of Supervisors to form an independent Transportation Authority. Voice vote 5-0, motion carried.

2. **Discussion and action to enter into contract #103-11 with the State of Arizona, Department of Housing, for a grant in the amount of \$566,376 to construct water system improvements.**

A motion was made by Councilman Bejarano, seconded by Councilman McCollough, to enter into CDBG contract #103-11 with the State of Arizona, Department of Housing, for a grant in the Amount of \$566,376 to construct water system improvements. Voice vote 5-0, motion carried.

3. Discussion and possible action on the payment arrangements for the water meter at the new Border Patrol Station site:

Town Manager Rinehart gave the Council a handout showing the different size meters and the prices. The Corps of Engineers omitted the meter and the backflow preventer from their plans. Now that the water line is in, it is time for them to purchase a meter from the Town. They have had their legal department weighing the options of who is responsible for the meter.

It is now a moot point since the manager of Okland Construction, the contract, came into the office this afternoon and said they would pay for the meter in full.

4. Other Reports

Councilman Bejarano commented on the nuisances around Town and stated that we need to follow up on these cases. Town Manager Rinehart said he and Police Chief Titus would put their heads together and get a handle on this situation.

Mayor Deermmer said he had a complaint about a man who was attacked by a pack of dogs. Chief Titus said he would have an office follow up on this incident.

5. Manager's Report

Town Manager Rinehart reported on the following items:

- The Planning Assistance for Rural Areas (PARA) study is planning to host an Open House for the community's input on October 27th;
- Bids for the Water Control Services Building are due on Monday, September 27th at 5:00 p.m.
- We are in the process of reevaluating our Commercial Sanitation rates in light of the House Bill passed which allows competition for Commercial Sanitation Services in all municipalities.

6. Executive Session

- A. For legal, real estate or personnel Matters pursuant to A.R.S. Section 38-431.03, Section A (1), (3) And (7).

There was no need for an Executive Session.

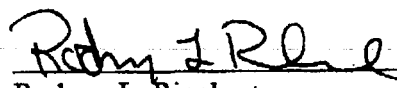
7. Adjournment

A motion was made by Vice Mayor Moser, seconded by Councilman Bejarano, to adjourn. Voice vote 5-0. Motion carried. Meeting adjourned at 7:36 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of Wellton, Arizona held on the 21st day of September 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Approved this 5th day of October 2010


Rodney L. Rinehart
Town Manager/Clerk

OFFICE OF THE
WELLTON TOWN COUNCIL
28634 Oakland Avenue
Wellton, Arizona 85356



TOWN OF WELLTON
COUNCIL MINUTES
JANUARY 18, 2011

Mayor James L. Deermmer called the regular session to order at 7:00 p.m. on Tuesday, January 18, 2011, lead the pledge of allegiance and gave the invocation. Roll call was taken.

Council Members Present: Mayor James L. Deermmer, Vice Mayor Emma Q. Moser and Councilmen J. Keith Milam, Cecilia C. McCollough and Alejandro M. Bejarano establishing there was a quorum present.

Staff Present: Town Manager Rodney L. Rinehart, Deputy Town Clerk Becky J. Hopkins, Police Chief Keith W. Titus, Fire Chief Mark Rivera and Public Works Director Joe Grant.

Guests: Juell & Vera Barker, Mr. & Mrs. Jerome Wells and Judge Russ Jones.

- **Call To The Public - No Comments**
- **Department Head Reports**
 - A. Police Department
 - B. Magistrate & Court Department
 - C. Fire Department
 - D. Public Works Department

The Police Department, Fire Department and Public Works Department heads gave the Council a summary of their Department's current activity.

DISCUSSION AND ACTION ITEMS

1. **Approval of Cash Disbursements List**
 - A. **For the month of December 2010**

A motion was made by Vice Mayor Moser, seconded by Councilman McCollough, to approve the Cash Disbursements List for the month of December 2010. Voice vote 5-0, motion carried.

2. **Approval of Minutes**
 - A. **For the Regular Meeting of November 16, 2010**
 - B. **For the Regular Meeting of December 7, 2010**
 - C. **For the Regular Meeting of December 21, 2010**

A motion was made by Councilman Milam, seconded by Councilman Moser, to approve the minutes of the regular meeting of November 16, 2010, the regular meeting of December 7, 2010 and the regular meeting of December 21, 2010. Voice vote 5-0, motion carried.

3. Presentation by Police Chief Titus on the current Nuisance Ordinance.

Police Chief Titus gave the Council a PowerPoint presentation and a hand out to review.

After the presentation he summed up with these recommendations:

- Conducted a complete review of current cases the Police Department has identified of which there are twenty-four (24);
- complete a communication risk review;
- revise the entire nuisance process as it is not in compliance
- update the Nuisance Ordinance;
- we will need to revise and update the forms
- Chief Titus suggests putting a form on the website for people to report nuisances.
- He and his Department can create a data base so these properties can be tracked.

Chief Titus commented on whether this process was or could be considered a civil violation vs. a criminal violation. He recommended our initial focus be on a voluntary compliance vs. coercive compliance; the more voluntary it is, the less expensive it will be, less controversial, otherwise we go back to writing tickets. The nuisance abatement process for just one home can take time, staffing and funding; funding that will have to be budgeted.

During his Departments research of this issue, it was found that A.R.S. 13-2917 made the non-compliance of a nuisance a class 2 misdemeanor. According to this statute our Town Attorney would have to bring action in superior court to abate, enjoin and prevent the nuisance vs. bringing action to our municipal court.

If a residents property gets to the point that Town Attorney Engler has to bring action for abatement to the Superior Court to issue an abatement notice and the notice is issued, the town staff will do the clean up and document our time and we can then place a lien on the property. He pointed out that this can possibly be a very expensive process.

In addition to the above, when Chief Titus discussed this issue with our prosecuting attorney, Mr. Gregory Torok, he felt our nuisance ordinance is out of date and is not prosecutable and he would be reluctant to prosecute.

Town Manager Rinehart suggested that we do a little further research and compare Yuma County and the City of Yuma's nuisance procedures with ours to see what alternatives are available. The Council wants to have a work session with them, the Town Manager and the Police Chief to discuss our options when we have these comparisons and go from there.

4. Recess as Common Council of the Town of Wellton and convene a public hearing as the Board of Adjustment of the Town of Wellton to consider the following item:

Common Council recessed at 7:30 p.m. and convened as the Board of Adjustment.

- A. **VARIANCE CASE #11-401:** Mr. and Mrs. Jerome Wells request a Variance of three (3) foot from a six (6) foot required interior yard setback to construct an unattached carport between his home and the property line located at 30211 Mountain View Avenue.

The Council was given a packet of information which included property diagrams, pictures and a letter from both their neighbors stating they have no problems with the position of the carport. After reviewing all the information, the Board of Adjustment agreed, by consensus, to recommend approval of the Variance request to the Council.

B. Adjourn as Board of Adjustment for the Town of Wellton and reconvene as the Common Council of the Town of Wellton.

Board of Adjustment meeting adjourned and the Common Council reconvened at 7:35 p.m.

5. Discussion and action to consider recommendations of the Board of Adjustment for the Town of Wellton in the matter of Variance Case #11-401.

A motion was made by Councilperson Bejarano, seconded by Vice Mayor Moser, to accept the recommendation of the Board of Adjustment and approve Variance Case #11-401. Voice vote 5-0, motion carried.

Discussion and action to appoint Town Manager Rodney L. Rinehart to the Intergovernmental Public Transportation Authority (IPTA).

A motion was made by Councilperson Bejarano, seconded by Vice Mayor Moser to appoint Town Manager Rodney L. Rinehart to the Intergovernmental Public Transportation Authority (IPTA). Voice vote 5-0, motion carried.

7. Discussion and action to enter into an Intergovernmental Agreement between the Yuma County Flood Control District and the Town of Wellton to adopt the latest edition of the "Regulations" to be used to delineate, govern, and manage Special Flood Hazard Areas ("SFHA") within the Town of Wellton.

A motion was made by Councilperson Bejarano, seconded by Vice Mayor Moser to enter into an Intergovernmental Agreement between the Yuma County Flood Control District and the Town of Wellton to adopt the latest edition of the "Regulations" to be used to delineate, govern, and manage Special Flood Hazard Areas (SFHA) within the Town of Wellton. Voice vote 5-0, motion carried.

8. First reading of Ordinance #106, an ordinance of the Town of Wellton, Arizona, amending the Wellton Town Code, amending Section 8-6, renaming this section Manufactured Homes, Mobile Homes, Recreation Vehicles and Travel Trailers from Manufactured Home Placement Permits and providing regulations for each type of structure.

Town Manager Rinehart addressed the Council informing them that he feels some people have gotten the idea that we are restricting these types of residences in the Town but it is just the opposite, we are just hoping to give the Town staff guidelines on standards when these units are being used as principle living quarters on Town lots.

Mayor Deermmer acknowledges Juell Barker who wishes to speak to this subject. Mr. Barker made the following comments: He wants to discuss public input on Council meetings. He is

concerned that citizens don't have enough timely or convenient access agendas so they can speak to the items on the agenda and so he feels that the staff should notify the public in the newsletter each month as to what will be discussed at the Council meetings each month and to inform the public when they can pick up an agenda. Also he feels the staff should pass out any documentation or information the Council receives at a Council meeting because it is germane to the agenda item and so the public will have the same advantage as the Council in the decision making process.

Mr. Barker then began to comment on the draft ordinance the staff had presented to provide guidelines for manufactured homes, mobile homes, recreational vehicles and travel trailers. He first wanted to comment on item #4 under travel trailers. He didn't feel we should restrict travel trailers from being used as storage sheds or in his words "you cannot store things in a travel trailer that is in storage". He feels this is going to have an unintended consequence because you have a lot of people that store items in their travel trailers in a designated storage area at the RV parks they live in. Now we are trying to say that is illegal. He doesn't think that is what we intended to do. He feels we want to clean up Wellton and he suggests we call this program the Wellton Appearance Improvement Program. He feels this is what we want to address. He feels we should cut this item from the Ordinance and draft another Ordinance and call it the Wellton Appearance Improvement Program.

Mr. Barker then addressed the issue of allowing Arizona Rooms on a travel trailer and went on to discuss low income housing and the types of homes a person or family could afford if they are only living on Social Security. These low income residents benefit greatly if they have the extra space an Arizona Room would afford them. He felt the solution was to enforce the CC&R's and if need be, to make amendments to the CC&R's.

Council Person Bejarano addressed the Council and public and informed them he had done a little research on the CC&R's at Butterfield Bluff Estates 3 which does allow travel trailers on the last street of the subdivision, but the CC&R's in Butterfield Bluff Estates 2 does not allow travel trailers at all. Council Person Bejarano does not think we should impose an ordinance on the Town that would restrict the use of the RV's, travel trailers and 5-wheels throughout the whole town especially if it affects a low income housing RV park.

Councilman Bejarano feels we should look into the CC&R's of each subdivision before we proceed to restrict the use of these trailers Town wide. He felt going into RV Parks and establishing new standards for them was discriminatory.

Mayor Deermmer commented that the intent was not to include RV Parks in this Ordinance; it was for individual lots in subdivisions in Town some of which do not have CC&R's. If someone pulled in a travel trailer or 5-wheel into a subdivision that was a disgrace, this Ordinance would give the staff guidelines on standards when these units are being used as principle living quarters on Town lots and the staff would have some type of recourse to have it moved. We need to establish standards for primary principal residences.

Council Person Bejarano felt the way the Ordinance was set up, it was going to impose restrictions on the entire community not just on noticeable eye sores. Mayor Deermmer commented this was the first step in the process for discussion and to invite comments to establish guidelines that will improve our community rather than impede our progress we have already made for the good of the whole.

Council Person Bejarano commented that he felt we needed more public input, more workshops with the Council and Town Manager and public meetings with major stakeholders such as developer's of the subdivisions involved.

Town Manager Rinehart told the Council he needed direction. He commented that right now this is all conversation and public input.

Town Manager Rinehart did comment on the "attachments" such as Arizona Rooms attached to travel trailers. He pointed out that in the instance of travel trailers this would not be an acceptable application for an Arizona Room. Arizona Rooms have to be anchored to the ground so the wind can't blow it away. This is specified in the Uniform Building Codes.

We are going to have to look at the Uniform Building Codes and rely on them as part of our guide. The Town has adopted the 1997 Uniform Building Code as our guidelines for construction. In the instance of the construction of an Arizona Room, you can't put any weight on the travel trailer to hold up the Arizona Room roof because the travel trailer is not structurally sound enough to hold up the external roof of the Arizona Room. These are additional issues we are going to have to address.

Our intent is good but we don't want to cause any undue hardships that can have a rippling effect. There are just no hard and fast rules out there that would help to govern our unique community. The Council suggested that age should be one of the deciding factors, and Town Manager Rinehart mentioned that RV's are going to be hard to govern because they move in and out all the time. We don't track them, there is no permitting process; unless they turn on water, we don't know they are there. Also everything that is already in place will be grandfathered in. Whatever regulations we come up with is going to apply to future issues.

We still need to research these issues; as Mr. Rinehart said, there is no straight forward answer to these issues. This ordinance needs more work, refine things, talk to engineers for structural issues, reach out to other towns for assistance, we rely on City of Yuma and Yuma County as a guide, talk to other development departments, gather more information. We need to look at our demographics and our verbiage to be fair. We want people to survive in Wellton.

Council Person McCollough commented we also need to have foresight; we need to keep our eye on the community and to establish a basis for a standard which will attract new growth.

No action taken of this item. Council would like to have a work session to explore options more fully.

9. Other Reports

Council Person McCollough asked when the museum was open and if there was a local Wellton historian. She also commented on the after school parking and would like someone to look at cars cued up in the parking lot, waiting for their children, blocking cars from parking in the parking lots or these parked cars blocking cars from backing out of parking spaces. Police Chief Titus said one of his officers will look into this situation.

10. Manager's Report

Town Manager Rinehart updated the Council on the work the rail road will be doing in and around Avenue 25E and William Street and the possibility of reopening the rail road spur that splits at Wellton going to Phoenix.

Deputy Clerk Hopkins gave the Council a report on the upcoming election. She reported there will be 891 publicity pamphlets set to be mail within the week. The election will be on March 8th and since we only have our two incumbents running the Council Election is pretty much a slam dunk but we still need to encourage people to vote, either early or at the poll, on Proposition #401, our expenditure limitation option. Yuma County handling our early ballot process; they will mail out the "request for early ballots", then send the early ballots out, receive them and verify the signatures. The County Recorder will then deliver the verified early ballots to us on the Friday before Election Day for counting by our poll works after the poll closes.

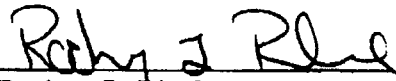
11. Executive Session - No need for an Executive Session**12. Adjournment**

A motion was made by Council Person Bejarano, seconded by Vice Mayor Moser, to adjourn. Voice vote 5-0. Motion carried. Meeting adjourned at 8:20 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of Wellton, Arizona held on the 18th day of January 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Approved this 5th day of April 2011



Rodney L. Rinehart
Town Manager/Clerk

Exhibit "E"



NORTHERN
ARIZONA
UNIVERSITY

YUMA
Branch Campus

NAU-Yuma
PO Box 6238
Yuma, AZ 85366-6238

928-317-8400
928-317-6419 fax
neu.edu/yuma

October 4, 2010

Kathryn R. "Casey" Prochaska, Chair
Yuma County Board of Supervisors
198 S. Main Street
Yuma, AZ 85364

CC Robert Pickels

In re: Petition for Formation of an Intergovernmental Public Transportation
Authority, Pursuant to A.R.S. § 28-9101, et seq.

Dear Chair Prochaska,

The Yuma Branch Campus of Northern Arizona University, with the permission of President John Haeger, joins with others in Yuma County in requesting that the Yuma County Board of Supervisors establish an intergovernmental public transportation authority consisting of the area within the incorporated boundaries of the cities, towns and the university requesting such, as well as any unincorporated area within Yuma County as may be deemed appropriate and necessary by the Yuma County Board of Supervisors.

It is further requested that all actions described in A.R.S. § 28-901, et seq. toward the formation of an intergovernmental public transportation authority be undertake forthwith.

Please advise me, as the Campus Executive Officer of the Yuma Branch Campus of Northern Arizona University, as to what additional steps and actions may be required toward the completion of the requested action.

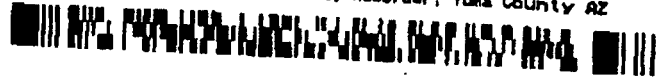
Sincerely,


Larry A. Gould, PhD
Associate Vice President and Campus Executive Officer
Yuma Branch Campus of Northern Arizona University

Cc: Robert Pickels, County Administrator

Exhibit "F"

2011-00660 RESOLUTION
01/10/2011 10:37:33 AM Pages: 3 Fees: \$0.00
Requested By: CITY OF YUMA
Recorded By: dshepard
Robyn Stallworth Pinal County Recorder, Yuma County AZ



Please return original document
to the Board of Supervisors Office,
ATTENTION: Deserae Doten, 373-1105
(Name & phone number)

TYPE OF DOCUMENT:

Resolution No. 10-52

A Resolution of the Yuma County Board of Supervisors Establishing an
Intergovernmental Public Transportation Authority within Yuma County, Pursuant to
A.R.S. § 28-9102

DOCUMENT APPROVAL:

Approved by Yuma County Board of Supervisors:
December 13, 2010, Item No. D1.



**YUMA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 10-52**

**A RESOLUTION OF THE YUMA COUNTY BOARD OF SUPERVISORS
ESTABLISHING AN INTERGOVERNMENTAL PUBLIC TRANSPORTATION
AUTHORITY WITHIN YUMA COUNTY, PURSUANT TO A.R.S. § 28-9102.**

WHEREAS: Yuma County has a population of 200,000 or less persons, as identified by the last preceding certified decennial census in 2000; and

WHEREAS: The governing bodies of the Cities of Yuma, Somerton, San Luis and the Town of Wellton have petitioned the Yuma County Board of Supervisors to establish an intergovernmental public transportation authority (authority) consisting of the areas within the incorporated boundaries of their respective municipalities; and

WHEREAS: The organizing municipalities are not contiguous and have unincorporated areas between them; and

WHEREAS: The Yuma County Board of Supervisors held a public hearing on November 17, 2010 in the City of Yuma to determine public support for the formation of an authority and whether establishing the authority would be in the public interest; and

WHEREAS: The Yuma County Board of Supervisors has determined that establishing an authority would serve the public convenience, necessity, safety or welfare;

NOW, THEREFORE, It is hereby resolved that an intergovernmental public transportation authority is established within Yuma County, Arizona.

It is further resolved that the boundaries of the authority will include all of the area within the boundaries of the Cities of Yuma, Somerton, San Luis and the Town of Wellton, as well as all unincorporated areas within Yuma County; that the initial member entities shall be the Cities of Yuma, Somerton, San Luis, the Town of Wellton and Yuma County; and, that each member entity, both now and hereafter, of the intergovernmental public transportation authority shall be entitled to equal representation and voting rights on the organization's governing board.

Adopted this 13th day of December, 2010

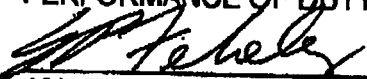
Kathryn Casey Prochaska
KATHRYN "CASEY" PROCHASKA, Chairman

PAGE 2
RESOLUTION NO. 10-52

ATTEST:


ROBERT L. PICKELS, JR
County Administrator/Clerk of Board

APPROVED AS TO FORM AND DETERMINED TO BE WITHIN THE SCOPE OF
PERFORMANCE OF DUTY OF THE YUMA COUNTY BOARD OF SUPERVISORS:


JON R. SMITH, County Attorney

P:\Resolutions\2010\Res 10-52_Draft #3 RPks.doc



Office of the President
P.O. Box 929
Yuma, Arizona 85366-0929
Voice: (928) 344-7500
Fax: (928) 344-7709
www.azwestern.edu

Exhibit "G"

August 8, 2011

**John Andoh, CCTM, Transit Director
Yuma County Intergovernmental Public Transportation Authority
2715 East 14th Street
Yuma, AZ 85364**

Re: Request to Join the Yuma County Intergovernmental Public Transportation Authority

John,

Arizona Western College requests that Arizona Western College wishes to join the Yuma County Intergovernmental Public Transportation Authority as defined in ARS 28-9101 as already formed per Yuma County Board of Supervisors Resolution 10-52 on December 13, 2010.

Please advise me what additional steps and actions may be required toward the completion of this requested action.

Sincerely,

A handwritten signature in cursive script that reads "Glenn E. Mayle".

Dr. Glenn Mayle, President

Exhibit "H"



THE COCOPAH INDIAN TRIBE

Office of the Tribal Chairwoman

14515 S. Veterans Drive

Somerton, AZ 85350

Tel: (928) 627-2102

Fax: (928) 627-3173

Email: cocotcsec@cocopah.com

October 18, 2011

John Andoh, Transit Director
2715 E. 14th Street
Yuma, AZ 85364

RE: Request to join the Yuma County Intergovernmental Public Transportation Authority.

Mr. Andoh,

The Cocopah Tribal Council at a duly called session conducted on October 14, 2011 agreed to join the Yuma County Intergovernmental Public Transportation Authority.

Mr. Paul Soto will contact you and provide the co-operation needed to complete this action.

Thank you,

A stylized, handwritten signature in black ink, appearing to read "Sherry Cordova".

Sherry Cordova, Chairwoman
Cocopah Tribal Council

Exhibit "I"

Formula for Funding

Among the non-college/university members, match contributions are determined by the deficit of total cost over federal funds received, divided by percent of total county population.

College/university members contribute on a fee per student basis, calculated each semester – current per student fee per semester is \$5.00.00.

See attached Schedule for FY 2011-2012.

Match Contributions - FY 2011-2012						
Agency	Membership	Votes	Population	%	Funding	%
Yuma County	Public	1	59,196	29.89%	\$ 158,011	29.89%
City of Yuma	Public	1	93,064	46.99%	\$ 248,415	46.99%
City of Somerton	Public	1	14,287	7.21%	\$ 38,136	7.21%
Town of Wellton	Public	1	2,882	1.46%	\$ 7,693	1.46%
City of San Luis	Public	1	25,505	12.88%	\$ 68,080	12.88%
Northern Arizona University*	College	1	-	0.00%	\$ -	0.00%
Arizona Western College*	College	1	-	0.00%	\$ -	0.00%
Guadalupe						
Cocopah Tribe*	Tribal	1	817	0.41%	\$ 2,181	0.41%
TOTAL		9	198,051	100.00%	\$ 528,655	100.00%

*Buys access for students to ride YCAT for free.

*Buys access for students to ride YCAT for free.

*Cocopah pays an additional \$39,015 to provide Grey Route free fares and \$242,007 for Purple Route (separate route outside system).

Local Match Deficit Per YMPO \$ 528,655



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. C.

Meeting Date: 09/25/2019

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

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

Action Requested: Motion
Ordinance
Public Hearing

ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2019-0405 and Ordinance No. 392. An ordinance of the Mayor and City 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 36.76 acres of real property located on the southeast corner of San Luis Lane and 20th Avenue from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). **(Jose A. Guzman, Director of Planning and Zoning)**

- A. Open public hearing
 - 1. Staff presentation
 - 2. Call to the Public on this item
- B. Close public hearing
- C. Approval of Reading of Ordinance No. 392 by title only
(City Clerk to read the ordinance by title only)
- D. Action on Ordinance No. 392

SUMMARY:

This is a request by Riedel Holdings AZ, LLC., on behalf of Border Ranches, LLC, owner, to change the zoning classification of 36.76 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The subject property is located in the east mesa of the City of San Luis; at the southeast corner of San Luis Lane and 20th Avenue (Assessor Parcel ID No. 227-10-013).

Bienestar 9A Phase 2 subdivision is located to the west and zoned Medium Density Residential (R1-6). Property to the east is zoned Medium-High Density Residential (R-2) and is undeveloped land. Future Santa Cecilia 3 Subdivision is located to the south and is zoned as Medium Density Residential (R1-6). Property to the north is part of Yuma County and is undeveloped land.

GENERAL PLAN:

This area is designated as Neighborhood in the City of San Luis 2020 General Plan. The activities proposed will be consistent with that designation (Chapter 2, Page 19-20). The Neighborhood Land Use designation allows all types of residential development.

AGENCY REVIEW:

As part of the review process, all land use cases are reviewed by various city and outside agencies. We have received comments from the following agencies:

- 1. San Luis Fire Department (7-17-19)

2. Yuma County Airport Authority (7-17-19)
3. Arizona Game and Fish Department (7-17-19)

As required by State Statute staff sent notification letters to property owners within 300 feet of the proposed project (43 letters). The city has not received any significant concerns or objections from adjacent property owners.

CITIZEN REVIEW MEETING:

As required by State Statute (A.R.S. §9-462.03) and City Code (§152.040(C)), a Citizen Review meeting was held at City Hall on August 6, 2019.

The purpose of the Citizen Review Meeting is to provide adjacent landowners and other potentially affected citizens an opportunity to ask questions and express any issues or concerns that they may have with the proposed rezoning or specific plan application prior to the public hearing. There were no people from the public present.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission held a public hearing for this item at their regular meeting of September 10, 2019, at San Luis Council Chambers. The Commission recommended approval of Rezoning Case No. 2019-0405 subject to the conditions recommended by staff.

ANALYSIS:

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 sq. ft. for new subdivisions.

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

SUMMARY:

The applicant has provided the information and materials necessary for review of the Rezoning Case. This case is to change the zoning of the property; the presented layout must comply with all zoning, subdivision and any applicable regulations.

STAFF RECOMMENDATION:

Staff recommends approval of Rezoning Case No. 2019-0405 subject to the following conditions:

1. That any development of the property, or portion thereof, and/or the approval of any subdivision plat, be conditioned upon payment to the city the sum of \$260.00 per acre, or any portion of an acre, as a proportionate contribution for a traffic signal at the intersection of County 24th Street and Avenue E. The city will initiate a regional circulation study in east San Luis within the next 12 months to establish the need for the traffic signals on Avenues F and E along County 24th Street. The study will provide an estimated time as to when the traffic signals will need to be installed.
2. A traffic study is required and the construction of any and all improvements as recommended by the said study, including but not limited to, possible construction of street and/or signalization improvements along the County 23 ½ Street alignment. Such improvements to include the acquisition of any rights of way if needed, so as to be able to develop and construct improvements as may be recommended.

RECOMMENDATION / SUGGESTED MOTION:

1. I MOVE TO OPEN THE PUBLIC HEARING.
2. I MOVE TO CLOSE THE PUBLIC HEARING.
3. I MOVE TO APPROVE ORDINANCE NO. 392 BY TITLE ONLY.
(City Clerk to read Ordinance No. 392 by title only)
4. I MOVE TO APPROVE ORDINANCE NO. 392 BY TITLE ONLY.

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

Ordinance No. 392
Location Map
Conceptual Plan
San Luis Fire Department Comments (7-17-19)
Yuma County Airport Authority Comments (7-17-19)
Arizona Game and Fish Department Comments (7-17-19)



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

NO. 392

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 36.76 ACRES OF REAL PROPERTY LOCATED ON THE SOUTHEAST CORNER OF SAN LUIS LANE AND 20TH AVENUE FROM MEDIUM-HIGH DENSITY RESIDENTIAL (R-2) TO MEDIUM DENSITY RESIDENTIAL (R1-6); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Mayor and City Council of the City of San Luis desire to amend the City of San Luis Official Zoning District Map (the "Zoning Map") pursuant to A.R.S. §9-462.04 to change the zoning classification for 36.76 acres of real property located on Assessor Parcel ID # 227-10-013; as attached hereto as "Exhibit A" and

WHEREAS, the aforementioned change in zoning classification is consistent with the General Plan of the City of San Luis; and

WHEREAS, all due and proper notices of public hearings on the Zoning Map Amendment have been given and proper public hearings have been held, and a recommendation has been given regarding the Zoning Map Amendment by the Planning and Zoning Commission of the City of San Luis recommending approval of the change in zoning classification with conditions;

WHEREAS, the Planning and Zoning Commission recommended approval of the zoning change with the condition of the contribution for a traffic signal on 24th Street and Avenue E and a traffic study and improvements required by said study.

WHEREAS, A.R.S. § 9-462.01 grants power to a municipality to impose conditions upon a change of zoning:

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

SECTION 1. That the above recitals are hereby incorporated as though fully set forth herein.

SECTION 2. That the Official Zoning Map of the City of San Luis is hereby amended by changing the zoning classification from medium-high residential (R-2) to medium density residential (R1-6) of the property subject to the following conditions:

1. That any development of the property, or portion thereof, and/or the approval of any subdivision plat, be conditioned upon payment to the City of the sum of \$510 per acre, or any portion thereof, as a proportionate contribution for a traffic signal at the intersection of 24th Street and Avenue E. The City will initiate a regional circulation study in East San Luis within the next 12 months to establish the need for the traffic signals on Avenue F and E along County 24th Street. The study will provide an estimated time as to when the traffic signals will need to be installed.
2. A traffic study is required and the construction of any and all improvements as recommended by said study, including but not limited to, possible construction of street and/or signalization improvements along the 23 ½ street alignment. Such improvements to include the acquisition of any rights of way, if needed, so as to be able to develop and construct improvements as may be recommended.

Property more fully described as:

LOT 3A OF THE SANTA CECILIA LOT TIE/LOT SPLIT AS RECORDED IN
BOOK 30 OF PLATS, PAGES 98, YUMA COUNTY RECORDERS OFFICE,
YUMA COUNTY, ARIZONA.

CONTAINING 36.75 ACRES MORE OR LESS.

SECTION 3. In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy within 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 or said reference regulations.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis,

Arizona, this _____ day of _____, 2019.

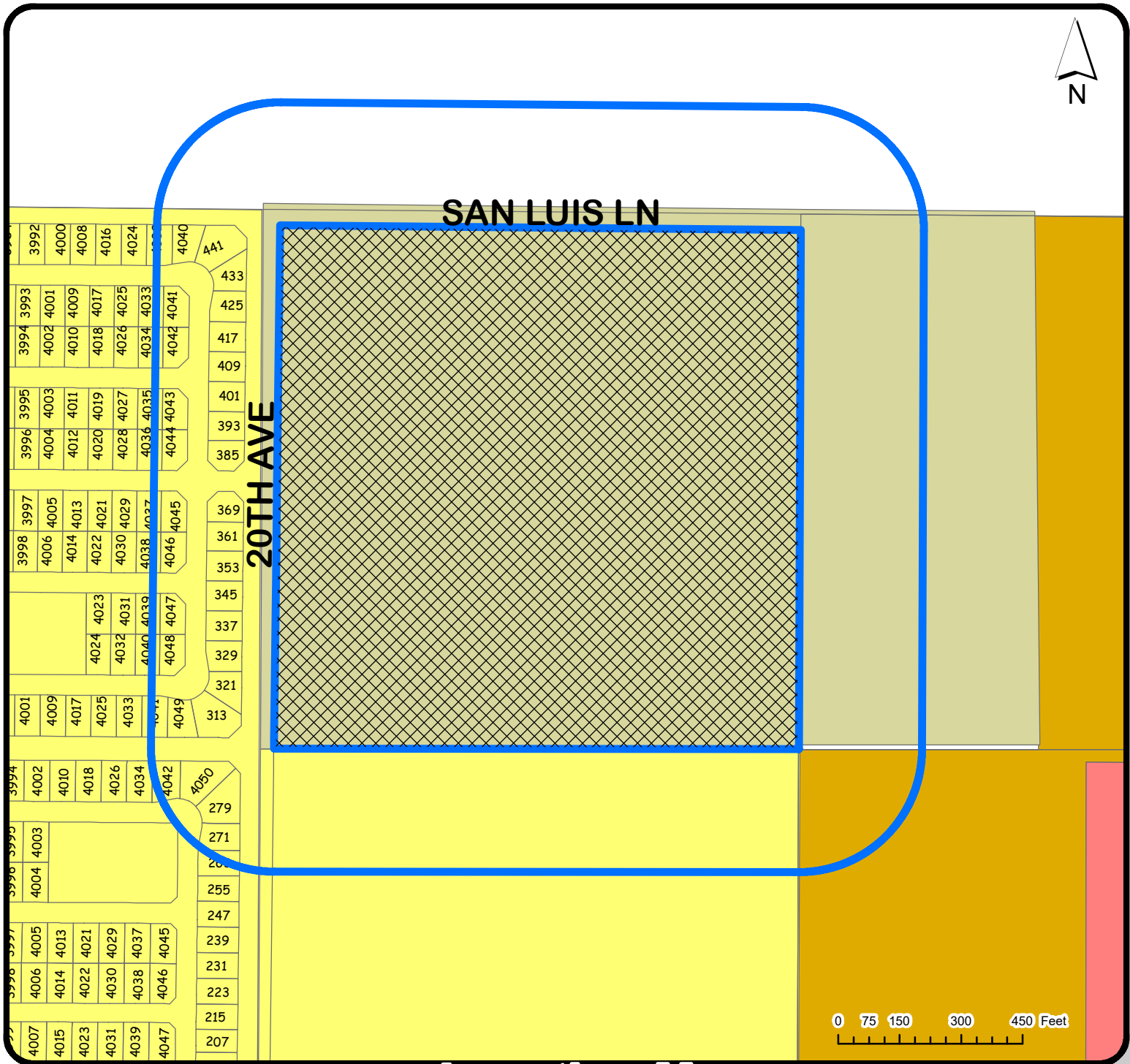
Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney



LOCATION OF SUBJECT PROPERTY

 Assessor's Parcel No. 22710013
REZONING APPROX. 36.76 acres
from R-2 to R1-6

 300ft Notification Area

Location Map

REZONING

Zoning

MULTIPLE RESIDENCE ZONING DISTRICTS
R-2
R-3
COMMERCIAL ZONING DISTRICTS
C-2
SINGLE RESIDENCE ZONING DISTRICTS
R1-6

Date:

7/16/2019

PLANNING & ZONING



GIS

Prepared By:

ISAAC GUTIERREZ

APPROVED BY:

JOSE A. GUZMAN

Case No.

2019-0405

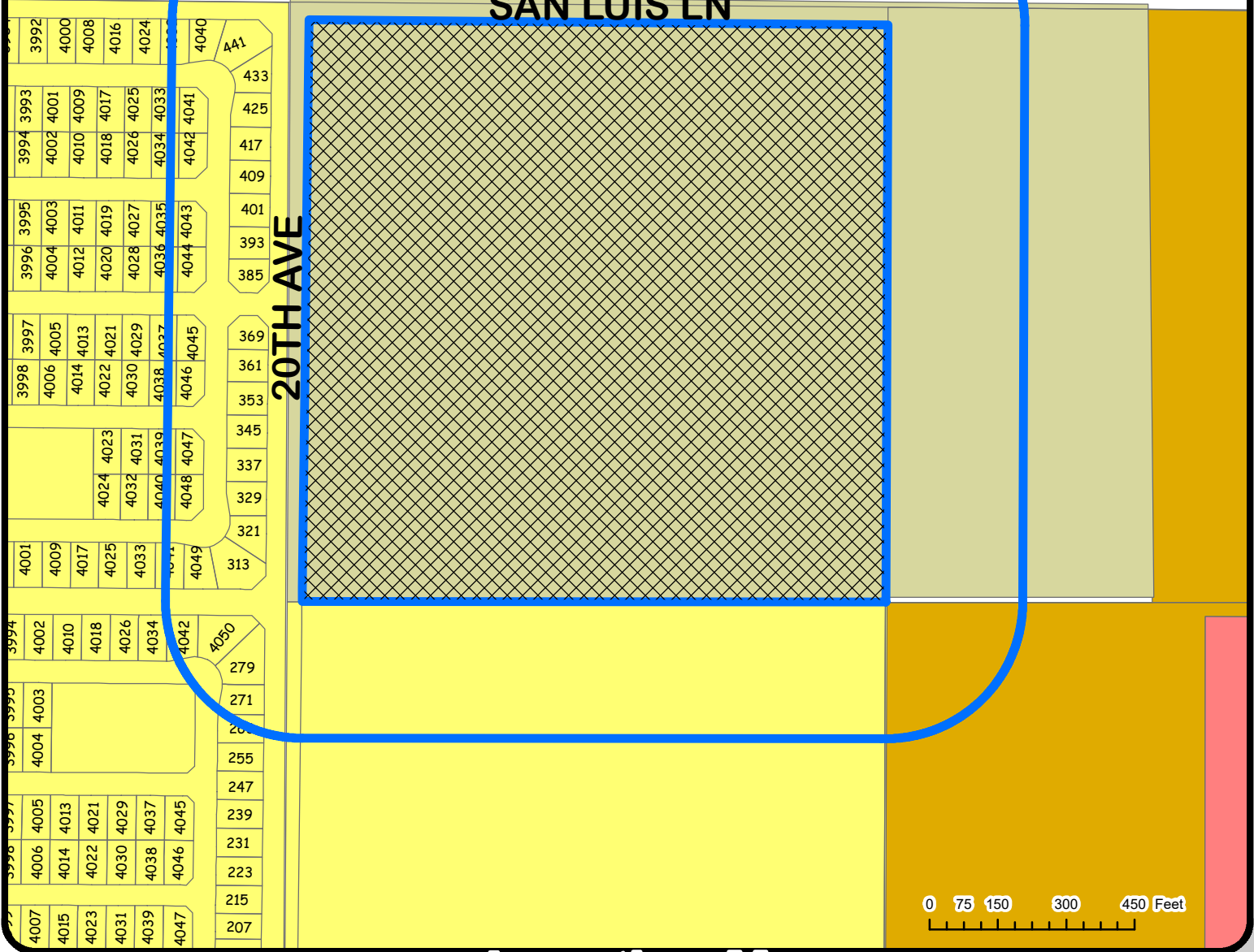
Checked By:

ROMAN PACHECO



SAN LUIS LN

20TH AVE



LOCATION OF SUBJECT PROPERTY

Location Map

REZONING



Assessor's Parcel No. 22710013
REZONING APPROX. 36.76 acres
from R-2 to R1-6



300ft Notification Area

Zoning

MULTIPLE RESIDENCE ZONING DISTRICTS
R-2
R-3
COMMERCIAL ZONING DISTRICTS
C-2
SINGLE RESIDENCE ZONING DISTRICTS
R1-6

Date:

7/16/2019

PLANNING & ZONING



GIS

Prepared By:

ISAAC GUTIERREZ

Case No.

2019-0405

Checked By:

ROMAN PACHECO

APPROVED BY:

JOSE A. GUZMAN

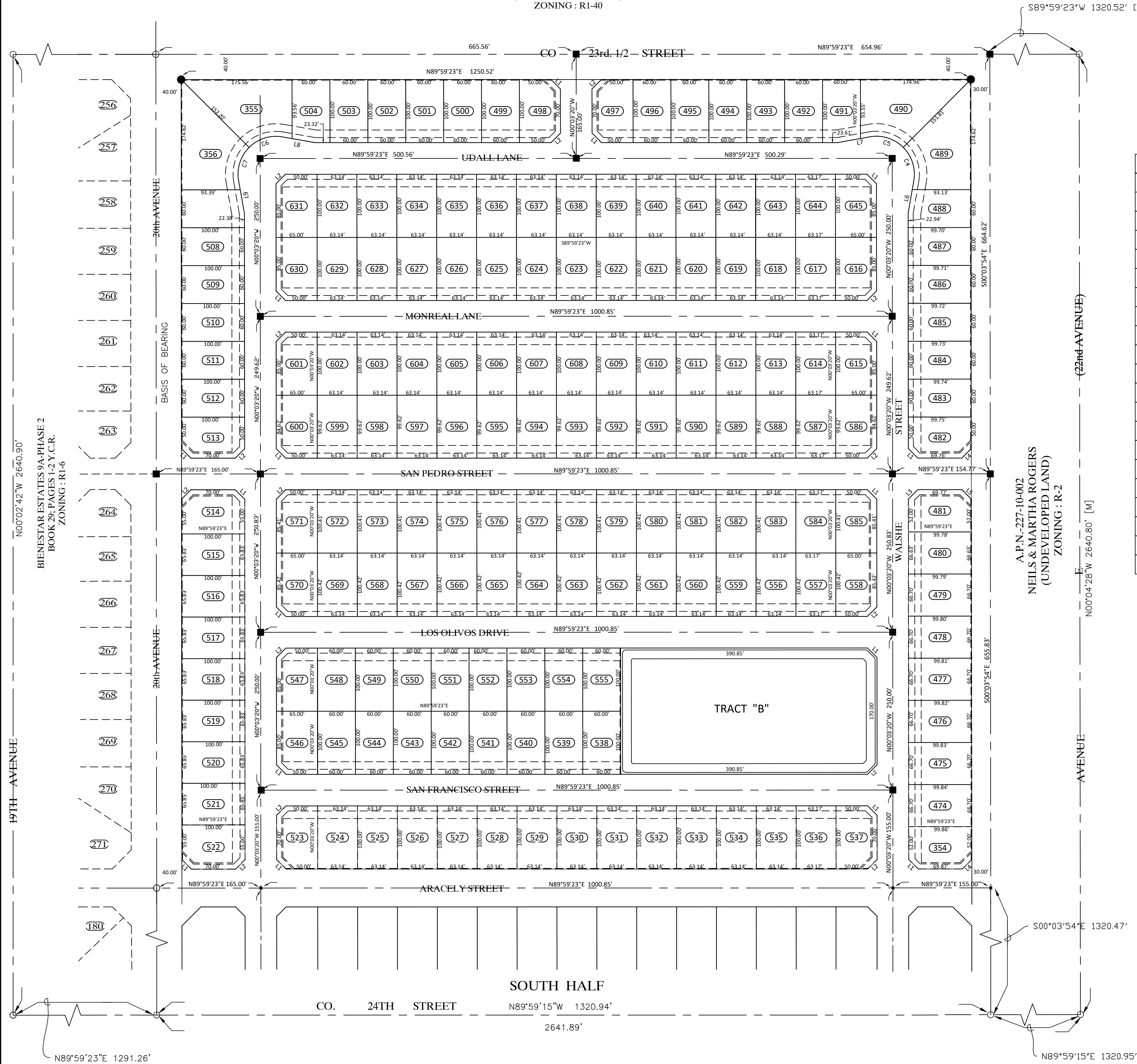
SANTA CECILIA No. 4 SUBDIVISION

LOT 3 OF BORDER RANCHES SUBDIVISION AS RECORDED IN BOOK 27 OF PLATS, PAGES 9-10,
YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA

DATE OF PREPARATION: AUGUST 2018 NUMBER OF LOTS: 134 ACREAGE: 36.76 ACRES

PRELIMINARY PLAT

A.P.N. 227-10-001
STATE OF ARIZONA
(UNDEVELOPED LAND)
ZONING : R1-40





July 16, 2019

REZONING CASE NUMBER: 2019-0405

CASE SUMMARY: A request by Riedel Holdings AZ, LLC, applicant, on behalf of Border Ranches, LLC, owner, to rezone 36.76 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) zoning district. Assessor parcel ID # 227-10-013 located at the southeast corner of County 23rd ½ Street and 20th Avenue, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Santa Cecilia No. 4.

A Citizen Review Meeting has been scheduled on the 6th day of August, 2019 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

PUBLIC HEARING: August 13, 2019

COMMENTS DUE: July 29, 2019

Your comments on this case will help us prepare an accurate and timely staff report. Your comments on this case will be inserted “as is” into the staff report with your name, department, and telephone number, should the applicant have any questions. Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Commission hearing this case. Please complete the section below and return via e-mail. For additional information, please contact the Planning and Zoning Department at 341-8563, or at P&Z@sanluisaz.gov.

Thank you,

Jose A. Guzman

Director of Planning & Zoning

Attachment: Location Map and Preliminary Plat

.....

☒ COMMENTS ☐ NO COMMENTS

Enter Comments below:

The City of San Luis Fire Department has no comments at this time, but reserves the right to comment upon subsequent submittals.

Date:

07/17/19

Agency:

The City of San Luis Fire Department

Phone:

928/341-8550

Return to: P&Z@sanluisaz.org



July 16, 2019

REZONING CASE NUMBER: 2019-0405

CASE SUMMARY: A request by Riedel Holdings AZ, LLC, applicant, on behalf of Border Ranches, LLC, owner, to rezone 36.76 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) zoning district. Assessor parcel ID # 227-10-013 located at the southeast corner of County 23rd ½ Street and 20th Avenue, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Santa Cecilia No. 4.

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Thank you,

Jose A. Guzman
Director of Planning & Zoning
Attachment: Location Map and Preliminary Plat

.....
☐ ☒ COMMENTS ☐ NO COMMENTS ☐

Enter Comments below:

The property is located near Rolle Airfield where aviation activity is expected to increase in the future. It is recommended to submit an Avigation Easement acknowledging aviation activities. Thank you for the opportunity to comment.

Date:

7/17/19

Agency:

Yuma County Airport Authority

Phone:

928-726-5882

Return to: P&Z@sanluisaz.org



July 16, 2019

REZONING CASE NUMBER: 2019-0405

CASE SUMMARY: A request by Riedel Holdings AZ, LLC, applicant, on behalf of Border Ranches, LLC, owner, to rezone 36.76 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6) zoning district. Assessor parcel ID # 227-10-013 located at the southeast corner of County 23rd ½ Street and 20th Avenue, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Santa Cecilia No. 4.

A Citizen Review Meeting has been scheduled on the 6th day of August, 2019 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

PUBLIC HEARING: August 13, 2019

COMMENTS DUE: July 29, 2019

Your comments on this case will help us prepare an accurate and timely staff report. Your comments on this case will be inserted “as is” into the staff report with your name, department, and telephone number, should the applicant have any questions. Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Commission hearing this case. Please complete the section below and return via e-mail. For additional information, please contact the Planning and Zoning Department at 341-8563, or at P&Z@sanluisaz.gov.

Thank you,

Jose A. Guzman
Director of Planning & Zoning
Attachment: Location Map and Preliminary Plat

.....
☒ COMMENTS ☐ NO COMMENTS ☐

Enter Comments below:

The area is potential habitat for western burrowing owls (*Athene cunicularia hypugaea*) which is a Species of Greatest Conservation Need (SGCN) in Arizona. Please create an account and utilize the free Environmental Review Tool found at <https://azhgis2.esri.com> to create a report for your project which can aid in project planning by identifying potential impacts on resources of special concern, such as SGCN species, that may be present in or near the project area.

Date:

07/17/2019

Agency:

Arizona Game and Fish Department

Phone:

(928) 341-4069

Return to: P&Z@sanluisaz.org



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

10.

Meeting Date: 09/25/2019

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Motion

ITEM:

EXECUTIVE SESSION

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

Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§38-431.03(A)(3) and 38-431.03(A)(4) on any and all matters relating to settling the city's claim against LPC Construction, Inc. and its bonding company for completion of contracted road work for discussion or consultation for legal advice with the City Attorney or the City's Attorneys and in order to consider the City's position and instruct its Attorneys. **(Kay Marion Macuil, City Attorney)**

SUMMARY:

City Council can be properly advised by holding an Executive Session for the purposes described in the agenda item.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO HOLD AN EXECUTIVE SESSION PURSUANT TO A.R.S. §38-431.03(A)(3) AND A.R. S. §38-431.03(A)(4).

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):

Fiscal impact is not applicable to this agenda item. Under A.R.S. §38-431.03(D), legal action involving a final vote or decision is not permitted to be taken at an executive session.



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

12. A.

Meeting Date: 09/25/2019

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Motion

ITEM:

Discussion and possible action on any and all matters regarding settling the City's claim against LPC Construction, Inc., for the failure of the trench work along Cesar Chavez Boulevard for the Lift Station Project. **(Kay Marion Macuil, City Attorney)**

SUMMARY:

The Project

The city put out to bid the construction of a lift station and force main for the project known as the Juan Sanchez Boulevard Lift Station Project. (This year, the city renamed the road Cesar Chavez Boulevard). This project diverts sewage from the West Wastewater Treatment Plant to the East Wastewater Treatment Plant.

Failure of the Construction Work

In September 2016, the city awarded the construction contract to LPC Construction, Inc. The force main was buried along Cesar Chavez Boulevard on the south side of Cesar Chavez Boulevard from the lift station through 10th Avenue. That trench is on the south side of the paved road surface. The way LPC did the trench work, it caused the road surface to cave, most likely a compaction issue.

Settlement Agreement

On February 18, 2108, LPC's owner, Drew Pilkington, died. As a result, LPC went out of business. The city has been dealing with the surety company that issued the performance bond. Public Works Director Eulogio Vera has been monitoring the affected road since LPC completed the construction. He has determined that the trench work does not have to be re-done, but the surface caving can be repaired for \$65,000. Without accepting any fault on LPC's part, the surety has agreed to settle for \$65,000. This settlement will release the performance bond and will bar the city from bringing any more claims regarding LPC's work on the Juan Sanchez Boulevard Lift Station Project.

Staff recommends approval of the settlement.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE THE SETTLEMENT AS PRESENTED IN THE AMOUNT OF \$65,000.00.

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:

No

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):
It is anticipated that the \$65,000 will pay for the cost to repair the construction work still needed.

Attachments

LPC Settement

SETTLEMENT, RELEASE, AND EXONERATION AGREEMENT

The parties hereto, City of San Luis ("Obligee") and Ohio Casualty Insurance Company ("Surety"), agree as follows:

WHEREAS, LPC Construction, Inc. ("Principal") entered into a construction contract with Obligee wherein it agreed to perform all of the work necessary to construct the project known generally as "Juan Sanchez Boulevard Lift Station Project," (the "Project")

WHEREAS in connection with the Project, Principal and Surety executed and delivered to Obligee a payment and performance bond No. 609006811 (hereinafter collectively the "Bonds"), pursuant to A.R.S. § 34-222, which Bonds were in the full amount of the contract, \$2,083,849, effective October 3, 2016; and

WHEREAS, Principal completed the project but has ceased operations; and

WHEREAS, Obligee has identified settlement issues with the roadway constructed in connection with the Project but Surety contests that the issues are properly within the coverage of the Bonds; and the conditions of settlement are related not to Principal's performance but are design related.

WHEREAS, Surety has agreed to pay Obligee the amount of \$65,000 as full settlement of any and all Obligee's claims, against Surety on the Project; and

WHEREAS, this Agreement is acceptable to Obligee, and the parties desire to document the terms of such agreement as set forth below:

The Parties hereto agree as follows:

THAT the recitations set forth above are material, true and correct and are incorporated herein by reference; and

THAT for and in consideration of the sum of \$65,000 to be paid by Surety, the receipt and sufficiency of which is hereby acknowledged, Obligee on its own behalf and on behalf of its officials, agents, attorneys, administrators, successors and assigns, does hereby releases and forever discharges Surety, and hereby exonerates Bond No. 609006811, and each of Surety's officers, directors, shareholders, agents, attorneys, administrators, successors and assigns, of and from all actions, causes of action, suits, debts, damages, claims and demands of whatsoever kind or nature, in law or in equity, whether known or unknown, latent or patent, and including, but not limited to, any attorney's fees, interest and costs which Obligee had, now has, or which Obligee shall, can or may have, against Surety, for, on or by reason of any matter, cause or thing whatsoever, which arise under and/or by reason of Surety's: (1) issuance of the Bonds furnished for the Project; (2) Surety's performance of its obligations under the Bonds; and (3) any claims related to the Surety's handling, processing or investigation of the Obligee's claims,

THAT for and in consideration of the foregoing Release and Exoneration of the Bonds, Surety agrees to pay to Obligee the amount of \$65,000, within ten days of the full the execution of this Agreement, for the full release of all claims described herein against the Bonds and in full and complete settlement of Obligee's claim(s); and

THAT Surety acknowledges and agrees that its payment bond previously furnished for said Project shall continue to remain in full force and effect in accordance with its original tenor, except that it is expressly agreed by and between Surety and Obligees that the scope and coverage of said payment bond shall be limited, as described therein and shall only apply to claims for payment of subcontractors and suppliers for work performed and/or materials delivered to Principal on the Project and that the payment bond shall not apply to or cover any claims of Obligees or others working by, through or under the direction of the Obligees.

Obligees further acknowledge that the consideration paid to and received by Surety to obtain this Agreement has been given to compromise disputed claims, and shall not be construed as an admission of liability on the part of Surety, which denies any and all liability and further acknowledges that its designated representative signing below has full power and authority to bind Obligees.

EXECUTED on this the ____ day of September, 2019.

CITY OF SAN LUIS

By: _____

Its: _____

OHIO CASUALTY
INSURANCE COMPANY

By: _____
Jason Stonefeld

Its: _____