

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
November 13, 2019
7:00 p.m.

1. CALL TO ORDER/ROLL CALL: Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:00 p.m.

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

ABSENT: Council Member Jose Ponce

OTHERS PRESENT: Tadeo A. De La Hoya, City Manager
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Angel Ramirez, Fire Chief
Axel Chayra, IT Technician
Derek Dueñas, IT Manager
Edgar Carbajal, Recruitment Coordinator
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Francia Alonso, PIO/Assistant to Council
Jenny Torres, Economic Development Manager
Jose A. Guzman, Director of Planning & Zoning
Lizzette Varela, Recreation Coordinator
Mary French-Jones, Grant Writer
Ralph Velez, City Consultant
Richard Jessup, Chief of Police
Ric Bauermann, Fire Inspector
Arturo Villareal, Riedel Holdings' Attorney
Buna George, Yuma Greater Port Authority
Cesar Neyoy, Reporter
Christian Cuevas, Simultaneous Interpreter
Edie Loo, Developer
Elizabeth Carpenter, Developer
Guillermina Fuentes, Resident

Lucy Lopez, Reporter
Luis Marquez, Resident
Maria Gonzalez, Resident
Mark Concha, Resident
Najeh Edais, Riedel Holdings Engineer
Nieves Riedel, Developer
Olivia Jenkins, Resident
Veronica Zavala, Resident

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Maria Cecilia Cruz.

3. INVOCATION

The invocation was led by Mr. Richard Jessup, Chief of Police.

4. PROCLAMATION

4.A. Proclamation - National Fair Housing

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

5. CONSENT AGENDA

5. A. MINUTES OF

- **Special Council meeting held October 2, 2019**
- **Work Session held October 2, 2019**
- **Regular Council meeting held October 9, 2019**
- **Regular Council meeting held October 23, 2019**

5. B. DISBURSEMENTS FROM OCTOBER 12, 2019 THROUGH NOVEMBER 1, 2019.

Total Disbursements \$1,199,212.22

(One Million, One Hundred Ninety-Nine Thousand, Two Hundred Twelve Dollars and Twenty-Two Cents)

5.C. Discussion and possible action on any and all matters regarding authorization to purchase one (1) fully marked and equipped new 2020 Ford F150 SuperCrew Cab XL 4x4 pick-up truck using Fiscal Year 2019-2020 Capital Projects budgeted funds. (Richard Jessup, Chief of Police)

5.D. Discussion and possible action on any and all matters regarding authorization to purchase 45 Defense Gun Safes and two (2) Cabinet Gun Safes for the San Luis Police Department using Fiscal Year 2019-2020 Capital Project budgeted funds. (Richard Jessup, Chief of Police)

5.E. Discussion and possible action on any and all matters regarding approval of Resolution No. 2105. A resolution of the Mayor and Council of the City of San Luis, Arizona, to approve an Addendum to the Intergovernmental Agreement (IGA) between the City of San Luis and Yuma County for the purpose of providing mandatory weekend and holiday court services for the San Luis Municipal Court. (Nohemy Echavarria, Magistrate)

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

The vote was as follows:

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

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6.A. EXECUTIVE SESSION

Vote to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3) (4) and (7).

Discussion and possible action to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3) (4) and (7) for legal advice with the city's attorneys and/or for consultation with the city's attorneys in order to consider the city's position and instruct its attorneys regarding the City Council's position regarding contracts that are the subject of negotiations or potential litigation regarding a development agreement and pay-back agreement for the improvement of County 24th Street, the improvement 21st Avenue on the east side of Parcel No. 22710004 and possible litigation with property owner adjacent to County 24th Street. (Kay Marion Macuil, City Attorney and Outside Counsel Bill Sims)

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to go into executive session at approximately 7:04 p.m. Motion passed unanimously.

The vote was as follows:

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

6.B. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to back into regular session at approximately 8:36 p.m. Motion passed unanimously.

The vote was as follows:

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

Mayor Gerardo Sanchez moved Item No. 6H to be next on the agenda, there was no opposition from the City Council.

6.H. Discussion and possible action on any and all matters regarding Subdivision Case No. 2019-0333F. A request by Riedel Holdings LLC, property owner, for the final plat approval for Santa Cecilia No. 3 Subdivision. The property is located at the northwest corner of County 24th Street and 20th Avenue, Assessor's Parcel No. 227-10-009, San Luis, Arizona. (Jose A. Guzman, Director of Planning and Zoning)

A. Staff presentation

Mr. Jose Guzman, Director of Planning & Zoning, stated that the property is located in the east mesa of the City of San Luis, on the east side of 20th Avenue between Aracely Street and County 24th Street. Santa Cecilia No. 3 Subdivision will consist of approximately 30.30 acres and is proposed to be divided into 140 lots and one (1) tract for storm-water retention. The lots will range in size from approximately 6,000 square feet to 10,866 square feet. Staff is recommending approval with the following conditions:

1. That the developer coordinates with other developers regarding striping County 24th Street,
2. The owner must pay \$260.00 per acre for the traffic signal of intersection of County 24th Street and Avenue E,
3. The applicant shall obtain an independent traffic study to determine whether access on 21st Avenue to County 24th Street is necessary.

The applicant agreed to conditions 1, 2 and 3; condition number 4 will be triggered if condition number 3 determines that the street is needed. Condition number 4 is that the developer will pay ½ the reasonable acquisition costs to the city or other entity that may pay to acquire the right-of-way and pay ½ of the improving the east half of 21st Avenue.

B. Action on Subdivision Case No. 2019-0333F

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to approve Subdivision Case No. 2019-0333F with conditions as presented by staff. Motion passed unanimously.

The vote was as follows:

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

6.C. Discussion and possible action on any and all matters regarding the Architectural Services Agreement with Thompson Design Architects, P.C. to provide necessary professional services to complete the Fleet Maintenance Facility Expansion Project. (Eulogio Vera, Director of Public Works)

Mr. Eulogio Vera, Director of Public Works, explained that he had presented this item previously at a work session adding that the Thompson Design Architects proposal did not include site survey, geotechnical services or structural inspections, therefore, Mr. Vera added a 15% contingency to the total amount to include those services.

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to approve the agreement with the architect for the fleet maintenance facility expansion in the amount of \$95,795.00 as presented. Motion passed unanimously.

The vote was as follows:

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

6.D. Discussion and possible action on any and all matters regarding a contract with Galway Group, LLC., associated with the Development of Feasibility Study for Natural Gas in San Luis, Arizona. (Jenny Torres, Economic Development Manager)

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna Carrasco to continue this item to the next council meeting. Motion passed unanimously.

The vote was as follows:

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

6.E. Discussion and possible action on any and all matters regarding the purchase of nine (9) new Mobile Data Computers. (Angel Ramirez, Fire Chief)

Mr. Angel Ramirez, Fire Chief, mentioned that this item was discussed at the budget retreat and added that the current Mobile Data Computers (MDCs) are getting obsolete as they are ten (10) years old and will no longer be of service to the San Luis Fire Department. Beginning in 2020 the software will no longer be the same and this equipment is vital to their system.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Africa Luna-Carrasco to approve the purchase of mobile data computers in an amount not to exceed \$38,124.00 as presented. Motion passed unanimously.

The vote was as follows:

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

6.F. Discussion and possible action on any and all matters regarding the ratification of the purchase of a new Dodge Power Wagon. (Angel Ramirez, Fire Chief)

Mr. Angel Ramirez, Fire Chief, explained that on October 9, 2019, City Council approved the purchase of a 2019 Dodge Power Wagon in the amount of \$45,516.50 utilizing State of Arizona contract #ADSP017-166121. After sending purchase order to the vendor Bill Luke Chrysler/Jeep & Dodge for the approved model and amount, the vendor could no longer order 2019 models. A new quote for a 2020 Dodge Power Wagon was provided by the vendor, and the price increase was only \$331.40 more than the 2019 model quote. Since the dollar amount is not a huge increase and there is still budget availability, the purchase order was increased to reflect the new quote for a 2020 Dodge Power Wagon. Ratification of the purchase increase of Purchase Order #2020-00001497 and change in model is needed as per procurement code.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Mario Buchanan Jr. to ratify and approve the increased purchase price of \$331.00 for the Dodge Power Wagon for the reasons presented. Motion passed with five (5) aye votes and one (1) nay vote by Vice Mayor Maria Cecilia Cruz.

The vote was as follows:

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

6.G. Discussion and possible action on any and all matters regarding Order No. 2019-10. An order of the Mayor and City Council of the City of San Luis, Arizona to remain in the class-action case titled In re National Prescription Opiate Litigation. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, said that all the cities in the nation were included in this litigation against 13 distributors of opiates retailers and manufacturers. The attorneys working this case are going to do it on a contingency basis so that there is no cost to the cities, the notice says, do nothing to opt in, if the city wants to opt out, then she needs to file a form in the class action.

Council Member Matias Rosales left the meeting (telephonically) at approximately 8:46 p.m.

Mayor Gerardo Sanchez stated that it is something that needed to happen, it is unfortunate. This class action lawsuit is against the pharmaceutical companies who produced the narcotics. These companies did not only make the narcotics, they also make newer types of antibiotics.

Ms. Macuil added that it goes after the retailers and distributors. If the order is adopted tonight, it will order her and pertinent staff to do nothing to opt in.

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to adopt and approve Order No. 2019-10 to be part of the National Opiate Litigation as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Maria Cecilia Cruz	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Gloria Torres	Aye

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez reported that he attended the Border Mayors' Summit in San Diego from November 6-8, 2019. He was excited and as he listened to some of the other mayors, he realized that they all have something in common but yet are restricted by their individual state laws. He was the only mayor from Arizona present, it was emphasized that they need to support the USMCA Trade Treaty and NADBank. NADBank has influenced many communities along Arizona, California, New Mexico and Texas border regions.

Vice Mayor Maria Cecilia Cruz reported that she attended the Arizona-Mexico Commission in Hermosillo from November 5-6, 2019. She presented at the U.S. Mexico Bi-National Border and Bridges Crossing meeting; the projects for infrastructure for the ports of entry were discussed. She was asked to present for Mr. John Halikowski, Director of Arizona Department of Transportation, on transportation issues.

Mayor Gerardo Sanchez also reported that the film festival began on November 12, 2019. He thanked the Gadsden District School Board for supporting the culturing art; the City of San Luis Parks & Recreation Department for preparing the place for this event; Council Members and staff for attending.

8. CALL TO THE PUBLIC

There were no comments from the public.

9. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to adjourn the Regular Council meeting at approximately 8:54 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Maria Cecilia Cruz	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Gloria Torres	Aye

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 REGULAR CITY COUNCIL MEETING FO THE CITY COUNCIL, SAN LUIS, ARIZONA HELD ON NOVEMBER 13, 2019. I FURTHER CERTIFY THAT THE MEETING WAS DULLY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.

Sonia Cornelio, City Clerk