

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
January 22, 2020
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 (telephonically)
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
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Alan Guevara, Police Sergeant
Angelica Cifuentes, Purchasing Coordinator
Angel Ramirez, Fire Chief
Derek Duenas, IT Manager
Edgar Carbajal, Acting Human Resources Director
Eulogio Vera, Director of Public Works
Fausto Gonzalez, Training and Programs Coordinator
Francia Alonso, Assistant to Council/PIO
Heriberto Vargas, Public Works Supervisor
Janet Taylor, Legal Secretary
Jenny Torres, Economic Development Manager
Jonathan Dumadag, IT Technician
Jose A. Guzman, Director of Planning & Zoning
Laura Leon, Administrative Coordinator
Maggie Dominguez, Accounting Specialist
Marco Santanta, Police Lieutenant
Maria A. Roldan, Assistant Director of Parks & Recreation
Miguel Ramirez, Accountant
Richard Bauermann, Fire Inspector
Rogelio Martinez, Office Assistant
Rosalva Leon, HR Technician
Roula Encinas, Accountant
Cesar Neyoy, Reporter
Maria Esparza, Yuma Cancer Center
Liliana Arroyo, Comite de Bienestar
Lucy Lopez, Reporter

2. PLEDGE OF ALLEGIANCE

Council Member Gloria Torres led the Pledge of Allegiance.

3. INVOCATION

Mr. Marco Santana, Polie Lieutenant led the invocation.

4. PROCLAMATIONS/PRESENTATION

4.A. Proclamation - Lung Cancer Awareness Year 2020

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

Ms. Cathy Cowen, Oncology Nurse Practitioner, stated that that lung cancer is the number one cause of death for cancer patients in the United States due to cigarette smoking. Ms. Cowen recognized Ms. Maria Esparza and Ms. Melinda Mendez and the other 52 employees for the services they deliver to the community.

Mayor Gerardo Sanchez thanked Ms. Cowen and the Cancer Center for the great service they provide and added that they will work together.

4.B. Proclamation - National Human Trafficking Awareness and Prevention Month January 2020

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

Mayor Gerardo Sanchez stated that human trafficking occurs everywhere and affects everyone. The San Luis Police Department is aggressively working on a campaign and will be working with the state in a joint task force against human trafficking.

4.C. Presentation and recognition of the 2019 - 4th Quarter and End-of-Year Awardees by the Employee Recognition and Awards Program (ERAP) for their outstanding work with the City of San Luis. (Angelica Cifuentes and Rogelio Martinez, ERAP Committee Chairs & Fausto Gonzalez, HR Training & Programs Coordinator)

Mr. Fausto Gonzalez, HR Training & Programs Coordinator, Ms. Angelica Cifuentes and Mr. Rogelio Martinez, ERAP Chairs, introduced the 2019 End of Year ERAP recipients. Such list is with the complete agenda packet filed at the City Clerk's Office.

Mayor Gerardo Sanchez congratulated all the recipients for making a difference and thanked the ERAP Committee.

CONSENT AGENDA

5. A. MINUTES OF

- Regular Council meeting held January 8, 2020

5. B. DISBURSEMENTS FROM DECEMBER 28, 2019 THROUGH JANUARY 10, 2020.

Total Disbursements \$634,875.19

(Six Hundred Thirty-Four Thousand, Eight Hundred Seventy-Five Dollars and Nineteen Cents)

MOTION: Council Member Gloria Torres/Council Member Mario Buchanan Jr. 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 Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

Call to the Public was moved to be the next item on the agenda, there were no oppositions from the City Council.

8. CALL TO THE PUBLIC

Ms. Nidia Herrera, Executive Director for Arizona@Work, announced that they are partnering with Yuma County Chamber, AWC Business Center, Greater Yuma Economic Development Center and Arizona Hispanic Chamber to open a business resource center for south Yuma county at the Aztec Plaza located on 1453 N. Main Street. They will be having an engagement liason at the mentioned location. Ms. Herrera introduced Mr. Patrick Goetz.

Mr. Goetz stated that the ultimate goal is to infiltrate the information to the local employers and for the services to be provided in San Luis.

Mr. Jerry Cabrera, Somerton School District, stated the Somerton School District will work on some projects and the school board has approved one elementary school in east San Luis and conceptionally approved for a second school (middle school) in that area. They are working with faculty and want to make sure that community needs are met.

Mr. Carlos Gamiz, 771 Arden Lane, San Luis, AZ, stated that last week he met with Mr. Tadeo De La Hoya, City Manager, regarding the taxi cabs. There are approximately 50 taxi cab owners that are excluded from the ordinance passed. He personally feels offended and hurt on how things happened. He found out what was going on in December 10, 2019 and they were never informed about the meetings regarding this issue. When Mr. Gonzalez was in charge, he would personally go and inform them of any changes that would affect taxi cabs. The ordinance affects them as they will be without a job and they have bills to pay. Mr. De La Hoya explained to them during their meeting about the ordinance and how it happened. Mr. Gamiz then asked Mr. De La Hoya to schedule a meeting with Mayor Gerardo Sanchez. He hopes that Mayor Gerardo Sanchez does meet with the taxi cab owners.

Ms. Kay Macuil, City Attorney, responded to the criticism that there was insufficient notice; there were two (2) work sessions that were properly noticed, which is more than usual for the city's ordinances and the ordinance was also published and that is all that is required by law.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6.A. Discussion and possible action on any and all matters regarding authorization to purchase OSHA Gas Masks, OHD Quantifit System and CBRN Kits for the San Luis Police Department using Fiscal Year 2019-2020 Capital Projects budgeted funds. (Richard Jessup, Chief of Police)

Mr. Marco Santana, Police Lieutenant, explained that these are funds from the capital improvement project funds approved in the amount of \$55,390.00. Research was done with vendors, and the San Luis Police Department selected Federal Eastern International, which is a very reputable company. This project is a must project as it is a protection that is offered for officers in case they encounter something very specific that has to do with hazmat. Their main goal is to focus on the security and protection of the police department's officers.

Mayor Gerardo Sanchez asked if they owned OSHA gas masks. Lt. Santana responded that what they have is very outdated.

Council Member Jose Ponce asked if there is any maintenance involved. Lt. Santana replied that no specific maintenance is needed, but if there is a mask that needs to be replaced it will be replaced as extras will be bought. The company is there for the police department to work with any changes the police department might have.

MOTION: Council Member Mario Buchanan Jr./Council Member Jose Ponce to approve the purchase of gas masks, quatafit system and CBRN kits in the amount of \$52,829.18 as presented. Motion passed with six (6) aye votes and one (1) nay vote.

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	Nay
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6.B. Discussion and possible action on any and all matters regarding Ordinance No. 394. An ordinance of the Mayor and City Council of the City of San Luis, Arizona amending section 112.09 of the San Luis City Code (which provides for a system of issuance and regulation for border area taxi vehicle permits) to make a correction and to clarify provisions for length of time for issued permits; repealing any conflicting provisions; providing for severability; establishing an effective date; and declaring an emergency. (Kay Marion Macuil, City Attorney)

Council Member Mario Buchanan Jr. abstained from items 6.B and 6.C due to a possible conflict of interest.

Ms. Kay Macuil, City Attorney, explained that this ordinance is just a technical correction to the taxi ordinance. When the city began implementing it, it was noticed that the business permits are done in January for the year, so in order for this to work with the permitting process, make the correction to reflect that it is for the calendar year. The next correction is the ordinance that referred to the 35 taxis was referring to the wrong subsection. This ordinance will only fix those two (2) things.

Council Member Africa Luna-Carrasco asked why is this an emergency. Ms. Macuil replied that the taxi ordinance went into effect January 22, 2020 so the corrections on the ordinance needs to be in effect at the same time as the taxi ordinance to prevent confusions. She also added that six (6) votes are needed from the City Council to be adopted with the emergency clause.

Mr. Tadeo De La Hoya, City Manager, said that this ordinance makes the process consistant with the business license process and amends the reference to subsection C to E, no other substantial changes are being made.

**A. Action on Reading of Ordinance No. 394 by title only
(City Clerk to read the ordinance by title only)**

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Matias Rosales to approve reading of Ordinance No. 394 by title only. Motion passed with six (6) aye votes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 394 by title only.

B. Action and adoption of Ordinance No. 394

MOTION: Council Member Council Gloria Torres/Member Matias Rosales to approve and adopt Ordinance No. 394 and declare an emergency. Motion passed with six (6) ayes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

6.C. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2019-0835 and Ordinance No. 395. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code Chapter 152 Zoning Regulations §152.221, Home Occupations by adding language regarding number of taxicabs allowed per business in a residential district. (Jose A. Guzman, Director of Planning & Zoning)

A. Open public hearing

MOTION: Council Member Africa Luna-Carrasco/Council Member Matias Rosales to open the public hearing. Motion passed with six (6) ayes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

1. Staff presentation

Mr. Jose Guzman, Director of Planning & Zoning, stated that the proposed amendment is to limit the number of taxi cabs a business is allowed to have in a residential district. Staff has been receiving complaints of neighbors having people with four (4) or five (5) taxi cabs parked in front of their yards. This is in violation of the regulations of the home occupation; the home occupation allows for someone to have a business in their house, but the business should not be visible to the neighbors or it should not become a nuisance. This ordinance will limit the number of taxi cabs to two (2). This item was presented to the Planning & Zoning Commission and they agree with staff's recommendation. They also included other language to the recommendation that those businesses that are legible to park must park their cars inside the property and not on public right of way.

Mayor Gerardo Sanchez asked how many public hearings were held. Mr. Guzman replied that one (1) public hearing took place before the Planning & Zoning Commission and one (1) citizens review meeting a week before and there were no people from the public present regarding this item.

Council Member Africa Luna-Carrasco asked how were they notified of the meetings. Mr. Guzman responded that staff followed the state regulation which requires to place notice on the newspaper.

Mayor Gerardo Sanchez asked what were some of the comments from the Planning & Zoning Commission. Mr. Guzman said they agreed that it is a concern and added the language that they should not be parking the vehicles on public right of way but inside the property.

Mayor Gerardo Sanchez asked if the complaints were because of the number of taxis or what specifically did neighbors complain about. Mr. Guzman explained that it was on the number of taxis and that it is supposed to be a residential neighborhood and not a commercial district.

Mayor Gerardo Sanchez asked if there is a specific ordinance that regulates this. Mr. Guzman said that the home occupation sets that a business should not be visible on the outside but there is nothing restricting the number of permits to taxi cabs on home occupation.

Council Member Matias Rosales stated, for clarification, that staff is not saying that they cannot have four (4) or five (5) taxis, but one cannot have that many in a residential neighborhood. If they want to have them, they need to be in a commercial district, rent a lot, pay parking, then they can have five (5) or ten (10) taxis as long as they follow the guidelines of the commercial districts. In a residential neighborhood they cannot have

more than two (2) taxis. Mr. Guzman responded that is correct, if they have three (3) or more they have to go to a commercial district.

Mr. Tadeo De La Hoya, City Manager, explained that the draft of this ordinance was made in July 2019 when the complaints were received and he wanted it to be part of Ordinance No. 393, however since this is part of a zoning ordinance, it had to go through the zoning process and it could not be part of the ordinance approved last month.

2. Call to the public on this item

Ms. Aracely Yañez, 4032 San Francisco Street, San Luis, Arizona, stated that she owns two (2) taxis, so she does not have a problem with this ordinance. The way the taxi cab ordinance is affecting her is that she does not qualify for a permit to be at the taxi stand downtown. If she was to have five (5) taxis, she will then face the same problem as her co-workers. She asked the Mayor and City Council to consider those issues as well. She added that as a mother, she has to provide for her three (3) children and make her mortgage payment. The taxi cab ordinance closes the doors for her and others to continue working and asked the city to find a solution for this problem.

Mr. Javier Saavedra, 1248 E. G Street, San Luis, Arizona, asked in what way does it affect the city the way the taxis are parked at their homes. Mayor Gerardo Sanchez responded that it is not the city complaining but the neighbors when there are four (4) or five (5) taxis.

B. Close public hearing

MOTION: Council Member Matias Rosales/Council Member Africa Luna-Carrasco to close the public hearing. Motion passed with six (6) ayes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

C. Action on Reading of Ordinance No. 395 by title only (City Clerk to read ordinance by title only)

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve the reading of Ordinance No. 395 by title only. Motion passed with six (6) ayes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 395 by title only.

D. Action and adoption of Ordinance No. 395

MOTION: Council Member Jose Ponce/Council Member Africa Luna-Carrasco to approve and adopt Ordinance No. 395. Motion passed with six (6) ayes and one (1) abstention by Council Member Mario Buchanan Jr.

The vote was as follows:

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

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez reported that the State of State Address took place on January 21, 2020, by the governor. He sat at the governor's table and he discussed the changes that are occurring in the fiscal year for his budget next year. One thing that caught Mayor Gerardo Sanchez's attention is a tax credit that will be given to veterans. A veteran that is receiving a pension in the State of Arizona will not be taxed. If you have a trade, if you are medical technologist, if you are a mechanic, your license fees to transfer will be waived if you are a veteran under his term; he wants to make Arizona a veteran state.

Furthermore, Mayor Gerardo Sanchez added that he met with the governor and he will continue to help the City of San Luis with the port of entry. He will make a special trip to Mexico City to talk about the port as the funding for the port has been approved. There will be between 14-16 lanes from Mexico to the U.S.; five (5) lanes that go into Mexico through Friendship Park in Avenida Morelos will be built. There will be a lot of construction for the next three (3) years, contractors will be coming from outside but will be hiring locally. On a separate note, the first lechuga fest will be held January 25, 2020 and invited everyone present to attend this event.

Mr. Tadeo De La Hoya, City Manager, reported that the last Census hiring event was held today at City Hall. There were approximately 150 people that came in and about 50 people applied. The complete count committee is working hard in promoting the census as in 2010, approximately 70% of the city's population did not return their questionnaire. The complete count committee will be holding ten (10) census events throughout different city parks beginning March 12, 2020 and ending on April 1, 2020 at Joe Orduño Park to promote the census and for people to get counted. Technology equipment will be available to citizens of the community for this purpose, since one only has the opportunity to do this every ten (10) years.

9. ADJOURNMENT

MOTION: Council Member Jose Ponce/Council Member Mario Buchanan Jr. to adjourn the Regular Council meeting at approximately 8:11 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 Jose Ponce	Aye
Council Member Matias Rosales	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 JANUARY 22, 2020. I FURTHER CERTIFY THAT THE MEETING WAS DULLY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.

Sonia Cornelio, City Clerk