

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
March 11, 2020
7:00 p.m.

1. CALL TO ORDER/ROLL CALL: Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:04 p.m.

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

ABSENT: Council Member Mario Buchanan Jr.

OTHERS PRESENT: Chris Velez, Acting City Manager
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Alexis Gomez, Code Enforcement Officer
Angel Ramirez, Fire Chief
Edgar Carbajal, Acting Director of Human Resources
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Francia Alonso, Assistant to Council/PIO
Glenn Gimbut, Assistant City Attorney
Janet Taylor, Legal Secretary
Jenny Torres, Economic Development Manager
Jonathan Dumadag, IT Technician
Jorge Perez, Billing & Collections Manager
Jose De La Vara, City Prosecutor
Jose Guzman, Director of Planning & Zoning
Maria A. Roldan, Assistant Director of Parks & Recreation
Monica Castro, Director of Finance
Richard Bauermann, Fire Inspector
Richard Jessup, Chief of Police
Christian Cuevas, Simultaneous Interpreter
Cesar Neyoy, Reporter
Gary Black, Comite De Bienestar
Vianey Vega, Vega & Vega Engineering

2. PLEDGE OF ALLEGIANCE

Council Member Matias Rosales led the Pledge of Allegiance.

3. INVOCATION

Mr. Richard Jessup, Chief of Police led the invocation.

4. PRESENTATION

4.A. Presentation by the Yuma County Public Health Services District regarding health district preparedness for disease outbreak. (Diana Gomez, Chief Health Officer for Yuma County Public Health Services District)

Presentation was not held as Ms. Diana Gomez cancelled due to the governor declaring a state of emergency in regards to the coronavirus situation. She was not able to attend because of the many phone calls her office is receiving from Yuma county residents. The city will address this issue once more information becomes available regarding how this will affect the city and what benefits or funding is available. This is not a time of panic, the city will look at all the legal and resources available by the state by declaring an emergency. He will meet with Ms. Gomez and staff and get more information.

CONSENT AGENDA

5. A. DISBURSEMENTS FROM FEBRUARY 15, 2020 THROUGH MARCH 11,2020.

Total Disbursements \$662,408.81

(Six-Hundred, Sixty-Two Thousand, Four-Hundred Eight Dollars and Eighty-Once Cents)

5.B. Discussion and possible action on any and all matters regarding the proposed agreement between Valley Collection Service, LLC., and the City of San Luis for implementation of collection procedures to achieve maximum recovery of debt. (Jorge Perez, Billing & Collections Manager)

5.C. Discussion and possible action on any and all matters regarding a contract with James Davey and Associates, Inc., to provide engineering services for a master drainage plan for downtown San Luis. (Jenny Torres, Economic Development Manager)

5.D. Discussion and possible action on any and all matters regarding authorization to purchase full riot gear and active shooter equipment for the San Luis Police Department using Fiscal Year 2019-2020 Capital Projects budgeted funds. (Richard Jessup, Chief of Police)

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 Africa Luna-Carrasco	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6.A. Discussion and possible action on any and all matters regarding the First Amendment to the Development Agreement between the City of San Luis, Arizona and San Luis Commercial Holdings, L.L.C., an Arizona limited liability company. ITEM CONTINUED FROM REGULAR COUNCIL MEETING HELD FEBRUARY 26, 2020. (Jenny Torres, Economic Development Manager)

Ms. Jenny Torres, Economic Development Manager, explained that at the last council meeting the developers came in and made a presentation on the development agreement. Mr. Dan Jackson from Willdan provided a presentation on the benefits for the city if it enters into a development agreement on this project. The development agreement contains some language that is being reviewed by the developers. There is one specific items that impacts the agreement and that is the date of the construction. Originally they had said that the completion date is December 31, 2021 but now they want to change it to December 31, 2022. In 2020 what they would do is secure the site, do all the outside improvements and permits required. Ms. Torres provided a brief overview to be followed by the developers with some of the hotel chains. In 2021 they plan to do all the outside infrastructure and then the construction will begin. The construction is expected to start in January and will last approximately 18 months. The proposed project consists of a fifteen-million-dollar (\$15,000,000) investment that will enhance the economic welfare of residents, increase the tax revenues to the city, provide job opportunities for San Luis residents and will trigger other development in the area.

Mayor Gerardo Sanchez asked Ms. Torres how she feels about the contract and meeting with them and discuss their plans. Ms. Torres responded she feels comfortable, they have talked about this with Ms. Kay Macuil, City Attorney; Mr. Ralph Velez, City Consultant, and Ms. Monica Castro, Director of Finance, and some language was added to the contract including some restrictions, it is an incentive for them to get the project done faster. Staff feels comfortable, the developers have invested a lot of money and time into this project.

Mayor Gerardo Sanchez asked Ms. Macuil if this contract include execute exclusively for them only for a certain period of time. Ms. Macuil replied yes with their promises by the city for this particular piece of land, but if there is another developer, the city would also assist them in obtaining the information.

Vice Mayor Maria Cecilia Cruz commented that her concern is the timeframe being proposed as it is long and asked if there is any way it can be shortened. Ms. Torres said that the securing of the land is not just the purchase of the land, they would have to do all the outside engineering which takes time and then the process of the permits; there is a process that has to be followed by the developers.

Council Member Matias Rosales mentioned that after the time and effort put into this project for over five (5) years, one more year to allow them for the permit process and the chain would not hurt, and recommended them to be providing updates on the project every three (3) months.

Mayor Gerardo Sanchez also said it concerns him because they have been waiting for financing, the city has been very patient. The city will be signing a development agreement and that is a plus, meaning that they are very serious about this.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve the first amended development agreement with San Luis Commercial Holdings, L.L.C., in the amount of \$500,000.00 as presented with the added quarterly updates. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Maria Cecilia Cruz	Aye
Council Member Africa Luna-Carrasco	Aye
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 the appointment or re-appointment of a Council Member to serve on the Yuma County Library District Board of Trustees. (Tadeo A. De La Hoya, City Administrator)

Ms. Francia Alonso, Assistant to the Council/PIO, stated that Council Member Africa Luna-Carrasco has been serving on this board since December 2010 and her current term will expire June 30, 2020. Council Member Africa Luna-Carrasco has expressed her interest in continuing serving on the Yuma County Library District Board of Trustees.

MOTION: Council Member Jose Ponce/Council Member Gloria Torres to re-appoint Council Member Africa Luna-Carrasco to the Yuma County Library District Board of Trustees. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Maria Cecilia Cruz	Aye
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 the recommendation of the Liquor License Application submitted to the Arizona Department of Liquor Licenses and Control by Nadia Guadalupe Lizarraga Mayorquin on behalf of La Malquerida Food Court located at 811 N. Cesar Chavez Street, San Luis, Arizona. (Sonia Cornelio, City Clerk)

A. Open public hearing

MOTION: Council Member Gloria Torres/Council Member Matias Rosales to open the public hearing. Motion passed unanimously.

The vote was as follows:

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

1. Staff and/or applicant presentation

Mrs. Sonia Cornelio, City Clerk, explained that her office received the application and posted the notice and application at the premises in a conspicuous place for at least 20 days. Her office did not obtain any calls/comments in favor of or against the application, therefore staff recommends approval of the liquor license application.

2. Call to the public on this item

There were no comments from the public.

B. Close public hearing

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to close the public hearing. Motion passed unanimously.

The vote was as follows:

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

C. Action on the recommendation of the Liquor License Application to the Arizona Department of Liquor Licenses and Control for La Malquerida Food Court.

MOTION: Council Member Africa Luna-Carrasco/Council Member Jose Ponce to recommend approval of liquor license application to the Arizona Department of Liquor Licenses and Control for La Malquerida Food Court as 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	Nay
Council Member Africa Luna-Carrasco	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6.D. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2019-0827 and Ordinance No. 396. 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 3.47 acres from Community Commercial (C-2) to High-Density Residential (R-3) for property located on the southeast corner of Avenue F and County 24th Street. (Jose A. Guzman, Director of Planning and Zoning)

A. Open public hearing

MOTION: Council Member Africa Luna-Carrasco/Council Member Jose Ponce to open the public hearing. Motion passed unanimously.

1. Staff presentation

Mr. Jose Guzman, Director of Planning & Zoning, stated this is a request by Vianey R. Vega P.E., of Vega and Vega Engineering, PLC., applicant, on behalf of Comite de Bienestar Inc., owner, to change the zoning of approximately 3.47 acres. The subject property is located on the east mesa of the City of San Luis on the southeast corner of Avenue F and County 24th Street. The purpose of the zone change is to allow a future apartment complex.

The current zoning is Community Commercial (C-2) and the proposed zoning is High-Density Residential (R-3). The purpose of the R-3 zoning district is to provide for high-density attached residential developments; it is intended that this district accommodates multi-story residential and exceptional amenities. The maximum density allowed is 20 dwelling units per acre; in this case, the maximum number of dwelling units allowed is 69 units. In addition to the density, this project must comply with all applicable regulations of the city, including covered parking and landscape. The current General Plan for this parcel is Activity Center designation. The Activity Center designation is intended for commercial services that conveniently serve the nearby residential areas and residential development of higher densities only. Staff recommends the approval of Ordinance No. 396.

2. Call to the public on this item

There were no comments from the public.

B. Close public hearing

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to close the public hearing. Motion passed unanimously.

C. Approval of Reading of Ordinance No. 396 by title only (City Clerk to read the ordinance by title only)

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Africa Luna-Carrasco to approve Ordinance No. 396 by title only. Motion passed with five (5) aye votes and one (1) abstention by Council Member Gloria Torres due to a possible conflict of interest.

The vote was as follows:

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

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 396 by title only.

D. Action on Ordinance No. 396

MOTION: Council Member Jose Ponce/Council Member Africa Luna-Carrasco to approve and adopt Ordinance No. 396. Motion passed with five (5) ayes and one (1) abstention by Council Member Gloria Torres due to a possible conflict of interest.

The vote was as follows:

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

7. SUMMARY OF CURRENT EVENTS

Vice Mayor Maria Cecilia Cruz reported she attend the ground breaking of State Route 189, an improvement between the Mariposa Port of Entry and Grand Avenue, a 3.7 mile, with a cost of \$134 million. This improvement includes widening of roadways, intersection improvement, roundabout, traffic signals and ramps.

Mayor Gerardo Sanchez commented this is something that the governor is supporting and believes it is now Yuma County that need this attention. He also added that the declaration of emergency by the governor, it is something new for the community, it is something that changes and there is a lot of things happening on a day to day basis. He will ask for an executive session to discuss this particular matter. There is going to be a set protocol that will be established in regard to adjust or address any issues that might be coming, the city believes in being prepared. The public will be advised for the health and safety of the community. He also mentioned the importance of being counted at the census. In the next couple of weeks there will be gathering in a particular areas of the city, but with the coronavirus situation, that might change.

Mr. Eulogio Vera, Director of Public Works, reported that the unfortunately the repairs on the bridge has been a lot slower than anticipated. The pipe did arrive this morning, but due to the rainy days and mud, it was not able to be installed. The contractor will be inspecting and scheduling the concrete work tomorrow. The cost is going to be at least approximately \$300,000.00

8. CALL TO THE PUBLIC

There were no comments from the public.

9. EXECUTIVE SESSIONS

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

9.A. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3) and (4) for legal advice with the city's attorneys and for consultation with the city's attorneys 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 Factum L.L.C., Warehouse Use Violation at 670 North Main Street, San Luis, Arizona. (Kay Marion Macuil, City Attorney, José A. de la Vara, City Prosecutor, and Outside Counsel Bill Sims)

9.B. Discussion and possible action to hold an Executive Session pursuant to A.R.S. §38-431.03(A)(3) on any and all matters regarding consultation for legal advice with the city attorneys on the laws of annexation. (Kay Marion Macuil, City Attorney and Glenn J. Gimbut, Assistant City Attorney)

MOTION: Council Member Matias Rosales/Council Member Africa Luna-Carrasco to go into executive session at approximately 7:40 p.m. Motion passed unanimously.

The vote was as follows:

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

10. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Africa Luna-Carrasco/Council Member Gloria Torres to go back into Regular Session at approximately 9:07 p.m. Motion passed unaniamously.

The vote was as follows:

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

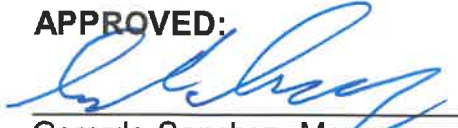
11. ADJOURNMENT

MOTION: Council Member Matias Rosales/Council Member Africa Luna-Carrasco to adjourn the Regular Council meeting at approximately 9:07 p.m. Motion passed unanimously.


The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Maria Cecilia Cruz	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:

for  Deputy City Clerk
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 OF THE CITY COUNCIL, SAN LUIS, ARIZONA HELD ON MARCH 11, 2020. I FURTHER CERTIFY THAT THE MEETING WAS DULLY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.

for  Deputy City Clerk
Sonia Cornelio, City Clerk