

APPROVED by Council
Date: 9/9/2020
Clerks Office: 80

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
August 12, 2020
7:00 p.m.

1. CALL TO ORDER/ROLL CALL: Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:02 p.m.

Mayor, City Council, and some members of staff participated remotely.

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

ABSENT: Council Member Africa Luna-Carrasco

OTHERS PRESENT: Tadeo A. De La Hoya, City Manager (remotely)
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Axel Chayra, Information Technology Technician
Derek Dueñas, Manager of Information Technology
Domingo Sosa, Information Technology Technician
Eulogio Vera, Director of Public Works
Gilberto Torres, Waste Water Supervisor
Glenn Gimbut, Assistant City Attorney
Francia Alonso, Assistant to Council/PIO
Laura Leon, Administrative Coordinator
Jenny Torres, Economic Development Manager
Jonathan Dumadag, Information Technology Technician
Jorge Mungaray, Information Technology Technician
Jose L. Cisneros, Executive Assistant
Jose Guzman, Director of Planning & Zoning
Marlene Lara, Government and Foreign Affairs Coordinator
Martha Jimenez, Building Inspector II
Monica Castro, Director of Finance
Ralph Velez, City Consultant (remotely)
Richard Jessup, Chief of Police
Ramon Duenas, Maintenance Specialist
Roula Encinas, Accountant II
Sondra Matthews, Director of Human Resources
Yolanda Duenas, Facilities Supervisor
Elizabeth Carpenter, Realtor

Rosa Gonzalez, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Jose Ponce led the Pledge of Allegiance.

3. INVOCATION

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

4. PRESENTATION

4. A. Moment of silence to commemorate the passing of dedicated and loyal employee Miguel Gonzalez, followed by presentation of plaque for years of service. (Tadeo A. De La Hoya, City Manager)

Mayor Gerardo Sanchez asked for a moment of silence in honor of Mr. Miguel Gonzalez, former City of San Luis employee who unfortunately passed away. He added that today would have been his 18th anniversary with the city. He expressed his condolences to the Gonzalez family.

Mr. Tadeo De La Hoya, City Manager, said the city is remembering Mr. Miguel Gonzalez and added how it is a sad moment to remember him this way. He read a plaque and presented it to his wife, Mrs. Rosa Gonzalez.

Mrs. Gonzalez thanked everyone present for honoring her husband and added she wished he would be present to receive his plaque of 18th years with the city.

A video was played honoring Mr. Gonzalez for his family with a message by the City Council and employees.

Mr. Eulogio Vera, Director of Public Works, mentioned the city has lost a great person. As a resident and employee, he was very dedicated and hard worker. He invited Mrs. Gonzalez and the family to join him and other Public Works employees at the parking lot as due to the pandemic, not everyone is allowed to be present in the Council Chambers.

5. CONSENT AGENDA

5.A. MINUTES OF

- Regular Council meeting held June 10, 2020

5.B. DISBURSEMENTS FROM JULY 11, 2020 THROUGH JULY 31, 2020

Total Disbursements \$1,283,667.63

(One Million, Two Hundred Eighty-Three Thousand, Six Hundred Sixty-Seven Dollars and Sixty-Three Cents)

5.C. Discussion and possible action on any and all matters regarding the contract with Yuma Community Food Bank for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.D. Discussion and possible action on any and all matters regarding approval of a contract with Yuma County Arts and Cultural Group for the 2021 Annual Blazing Desert ComicCon event in San Luis, Arizona for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.E. Discussion and possible action on any and all matters regarding approval of a contract with Yuma County Arts and Cultural Group for the San Luis Film Festival event in San Luis, Arizona for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.F. Discussion and possible action on any and all matters regarding the contract with Gethsemani Food Ministry for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.G. Discussion and possible action on any and all matters regarding the annual contribution to the 4FrontED Binational Regional Program to promote education, infrastructure, tourism, and economic development. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.H. Discussion and possible action on any and all matters regarding the proposed agreement with Arizona Interagency Farmworkers Coalition, Inc for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.I. Discussion and possible action on any and all matters regarding the contract with Yuma Regional Medical Center (YRMC) Cancer Center Hispanic Support Group, Inc., for Fiscal Year 2020-2021. (Tadeo A. De La Hoya, City Manager and Francia Alonso, Assistant to Council/PIO)

5.J. Discussion and possible action on any and all matters regarding the building of a temporary Fire Station #2. (Angel Ramirez, Fire Chief)

MOTION: Council Member Gloria Torres/Council Member Jose Ponce 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 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 city's acceptance of funds awarded from the Arizona Attorney General's Office (AGO) for the purpose of purchasing law enforcement safety equipment in the amount of \$25,000.00. (Richard Jessup, Chief of Police)

Mr. Richard Jessup, Chief of Police, stated the City of San Luis Police Department was notified approximately two (2) months ago that the Attorney General's Office had been giving money to law enforcement organizations. Once they were informed, they immediately submitted their request for this grant and within two (2) days of the Attorney General's Office receiving their paperwork, the City of San Luis Police Department was awarded \$25,000.00. The grant amount is in proportion to the size of the department and the city. They will be able to purchase some of the things the department needs such as upgrading weapons along with some other safety equipment for a response team that would of otherwise been looked at as a capital improvement project.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Jose Ponce to approve and accept funds awarded from the Arizona Attorney General's Office 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 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 approval to change the existing Federal contract with Verizon to State contract NASPO. (Derek Duenas, IT Manager)

Mr. Derek Dueñas, I.T. Manager, mentioned this item is to request approval to enter into an existing contract between the State of Arizona and Verizon. He is currently using a federal agreement, which has not been updated for over five (5) years. The state contract will allow staff to use newer plans that will improve the Verizon services at a better price and will continue to receive the same benefits currently in place with the federal contract in addition to the newer plans. There have been issues with the Verizon service due to being very close to the border. The City of San Luis will piggyback from the NASPO

MOTION: Council Member Jose Ponce/Council Member Mario Buchanan Jr. to approve the Verizon Wireless Plan to the state contract using the terms of NASPO Valaue Point as presented for an estimated yearly cost of \$111,255.00. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

6.C. Discussion and possible action on any and all matters regarding escrow instructions for the purchase of land on County 24th Street between Avenue E and Avenue F for a community park in East San Luis. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained this is moving along with the park project on County 24th Street. This item is to approve the escrow agreement and purchasing agreement and it follows along with the development agreement the city had with Bienestar that the city would pay the price that Bienestar negotiated with Border Ranches. Just today, they corrected the amount for the option price so there is a supplemental escrow instruction to give the city the correct price for the land at \$34,000.00 per acre. The instructions also has the city paying its share of the escrow charges; the agreement states that there are 40 acres and the city is buying the parcel on County 24th Street.

Mr. Glenn Gimbut, Assistant City Attorney, added the escrow officer at Chicago Title thought the price was \$36,000.00 per acre and had made the calculation based on that amount, then later learned that the price is \$34,000.00 an acre. The next item on the agenda is the loan with First Bank Yuma; this will be 75% of the appraised value. While, the City Council will see \$700,000.00 in reality the term sheet is 75% of whatever it appraises at. The land may appraise higher than what the city is paying for, because land values there have gone up higher than \$34,000.00.

There was discussion amongst Council Members, Ms. Macuil and Mr. Gimbut regarding the escrow, the numbers and closing costs.

Ms. Monica Castro, Director of Finance, said she will be discussing the details of the loan. She did notice a discrepancy in the commitment letter from the bank and the number she had. She contacted the bank and did not get a response fast enough and wanted to add this item on the agenda quickly due to time restriction. Thus, she estimated closing costs as she did not get a figure from the bank.

MOTION: Council Member Gloria Torres/Council Member Jose Ponce approve the escrow instructions and supplemental escrow as presented, authorize the City Manager to execute the same on behalf of the city and authorize staff to take such actions as many be needed to close escrow according to the terms presented and acquire title to the subject property. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

6.D. Discussion and possible action on any and all matters regarding approval of a loan to buy land on County 24th Street between Avenues E and F for a proposed community park with a proposed police and fire station. (Monica Castro, Finance Director)

Ms. Monica Castro, Director of Finance, explained the loan proposal will finance the acquisition of this land. Today, the city received an addendum to the escrow instructions revising the price for the purchase from the land from \$718,560.00 to \$678,640.00. With the exception of the price of the land, all the terms and conditions of this loan will remain the same as presented on this agenda item. The term for this loan will be five (5) years, the interest rate is 3.8% and this loan will be paid with development fees. This loan is also financing 75% of the purchase price while the city will put down 25%. Loans for land are more riskier and are currently ranging from 4 to 5%, therefore she consider a 3.8% interest a favorable rate. The closing cost is an estimate. The closing cost is including 1% of origination fee, appraisal fee, and other related fees associated to the cost. Probably she went high on the closing costs, but she rather have a higher number and correct it than struggling and come back to the City Council due to the city having a lower number. If this item is approved and upon submittal of the application, the estimated close of escrow is by the end of September or early October.

MOTION: Council Member Jose Ponce/Council Member Mario Buchanan Jr. to approve a loan from 1st Bank Yuma per the financing proposal dated July 30, 2020, to buy the land describe as APN 227-15-025, Yuma County, Arizona and to authorize and direct staff to execute such documents as may be needed or necessary to effectuate said loan, subject to the approval of the City Attorney. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

Council Member Gloria Torres stated that she will abstained rather and would like to retract her motion on the previous item, as she has a conflict of interest.

Mr. Gimbut added that there is no monetary impact, no profit, no loss but zero impact to Comite de Bienestar, so as a result he does not see a conflict of interest.

6.E. Discussion and possible action on any and all matters regarding the acceptance of grant terms and conditions for the AZ CARES fund program and related budget adjustments for the Fiscal Year July 1, 2019, through June 30, 2020. (Monica Castro, Finance Director)

Ms. Monica Castro, Director of Finance, announced that the City of San Luis has been awarded the Arizona Cares Grant in the amount of \$3,992,743.00, the agreement will formalize the acceptance of this grant. The purpose of this grant is to distribute to local governments financial assistance from the treasury corona virus relief fund. The agreement is between the City of San Luis and the Governor's Office for the period of March 1, 2020 through December 30, 2020 and will expire at the end of the award term. The allowable expenditures for this grant are public safety salary costs that have incurred between March through December 2020. This grant will cover two (2) fiscal periods for the prior fiscal year, \$1,352,564 will be allocated. This amount was not included in last year's budget, because it was unknown the city was going to be in this situation. She asked the Mayor and City Council that in addition to accepting this grant, staff needs approval from them to increase the budget in both revenues and expenditures for \$1,352,564.00 for Fiscal Year 2019-2020 that will cover March 2020 through June 2020 as a revenue and expenditure. The remaining balance of \$2,640,179.00 will cover public safety for the current fiscal year from July through December 2020; this amount was added to the budget and does not need an increased budget.

Mayor Gerardo Sanchez mentioned he was concerned that the City of San Luis had not received this grant as all the cities in Arizona were allocated funds from this grant.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Jose Ponce to approve the Arizona Cares Grant in the amount of \$3,992,743.00 and approve an increase and the expense in the budget for Fiscal Year ending June 30, 2020, both in the amount of \$1,352,564.00. Motion passed unanimously.

The vote was as follows:

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

6.F. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2020-0277 and Ordinance No. 400. 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 15.1 acres from Rural Area Residential (RA-10) to Medium Density Residential (R1-6) for property located west of 8th Avenue between Bienestar Estates No. 5 Subdivision and the East Main Canal. (Jose Guzman, Director of Planning & Zoning)

A. Open public hearing

MOTION: Council Member Gloria Torres/Council Member Jose Ponce open the public hearing. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

1. Staff presentation

Mr. Jose Guzman, Director of Planning and Zoning, explained the subject property is located between Bienestar Estates No. 5 Subdivision and the East Main Canal. San Luis High School is located to the north across the East Main Canal and is zoned as Rural Area Residential (RA-10). The property to the east and west are undeveloped land and are also zoned (RA-10). The property to the south is developed as a single-family residential subdivision and is zoned Medium-High Density Residential (R-2).

The purpose of the request is to allow the construction of subdivision to be called La Esperanza Estates. The conceptual plan shows a total of 53 lots with a street connecting 6th Avenue to 8th Avenue.

The current zoning of the project property is Rural Area Residential (RA-10) which allows for agricultural uses and only one dwelling unit per every 10 acres of land. The proposed zoning district is Medium Density Residential (R1-6). The purpose of this zoning district is to provide for detached single residence development on urban sized lots in areas where adequate public facilities and services are available.

The Planning and Zoning Commission held a public hearing for this item at their regular meeting of July 14, 2020, at City Hall. Due to the health situation, this meeting was closed to the public but members of the public could submit their comments via email before the meeting or they had the option to participate in the meeting via phone. The Commission recommended approval of rezoning Case No. 2020-0277 subject to the conditions as recommended by staff.

Staff recommends approval of Ordinance No. 400/Rezoning Case No. 2020-0277 subject to the following conditions:

1. Rezoning is a condition upon development of the land in a manner similar to the tentative lot layout submitted for this application.
2. A full-length street shall be constructed between 6th Avenue and 8th Avenue as part of the development of this property.
3. 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 contributions to future roadway improvements such as traffic signals and/or canal crossings along 6th Avenue and 8th Avenue.
4. Owner agrees to sign necessary improvement districts for the subdivisions of the rezoned parcel. Said districts to include a street lighting improvement district, a community facilities district, and a parkway district pursuant to A.R.S § 48-572.
5. Grading and erosion control shall comply with the International Building Code standards for all aspects of the development including development of lots and the building of houses or other buildings.

Mr. Guzman added that the applicant agrees with all the conditions and added that there is a possibility of building a walking path with the developer.

Mr. Najeh Edais, Developer Engineer, indicated that the walking path was discussed with city staff and would like to do it, of course it takes a lot of coordination with the Water Users' Association. He thinks this will be the beginning of something that is really beautiful for the city to have, a landscaped walking path along that canal. Furthermore, Mr. Edais said the canal between the subdivision and the high school will be buried, so there will not be a canal. There is a lot of land assuming the Water Users' Association works with him and the developer. There is some challenge regarding the road that connects to the high school as it took some of this land. The developer is working with the high school to give them whatever they need to make everything work for everyone.

2. Call to the Public on this item

Mrs. Sonia Cornelio, City Clerk, stated that her office did not receive any comments from the public on this item.

Mr. Guzman also commented that his office did not receive any comments from the public on this item either.

B. Close public hearing

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

**C. Approval of Reading of Ordinance No. 400 by title only
(City Clerk to read the ordinance by title only)**

MOTION: Council Member Mario Buchanan Jr./Council Member Jose Ponce to approve the reading of Ordinance No. 400 by title only. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 400 by title only.

D. Action on Ordinance No. 400

MOTION: Council Member Gloria Torres/Council Member Jose Ponce to approve and adopt Ordinance No. 400. 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez reported he is grateful that the city finally got the money from the Arizona Cares Act. A lot of things are happening now, specially kids returning to school and emphasized on the importance of wearing a face mask and to those that have already been infected, there are studies coming out that their immunity will probably last between six (6) to eight (8) months only.

Therefore, there is a possibility one can get re-infected. One needs to continue to be aggressive against COVID-19 because there might be another spike coming back soon, specially with kids going back to school. On a separate note, he added that the census response rate is at 37.1% participation and also emphasized on the importance of the census.

Council Member Gloria Torres stated she was happy the city honored the memory of Mr. Miguel Gonzalez and suggested maybe doing other activities to honor him.

Mayor Gerardo Sanchez reported that staff is already looking into that, maybe renaming a park after him as he coached softball and little league. He was an essential employee as well.

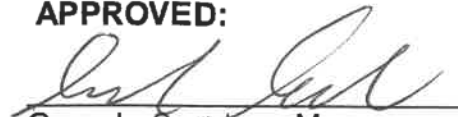
8. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Council Member Jose Ponce to adjourn the Regular Council meeting at approximately 8:26 p.m. Motion passed unanimously.

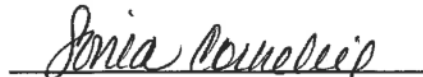
The vote was as follows:

| | |
|-----------------------------------|-----|
| Mayor Gerardo Sanchez | Aye |
| Vice Mayor Maria Cecilia Cruz | Aye |
| Council Member Mario Buchanan Jr. | Aye |
| Council Member 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 of the City Council of the City of San Luis, Arizona, held on August 12, 2020. I further certify that the meeting was dully called and held and that a quorum was present.


Sonia Cornelio, City Clerk