

APPROVED by Council
Date: 11/10/2020
Clerks Office: M. Lopez For
S. Carnelio

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
October 28, 2020
7:00 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 6:57 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 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
Carlos Cortes, Assistant Director of Finance
Kay Marion Macuil, City Attorney
Domingo Sosa, Information Technology Technician
Eulogio Vera, Director of Public Works
Jorge Mungaray, Information Technology Technician
Jorge Perez, Billing & Collections Manager
Jose L. Cisneros, Executive Assistant
Lizandro Galaviz, Director of Parks & Recreation
Marlene Lara, Government and Foreign Affairs Coordinator
Richard Jessup, Chief of Police

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. CONSENT AGENDA

4. A. MINUTES OF

- **Work Session held October 7, 2020**
- **Regular Council meeting held October 14, 2020**

**4. B. DISBURSEMENTS FROM OCTOBER 1, 2020 THROUGH OCTOBER 15, 2020
Total Disbursements \$799,352.18**

(Seven Hundred Ninety-Nine Thousand, Three Hundred Fifty-Two Dollars and Eighteen Cents)

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

5. DISCUSSION AND POSSIBLE ACTION ITEMS:

5. A. Discussion and possible action on any and all matters regarding the modification of the general park rules and policies for all open areas and parks around the city. (Lizandro Galaviz, Director of Parks and Recreation)

Mr. Lizandro Galaviz, Director of Parks & Recreation, stated this item is presented to the Mayor and City Council to obtain the final approval to work with the legal department to start the process of implementing the new policies that staff has set for the parks, the parks will close at 11:00 p.m.

MOTION: Council Member Matias Rosales/Council Member Africa Luna-Carrasco to approve the modification of the General Park Rules and Policies 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

5. B. Discussion and possible action on any and all matters regarding Amendment No. 1 of the contract with Valley Collection Service, LLC, for the ambulance collection services. (Monica Castro, Finance Director)

Ms. Monica Castro, Director of Finance, mentioned that in March 2020 the Mayor and City Council approved a contract to enter into an agreement with Valley Collection Service to collect past due accounts for the utility services but this agreement needs to include the collection for the miscellaneous outstanding accounts receivable as well as the ambulance services which staff will be bringing in house beginning November 1st. The collection rate the agency is proposing is of 15%, staff shopped around and received another proposal from another agency that would charge 40%, which is a considerable difference between the two (2) proposals. Staff also received references from other cities that are in contract with the collection services that is being presented tonight. The feedback received from the other cities is positive, therefore, staff requested the Mayor and City Council to approve this item.

MOTION: Council Member Gloria Torres/Council Member Africa Luna-Carrasco to approve the amendment to the contract with Valley Collection Service 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

5. C. Discussion and possible action on any and all matters regarding Resolution No. 2144. A resolution of the Mayor and City Council of the City of San Luis, Arizona amending the assessment for fiscal year 2020/2021 for the Rio Sereno enhanced municipal services district to reduce the tax imposed from \$60,944.00 to \$12,276.00. (Carlos Cortes, Assistant Director of Finance)

Mr. Carlos Cortes, Assistant Director of Finance, explained the assessment for Rio Sereno District was approved by the Mayor and City Council at their Regular Council Meeting held June 10th, 2020. The amount approved for Rio Sereno Improvement District for maintenance was \$60,944.00 based on estimated water consumption usage and maintaining the green areas. However, this correction is being done due to readings of the water meters being identified as a malfunction. Upon identification of this issue, staff immediately took action by reprogramming the water meter to obtain correct readings. Yuma County requires City Council's approval for this reduction in order to credit the assessment district.

Mayor Gerardo Sanchez asked how did the city reach \$48,000.00.

Mr. Cortes responded that what happened was that a resident came in and inquired why there was an increase in the property tax and staff reviewed the accounts and it was noticed specifically in the assessment from Rio Sereno which is located in 247 E. Nancy Street, that the consumption was too high and met with staff from Public Works and Parks. It was determined that the water meter was not properly reading the water and asked the Utility Billing Division to review the service again and that is how that big difference was discovered.

Mr. Jorge Perez, Billing & Collections Manager, stated the difference was overbilled to a city account for that retention basin at Rio Sereno subdivision. The reason for the overbill was that the meter was incorrectly programmed since it was received from the manufacturer. The way utility accounts are billed is that it is calculated each water consumption in hundreds of gallons and this is the way staff receives it from the manufacturer. This specific meter was programmed to read by individual units, causing the city's system to add those hundred gallons to every single unit of reads.

Mayor Gerardo Sanchez asked how long has the meter been active for. Mr. Perez responded since October 2018.

Mayor Gerardo Sanchez asked if it was wrong last year. Mr. Perez replied it was wrong for the past fiscal year and as he previously mentioned to the Director of Public Works and the Director of Finance, since Mr. Perez gets his audits every month and during every billing process, one of the audits that staff processes is the high consumptions. However, since that report based its audit on previous consumption against the current one, meanwhile the meter was reflecting a consistent read based on the current against to the previous one, thus it was not showing on the audit every month.

Mayor Gerardo Sanchez asked if all meters are being checked including those being installed and how he will make sure this does not happen again. Mr. Perez answered yes, all the new meters they have at the public works yard storage, they are checking the ones that are going to be received from the manufacturer. They will be checking every meter that comes in from the vendor, which should already come programmed to the way staff ordered it and staff already did the same thing with the ones already received that are in the storage and are new and have not been installed.

Mayor Gerardo Sanchez stated this amount is worrisome, he knows the city charges, but that is the amount that is based, that is how the city assessed the tax on the residents. This is a huge discrepancy, the city needs to create a policy that actually outlines but it is based on previous readings, the City Council wants to make sure that this does not happen again. The city cannot blame the manufacturer, staff needs to make sure that when the meter is installed, it is reading correctly at all times.

Ms. Monica Castro, Director of Finance, said that staff is in agreement with his recommendation and they will put in place an internal process that did not exist before. This situation has taught staff, although it had never occurred in the past to prevent from happening again.

Council Member Gloria Torres asked if the resident will get reimbursed by the city.

Mayor Gerardo Sanchez responded the residents who live in that subdivision who pay the assessments.

Mr. Cortes added that staff has been in contact with the Yuma County Assessor's Office as staff had the same concern because the tax is due November 1st and the assessor said that upon what the city decided to do, they will recalculate the tax and they will set up a new due date and will also recalculate the amount the residents will receive.

Council Member Mario Buchanan Jr. added he wants to make sure that this error does not happen again.

Council Member Jose Ponce asked if this malfunctioning happened since day 1 or did it happened during the first three months of service and who did the programming on the unit. Mr. Perez responded the unit was in incorrect program mode since day 1; the meter is supposed to come programmed from the vendor and staff is also trained and able to do the reprogramming in-house if needed, which is what staff did with the meter.

Council Member Matias Rosales asked if they are all electronic, is there a test that the manufacturer or software staff is able to test on the meters or is it every meter manually that staff has to go check out now and make sure it is not doing the one to one thousands. Mr. Perez replied it is something staff will have to do manually and it is being done depending on the type of the meter, if it is commercial or residential. There is no tester in-house for meters to be tested before being installed. What they do with the residential meters, they connect the meter to a water supply and use a gallon test, since the meters are read in gallons staff makes sure the one gallon is correctly read and if a lab test is needed, then it is sent to the vendor.

Mayor Gerardo Sanchez added staff cannot depend on the vendor and the city needs to make sure staff has a way to test the meters. He understands this is a commercial one, it is a higher volume one; but this is a reminder that staff cannot be fully accepting what the company says.

Council Member Africa Luna-Carrasco agreed with all that has been discussed.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve and Resolution No. 2144. 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

6. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez stated he want to know what will happen with trick or treating as people is inquiring.

Mr. Lizandro Galaviz, Director of Parks & Recreation, reported the county has put out some recommendations on what they are advising for individuals for this day; they are not promoting door to door but more in-house than events. Staff is working on various activities such as pumpking carving, drive-in movie night and a contest where people can decorate their homes. It is his understanding that many cities are not promoting the door to door, this is something that probably would come from the Mayor and City Council or Administration for residents; also working with enforcement on how that would come about.

Mayor Gerardo Sanchez agreed with Mr. Galaviz and added that right now there is a surge occurring in the mid states like the New York region, including Arizona, and that numbers are increasing. The number one identified source of infection is family gatherings; people need to be careful, make sure masks are worn at all times. He asked Mr. Galaviz to disseminate the information he provided in social media making sure the city emphasizes it and also to include the county's recommendations.

Mayor Gerardo Sanchez reported that there are some complaints from residents that there are some businesses not obeying or following the governor's and city's proclamations of wearing a mask. He asked Mr. Jessup, Chief of Police, to implement the mandatory mask wearing. The epidemic fatigue is kicking in and people are tired of following guidelines and wearing a mask. The second wave is on its way, and the reason for this second wave is because people are not using their masks and not socially distancing. The city needs to be proactive and begin enforcing and if there is a need to cite those businesses then proceed. Because they are supposed to provide a safety environment for their employees and the city does not want the surge to be hitting as hard. It is now where one decides either we have an open christmas or a close christmas...an open christmas by wearing a mask and social distancing or close christmas, and if not wearing a mask, we can start closing business again. This is not about politics but about health.

Chief of Police Richard Jessup, reported that on a particular business they did go, they had signs that said you had to wear a mask coming in but then they had another sign that read if you got a medical issue you do not have to wear one. This was problematic for the Police Department, because that infringes on HIPPA violation rights as well, so that business was educated and they were informed of the complaints received. One of the things the Police Department will be doing is redoing a campaign with all of the businesses again and making sure the county health flyers are posted in their doors and that they are implementing the mask policy per state, county, and city guidelines. The Police Department will get very aggressive with the enforcement part of that because the numbers are going back up again. This particular business was informed that they were going to be reported to the county health who has a tremendous amount of authority when it comes to closing businesses for not following directives as well. The citation fines can be up to \$2,500.00 per incident.

Vice Mayor Maria Cecilia Cruz, reported that on October 16th they had their first event in Somerton, stand against domestic violence, numerous agencies participated and it was a very successful event. She thanked Mayor Gerardo Sanchez for supporting this event by doing a proclamation that shows a lot for the city when they stand up for victims of domestic violence and also thanked Mr. Tony Reyes for doing the proclamation on behalf of Yuma County. On a separate note, she thanked staff and all residents for the 2020 census, the self-response rate is 45% and over 600 families participated with censo banquetero. Planning & Zoning counted more than 100 walk-ins the last days last events and they received \$35,000.00 grant that allowed the City of San Luis to do this during the pandemic.

Council Member Jose Ponce, reported he has been assisting Pastor Manuel Castro in distributing the food boxes. The distribution will continue probably until Saturday and feels that the community is lucky to have this amenity.

Council Member Matias Rosales, reported they had the Annual Greater Yuma Port Authority Retreat today at City Hall following the safety guidelines, all the entities and members were present and Mr. Luis Ramirez from Ramirez Advisors was able to moderate and help create a plan to give direction to the port authority in regards to what is needed to be and what the entities wanted to be for the region. It was a good productive meeting.

7. ADJOURNMENT

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to adjourn the Regular Council meeting at approximately 7:41 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 of the City Council of the City of San Luis, Arizona, held on October 28, 2020. I further certify that the meeting was dully called and held and that a quorum was present.


Sonia Cornelio, City Clerk