

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
October 14, 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.

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
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Angel Ramirez, Fire Chief
Axel Chayra, Information Technology Technician
Chris Hagen-Velez, Management Analyst (remotely)
Derek Dueñas, Manager of Information Technology
Domingo Sosa, Information Technology Technician
Eulogio Vera, Director of Public Works
Jenny Torres, Economic Development Manager
Jose Guzman, Director of Planning & Zoning
Marlene Lara, Government and Foreign Affairs Coordinator
Nohemy Echavarria, Magistrate
Ralph Velez, City Consultant (remotely)
Richard Jessup, Chief of Police

2. PLEDGE OF ALLEGIANCE

Vice Mayor Maria Cecilia Cruz led the Pledge of Allegiance.

3. INVOCATION

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

4. PROCLAMATIONS

4.A. Arizona Cities & Towns Week - October 18-24, 2020

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

Mayor Gerardo Sanchez commented it is important to recognize the different functions towns and cities perform each day, 7 days a week, 365 days of the year. He thanked all governments in the different cities and towns in the State of Arizona.

4.B. Breast Cancer Awareness Month October 2020

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

Mayor Gerardo Sanchez mentioned something as simple as an x-ray can detect this disease. He encourage women to have their yearly mammogram done as a preventive measure as it can make a big difference.

4.C. Community Planning Month October 2020

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

Mayor Gerardo Sanchez stated community planning has always been an emphasis especially in our city. Without community planning the city cannot plan for the its growth.

4.D. Domestic Violence Awareness Month October 2020

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

Mayor Gerardo Sanchez indicated that due to the COVID-19 situation there has been an increase in number of cases of domestic violence. It is very important that the City Council continues to provide support to agencies like Amberly's Place that support victims of domestic violence.

5. CONSENT AGENDA

5.A. MINUTES OF

- Work Session held September 2, 2020
- Regular Council meeting held September 9, 2020
- Regular Council meeting held September 23, 2020

5.B. DISBURSEMENTS FROM SEPTEMBER 12, 2020 THROUGH OCTOBER 2, 2020

Total Disbursements \$1,350,932.06

(One Million, Three Hundred Fifty Thousand, Nine Hundred Thirty-Two Dollars and Six Cents)

5.C. Discussion and possible action on any and all matters regarding Order No. 2020-17. An Order of the Mayor and City Council of the City of San Luis, Arizona to authorize the City of San Luis Police Department to receive funding for the Impaired Driver/DUI Alcohol Enforcement and materials and supplies and STEP/Selective Traffic Enforcement Projects by approving Highway Safety Contracts 2021-AL-028 & 2021-PTS-059 between the City of San Luis, Arizona through the San Luis Police Department and the Governor's Office of Highway Safety. (Richard Jessup, Chief of Police)

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 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 city's acceptance of funds awarded from the Arizona Internet Crimes Against Children (ICAC) Task Force for the purpose such as training, investigations, computer forensics, and public awareness in connection with Internet Crimes Against Children (ICAC). (Richard Jessup, Chief of Police)

Mr. Richard Jessup, Chief of Police, explained that the San Luis Police Department submitted an application with the Phoenix Police Department who is in control of disbursing the funds for this project. The department was awarded \$5,000.00 by the Phoenix Police Department on an ongoing basis through an intergovernmental agreement (IGA). Chief Jessup briefed that there is a website advertising internet sexual crimes not only with children, but with females and adults. Because of this site at 9:15 a.m. on 10/14/2020, there had been 20 different ads posted. By 5:00 p.m., there were over 1,000 ads posted on that site. For the most prominent areas, Yuma is number 4 because it is the gateway between Mexico, California, Phoenix, and the Tucson areas. These \$5,000.00 will assist the San Luis Police Department obtain additional investigative tools and training to the detective department that will help combat what he just announced.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Jose Ponce to approve and accept funds awarded from the Arizona Internet Crimes Against Children (ICAC) Task Force 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 |

6.B. Discussion and possible action on any and all matters regarding Order No. 2020-18. An Order of the Mayor and City Council of the City of San Luis authorizing and directing the entering into an intergovernmental agreement with the Yuma Union High School District to indemnify the City of San Luis as required under the temporary San Luis Emergency Proclamation issued September 30, 2020, which allows for volleyball matches at the San Luis High School under strict infection controls for COVID-19. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that the high school has begun volleyball and they have very extensive protocols for COVID-19, so Mayor Gerardo Sanchez issued a proclamation allowing that to go forward in the event that some of the games might exceed 50 people. That usually does not happen, however as a precautionary measure, this proclamation is being issued since the gym at the high school is big enough and there are protocols to separate people. In addition, the city needed an indemnity agreement with the high school to make sure the city is covered for any eventuality.

Mayor Gerardo Sanchez indicated that the governor's executive order, in addition to the city's emergency measure requires something like this to occur requires a special proclamation. The indemnity states that the city is not liable financially for any damages or if someone gets COVID-19 during this event. The high school does have a facility big enough, the number of guests will be restricted. The players will not be using their face masks while playing, but will be wearing it at all time while off the court. Everyone attending the games is expected to wear a face mask.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Jose Ponce to approve and adopt Order No. 2020-18. 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.C. Discussion and possible action on any and all matters regarding Resolution No. 2143. A resolution of the Mayor and City Council of the City of San Luis, Arizona, relinquishing Friendship Park (6.46 Acres) to the United States of America; repealing any conflicting provision; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained that staff presented a resolution in April 2020 and that she received an email from Mr. Anthony Kleppe from General Service Administration (GSA), asking her when the city was going to relinquish Friendship Park. She emailed the resolution adopted by the City Council in April and added she was then informed that the Bureau of Land Management (BLM) needed 6.4 acres relinquished, not 5 acres; since in 2007 the resolution did not properly relinquish those few acres they thought were relinquished. Also, because of COVID-19, they are needing to phase the project, therefore, construction is going to wait for that phasing planning process.

MOTION: Council Member Gloria Torres/Council Member Jose Ponce to approve and adopt Resolution No. 2143. 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 |

Item No. 6.D. will be discussed in executive session in accordance with A.R.S. § 38-431.03(A)

6.D. Discussion and possible action on any and all matters regarding amendment to the approval of Subdivision Case No. 2019-0826F. A request by Core Engineering Group, PLLC, on behalf of Greater Yuma Port Authority, owner, for an amendment to the final plat approval for Magrino Industrial Park Unit 3 Subdivision approved on February 26, 2020. (Jose A. Guzman, Director of Planning and Zoning)

A. Staff presentation.

B. Action on Subdivision Case No. 2019-0826F

7. SUMMARY OF CURRENT EVENTS

Vice Mayor Maria Cecilia Cruz reported that she along with South Yuma County Domestic Violence Coalition and Proverbs 31 Home Board Members participated in the stand against domestic violence on Friday, October 9.

Council Member Jose Ponce reported that he along with Council Member Gloria Torres and Mayor Gerardo Sanchez assisted Gethsemani Church in the distribution of boxes of food to members of the community, which there was a big turnout. He also thanked Pastor Castro for this event.

8. EXECUTIVE SESSIONS

Vote to hold an Executive Sessions pursuant to A.R.S. § 38-431.03(A)(1)(3) and (4).

6.D. Discussion and possible action on any and all matters regarding amendment to the approval of Subdivision Case No. 2019-0826F. A request by Core Engineering Group, PLLC, on behalf of Greater Yuma Port Authority, owner, for an amendment to the final plat approval for Magrino Industrial Park Unit 3 Subdivision approved on February 26, 2020. (Jose A. Guzman, Director of Planning and Zoning)

A. Staff presentation.

B. Action on Subdivision Case No. 2019-0826F

8.A. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03(A), subsections (1), (3) and (4) on any and all matters relating to the position of Magistrate and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of the Magistrate, including discussion of possible confirmation of the City Manager's appointment of the Magistrate and/or discussion of approval of terms and/or conditions of said appointment pursuant to San Luis City Code § 34.20, and consultation with the attorney or attorneys of the City regarding the same. (Tadeo A. De La Hoya, City Manager)

8.B. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03(A), subsections (1), (3) and (4) on any and all matters relating to the position of Fire Chief and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of Fire Chief, including discussion of possible confirmation of the City Manager's appointment of the Fire Chief and/or discussion of approval of terms and/or conditions of said appointment pursuant to San Luis City Code § 34.04, and consultation with the attorney or attorneys of the city regarding the same. (Tadeo A. De La Hoya, City Manager)

8.C. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03 (A), subsections (1), (3) and (4) on any and all matters relating to the position of Chief of Police and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of Chief of Police, including discussion of possible confirmation of the City Manager's appointment of the Chief of Police and/or discussion of approval of terms and/or conditions of said appointment pursuant to San Luis City Code § 32.02, and consultation with the attorney or attorneys of the City regarding the same. (Tadeo A. De La Hoya, City Manager)

MOTION: Council Member Mario Buchanan Jr./Council Member Jose Ponce to go into executive sessions at approximately 7:36 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 Jose Ponce | Aye |
| Council Member Matias Rosales | Aye |
| Council Member Gloria Torres | Aye |

9. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Mario Buchanan Jr./Council Member Jose Ponce to go back to regular session at approximately 10:05 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 |

9. DISCUSSION AND POSSIBLE ACTION ITEMS:

6.D. Discussion and possible action on any and all matters regarding amendment to the approval of Subdivision Case No. 2019-0826F. A request by Core Engineering Group, PLLC, on behalf of Greater Yuma Port Authority, owner, for an amendment to the final plat approval for Magrino Industrial Park Unit 3 Subdivision approved on February 26, 2020. (Jose A. Guzman, Director of Planning and Zoning)

A. Staff presentation

Ms. Kay Macuil, City Attorney, stated the air form is staff's presentation on this matter and staff recommends the motion as written.

B. Action on Subdivision Case No. 2019-0826F

MOTION: Council Member Matias Rosales/Vice Mayor Maria Cecilia Cruz to amend the plat approval for Magrino Industrial Park Unit 3 Subdivision to allow the construction of improvements in phases as presented; and to allow the issuance of building permits for those lots where a particular phase of improvements have been completed;

and staff is directed to work with Greater Yuma Port Authority to enter a development agreement to provide for such phasing of improvements and such other development issues as the parties deem appropriate. 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 |

9.A. Discussion and possible action on any and all matters regarding the employment contract for the Magistrate. (Tadeo A. De La Hoya, City Manager)

Mr. Tadeo De La Hoya, City Manager, stated staff recommends that the Mayor and City Council extend the Magistrate's contract for a period of two (2) years starting the date of expiration with a five (5) percent salary increase.

MOTION: Council Member Matias Rosales/Vice Mayor Maria Cecilia Cruz to approve 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 |

9.B. Discussion and possible action on any and all matters regarding the employment contract of the Fire Chief. (Tadeo A. De La Hoya, City Manager)

Mr. Tadeo De La Hoya, City Manager, stated staff recommends that the Mayor and City Council extend the Fire Chief's contract for a two (2) year period to start on the expiration date with a five (5) percent salary increase. The position would be evaluated once a year, with regular limits on vacation and sick time accruals, with no sick time payment, allowing the Fire Chief to teach off duty hours given that the city employment is to be his primary function, and to submit a form for second employment like regular employees.

MOTION: Council Member Matias Rosales/Vice Mayor Maria Cecilia Cruz to approve 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 |

9.C. Discussion and possible action on any and all matters regarding the employment contract of the Chief of Police. (Tadeo A. De La Hoya, City Manager)

Mr. Tadeo De La Hoya, City Manager, stated staff recommends that the Mayor and City Council approve the Chief of Police current contract for a two (2) year period to start on the expiration date with a five (5) percent salary increase. The position would be evaluated once a year, with regular limits on vacation and sick hours, no sick payment hours upon termination of employment, allowing him to teach off duty hours given that city employment is to be his primary function, and to submit a form for a second employment like regular employees.

MOTION: Vice Mayor Maria Cecilia Cruz/Council Member Mario Buchanan Jr. to approve 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 |

10. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Council Member Matias Rosales to adjourn the Regular Council meeting at approximately 10:12 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 14 2020. I further certify that the meeting was dully called and held and that a quorum was present.

Sonia Cornelio, City Clerk