

APPROVED by Council

Date: 11/3/2021
Clerks Office: 82

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
December 9, 2020
7:00 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 6:58 p.m.

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

PRESENT: Mayor Gerardo Sanchez
Vice Mayor Matias Rosales
Council Member Mario Buchanan Jr.
Council Member Luis Cabrera
Council Member Africa Luna-Carrasco
Council Member Jose Ponce
Council Member Gloria Torres

OTHERS PRESENT: Tadeo A. De La Hoya, City Administrator
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Axcel Chayra, Information Technology Technician
Derek Dueñas, Manager of Information Technology
Glenn Gimbut, Assistant City Attorney
Jenny Torres, Economic Development Manager
Jose L. Cisneros, Executive Assistant
Jose A. Guzman, Director of Planning & Zoning
Marlene Lara, Government and Foreign Affairs Coordinator
Marco Santana, Police Lieutenant
Monica Castro, Director of Finance
Ralph Velez, City Consultant (remotely)
Richard Jessup, Chief of Police
Sondra Matthews, Director of Human Resources
Kevin E. Rhea, ALEAP Program Manager (remotely)
Pete Wingert, Paradise Valley Chief of Police (remotely)

2. PLEDGE OF ALLEGIANCE

Council Member Luis Cabrera led the Pledge of Allegiance.

3. INVOCATION

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

4. PRESENTATIONS

4.A. Presentation of Plaque and recognition of eight years of dedicated leadership to the community of San Luis for her service on City Council to Maria Cecilia Cruz. (Tadeo A. De La Hoya, City Administrator)

Mr. Tadeo A. De La Hoya, City Administrator, presented Ms. Maria Cecilia Cruz a plaque for the contributions she made to the city and her years of service as Council Member.

Ms. Cruz thanked the Mayor and City Council for the plaque and added that it was a pleasure serving eight (8) years.

Mayor Gerardo Sanchez and the City Council thanked Ms. Cruz for her time dedicated to the City of San Luis and making a difference in the community.

4.B. Welcome for newly re-elected Council Members Matias Rosales and Gloria Torres and newly elected Council Member Luis Cabrera. (Tadeo A. De La Hoya, City Administrator)

Mayor Gerardo Sanchez congratulated and welcomed Council Members Matias Rosales, Gloria Torres and Luis Cabrera.

Mr. Tade A. De La Hoya, City Administrator, welcomed re-elected Council Members Matias Rosales, Gloria Torres, and newly-elected Luis Cabrera. He added that he looks forward to working with Council Member Luis Cabrera, it is his first official meeting today. He stated that usually this is when the exchange of chairs is done between Council Members that get re-elected or newly-elected.

Council Member Luis Cabrera thanked Mayor Gerardo Sanchez for the welcoming and added that he looks forward to working together as a team to continue having San Luis head the right direction, and to learn from his leadership.

Council Member Gloria Torres thanked Mayor Gerardo Sanchez and added she hopes they can all work together and do good things for the city.

Council Member Matias Rosales thanked Mayor Gerardo Sanchez and added that he is there for another four (4) years and thanked the community for the re-trust and what they have been doing and looks forward to doing for the next four (4) years for the community.

4.C. Presentation of full accredited status to the San Luis Police Department. (Kevin E. Rhea ALEAP Program Manager)

Mr. Kevin E. Rhea, ALEAP Program Manager, introduced Commission Chairman Chief Pete Wingert. Mr. Wingert serves as the Chief of Police for Paradise Valley; he stated he wished they could be here in person, however with the current state of the national pandemic, he felt that it was his responsibility to the community to appear remotely.

This takes nothing away from the outstanding work and commitment that the City of San Luis Police Department makes not only to the community and its citizens, but also to law enforcement in Arizona.

Mr. Rhea stated it is truly an exciting day when they can extent accreditation to a most deserving police department. In 2017, the Arizona Association of Chiefs of Police along with their partners, the Arizona Municipal Risk Retention Pool, the League of Arizona Cities and Towns, and Arizona Post started the journey of developing a statewide accreditation program to establish a set of best practices for the safe, effective, efficient, and not discriminate delivery of professional law enforcement service in the State of Arizona. The Arizona Law Enforcement Accrediation Program (ALEAP) began accepting agencies into the program in September 2018 and the City of San Luis Police Department was one of the original 12 agencies to start the program. Over the course of the last two (2) years, the administration and staff worked tirelessly to ensure that the agency complied with 174 standards of best practices. He congratulated Chief Richard Jessup and his staff and thanked Chief Wingert.

Chief Wingert explained that the City of San Luis Police Department was one of the first agencies to enroll in the ALEAP program and began their assessment period in September 2018 under the leadership of Chief Richard Jessup. Over the next 24 months, the agency staff led by Lieutenant Miguel Alvarez, worked diligently to ensure that they have the policies and the proofs of compliance for all 174 standards of best practices. The City of San Luis Police Department saw several changes during their self-assessment period; changes in policy procedure and policy providers did not slow the agency down. On September 1 and 2, the City of San Luis Police Department participated in an on-site assessment led by Chief Lance Feivy of the St. John's Police Department and Commander Freeman Carney of Paradise Valley Police Department.

The assessment team spent hours over the preceding weeks on video and phone calls with both Chief Richard Jessup and Lieutenant Miguel Alvarez to ensure a smooth on-site assessment by making sure all the policies and proofs of work of compliance were in the file. One of the most positive things from an administrative and risk management perspective was that by being the first agency in Yuma County to go through the assessment process, Chief Richard Jessup identified gaps in mutual aid agreements not only with the tribal agencies in the county but also with the Yuma Police Department and the Yuma County Sheriff's Department. Chief Richard Jessup has taken the charge of that issue to make sure all county agencies understand the role and responsibilities of their agency in a time of need in the county.

The assessment team left impressed with the stability that Chief Richard Jessup and his leadership team brought the police department. The assessment team moved freely throughout the building inspecting every facet and function of the agency, interviewing staff, key city personnel, and community members. Assessors inspected the patrol bureau and the support services bureau, including the criminal investigation division, records, fiscal operations, the property room, and dispatch center, and found the San Luis Police Department to be in compliance with all the required standards.

During the assessment, one thing kept being repeated by the officers, citizens that called during the public comment, neighboring law enforcement agencies, and others and that is the organizational culture that the leadership has set. Chief Richard Jessup not only serves as an assessor for the ALEAP but also serves on the Arizona Association of Chiefs of Police Executive Board while Lieutenant Miguel Alvarez is an ALEAP assessor. Today Lieutenant Nigel Reynoso and Lieutenant Marco Santana just completed assessment training and will be two (2) more assessors. Chief Richard Jessup appeared before the ALEAP Commission where they voted unanimously to recommend accreditation for a period of four (4) years to City of San Luis Police Department.

The ACOP Board of Directors agreed and that is how they got to this point. The City of San Luis Police Department is the 9th agency to receive this accreditation. On behalf of the Arizona Association of Chiefs of Police and the Arizona Law Enforcement Accreditation Program, Chief Wingert congratulated Chief Richard Jessup and all his staff on this tremendous professional accomplishment.

Chief Richard Jessup thanked Chief Wingert and Mr. Rhea and added that they both know what it took to get there over that two (2) year period of time but as mentioned, he has an incredible staff and is proud of them. When they first endeavored to do this, it was Lieutenant Miguel Alvarez who was in administration that he assigned to the project. The City of San Luis Police Department has come a long way and being recognized as the 9th department in the state to receive it from a total of over 40 agencies and first one in Yuma County, which he thinks that Yuma, Somerton, Arizona Western College Police Departments and Sheriff's Department and those local law enforcement agencies that are around, see the benefit of it. This also helps the police department for those things that need to be done from the grant perspective from a federal level as well as a state level.

Mayor Gerardo Sanchez congratulated Chief Jessup and added how grateful he is to his staff. He thanked the community, the organization, Chief Wingert, Mr. Rhea for the hard work and support. It is amazing how in a period of two (2) years, the City of San Luis Police Department has achieved this recognition, the first agency in Yuma County. Chief Jessup has it together and there is proof. He added that he is very proud of the great accomplishment Chief Jessup's department and his staff have done.

The City Council congratulated and thanked Chief Jessup and staff for their hard work and this accomplishment.

5. CONSENT AGENDA

5. A. MINUTES OF

- **Special Council meeting held November 10, 2020**
- **Special Council meeting held November 18, 2020**

5. B. DISBURSEMENTS FROM NOVEMBER 13, 2020 THROUGH NOVEMBER 25, 2020

Total Disbursements \$849,797.71

(Eight Hundred Forty-Nine Thousand, Seven Hundred Ninety-Seven Dollars and Seventy-One Cents)

5.C. Discussion and possible action on any and all matters regarding Resolution No. 2148. A resolution of the Mayor and City Council of the City of San Luis, authorizing the submission of an application to the United States Department of Interior, Bureau of Reclamation for transportation and utility systems and facilities lease for the downtown parking lot project. (Jenny Torres, Economic Development Manager and Jose A. Guzman, Director of Planning & Zoning)

5.D. Discussion and possible action on any and all matters regarding Resolution No. 2149. A resolution of the Mayor and City Council of the City of San Luis, authorizing the submission of an application to the United States Department of Interior, Bureau of Land Management for a recreational and public purpose lease for the downtown park project. (Jenny Torres, Economic Development Manager; Jose A. Guzman, Director of Planning & Zoning)

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 Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	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 annual pension funding policy for public safety personnel required by HB 2097. (Monica Castro, Director of Finance)

Ms. Monica Castro, Director of Finance, stated that the Arizona Revised Statute requires that cities adopt a pension policy for public safety personnel. The law describes the content that this policy should have and accordingly, the Finance Department has prepared pension policies for the years 2018 and 2019. The policies outlines the assets and liabilities presented in the actuarial valuation. This pension also outlines the actions that City Council will need to take to reach a fund ratio of 100% via maintaining the full annual retirement contribution. The City Council needs to formally accept this share of assets and liabilities under the plan. Also, this is required to post these policies on the city's website. Ms. Castro explained briefly the Pension Funding Policy attached to the agenda packet filed at the City Clerk's Office.

Mayor Gerardo Sanchez stated he knows the Cities of Yuma and Somerton are also dealing with this. The state needs to be realistic when they designed this, they did not take into account the stock market fall in 2008, 2009 and the COVID situation, the state needs to adjust.

Public safety personnel deserve this, but at the same time, it is causing financial restraint to approximately 90% of all municipalities, except for Maricopa.

Council Member Luis Cabrera asked when does the city need to reach the 100%. Ms. Castro responded the objective is 2036, but the city is looking for alternatives to get there sooner.

MOTION: Vice Mayor Matias Rosales/Council Member Jose Ponce to adopt the pension funding policies as presented, accept the city's share of the assets and liabilities under the Arizona Public Safety Personnel Retirement System's Actuarial Valuation Report and order that the appropriate city staff post the pension funding policies on the city's website. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

6. B. Discussion and possible action on any and all matters regarding authorization for employee COLA adjustment for FY 2020. (Monica Castro, Director of Finance)

Ms. Monica Castro, Director of Finance, explained that due to the uncertainty that there is with COVID-19, the city was not able to include in the budget the salary adjustment for the 3rd phase. The city knows that many city employees are not at 100%, had the city implemented this adjustment, many of them would have been brought to the 100% mark. The city also knows that COVID-19 has brought many challenges to all city employees and their families. To keep the city employees safe, it has been decided to cancel the annual recognition event. Therefore, in order to provide some cheer and relief to city employees during these difficult times, staff is proposing to the City Council to utilize the savings from the employee recognition event in addition to \$32,000.00 from the contingency fund to provide a COLA adjustment to city employees in the amount of \$650.00 for full-time employees and \$300.00 for part-time employees.

Mayor Gerardo Sanchez mentioned it would have been nice if the city had given a little bit more but under the current circumstances, he knows there are financial restraints. It is unfortunate that city employees did not get the recognition they should and this is adjustment is just a small token.

People have been getting sick, there have been expenses and a little bit of help does help. This is a one time deal only, the city can afford a one time payout like this. The city is very grateful to all city employees especially first responders.

MOTION: Council Member Jose Ponce/Council Member Gloria Torres to approve the COLA adjustment as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

6. C. Discussion and possible action on any and all matters regarding Ordinance No. 403. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the City Code of San Luis, Arizona by amending Section 152.013 definitions and Section 152.225 Medical Marijuana to provide for the regulation of marijuana establishments and/or marijuana testing facilities; repealing conflicting provisions; and providing for severability. (Glenn J. Gimbut, Assistant City Attorney)

Mr. Glenn Gimbut, Assistant City Attorney, explained that this item merges with the next item, which is an amendment to the general regulations section of the city code to put in the regulations for recreational marijuana. Staff recommends that the City Council adopt Ordinance No. 403.

A. Action on Reading of Ordinance No. 403 by title only

MOTION: Council Member Gloria Torres/Council Member Jose Ponce to approve Ordinance No. 403 by title only. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 403 by title only.

B. Action on Ordinance No. 403

MOTION: Vice Mayor Matias Rosales/Council Member Jose Ponce to approve and adopt Ordinance No. 403. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

6.D. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2020-0689 and Ordinance No. 404. An ordinance of the Mayor and City Council of San Luis, Arizona by amending Section 152.013 definitions and Section 152.225 Medical Marijuana to provide for the regulation of marijuana establishments and/or marijuana testing facilities; repealing conflicting provisions; and providing for severability. (Glenn Gimbut, Assistant City Attorney and Jose A. Guzman, Director of Planning Zoning)

A. Open public hearing

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

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

1. Staff presentation

Mr. Glenn Gimbut, Assistant City Attorney, explained this item is connected to Ordinance No. 403, and it amends the zoning code so that the zoning code dovetails with the regulations the City Council just passed.

Ms. Kay Macuil, City Attorney, mentioned that last night, the Planning & Zoning Commission recommended approval.

2. Call to the Public on this item

Mrs. Sonia Cornelio, City Clerk, stated that her office posted the public hearing and did not receive any comments in favor of or against this item.

Mr. Jose Guzman, Director of Planning & Zoning, said that his office did not receive any comments, concerns or objections throughout the process of the tax amendment nor to the Planning & Zoning Commission.

B. Close public hearing

MOTION: Council Member Mario Buchanan Jr./Council Member Africa Luna-Carrasco to close the public hearing. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

C. Action on Reading of Ordinance No. 404 by title only.

MOTION: Vice Mayor Matias Rosales/Council Member Africa Luna-Carrasco to approve Ordinance No. 404 by title only. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 404 by title only.

D. Action on Ordinance No. 404

MOTION: Council Member Gloria Torres/Vice Mayor Matias Rosales to approve Ordinance No. 404. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

7. SUMMARY OF CURRENT EVENTS

Mayor Gerardo Sanchez thanked the Vice Mayor and Council Members that attended the grand opening of the new gym site. He emphasize on the need for progress and that gym is progress and next to it, you should be seeing a physical therapy facility also. That is vacant land that will be developed and people are thinking in San Luis when investing.

Mr. Tadeo De La Hoya, City Administrator, reported that on Monday he went to the post office and the Postmaster wanted him to relay a message that beginning December 15, 2020 they are going to add 90 minutes to their package pick-up service; it will be from 8:00 a.m. to 5:00 p.m. The Postmaster also asked him to let the public know that the reason some of the packages are delayed is because the post office is receiving an average of 250 packages daily and that is why they will be allotting those 90 minutes.

Mayor Gerardo Sanchez commented that in his opinion this will not help a lot of people, the post office should actually open it up to 5:30 p.m. instead. He understands that the post office is overwhelmed but they are not going to be able to process those extra 250 packages a day. People are rushing to get there after work because they stopped work at 5:00 p.m., so the post office needs to be more flexible. Before, the lobby used to be opened to 9:30 p.m., now they close at 9:00 p.m. with one (1) door open, they are not being as helpful as they were before. Mayor Gerardo Sanchez added he will write a letter to the Postmaster and would be nice if they stay open until 5:30 p.m. and not 5:00 p.m.

Vice Mayor Matias Rosales commented that even if the post office is open that extra time, staff needs to make sure it is coordinating with the city's volunteers and staff because that intersection leaving the post office gets backed up so long, especially right now for the season.

Council Member Luis E. Cabrera commented he knows a lot of residents complain that they return packages that come with a home address instead of the post office keeping it in the facility for people to claim them, so that is another big issue the community faces.

Mayor Gerardo Sanchez added that supposedly the adding of the 336 zip code would facilitate that. It was his understanding that they were supposed to keep the physical address there as well.

If anything, it has caused a lot more headaches than anything else. He knows the United States Postal Service is understaffed and they are losing money but people in the community are also losing a lot of parcels as they are being returned by the post office.

8. EXECUTIVE SESSION

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

Discussion and possible action to hold an Executive Session pursuant to A.R.S. §38-431.03(A)(3) and A.R.S. §38-431.03(A)(4) on any and all matters regarding discussion or consultation with the City Attorney for legal advice and to consider the City Council's position and to instruct the City Attorney regarding pending class-action opioid suit in litigation and in settlement discussions conducted in order to avoid or resolve litigation. (Kay Marion Macuil, City Attorney)

MOTION: Council Member Africa Luna-Carrasco/Council Member Mario Buchanan Jr. to into executive session at approximately 7:57 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

9. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Africa Luna-Carrasco/Council Member Jose Ponce to go back into Regular Session at approximately 8:29 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

10. DISCUSSION AND POSSIBLE ACTION ITEM:

10.A. Discussion and possible action on any and all matters regarding Order No. 2020-19. An order of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the entering into the “One Arizona Opioid Settlement Memorandum of Understanding” regarding a plan to allocate potential global settlement funds from the class action titled “In Re National Prescription Opiate Litigation.” (Kay Marion Macuil, City Attorney)

MOTION: Vice Mayor Matias Rosales/Council Member Jose Ponce to approve and adopt Order No. 2020-19 and join the the One Arizona Opioid Settlement Memorandum of Understanding as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

11. ADJOURNMENT

MOTION: Council Member Mario Buchanan Jr./Vice Mayor Matias Rosales to adjourn the Regular Council meeting at approximately 8:29 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Joe Ponce	Aye
Council Member Gloria Torres	Aye

APPROVED:

For 
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 December 9, 2020. I further certify that the meeting was dully called and held and that a quorum was present.


Sonia Cornelio, City Clerk