

MINUTES
Work Session
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
December 2, 2020
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Gerardo Sanchez called the work session to order at approximately 6:49 p.m.

Mayor and City Council participated remotely due to COVID-19.

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

ABSENT: Council Member Mario Buchanan Jr.
Council Member Gloria Torres

OTHERS PRESENT: Tadeo A. De La Hoya, City Administrator
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Angel Ramirez, Fire Chief
Axel Chayra, Information Technology
Enrique Lopez, Assistant Fire Chief
Glenn Gimbut, Assistant City Attorney
Jenny Torres, Economic Development Manager
Jose Luis Cisneros, Executive Assistant
Lizandro Galaviz, Director of Parks & Recreation
Luis E. Cabrera, Council Member Elect
Marlene Lara, Government and Foreign Affairs Coordinator
Ralph Velez, City Consultant (remotely)
Richard Jessup, Chief of Police
Richard Bauermann, Fire Inspector
James Davey, Davey and Associates, L.L.C.

2. ITEMS FOR DISCUSSION ONLY:

2. A. Presentation, followed by discussion and possible directions to staff on any and all matters regarding the Mesa Street Project. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, informed that every year the city applies for Community Development Grant funding; this year, staff submitted the Rancho Los Oros Phase 2. Unfortunately, the grant was not funded. She added that in 2021 staff will be applying for State Special Project funding and re-submit the Rancho Los Oros Phase 2 to complete this project. She mentioned that staff would be applying to the State Regional Funding, which is not competitive; it will be placed into this project if the funding is granted. She added that James Davey from James Davey and Associates is working on Mesa Street's design, but there are some concerns on how the city will deal with the project's cost because there are some significant improvements needed. Ms. Torres presented a map of the area; a copy of this map is attached to the agenda item included in the complete agenda packet filed in the City Clerk's Office. She added that staff would like to get input from businesses to help them with the traffic and parking space. The two (2) options are to focus on Mesa Street alley or develop Mesa Street, which is currently developed in one area and the other is not. However, if this is the way Council would like to proceed, then a retention wall will be needed with an estimated cost of \$300,000.00.

Mr. James Davey from Davey and Associates presented Mayor and Council with the proposed design for the Mesa Street Roadway Improvements.

Mayor Gerardo Sanchez stated that this project would be a significant investment that will improve the aesthetics, appearance of that area, and add value to the lots in that area. He asked the members of the City Council for comments.

Vice-Mayor Matias Rosales stated that it is a great idea to open Mesa Street to avoid traffic congestion on Archibald Street. He suggested that Mesa Street Alley be one-way going north and not south as suggested. He also suggested making a roundabout on C Street to help with traffic trying to cut in lines.

Council Members Jose Ponce, Maria C. Cruz, Africa Luna-Carrasco thanked Ms. Torres and Mr. Davey for the presentation on this project. Council Member Cruz asked Vice-Mayor Matias Rosales to find out with Yuma Metropolitan Planning Organization if there are any funds the city can apply to get this project going.

Ms. Torres asked Mayor Sanchez to allow staff to add this item to the next scheduled Work Session to discuss this item as some Council Members who are not present have met with Eulogio Vera, Director of Public Works, to address some issues in that area.

Mayor Gerardo Sanchez directed Ms. Torres to proceed and add this item as requested.

2. B. Presentation followed by discussion and possible directions to staff on any and all matters regarding the downtown drainage master plan by James Davey and Associates, LLC. (Jenny Torres, Economic Development Manager and Eulogio Vera, Public Works Director)

Ms. Jenny Torres, Economic Development Manager, informed that the city hired James Davey and Associate, L.L.C., to develop a downtown drainage master plan. She mentioned that staff is looking to improve and re-develop the area, the drainage is some of the biggest problems in that area.

Mr. James Davey from James Davey and Associates, L.L.C., made a PowerPoint presentation to Mayor and City Council. He mentioned that the master plan intends to eliminate the onsite retention of stormwater. The area of focus will include to the south Cesar Chavez Boulevard, to the north Mesa Street to the West, and 4th Avenue to the east. Mr. Davey stated that the total cost would be approximately \$1.1 million, and it could be done over some years.

Mayor Gerardo Sanchez mentioned that this project needs to be done if the city wants to see a vibrant downtown area. He stated that the city should start working on this project.

Vice-Mayor Matias Rosales agreed with Mayor Gerardo Sanchez and stated that the city needs to be ready for future developments in the downtown area. Council Member Maria Cecilia Cruz, Council Member Africa Luna-Carrasco, agreed with Mayor Gerardo Sanchez.

Mayor Gerardo Sanchez asked Ms. Torres to proceed with this item.

Ms. Torres thanked Mr. Davey for the presentation and thanked the Mayor and City Council for focusing on the downtown area. There are a lot of improvements needed in that area and a lot of money that needs to be invested. This will help with the re-development in the future, this is a planning document, but this is necessary to make the proper investments and decisions.

2. C. Discussion and possible directions to staff on any and all matters regarding a proposed 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; and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, discussed agenda item 2.D. in conjunction with this item as it is one (1) project. She informed that staff developed a master plan for the Downtown Parks & Parking lots as requested by the Bureau of Land Management (BLM) and Bureau of Reclamation (BOR). She added that on this master plan, staff in conjunction with James Davey from Davey and Associates, LLC., worked together and focused on a parking lot, as is being used currently. On this parking lot, the city will not be able to charge, and if it does, then the funds would have to be used in the parking lot's operation. She added that staff also worked on developing a park in the downtown area where more activities can be held.

This park will connect to the area next to the post office. A map of this proposed project is attached to the agenda item filed with the complete agenda packet filed in the City Clerk's Office. She informed that staff has met with both agencies, and they like the master plan idea. She mentioned that the park's estimated cost would be \$3.4 million and for the parking area would be \$2.2 million based on the estimates. Ms. Torres informed that staff is requesting authorization to submit both applications to the United States Department of Interior, Bureau of Land Management, and Bureau of Reclamation to start the process and obtain the long-term lease.

Mayor Gerardo Sanchez stated that it is time for the city to start investing in the downtown area. He mentioned that he believes that this project is feasible and viable. He thanked staff for the great and excellent project. He asked the members of the City Council for comments.

Vice-Mayor Matias Rosales, Council Members Jose Ponce, Maria Cecilia Cruz, and Africa Luna-Carrasco agreed with Mayor Gerardo Sanchez about getting this project started.

Mayor Gerardo Sanchez directed Ms. Torres to proceed with both items (2.C. & 2.D.). He mentioned that he would like to see this project as a priority and get it done in three (3) years.

2. D. Discussion and possible directions to staff on any and all matters regarding a proposed 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; Jose A. Guzman, Director of Planning & Zoning; and Eulogio Vera, Director of Public Works)

This item was discussed in conjunction with item 2.C.

2. E. Discussion and possible directions to staff 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 proposed settlement fund settling claims against certain pharmaceutical supply chain participants in the class action titled "In Re National Prescription Opiate Litigation." (Kay Marion Macuil, City Attorney)

Ms. Kay Marion Macuil, City Attorney, made a presentation to explain the plan for allocating funds. She informed that the Court approved a negotiation plan for the first time in history with all government entities in the country, states, counties, cities, and towns. It does not include Native American Tribes, insurance, school districts, and special taxing districts. Her presentation included the approved uses, county allocation, local government allocation, and the sliding scale for county allocation.

A copy of this presentation is attached to the agenda item filed with the complete agenda packed in the City Clerk's Office.

Mayor Gerardo Sanchez asked if it will be up to the state on how the money is spent.

Ms. Macuil replied that in the State of Arizona, it would be up to each city/town on how the money is spent based on a list of approved uses. She informed that this item would be brought for City Council review and approval in the next scheduled meeting. If City Council decides to move forward with this, the document must be signed and sent to the Arizona Attorney General by December 15, 2020.

Mayor Gerardo Sanchez commented that there is no guaranteed that cities/towns will get some funds from this. He commented that he believes that the city should be part of this process. He asked the members of the City Council for their comments and/or concerns.

Vice-Mayor Matias Rosales agreed with Mayor Gerardo Sanchez and stated that the city should be part of this process. There were no other comments.

2. F. Discussion and possible directions to staff on any and all matters regarding Ordinances No. 403, 404, and 405 to regulate aspects of recreational marijuana, as permitted under Proposition 207, which the voters passed on November 3, 2020. (Glenn J. Gimbut, Assistant City Attorney)

Mr. Glenn J. Gimbut, Assistant City Attorney, informed that this item is an update from the Work Session held on November 4, 2020. He mentioned Proposition 207 defines places that will sell marijuana. He stated that staff is proposing three (3) ordinances. Ordinance No. 403 is for General Regulations, Ordinance No. 404 regulates marijuana establishments in the zoning code, and Ordinance No. 405 is to adopt the 2018 Fire Code. He added the ordinances that staff will be recommending bans marijuana establishment except at an operation that does both medical marijuana and recreational marijuana, which is called dual licensee. He mentioned that for a business to offer marijuana, it must be either just a marijuana dispensary or a dual licensee that will offer both, but it can be just a medical marijuana establishment. Furthermore, Mr. Gimbut stated that the ordinance would prohibit marijuana on public property. Proposition 207 allows an individual to grow up to six (6) plants of marijuana, but it should be done indoors and should not be visible. He mentioned that the 2018 Fire Code being adopted is because if one will be doing marijuana extraction, cultivation, or processing, it should be done with the latest Fire Code regulations' requirements. The 2018 Fire Code contains Chapter 38, which are regulations regarding keeping, processing, and extraction in a safe place. This chapter also puts odor-control regulations that will be applied to the cultivation of marijuana. Mr. Gimbut informed that staff would be asking that the Fire Code violation be a Class 1 misdemeanor; currently, it is a civil violation.

Mr. Richard Bauerman, Fire Inspector, informed that the difference between the 2016 and the 2018 Fire Code is that they have added more chapters, which contains marijuana regulations and manufacturing, animal housing, and bio-mask energy. He stated that by adopting the 2018 Fire Code, the department would be able on time with the ISO rating.

There were no comments from the members of the City Council.

3. ADJOURNMENT

MOTION: Council Member Jose Ponce/Council Member Africa Luna-Carrasco to adjourn the work session at approximately 8:27 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Matias Rosales	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Jose Ponce	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 Work Session for the City Council of the City of San Luis, Arizona, held on December 2, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk