

**MINUTES**  
**Regular Council Meeting**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**October 27, 2021**  
**7:00 p.m.**

**APPROVED** by Council

Date: 11/9/2021

Clerks Office: SC

**1. CALL TO ORDER/ROLL CALL**

Mayor Gerardo Sanchez called the Regular City Council meeting to order at approximately 7:00 p.m.

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

**OTHERS PRESENT:** Lizandro Galaviz, Interim City Manager  
Kay Macuil, City Attorney  
Sonia Cornelio, City Clerk  
Axel Chayra, I.T. Technician  
Crystal Ochoa, Administrative Coordinator  
Derek Dueñas, I.T. Manager  
Domingo Sosa, Graphics and Media Specialist  
Ernesto Prieto, Police Sergeant  
Eulogio Vera, Director of Public Works  
Fernando Villegas, Principal Planner  
Jonathan Dumadag, Senior I.T. Technician  
Jose Luis Cisneros, Acting Public Information Officer  
Marco Santana, Police Lieutenant  
Melissa Lopez, Deputy City Clerk  
Monica Castro, Director of Finance  
Ralph Velez, Consultant (via Zoom)  
Christian Cuevas, Translator  
Augustin Tumbaga, Developer  
Buna George, Greater Yuma Port Authority  
Columba Nuñez, Resident  
Elizabeth Carpenter, Developer  
Najeh Edais, Edais Engineering, Inc.  
Nieves Riedel, Developer  
Olivia Jenkins, Riedel Construction

## **2. PLEDGE OF ALLEGIANCE**

Council Member Gloria Torres led the Pledge of Allegiance.

## **3. INVOCATION**

Mr. Marco Santana, Police Lieutenant, led the invocation.

## **4. PROCLAMATION**

### **4. A. 2021 "Extra Mile Day" - November 1, 2021**

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

Mayor Gerardo Sanchez said that San Luis, Arizona does represent the Extra Mile Day, he thanked the various agencies, organizations and staff that have helped with the 12 vaccination clinics.

## **CONSENT AGENDA**

### **5. A. MINUTES OF**

- **Work Session held October 6, 2021**
- **Regular Council meeting held October 13, 2021**

### **5. B. DISBURSEMENTS FROM OCTOBER 5, 2021 THROUGH OCTOBER 18, 2021**

**Total Disbursements \$706,523.28**

(Seven Hundred Six Thousand, Five Hundred Twenty Three Dollars and Twenty Eight Cents)

**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 Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 approval and authorization of the transfer of funds from the General Non-Departmental and HURF contractual services account to Risk Management Cancer Fund Expense account. (Monica Castro, Director of Finance)**

Ms. Monica Castro, Director of Finance, explained that the Arizona Department of Revenue (ADOR) Fees paid were repealed and at the same time, state legislature, established a Cancer Reimbursement Fund. The purpose of the Cancer Reimbursement Fund is to provide municipalities the reimbursement of claims related to cancer matters for the firefighters. Beginning this year and moving forward, the city is required to make this payment. However, staff did not budget for this assessment; the state repealed and in order for staff to make the payment properly, staff recommends moving the funds from the HURF Non-Departmental account to the Risk Management account to handle the payments

**MOTION:** Council Member Jose Ponce/Council Member Luis Cabrera to approve and authorize City Officials to execute the transfer of funds as stated on the fiscal impact of this agenda item to cover the invoice from the Industrial Commission of Arizona as presented. Motion passed unanimously.

The vote was as follows:

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

**6. B. Public hearing followed by discussion and possible action on any and all matters regarding Major Amendment Case No. 2021-0335 and Resolution No. 2198. A resolution of the Mayor and City Council of the City of San Luis amending the 2040 General Plan to change the land use designation of 429.53 acres from Commercial (C) and Employment (EMP) to Medium Density Residential (MDR) and 37.48 acres from Employment (EMP) to Commercial (C) on land located on the southeast corner of County 24th Street and Avenue E. (Jose A. Guzman, Director of Planning & Zoning)**

**A. Open public hearing**

**MOTION:** Council Member Mario Buchanan Jr./Council Member Luis Cabrera to open the public hearing. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 & Zoning, stated that as per state regulations, the city is required to present all the Major General Plan Amendments during the same council meeting. This year staff received three (3) applications and added that when the applications are received, staff researches and prepares a report based on the application and documents submitted. Staff does not give a direction or recommendation to the applicant and the recommendation is based on the adopted General Plan Policies. The staff's priority is always to protect the public interests and not a specific developer or applicant. This application is to change 429 acres from Commercial and Employment to Residential and 37 acres from Employment to Commercial. The applicant changed the submittal three (3) times, removing some properties from the request. One last change was proposed and presented to the Planning & Zoning Commission, which is to expand the proposed Commercial Area. At this meeting the applicant presented the proposed layout of the property, however it was never submitted during the application process. They were aware of the requirements since the application was filed in 2019 and staff made the same recommendation as in 2019 to get together with all the owners on Avenue E and create a master plan for the area. He clarified that the proposal presented by the applicant is not the original application received by staff. Staff's recommendation is to approve the change from Employment to Commercial and to deny the change from Commercial to Medium Density Residential. This was presented to the Planning & Zoning Commission and a motion was made to recommend denial but the motion did not pass due to tied vote. The Planning & Zoning Commission was advised that they needed to make a recommendation in order for the City Council to make a decision. Then they voted on the motion to allow the project to move forward with the City Council, but the second motion was made to recommend approval and the motion passed unanimously (4-0 votes).

### **2. Call to the public on this item**

Mr. Tom DuBose, DuBose Design Group, stated he represented Mr. David Loo and Ms. Elizabeth Carpenter. He added that he is aware that General Plan Amendments are allowed every year and they have tried to justify their application. Mr. DuBose proceeded with a slide presentation to the Mayor and City Council that explained the land on their application.

He added that they are seeking an amendment to the General Plan to allow for a planned and comprehensive development; their proposal has always been live, work, shop and prosper in San Luis, Arizona. They want to provide schools and multiple avenues of housing both single-family and multi-family. The jobs for San Luis are going to come from manufacturing that will need this housing. There are no lots in San Luis and he feels that will support the remaining industrial that will be kept. Nicholas Engineering completed a traffic study that will be forwarded to the Public Works Department and asked that the Mayor and City Council approve their application as recommended by the Planning & Zoning Commission.

Mr. Russ Jones, land and business owner in the Magrino Industrial Park, stated that he stands in partial opposition to the proposal and does not necessarily object to the change for Commercial because some of those services are needed to service the industrial and international trade community. San Luis East is the fastest growing Commercial Port of Entry in the land border jurisdiction of Customs and Border Protection (CBP) at over 200% a year and the indicators do not show that will change soon. At the peak of this season, 500 trucks a day one way are expected to cross, therefore there are 1,000 trucks two ways. When San Luis East was built, all of the land that is being proposed for change was Agriculture, so now the applicant is asking for the zoning to be changed to Industrial and Commercial. The current infrastructure is there because of other residential development located to the west and is respecting the ¼ mile buffer to E Street and the balance of the infrastructure was paid for by the tenants in the development of the Magrino Industrial Park. His problem is that there is a total act of planning & infrastructure to support the volumes of traffic and people that will be generated from this development and without a plan the efforts and time from the tenants of San Luis East that have built and appropriated this area will go by the wayside over many years. He believes it is not the time to move quickly and it is not that the development is not needed, but it is premature. Mr. Jones added that he was in a meeting recently of the Magrino Industrial Park tenants and owners and it was agreed upon that they were willing to participate in forming a new transportation and maintenance district to properly plan, develop, build and pay for transportation infrastructure for that area.

Ms. Buna George, Executive Director to the Greater Yuma Port Authority (GYPA), mentioned that the GYPA Board is in opposition of the residential rezoning, echoing Mr. Jones' comments. Some services do require commercial so there would be no opposition to that. When one thinks of 2,400 homes and an average of two (2) vehicles per home, that is 4,800 cars congesting Avenue E, which is a \$1 billion corridor that feeds not only the state but the municipality. She asked the Mayor and City Council to take this in consideration and that it be smart planning.

Mayor Gerardo Sanchez clarified that this is not approval of a development but for a Major Amendment.

## **B. Close Public Hearing**

**MOTION:** Council Member Gloria Torres/Council Jose Ponce to close the public hearing. Motion passed unanimously.

The vote was as follows:

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

### **C. Action on Resolution No. 2198**

**MOTION:** Council Member Luis Cabrera/Council Member Gloria Torres to approve Resolution No. 2198, approving Major General Plan Amendment Case No. 2021-0335 as recommended by the Planning & Zoning Commission. Motion passed unanimously.

The vote was as follows:

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

**6. C. Public hearing followed by discussion and possible action on any and all matters regarding Major Amendment Case No. 2021-0337 and Resolution No. 2199. A resolution of the Mayor and City Council of the City of San Luis, Arizona, amending the 2040 General Plan to change the land use designation of 20 acres of land located on the northeast corner of 20th Avenue and County 24-1/2 Street from Commercial (C) to Medium Density Residential (MDR). (Jose A. Guzman, Director of Planning & Zoning)**

### **A. Open public hearing**

**MOTION:** Council Member Mario Buchanan Jr./Council Member Luis Cabrera to open the public hearing. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 & Zoning, explained that this property is part of originally 40 acres that was divided in two (2) parcels to comply with the requirement of a minor amendment; the property to the north was the application for a minor amendment that was denied last month based on traffic concerns. Based on that meeting, staff had to amend the recommendation for denial for this because otherwise, the north 20 acres would be in the middle. The current land designation is Commercial between Residential. Staff recommends denial, the Planning & Zoning Commission recommended approval. The applicant resubmitted their application and they are working on a traffic study and staff is processing the Minor Amendment Application again.

## 2. Call to the public on this item

Mr. Jonathan Klein, CORE Engineering Group, indicated that they are moving to change from Commercial to Medium Density Residential to ultimately rezone the 40 acres to R-1-6, to meet the requirements of Residential in East San Luis. After being denied the Minor Amendment application, they have resubmitted and entered into a contract from the company to provide a traffic study of the 40 acres of R-1-6 and are willing to provide all the required right-of-way and dedicate it to the City of San Luis.

Mr. Russ Jones, land and business owner in the Magrino Industrial Park, said this particular development has already paid its share of the cost of the infrastructure and it is on the west side, but there is a need to recognize the additional housing, which he approves and is in support of it.

## B. Closing of public hearing

**MOTION:** Council Member Matias Rosales/Council Member Jose Ponce to close the public hearing. Motion passed unanimously.

The vote was as follows:

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

## C. Action on Resolution No. 2199

**MOTION:** Council Member Matias Rosales/Council Member Luis Cabrera to approve Resolution No. 2199, approving Major General Plan Amendment Case No. 2021-0337 as recommended by the Planning & Zoning Commission and agreed terms in regards to the traffic study. Motion passed unanimously.

The vote was as follows:

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

**6. D. Public hearing followed by discussion and possible action on any and all matters regarding Major Amendment Case No. 2021-0340 and Resolution No. 2200. A resolution of the Mayor and City Council of the City of San Luis, Arizona amending the 2040 General Plan to change the land use designation of land located on the southeast corner of County 23-1/2 Street and Avenue E from Commercial to Medium Density Residential. (Jose A. Guzman, Director of Planning & Zoning)**

#### **A. Open public hearing**

**MOTION:** Council Member Gloria Torres/Council Member Mario Buchanan Jr. to open the public hearing. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 & Zoning, mentioned that this request based on the General Plan Policies, staff recommends approval of the land use designation change from Commercial to Medium Density Residential for 106 acres and denial of the request from Employment to Medium Density Residential on 74 acres. The applicant has submitted plans for a subdivision at their own risk, but they are ready to move forward on the approval of the recommendation from staff. This item was presented to the Planning & Zoning Commission and their recommendation was the same as staff's.

#### **2. Call to the public on this item**

Mr. Najeh Edais, Edais Engineering, mentioned that they agreed to the approval for the west half and denial for the east parcel because they do not want to jump to D ½ Street, but now he is asking for approval for the entire project or request.

The City Council approved the land to the south for the others. The traffic impact study is being worked on, he already master planned it. He already submitted the first phase for residential and the second phase design is ready.

Council Member Matias Rosales asked Mr. Edais if they were willing to work with stakeholders in regards to helping acquire the smart growth for five (5) or ten (10) years for an alternative truck route in the future when all this land is developed.

Mr. Edais responded they are willing and known to do whatever needs to be done to provide the needed services.

Mr. Russ Jones, land and business owner in the Magrino Industrial Park, stated he supports the Planning & Zoning Commission's recommendation. Each individual development is doing their own small transportation study that applies to their little field. The city is involved in a much larger transportation study. He asked that the City Council would make all these developments as part of the development agreement, subject to the analysis and recommendation of a larger transportation study and its recommendations for the adequate infrastructure necessary to handle the growing commercial traffic, pedestrian traffic and privately owned vehicle traffic. He applauds that the school will not be there. He asked once again, that as a component of the development agreement, the developers agree to cooperate, work with and join the Port Authority in creating a district; because he is not sure how the City of San Luis is going to afford all of its own to pay for all that infrastructure and also deal with Cesar Chavez Boulevard and the new port at San Luis I.

Mr. Augustin Tumbaga Jr., specified that he has been doing commercial development in San Luis for five (5) years. He thanked the Mayor and City Council for approving the first two (2) Major Plan Amendments. His biggest fear is the message the Mayor and City Council send out to the community and investors as this is what helps the current and future businesses. There are four (4) cities in this county and two (2) cities decided not to do that as they decided to stop development. Now they want the development but it is not going there but to San Luis. Even with the situation regarding COVID-19, out of the 40 tenants at the Plaza, they only lost two (2) tenants; one (1) because they relocated to a different area in the state and the other because they counted on the traffic from Mexico to come here. Therefore, this says a lot about what the City Council has done in the community, that its local population can carry the businesses. They are finishing the 10,000 square foot gym and the 10,000 square foot for rental spaces. Negotiations are taking place for a fast food location and a drive-thru car wash, businesses want to come to San Luis because they see the leadership and the process to allow people to work. He supports the application submitted by the requestor for this item and asked the Mayor and City Council to approve it as there is a huge need for housing.

Mayor Gerardo Sanchez clarified that the city has never been against development, but thought about being smart when growing. However, the city worries about the traffic, traffic studies and poor planning lead to congested streets during peak hours. Just like what residents currently encounter themselves with because someone decided to put schools next to major arteries throughout Cesar Chavez Boulevard.

He added that the current City Council does not want to make the same mistakes previous City Councils made.

## **B. Close public hearing**

**MOTION:** Council Member Gloria Torres/Council Member Mario Buchanan Jr. to close the public hearing. Motion passed unanimously.

The vote was as follows:

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

## **C. Action on Resolution No. 2200**

**MOTION:** Council Member Mario Buchanan Jr./Council Member Gloria Torres to approve Resolution No. 2200, approving Major General Plan Amendment Case No. 2021-0340. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 that he attend the annual bicycle ride of 24 miles and invited all to attend next year's event; all Yuma County Mayors participated. He added that he and other City Council Members attended the Annual Off-Road Expo.

## **8. CALL TO THE PUBLIC**

Ms. Elizabeth Luera, 1768 E. Los Olivos Drive, San Luis, AZ, addressed her issue regarding the taxi cab permits. The recent ordinance adopted by the City Council affects her as she is one of those taxicab owners that cannot park at the temporary taxicab stand and just roams through the streets to be able to work. She believes everyone should be treated the same and all have working needs.

She wanted to know if the city had a resolution for this issue that not only affects her but other taxicab owners; she only wants to work. She asked the Mayor and City Council to come to a resolution to help her and the other taxicab owners that are not allowed to park at the temporary taxicab stand.

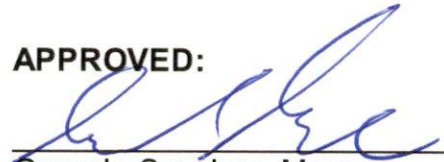
## 9. ADJOURNMENT

**MOTION:** Council Member Luis Cabrera/Council Member Mario Buchanan Jr. to adjourn the Regular Council meeting at approximately 7:58 p.m. Motion passed unanimously.

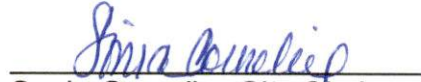
The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	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 27, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

  
\_\_\_\_\_  
Sonia Cornelio, City Clerk