

**APPROVED** by Council  
Date: 4/14/2021  
Clerks Office: SC

**MINUTES**  
**Work Session**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**March 3, 2021**  
**6:30 p.m.**

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

Vice Mayor Matias Rosales called the Work Session to order at approximately 6:31 p.m.

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

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

**ABSENT:** Council Member Jose Ponce

**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  
Derek Dueñas, Information Technology Manager  
Doming Sosa, Information Technology  
Eulogio Vera, Director of Public Works  
Jenny Torres, Economic Development Manager  
Jorge Perez, Billing & Collections Manager  
Jose A. Guzman, Director of Planning & Zoning  
Lizandro Galaviz, Director of Parks & Recreation  
Marlene Lara, Assistant to Council/PIO  
Maria Roldan, Assistant Director of Parks & Recreation  
Maria Sabori, Risk Management  
Monica Castro, Director of Finance  
Ralph Velez, City Consultant (remotely)  
Richard Jessup, Police Chief  
Ric Bauermann, Fire Department

## **2. ITEMS FOR DISCUSSION ONLY:**

### **2. A. Discussion and possible directions to staff on any and all matters regarding updates on the business and beautification programs. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)**

Ms. Jenny Torres, Economic Development Manager, stated that the use of general funds conflicts with the limits imposed by the Arizona Constitution "Anti-Gift Clause," which prohibits public funds being utilized by private parties. She mentioned that the city was allowed to utilize CARES funding for the loan program, but the city missed that opportunity. She noted that she has been working with staff from Congressman Grijalva and Senator Kelly to show the negative impact of local businesses and support the Order Business COVID Rescue Act. She mentioned that staff would continue to look into other options and see federal funding in the future. Ms. Torres also address the beautification program and presented three (3) options, option #1 – purchase equipment to enhance maintenance to streets throughout the city; option #2 – purchase barriers to alleviate the problem; and option #3 – a bicycle for a multi-use path along Cesar Chavez Boulevard between 1<sup>st</sup> and 2<sup>nd</sup> Avenue. She added that the project would help throughout the community. They all will have a significant impact. She mentioned that since the city can not start the business loan program, it will be wise to use the \$100,000.00 committed to the business loan program, but will be able to use the funds for one of the options that will significantly benefit the community.

Mayor Gerardo Sanchez asked if all three (3) options can be done with the available funds.

Mr. Eulogio Vera, Director of Public Works, replied that the \$100,000.00 would not be enough, but it will be able to complete 80%. He mentioned that staff was looking to purchase a mini backhoe for option #1 but has decided that a normal backhoe would be better as it can be utilized in other areas. He added that option #3 would create a pathway for pedestrians from which the community will benefit, and option #2 will be to add hay bails on Avenue F to avoid the accumulation of dirt along that avenue.

Ms. Torres mentioned that because of COVID-19, many capital projects were placed on hold; for this reason, allocated funds will not be expended this fiscal year. She suggested utilizing that funding on other projects, which will be a low-cost, high impact.

Mayor Sanchez asked if funds allocated for specific projects be utilized for a different project.

Ms. Kay Marion Macui, City Attorney, replied that it could be done by bringing the project before the City Council for approval.

Ms. Monica Castro, Director of Finance, mentioned if the City Council approves the allocation of funds is moved from one project to another, it can be done.

Mayor Sanchez stated that he would like to see all three (3) options as they will significantly impact the community. Members of the City Council agreed with Mayor Sanchez. Mayor Sanchez directed staff to proceed with this item, as agreed by members of the City Council.

**2. B. Discussion and possible directions to staff on any and all matters regarding the purchase of CivicRec software for Parks and Recreation activity and facility reservations. (Angelica Roldan, Assistant Director of Parks and Recreation)**

Ms. Angelica Roldan, Assistant Director of Parks & Recreation, informed that CivicRec is a web-based platform that will allow staff to publish, manage and coordinate services. She added that the system would provide a web-portal where residents could register, reserve, and easily purchase their services. She informed that the total project cost would be \$16,463.00 for one year; for the following year, the cost would be \$7,800.00. She mentioned that staff would split the expense between the recreation, cultural center, and youth center; future annual expenditures would be covered by the same division and include the senior center. Ms. Roldan mentioned that San Luis is the only city in Yuma County that does not have Parks & Recreation software.

Mayor Gerardo Sanchez asked if Information Technology will be providing security for the software or if CivicRec will be providing security.

Ms. Roldan replied that Parks & Recreation Department is currently working in conjunction with the Information Technology Department to look for the software's best security.

Mayor Sanchez asked if Information Technology has the manpower to provide security for this software.

Mr. Derek Dueñas, Information Technology Manager, commented since this is a web-based software, CivicRec will be doing all the hosting, the city will provide no server. He added that his department would only make sure that there is integration with New World software and works appropriately.

Mayor Sanchez stated that he wants staff to make sure that this software is compatible with New World, as the city is paying too much money on New World. He asked if the department has the funds available to purchase this software.

Mr. Lizandro Galaviz, Director of Parks & Recreation, stated that funding is available this fiscal year, and staff will budget for the following years. Each division will give a percentage to pay for this software annually.

Mayor Sanchez directed Ms. Roldan to proceed with this item as agreed by all City Council members.

**2. C. Discussion and possible directions to staff on any and all matters regarding proposed Ordinance No. 414. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending, adding and renumbering sections of the San Luis City Code in Chapter 94, Titled "Parks and Recreation" under the Subchapter "Tobacco Products" to expand the prohibition on the use of tobacco products beyond city parks to city open public spaces, and designating areas to allow the use; repealing any conflicting provisions; providing for severability. (Angelica Roldan, Assistant Director of Parks and Recreation)**

Ms. Angelica Roldan, Assistant Director of Parks & Recreation, informed that on September 9, 2015, the City Council adopted Ordinance No. 341 to ban tobacco products from city parks. She mentioned that the proposed ordinance would expand the ban of tobacco products from city parks and all city's open spaces except on designated areas determined by staff.

Mayor Gerardo Sanchez asked if, with this new ordinance, staff is proposing to ban all city facilities.

Ms. Roldan replied that staff is recommending expanding this ban to all open spaces, as Ordinance No. 341 was designated to the PPEP Park only and did not include all other parks.

Mayor Gerardo Sanchez mentioned that he is not against the proposed ordinance. He asked staff to be more specific as to what public open spaces would be.

Ms. Lizandro Galaviz, Director of Parks and Recreation, replied that this new ordinance would cover green areas, pathways, and parks. He added that there is no tobacco use signage in the different parks currently, but there is no ordinance banning tobacco use except PPEP Park; therefore, staff is proposing the new ordinance.

Mayor Gerardo Sanchez stated that he has no problem expanding the use of tobacco. He asked the legal department to review the ordinance. He directed staff to Ms. Roldan to proceed with this item as agreed by all City Council members.

**2. D. Discussion and possible directions to staff on any and all matters regarding an update on the status of current utility rates, infrastructure needs, and possible professional analysis to forecast utility rates to fund capital improvement projects. (Jorge Perez, Billing & Collections Manager and Eulogio Vera, Director of Public Works)**

Mr. Jorge Perez, Billing & Collections Manager, mentioned that it is customary for the cities and towns to evaluate utility rates every five (5) years and make the necessary adjustment to maintain and improve infrastructure and operations in the city. He informed that the last increase in utility rate was done on July 1, 2017. He noted that the city is experiencing tremendous growth in residential, commercial, and industrial.

He added that the Public Works Department is foreseeing a need for new infrastructure to provide services for the growing needs. He commented that the needs would require water and wastewater systems. Mr. Perez mentioned that staff roughly estimates the west wastewater plan expansion cost at around \$14 million; the east wastewater plan expansion cost will depend on the utility rate study approach.

Mr. Eulogio Vera, Director of Public Works, added that studies done in the past, like the one adopted in 2013, did not include the option of an industrial service fee/rate. He mentioned recently there has been interest from industries in San Luis, this has become more often, and they will require much water than the city has used during the winter and on the wastewater could use four (4) times the capacity that the city has on the east San Luis. He added that with this new study, staff would make sure that the city has a tier for industries to cover the city's expenses for bigger developments.

Mayor Gerardo Sanchez asked what the current capacity of both wastewater plants is.

Mr. Vera replied that according to the recent study done, with the current growth, if the city expands the east plant, the city should be fine since there have not been big developments in San Luis. He added that with the expansion, the city would have more than a million-gallon capacity excess on the west wastewater treatment plant and 600,000 gallons a day capacity available in east San Luis. This is sufficient to cover the current rate growth for another ten years. Furthermore, he stated that currently, the city does not have an industrial fee in the schedule, and it will not be fair for residential users to pay the industrial fee; for this reason, it is very important that the industrial fee is focused on those users only and not on residential.

Mayor Gerardo Sanchez stated that he agrees to do a new rate study; every study says that rates need to be increased. He asked how much will a new rate study will cost. He stated that it does not mean that rates would be increased by doing a new rate study.

Mr. Perez replied that the estimated cost would be between \$15,000 to \$20,000.

Vice Mayor Matias Rosales stated that it is vital that residents understand that study will focus on industrial rates and not on residential rates. He mentioned that the demand is coming, and this new rate will prepare the city for future industrial developments. He mentioned that he also agrees with the new rate study.

Council Member Luis E. Cabrera asked if the rate increase will only be for industries and not residential.

Mr. Perez replied that this item is to request the City Council's direction to proceed with a new utility rate study, which will evaluate the current rates and infrastructure needs. The consultant will come up with a recommendation, and it will be City Council's decision as to whether or not to consider the advice.

Council Members Gloria Torres, Mario Buchanan Jr., Africa Luna-Carrasco agreed with Mayor Sanchez and Vice Mayor Matias Rosales. Mayor Gerardo Sanchez directed staff to proceed with this item as agreed by all City Council members.

Ms. Monica Castro, Director of Finance, informed that the Impact Fees were updated in 2020. She mentioned that the proposed study includes commercial and residential rates. She stated that the city needs approximately \$17 million for the expansion; currently, the city does not have that money available. Staff will have to look into other possibilities, as impact fees are not raised immediately. She added that Mr. Vera mentioned, the city would provide services to the residents if one (1) well is built.

Mayor Sanchez clarified that the city would not increase the rates with this item; this item would only approve a rate study for the city, including commercial and residential rate study.

Mr. Perez informed that the scope of work for completion would be from 60 to 90 days for the completion of the study; once it is complete, staff will bring for review and direction from City Council.

**2. E. Update on any and all matters regarding commercial developments. (Council Member Africa Luna-Carrasco and Jenny Torres, Economic Development Manager)**

Council Member Africa Luna-Carrasco mentioned that she would like staff to update how many businesses have expressed they are interested in coming to the community.

Mr. Jenny Torres, Economic Development Manager, informed that staff is working with two (2) retail companies, two (2) food chains, and a financial institution in the Walmart area. She mentioned that one of the fast-food chains might submit building permits in the coming week; more information will be obtained once submitted. She noted that staff would present this item in March regarding the hotel, and more information will be provided at that council meeting. She added that due to COVID-19, several projects were placed on hold, some are being re-evaluated. During the pandemic, there were several building renovations; some of them were, Chipilon, La Bodega Kitchen & Bar, Walmart, the old Payless Shoe Souce was renovated for retail, Chevron, and Pizza's and Beer pulled a building permit to be located at the Riedel Plaza. There were also some school and office renovations throughout the city. She added that 24/7 Get Fit Gym is under construction; they have promoted a rehabilitation facility in that area. The medical mall is located on the east side and will open within the next month. Furthermore, she informed that at the San Luis Plaza Drive, there was a three-phase multi-million mixed-use project, which included a charter school, executive offices, and medical and dental offices. This project was moving forward, but it has been placed on hold due to COVID-19.

She mentioned that Spindle Cooling and Warehousing, a \$4.5 million, 26,000 sq. ft. facility located at the Magrino Industrial Park, will provide a warehousing and cooling facility for produce. They are scheduled to have a ribbon cutting on March 24, 2021. LaBrie is a manufacturing company investing \$6 million to develop an 83,000 sq. ft in the Magrino Industrial Park; they manufacture solid waste equipment. Their facility is currently under construction. Ms. Torres mentioned that staff is hopeful that once "normal" business is back, staff would bring back those placed on hold.

Council Member Africa Luna-Carrasco asked what does Economic Development do to recruit new businesses.

Ms. Torres replied that every year attends the International Council of Shopping Centers, where staff can meet with different companies to sell your community within 15 minutes. She added staff also works with Greater Yuma Economic Development, which promotes industrial companies. She mentioned that in the past there had been members of City Council who have attended this conference.

Mayor Gerardo Sanchez asked Mr. Ralph Velez, City Consultant, to please comment on agenda item 2.D and item 2.E.

Mr. Ralph Velez commented that Mr. Vera and Mr. Perez are on the right path; staff needs to determine how the different rates penetrate the city's revenue. He mentioned that many cities have a tiered structure, where the more you use, the more you pay; it is not suitable for a residential home to pay the same amount of sewage fee that an industrial business will. Industrial business users have a more substantial discharge; they require different treatment before discharging to the outgoing line. He added that the study would demonstrate how to structure the rates better to have the commercial and industrial pay accordingly. Mr. Velez mentioned that once a city reaches 80% of its capacity, the Environmental Protection Agency requires that the city/town have a plan of action, which will take approximately 3 to 4 years to do a significant expansion. This is an issue that many cities are facing, and money is needed to grow. Furthermore, he mentioned that when staff goes to the shopping center conference, they interview the city representative, and they ask about the environment, traffic, demographics, politics, etc. Still, there have not been any connections; it is just a matter of time.

Mayor Gerardo Sanchez thanked staff for their participation during those conferences, and there has been more interest in the city than in past years. He mentioned that with all the new developments going on, that says a lot of staff.

Vice Mayor Matias Rosales stated that the shopping center conference is something that staff shall continue to attend; that is how Denny's was brought to San Luis, Arizona.

Council Member Luis E. Cabrera commented that during the 40<sup>th</sup> Anniversary of the City of San Luis, the city was promoting each local business, and it had a great outcome. He asked Ms. Torres if that is something that the city shall continue to do.

Ms. Torres replied that this was done during the 40<sup>th</sup> Anniversary celebration through a partnership with all departments and the city's marketing plan, which is being revived to promote the local businesses.

Mayor Gerardo Sanchez stated that there is no active local chamber of commerce that will promote local businesses and it is very much needed.

City Council Members thanked Ms. Torres for the presentation.

## **2. F. Discussion on any and all matters regarding the City of San Luis Fireworks Ordinance. (Africa Luna-Carrasco and Angel Ramirez, Fire Chief)**

Council Member Africa Luna-Carrasco stated that this item intends to see if the city can regulate fireworks usage within the city.

Mr. Richard Bauermann, Fire Instructor, informed that the state statutes the city is in line with the state requirement, city/towns are not allowed to be more restrictive than the state. State statutes say that permissible consumable fireworks are only allowed; anything other than that is only used by professionals. He added that aeriels are not authorized by city ordinance, just like the City of Yuma. The statutes also say that no fireworks permissible between the hours of 10:00 p.m. and 8:00 a.m.; this is hard to enforce, especially on holidays.

Mayor Gerardo Sanchez asked if the fireworks being brought from Mexico are regulated.

Mr. Angel Ramirez, Fire Chief, commented that U.S. Customs enforces Mexican fireworks' entrance because they are brought to the San Luis Fire Department to dispose of them.

Mr. Richard Jessup, Police Chief, enforces the use of Mexican fireworks, but it is hard to find out where it was launched from unless there are witnesses that are willing to get involved.

Council Member Africa Luna-Carrasco mentioned that the city should raise awareness to the community; this can be done with the collaboration of the Public Information Officer.

**2. G. Update on any and all matters regarding the Reopening and Recovery Plan in light of the COVID-19 pandemic. (Council Member Africa Luna-Carrasco and Tadeo De La Hoya, City Administrator)**

Council Member Africa Luna-Carrasco stated that this item is to get information about when all city functions will be open to the public and find out which departments are open and to what capacity.

Mayor Gerardo Sanchez commented communities had been questioned when they would open. He mentioned that the pandemic is not over, but this is the right time to start planning for the re-opening of city buildings.

Ms. Maria Sabori, Risk Management, presented Mayor and City Council with the actions and protocols set in place by the city to help reduce the exposure of COVID-19 and help the city continue to provide the essential services to the community. The City of San Luis puts high priority on employees and public health and safety to ensure a healthy and safe workplace. Furthermore, Ms. Sabori informed that staff had developed COVID-19 guidelines for employees following the Centers for Disease and Control (CDC) resuming business tool kit. She added that supervisors, managers, and employees all have been responsible for implementing this plan. The goal has been to mitigate the potential transmission of COVID-19 in the workplace and community; this has required full cooperation from staff, management, and customers. Furthermore, she informed that some of the guidelines that have been set in place are as follows: plexiglass in each customer services counters, flexible working schedules such as working from home and staggered schedules; accessible disinfecting and PPE to all employees, and employees are required to self monitor for symptoms to include checking their temperature at the beginning of their shift each day. She added that Human Resources had set a policy for steps to follow when positive for COVID-19 or when around a person who tested positive. The front door of City Hall has remain locked, and entrance personnel has been posted to greet and screen people before entering the building. A limit of 10 people in the lobby has been placed to reduce exposure and allow social distancing. She informed that COVID and Blood Borne Pathogens training had been given to all city personnel. The city has established a cleaning/disinfecting plan with the help of the Facilities Division. Signs have been placed in all city buildings regarding social distancing, usage of masks, etc. Ms. Sabori mentioned that the city has prioritized using technology and video conferencing for meetings/training to help reduce the exposure.

Ms. Kay Marion Macuil, City Attorney, mentioned nothing at the state level that regulates facemasks, but the city has a city proclamation for mandatory face masks. She also provided staff and City Council with COVID-19 statistics to include positive cases and deaths.

Council Member Africa Luna-Carrasco asked if the city is ready to open as long as it follows all CDC recommended guidelines and measures.

Ms. Macuil replied that the city could, but there will be liability risk if the city does not follow what the state and health department recommends. She mentioned that there is no recommendation, just like bars and schools, but the city will have to check with the Yuma County Health Department to see their advice. She added that staff did contact the Yuma County Health Department but had no luck. She recommended seeking public health advice to see how safe it is to open.

Mayor Gerardo Sanchez commented that no one knows when would be a good time to open, as pandemic trends have been up and down. He noted that people need to be aware that you can still get COVID-19 or transmit it by getting the vaccine. He informed that currently, there are two (2) mutant strengths coming to the United States; it takes about two (2) months to arrive. There is no proof that the vaccine will protect you from those two (2) new strengths. The key is to continue vaccinations and vaccinate the majority of the employees. Employees need to make sure that they are healthy and are ready and available to come back to work if they are called. He stated that the city must protect and provide the community's essential services; COVID-19 should not be an excuse not to provide those services. Mayor Sanchez mentioned that he recommends that if the low trend of positive cases continues, the city should open more buildings.

Council Member Africa Luna-Carrasco mentioned that she had received various complaints from residents regarding city departments that they have had trouble because the person in charge is not in the office.

Mayor Gerardo Sanchez reminded employees that it is their duty and services need to be provided to customers, even though the person in charge of that area is not in the office at that time.

Mr. Ralph Velez, City Consultant, asked how all employees can get vaccinated.

Mayor Sanchez replied that he is working on that request. In the coming weeks, the age requirement will be lowered so that it will cover the majority of the employees.

Ms. Sabori informed the city is an employer of 280 employees. A total of 90 employees were vaccinated; those were first responders and frontline workers.

Vice Mayor Matias Rosales stated that the city should inform the community that City Hall is not closed for business. They have to let know that it is partially staff with staggered schedules to ensure that someone is always at the department. He stated that he agrees with Council Member Luna-Carrasco and Mayor Sanchez's comments.

Council Member Luis E. Cabrera asked if department heads have approached the City Administrator to request more employees presence.

Mr. Tadeo A. De La Hoya, City Administrator, replied that he had not been approached by any department heads requesting more employees. He added that it is the department head's decision as to how many employees they need daily.

He asked Mayor and Council to please forward any complaints they receive about the service, as this is the first time he hears about them.

Council Member Luis E. Cabrera stated that he understands that there are staggered schedules, but departments have employees working at the same work station, with the proper distancing and PPE. He added that he believes that all employees should be back to work, even though the city is not fully open. He asked if employees have access to work from home or how do they do their job.

Mr. De La Hoya informed that employees were provided with equipment and access to be able to work from home, they are also on-call.

Mr. Derek Duenas, IT Manager, informed that when the pandemic started, the city began a remote desktop service that allows employees to access information from home.

Council Member Cabrera asked if employees were to come back and there are employees with children to take time off if there is no childcare.

Mr. Edgar Carbajal, Acting Human Resources Director, replied that the city follows the same protocols as the emergency leave for employees who are feeling symptoms that are COVID-19 related or are taking care of a sick family member, which is cover the Family Leave Act.

Council Member Cabrera stated that he would like to see all employees back to their worksites, as the city is taking all measures to reduce the infections.

Council Member Gloria Torres agreed with Council Member Cabrera; the city should open with the proper protocols. She mentioned that she has also received complaints about the services not being provided by departments.

Vice Mayor Matias Rosales commented that those cities that are open have had the opportunity to offer the vaccine to their employees. Unfortunately, the city has not had that opportunity.

Council Member Mario Buchanan mentioned that it is the city's hand to get the employees back to work. It is also the city's responsibility to provide a safe environment to the employees. He noted that he agrees that the city should be back to normal when it's time to do it.

Mayor Sanchez stated it is the employees' right to get the vaccine or not, but they have to understand that it will be the employees' option and not the city's option. He stated that this topic needs to be discussed in the following weeks to see the trend.

**3. ADJOURNMENT**

**MOTION:** Vice Mayor Matias Rosales/Council Member Luis E. Cabrera to adjourn the Work Session at approximately 9:09 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 E. Cabrera	Aye
Council Member Africa Luna-Carrasco	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 Work Session minutes for the City Council of the City of San Luis, Arizona, held on March 3, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

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