

APPROVED by Council

Date: 5/26/21

Clerks Office: M Lopez

MINUTES
Work Session
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
May 5, 2021
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Gerardo Sanchez called the Work Session to order at approximately 6:40 p.m.

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

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

ABSENT: Council Member Mario Buchanan Jr.

OTHERS PRESENT: Tadeo A. De La Hoya, City Administrator
Sonia Cornelio, City Clerk
Kay Marion Macuil, City Attorney
Angel Ramirez, Fire Chief
Angelica Roldan, Assistant Director of Parks & Recreation
Aracely de la Hoya, Senior Service Manager
Domingo Sosa, Graphic & Media Specialist
Eulogio Vera, Director of Public Works
Glenn Gimbut, City Attorney
Jenny Torres, Economic Development Manager
Jose A. Guzman, Director of Planning & Zoning
Lizandro Galaviz, Director of Parks & Recreation
Marlene Lara, Assistant to Council/PIO
Monica Castro, Director of Finance
Nohemy Echavarria, Magistrate (remotely)
Ralph Velez, City Consultant (remotely)
Richard Jessup, Police Chief

2. ITEMS FOR DISCUSSION ONLY:

2. A. Presentation updates on the solar wind tower project. (Ron Picket, CEO, Arizona Green Power, LLC (parent company now KiNRG))

Mr. Ron Picket, CEO, Arizona Green Power, LLC (parent company now KiNRG), presented an update on the solar wind tower project. He mentioned that the delay is because his company has made an abundant amount of green energy to secure the financing he needed to secure purchase agreements. He added that the off-takers were reluctant to agree upfront to buy the power so many years as when it would be delivered. He informed that in March 2020, his company was reached by a company to co-locate a data center on-site and provide power from the tower to the data center at a favorable rate. He stated that he is very confident that his company will conclude negotiation with a data center and be located in San Luis. He mentioned that the Arizona Governor, Department of Commerce, and local and state departments of commerce had supported the tower. Furthermore, he explained that since the data center will require more energy, then the tower will require more water allocated for the project. The target construction start is within 12 months. Mr. Picket informed that if this project is accomplished, it will be the first of its kind in the world to be 100% carbon neutral. He mentioned that the tower is a \$1.55 billion facility, will generate an estimated \$2.8 billion economic impact to the region, 2,000 construction employees, 300 to 350 permanent local employees. He added that the data center would add to this an estimated \$1.2 billion facility. He mentioned that this would be tax dollars for San Luis and approximately 120 to 130 full-time employees in the data center. Mr. Picket stated that this presentation is to request support from the City of San Luis on the proposed Development Rights Agreement, which was signed several years ago, as it stated that the city would support at the company's expense if the city needs to bring in outside engineering firms to review the construction plans. He added that there is a water rights allocation for 8,000 acre-feet per year initially in that same agreement. To support the final design for the tower and the increased output that the tower has, the requirement for the tower will increase to 11,000 acre-feet per year. In addition, he stated that the data center requires 1,700 acre-feet per year of water for the cooling tower. He asked the Mayor and City Council to renew the existing Development Rights Agreement and extend it to 2025 and increase the water allocation from 8,000 to 11,000 acre-feet per year.

Mayor Gerardo Sanchez thanked Mr. Picket for the presentation; he asked if the land is still under contract with Arizona Green Power LLC.

Mr. Picket replied that the land is still under contract, payments have been made. There is also an extension right through 2021 with an extension to June 30, 2022. He mentioned that the landowner is very supportive of the project.

Mayor Gerardo Sanchez mentioned that there should be no issue with the extension of the contract. He stated that staff would have to do some research on the water request

to make a recommendation. He asked the members of the City Council for their comments.

Council Member Jose Ponce asked where the generated power will go.

Mr. Picket replied that they are currently in discussions with Arizona Public Service.

The Mayor and City Council thanked Mr. Picket for his update on this project. There were no further questions from the members of the City Council.

2. B. Discussion and possible directions to staff on any and all matters regarding a contract with Edais Engineering, Inc., associated with the expansion of City Hall. (Tadeo A. De La Hoya, City Administrator)

Mr. Tadeo A. De La Hoya, City Administrator, mentioned that this item was brought up during the budget retreat. It was agreed to discuss this at a different meeting further. He stated requested proposals for this project, and Edais Engineering, Inc., was the lowest. He added that Edais Engineering also designed the current building.

Mayor Gerardo Sanchez stated that the expansion is very much needed; the building is running out of space for future growth, especially on the east side of City Hall.

Council Member Gloria Torres suggested expanding the east side and starting planning for the other parts of City Hall, as many departments are running out of space for future growth.

Mr. De La Hoya commented that Monica Castro, Director of Finance, made the same comment as Council Member Torres. She suggested allocating funds to design the building expansion. He informed that an expansion study is being done for future expansion.

Council Member Gloria Torres asked if Edais Engineering, Inc. is on the on-call list of engineers that the city can use.

Mr. De La Hoya replied that Edais Engineering, Inc. is not on the list of on-call engineers, but his proposal came out \$20,000.00 less. He added that City Council decided as to whether or not they want to spend those \$20,000.00 more.

Council Member Gloria Torres asked if proper procedure was followed to hire the firm.

Ms. Kay Marion Macuil replied that the engineer's list is an option for the city to use; it is not a requirement to use those engineers; staff can go out and hire other firms.

Mayor Sanchez directed staff to proceed with this item as agreed by all members of the City Council.

2. C. Discussion and possible directions to staff on any and all matters regarding a possible public art project. (Jose A. Guzman, Director of Planning & Zoning)

Mr. Jose A. Guzman, Director of Planning & Zoning, mentioned that this item is proposed to paint a mural on the Cesar Chavez Cultural Center. He stated that he would be donating his time to paint this mural and be done after hours.

Mayor Gerardo Sanchez thanked Mr. Guzman for his presentation and asked where does the mural will be painted.

Mr. Guzman replied if he is giving the opportunity, the mural will be painted on the entire wall or half of the wall.

The City Council members thanked Mr. Guzman; Mayor Sanchez asked Mr. Guzman to proceed with this project as agreed by all members of the City Council.

2. D. Discussion and possible directions to staff on any and all matters regarding a contract with Lantis Productions, Inc., for fireworks' presentation during the 4th of July Celebration. (Lizandro Galaviz, Director of Parks & Recreation)

Mr. Lizandro Galaviz, Director of Parks & Recreation, informed that the fireworks would be virtual this year, and staff is proposing to hold the fireworks show in two different locations. One location would be at the Joe Orduño Park, and the other location would be at the New East Park site located between 19th Street and 20th Street, off of 24th Street; this new location would allow more residents to view the fireworks show. He asked for Mayor and City Council's consideration and proposal. He mentioned that this year's quote is for \$32,400.00, which is \$20,000.00 higher than last year due to the additional location. He explained that the legal department is reviewing the contract; if City Council's direction is to proceed, this item will be brought for approval on the next Regular Council meeting.

Mayor Gerardo Sanchez stated that he understands why the quote is higher than usual. He mentioned that last year, there were several complaints that residents of Avenue F could not view the fireworks show. He stated that it would be wise to start using the future park location. Mayor Sanchez directed Mr. Galaviz to proceed with this item, as agreed by all members of the City Council.

2. E. Discussion and possible directions to staff on any and all matters regarding the purchase of outdoor fitness equipment for city parks and pathways. (Lizandro Galaviz, Director of Parks & Recreation)

Mr. Lizandro Galaviz, Director of Parks & Recreation, informed that he has been working with the Director of Public Works, as there is some funding that his department can provide for this project. He mentioned that staff contacted Davebang Associates, Inc., to request a quote. He added that the city had purchased various playground equipment for city parks. He stated that the item that has been quoted are a row

machine, fitness bike, sit-up station, twist and step, double leg press and push up-dip station. He informed that Davebang Associates, Inc. is part of the Mohave State Contract cooperative purchasing. The cost for all items is for a total of \$15,666.68.

Mayor Gerardo Sanchez thanked Mr. Galaviz for this project, adding that many residents have requested this type of equipment. He added that this is a minimal investment in the community.

Vice-Mayor Africa Luna-Carrasco stated that she would like to see the equipment installed in several community areas so that residents can take advantage of it.

Council Member Luis Cabrera asked how much warranty the company will be providing on this equipment.

Mr. Galaviz replied that there usually is a 5-year warranty, but staff plan is to provide a shade structure to protect the machines and extend the machines' lives.

The City Council members thanked Mr. Galaviz for this project and agreed with Vice-Mayor Luna-Carrasco. Mayor Sanchez directed Mr. Galaviz to proceed with this project as agreed by all members of the City Council.

2. F. Discussion and possible directions to staff on any and all matters regarding the needs of the current retention basins. (Council Member Gloria Torres)

Council Member Gloria Torres stated that she received calls regarding retention basins/parks that need maintenance.

Mr. Lizandro Galaviz, Director of Parks & Recreation, explained that the Parks Division has approximately eight (8) tech specialists that cover 64 acres of retention, five (5) parks, and city facilities (7). He mentioned that this is a challenge, but staff does their best to keep up with the maintenance. He added that their routine is each maintenance tech has 6 to 7 acres they have to maintain. Certain retention basins are hard to maintain as they receive water from the canal, and staff has to wait until the water evaporates to cut the grass and weeds. Furthermore, he informed that staff also reseed the retention basins every year, each is evaluated on their use, the districts are prioritized, tree trimming is done year-round as needed. He stated that the city has partnered with Walmart, Yuma County Health Department, and Gadsden School District #32 to plan trees to renovate the parks/retention basins. Mr. Galaviz informed that this year staff requested \$25,000.00 to replace slides from the playground equipment throughout the city existing parks/retention basins. He mentioned that during the last five (5) years, staff has been working on energy efficiency in the parks/retentions, those with lighting and/or ramadas, the light has been switched with LED lights.

Council Member Torres commented that some playgrounds need maintenance; she asked if those playgrounds can be painted instead of replacing them.

Mr. Galaviz replied that parks utilized paint that is mainly used for playground equipment. He added that the new software that staff will be utilizing would help determine which parks have needs.

Mr. Eulogio Vera, Director of Public Works, mentioned that one of the things that can be modified during the development of a subdivision is the requirements that developers can put in the playground equipment; this will leave more funding for maintenance.

Mayor Gerardo Sanchez agreed with Mr. Vera and asked City Council to look into this proposal and make a requirement to include the playground when a new subdivision is built.

The Mayor and City Council thanked Mr. Galaviz and his staff for maintaining parks and retention basins throughout the city.

**2. G. Discussion and possible directions to staff on any and all matters regarding activities, project, and possible additional efforts of the City of San Luis to promote the services that the city provides to the community, including but not limited to infrastructure improvements and publicity for local businesses.
(Council Member Gloria Torres; Marlene Lara, Assistant to Council/PIO; Eulogio Vera, Director of Public Works; Lizandro Galaviz, Director of Parks & Recreation; and Jenny Torres, Economic Development Manager)**

Council Member Gloria Torres mentioned that she would like to know what the city is doing to promote the city services and what has been done to promote local businesses. She added that by promoting what has been done in the city, residents will have a positive impact and will show what departments do.

Mayor Gerardo Sanchez agreed with Council Member Torres. He stated that residents need to be aware of what is being done by the city. He mentioned that one of the tools is to use the Public Information Officer to promote all city events, projects, etc.

Ms. Marlene Lara, Assistant to Council/PIO, stated that the city's mission is to ensure the City of San Luis is doing its best to keep residents informed and promote projects, events, and businesses occur in an efficient and timely manner. She informed that a Social Media Marketing Committee was formed; this committee promotes the city and serves the community. Members of different departments form this committee; bi-weekly meetings will be held. The ideal vision is to be efficient and consistent with the promotion of the various projects and events. She mentioned that the city does have funding allocated for this project.

Ms. Torres commented that it is vital that the city be promoted to bring a positive image to our residents. She thanked Ms. Lara for what is being done to promote the city and businesses.

Vice-Mayor Africa Luna-Carrasco asked if department heads have the time to handle this committee with all they have on their hands.

Ms. Lara replied that currently, the meetings are held bi-weekly and meet for approximately 1-hour. Once the committee is established, then meetings will be held every month. This meeting is a way to inform what projects are being done and the status of each.

Vice-Mayor Africa Luna-Carrasco thanked Ms. Lara for this presentation and mentioned that it is important that the community is informed of what projects are being done and what new businesses are established in the community.

Council Member Matias Rosales mentioned it is important the city open the Government and Foreign Affairs position backup, as this takes a lot of time from the Public Information Officer. He mentioned that promoting the city needs a full-time person. He commented that it is essential that the Public Information Officer is provided with all necessary tools.

Council Member Luis Cabrera agreed with the other council members and stated that this is something that staff needs to work on; he mentioned that if staff needs a representative for the City Council, he is more than willing to join the committee.

Mayor Gerardo Sanchez mentioned that the city needs to include local businesses and inform them what the city is doing to promote their business.

Ms. Jenny Torres, Economic Development Manager, stated that departments need to participate in making this easier and being able to release the information to the community. She mentioned that funding is required; currently, there are \$24,000.00, but this would not be enough in the future. She informed that staff started a business outreach and provided training regarding the revitalization fund. She mentioned that staff would like to see City Council's participation, so they are known by business owners.

Council Member Matias Rosales suggested posting the monthly reports provided by departments each month through the City Clerk's Office; these reports will show data and information to the community about what has been done in the month.

Mayor Gerardo Sanchez, "at this point in time, I will pass the gavel to the vice mayor. Item #2. H. I will refrain from comments or participating in this event Council has every right to discuss this item, but at this point in time, I choose not to participate, and vice mayor, I'm passing the gavel to you, thank you."

2. H. Discussion and possible directions to staff on any and all matters regarding conducting evaluations of the City Attorney, City Administrator, Court Magistrate, Fire Chief and Police Chief. (Council Member Gloria Torres)

Council Member Gloria Torres, “yes, vice mayor throughout my years in council, we continue to renew contracts without even conducting an evaluation. How do we know how the contract employees are doing without the evaluation? It should be a standard procedure as different organizations. Let me tell you that at the school, we do evaluate teachers every year, and the teachers evaluate the principals and the principals are evaluated by the superintendent and the superintendent is evaluated by our board. This is every year. Let me tell you at my work we do evaluations and brought this because the city never, I mean, since I remember there is never been an evaluation; and because of this I was thinking to assign this task to our consultant, Ralph Velez, to conduct this evaluation, can it be possible. And I do not know if they are doing a good job or not, I mean it is just required that everybody needs an evaluation.”

Vice Mayor Africa Luna-Carrasco, “Ralph Velez are you with us”.

Mr. Ralph Velez, City Consultant, “I am here”

Vice Mayor Africa Luna-Carrasco, “had you had an opportunity to look into this matter, and if so, what is your take?”

Mr. Velez, “no, I have always said, let me start with the way they are listed on the agenda. The city attorney reports to the council, city administrator report to the council, the court magistrate is a different “ball game”, but she has the right to be evaluated to some extent. The fire chief reports to Tadeo and the police chief reports to Tadeo, so my, my um, participation is limited, let me tell you to what extent. I can gather, first of all the evaluation form that we have, it is really weak and it does not really paint a good picture of an administrator or a manager’s department head evaluation, so there is certain evaluation forms that pertain to each individual position. What I can do is gather those individual forms and also, I know there is a powerpoint that I have seen before and I have to do some research. Get the powerpoint and uh, have Sonia or Tadeo forward it to the Mayor and Council, and the Vice Mayor, get a good feel for what an evaluation really is, and then forward, or have Sonia forward the forms for the city attorney, and the city administrator, and the court magistrate and the fire and police chiefs. I can do all that, except fill in the blanks, that is not my job to fill in the blanks, I do not supervise the city attorney, I do not supervise Tadeo, and surely, I do not supervise the court magistrate, but Tadeo, supervises the fire chief and the police chief. So I can do all that for you, I can gather the forms, I can kind of lead you in the right direction and I can do everything except fill in the blanks, you need to fill in the blanks because it’s part of your job as well, to be evaluating your contract employees, it is not a consultant job, whether it’s me, or Dan Jackson or Joe Doe, it is not our job as an outsider to fill in the blanks, because I’m not there every day and you are. So that would be my role if so desire, to gather the forms, give you a powerpoint for a presentation that kind of explains the do’s and don’ts of the evaluations and then have you do fill in the blanks.”

Council Member Gloria Torres, “Ralph, I want to ask you a question, the evaluation that you mean in the form that they have the evaluation, is this evaluation confidential,

because the school does an evaluation and it is confidential, the teacher, the principal does not know who evaluated, the name of the person that evaluated, and this is, we wanted to see that the city does the same thing, if the person gets evaluated that they have to be confidential.”

Mr. Velez, “so if what you are saying that if we start with the city attorney, that her staff should evaluate her as well?”

Council Member Gloria Torres “yes, who is under the city attorney?”

Mr. Velez “Glenn, Jose de la Vara and Janet.”

Ms. Kay Marion Macuil, City Attorney “and Jose De La Vara and his staff”

Council Member Luis Cabrera “you don’t mind me interrupting, um, Glenn, I’m sorry Ralph, because of what Gloria mentioned regarding teachers, evaluating administrators and then that data goes to the board, sorry to the superintendent to evaluate each administrator, so I guess is not a fill in the blank situation for you, um, your job as a consultant, what I am understanding from Council Member Torres’ discussion, she would like for you to gather the data, um confidential from employees, an example like you mentioned the three employees that would provide data for Kay, as the City Attorney, would be Glenn, Janet and Jose de la Vara; Jose de la Vara staff I do not see it’s necessary, um that it is a different department, so I think it would be good for like a questionnaire or something to be given to these people or you have a conversation where you take your notes and present that information to us. And that is done in a confidential manner, not, you do not provide names as to who gave you what comments or how they evaluated their supervisor. So that way and when we go and fill in the blanks for each, um, each department, um, Tadeo, Kay, the Judge, we have information from people that are working directly with them every day on a day-to-day basis, because just like you as a consultant, we do not work at City Hall, Monday through Thursday, seven to five, seven to six, so I think, I personally think this is a great way for it to get done. For example, Tadeo’s evaluation you would gather data from department heads, the directors, they would have the opportunity to evaluate their city manager, that data is given to council and council can then make their formal evaluation, where we fill in the blanks.”

Vice Mayor Africa Luna-Carrasco, “is that something you consider feasible and also within guidelines and, um, the policies, Ralph?”

Mr. Velez, “I do not know that it is against policy, but if, like for them, for example, the fire chief, you would have the captains evaluate him and the police chief, lieutenants evaluated him, the information is gathered and then is presented to the council in a confidential manner, and this is that the road you want to take, then it is doable.”

Vice Mayor Africa Luna-Carrasco, “Tadeo have you, sorry Ralph”,

Mr. Velez, "okay, may I finish, but it has never been done before, so it is kind of a new "frontier" and the problem is that, the problem is if not everybody participates, you are going to have a biased, uh, evaluation. So, you have to have everybody participate, here all the lieutenants, all the captains, I do not know about the court, I do not even want to mess with the court, um, the department heads with the city administrator and then of course Kay's staff."

Vice Mayor Africa Luna Carrasco, "I was just going to ask Tadeo, since you mentioned that the fire and police chief fall under him, if he is, uh, evaluated them on an annual basis".

Council Member Gloria Torres "so Tadeo you evaluate, the police chief and the fire chief, do you do it every year?"

Mr. Tadeo A. De La Hoya, City Administrator, "no, I have not, the contract says that the council and city manager may at any time evaluate their last contract approval, was in last November, and it said on the contract that it was going to be done within a year and uh, vice-mayor if I may, and for the record and since my name was already, uh, said out loud, I just want to state for the record that it is evident that you are talking about my employment on this item, and I was not duly notified as per the Arizona Revised Statutes on title 38 or open meeting law regulations, I do not want to be retaliated against a recent employment related matter, that was not made by me and which was the Yuma County Supreme Court to get involved; and I also do not want to be harassed, discriminated or retaliated against for having a medical condition which is covered under FMLA and allows me to carry the full duties of my job and I also do not want to give the impression of bad performance or misconduct when nothing has been brought up to my attention, or otherwise proven, I want to note that I'm an exempt employee and do not want to be punished for the amount of hours for my schedule, which is usually 40 hours and I am very lenient with department heads and with that I just want to say that I am your very humble servant, I have been working here technically 22 years and I appreciate all of your support and guidance you have given me in this position, but I was not notified I was going to be talked about publicly tonight."

Vice Mayor Africa Luna-Carrasco, "duly, duly noted, um city manager, I just wanted to add that, I think that conducting evaluations in general would be a positive thing, once we get past the perception that evaluations are a bad thing, because normally, the City of San Luis conducted evaluations on department heads, um, when they were basically on their way out, and that is not my intent or my idea of conducting evaluations. I think that we, um, need to do them on an annual basis, to promote a positive culture to provide the opportunity to reinforce the city's goals and objectives and also to give you guys the employees the opportunity to discuss ways that the city, the council, um that other departments can further assist you in being successful in having your department's the staff under you become successful, that is just my opinion on the matter, I am going to open it up for the other council members, um, Matias you have anything to add?"

Council Member Matias Rosales, "no comment".

Vice Mayor Africa Luna-Carrasco, "Council Member Jose Ponce?"

Council Member Jose Ponce, "uh, no comment".

Vice Mayor Africa Luna-Carrasco, "Luis anything further you would like to add?"

Council Member Luis Cabrera, "yes, uh, Kay I have a question, so are we in any way sort or form discussing, contract for any of these employees, including yourself, or are we just giving direction for an evaluation to be done later on in time"

Ms. Macuil, City Attorney, "yes, so far you have stuck to the way it was agended, as a just talking about the evaluations themselves, and not the individuals, so far, if you continue the way you have done, just talking about how to do the evaluations, uh, that is perfectly fine"

Council Member Luis Cabrera, "okay, sorry for two positions, um, to avoid violating any statutes".

Ms. Macuil, "right".

Ms. Nohemy Echavarria, Court Magistrate, "hi, this is Judge Echavarria, may I speak?"

Vice Mayo Africa Luna-Carrasco, "yes, go ahead Judge".

Ms. Echavarria, "thank you, good evening everyone, um, I provided Kay some documents from the Arizona Supreme Court that offers guidelines as to how evaluate Judges, I'm all for an evaluation, just that it should be done the correct way, um, and the way according to the rules by the Arizona Supreme Court, the AOC, which is a division of the Supreme Court that oversees all the courts and Judges in Arizona, um, needs to intervene and assist, as you may now the responsibilities and the role of a judge is very different than the city directors and therefore, like I said, I'm all for it, um I look forward to it, I am just offering some insight as to how it can be done, Judge Haws is my immediate supervisor, um, and then next to Judge Haws is the Supreme Court Chief Justice, so if you want Judge Haws to evaluate me or the Supreme Court Justice, um, we can, um, arrange that".

Vice Mayor Africa Luna-Carrasco, "thank you Judge, thank you for providing that information to Kay. I hope Kay reviews it, and like you mentioned, you are all for it, that is great, but you want to do it the right way, um, so do we, and this is new to all of us, so your input provided is truly going to help us and um, thank you so much again"

Ms. Macuil, "Vice Mayor, this is Kay, Glenn was whispering something to me, I could not quite catch what it was, but I think he might have something to contribute".

Mr. Glenn Gimbut, Assistant City Attorney, "yeah, this is simple, uh, two observations, what I whispered to Kay is in open meeting, like this you can discuss anyone you want and say anything you want, it is only in executive session there is actually limitations, however in public like this you want to at all times be professional, so keeping the discussion at the level you have, is indeed a good professional way to go, rather than be something else. Um, in Apache Junction, I was evaluated annually, once a year, every year, and if it is done regular, in a regular basis, it can be an excellent opportunity to have a frank and fair discussion with people that you trust to do the day-to-day management of the city, where you get your questions and your concerns addressed, where you get to get feedback to the affected, uh if you will, staff member so they get an idea of where you would like the city to go and that can be a very positive experience".

Vice Mayor Africa Luna-Carrasco, "yes, and that is what I am aiming for and I believe the rest of council are aiming for, to provide a positive experience, a learning experience, an opportunity for growth and for betterment of our city, and um, I think so far this item, this meeting has been done professionally, if we mentioned names it was only as examples, so that what, um, I think".

Council Member Jose Ponce, "Vice-Mayor, uh, can I say something?"

Vice Mayor Africa Luna-Carrasco, "yes, sir go ahead"

Council Member Jose Ponce, "uh, this is a question, for uh, Kay, uh, Kay my concern is are we stepping into something uh, you know legal, uh, liability, just by doing the evaluations?"

Ms. Macuil, "no, not no, um there are most cities do it, I do not see any liability in having evaluations, no".

Council Member Jose Ponce, "oh, okay, you know that was my concern, you know, make sure we are not getting into, uh, you know, uh trouble or something like this".

Ms. Macuil, "no sir, no trouble to have a system of evaluations"

Council Member Jose Ponce, "ok, thank you Kay, thank you Vice Mayor"

Council Member Luis Cabrera, "Vice Mayor, if I may add, um, just coming to the Judge; Judge thank you for being open to having an evaluation, um, I think like the vice mayor mentioned, this is, this is why we are having a conversation, so I applaud your willingness to help us do your evaluation the correct way, I did not get a chance to speak to you, um, before I was, um, something else was mentioned, um, thank you for making those comments, I think, we can get it done correctly, like you mentioned Judge Haws being your supervisor, he can provide us with the guidance that we need".

Vice Mayor Africa Luna-Carrasco, "yeah, thank you, thank you council member, um, Council Member Gloria Torres, anything else you would like to add?"

Council Member Gloria Torres, “no, just, I would like to see the procedures, on how to get this done and the timeframe, I mean, not take too long and I hope Ralph can help us with this and it is nothing against nobody, it is just because, we had at our jobs an evaluation every year, and that is if you are doing better, I mean, you get better points, I mean this is to keep up your work, and even at Comite we do it, for when we get a raise, we do an evaluation and things like that, that is not abnormal, I mean that is what I asked for this evaluation”

Vice Mayor Africa Luna-Carrasco, “yes, I understand, like I mentioned, we need to get away from the perception that evaluations are bad, they wish to work with them and uh look at it, as it is a positive thing and a chance for growth and for improvement, I agree, um, ok, anybody else would like to add any comments?”

Council Member Luis Cabrera, “yea, vice mayor so the city manager will take care of the fire chief and police chief evaluations done?”

Vice Mayor Africa Luna-Carrasco, “well, Tadeo, you mentioned that on their contract it mentions that they are to be evaluated by council, is that correct?”

Mr. De La Hoya, “council and city manager, may, we can evaluate them every month, I can evaluate them every month, just give me directions as to how you want me to proceed, the contract does say that every year council, and city manager and/or city manager may, so you guys tell me and I will follow direction”.

Council Member Luis Cabrera, “before we close the discussion, I think Ralph should have a clear direction of what to work on, so I think he can focus on the position of the city manager, the city attorney ad then he can work with the judge and her, um, system, Judge Haws from Yuma to get her formal evaluation done, um, if need be, that way, that is what I think, I do not know how the rest of you feel and then city manager can just take care of the fire chief’s and police chief’s annual evaluations, like they do with every other director position”

Vice Mayor Africa Luna-Carrasco, “Ralph how do you feel about that, you think is something that uh, you can work on?”

Mr. Velez, “I think is a little confusing, if you are going to play the fair game, you should do them all the same way and not be isolating positions, and that is what I’m saying it is not quite, I thought the conducting the evals, um, would be, I did talk to Council Member Torres regarding certain positions, how do they evaluate and who to be evaluated, but if we are going to be doing like a 180 on certain positions, then it should be done on all and not on some, that is my opinion”.

Vice Mayor Africa Luna-Carrasco, “my opinion is also that we keep it fair, we keep it straight not be um, just some positions and some not, so, yeah, I think my opinion is that we are fair across the board”

Council Member Gloria Torres, "vice-mayor may I ask a question, like Eulogio, does he evaluate his staff? Like each department, evaluate their staff?"

Vice Mayor Africa Luna-Carrasco, "Tadeo, can you give us a little run down on how the evaluation process, um works with department heads and their subordinates?"

Mr. De La Hoya, "that, uh department heads, some of them evaluate their direct reports only, and then supervisor's do their direct report employees".

Vice Mayor Africa Luna-Carrasco, "so then everybody gets evaluated annually?"

Mr. De La Hoya, "they should, not all of them do though, and that went away since, uh, I can't remember the year, previous HR director took away the three or five percent increase after passing their probationary period, um, that went away, so it is usually done on most employees, but I want to check with HR first for a correct answer, but department heads only evaluate their direct reports".

Council Member Gloria Torres, "thank you".

Council Member Jose Ponce, "vice-mayor can I make a last comment?"

Vice Mayor Africa Luna-Carrasco, "of course".

Council Member Jose Ponce, "I want to make a suggestion, I mean, I feel that we should not include the judge in the evaluation, I mean that is my suggestion".

Ms. Echavarria, "and if I may Mr. Ponce, judges um, with all due respect should be evaluated, um but, it should be done the correct way, we are the court, we are the judicial branch, we are separate from the city, we are a separate branch of government and for those reasons, judges are not influenced or they do not fall under intimidation or you know whatever the case might be, that is why there is a process and the process needs to be adopted or it has been adopted by the Arizona Supreme Court, and there is a way, I'm not sure if you have seen but Judge Haws issued an administrative order regarding court employees and I'm all for being evaluated, I'm doing my job and if I'm not doing my job correctly then I would want to know because, you know I do not want to make the same mistakes I'm dealing with people's lives, and but I will say there is always two sides to a story and so I would kindly ask the you don't, that council and the mayor do not just be driven by what one side you've heard and so I think everybody knows what I'm talking about so I will say no more, but I'm all for being evaluated and um, I can work with um, Ralph, we can get the AOC involved, we can get Judge Haws involved and get from there".

Council Member Jose Ponce, "thank you judge, yes I agree with you, what I'm saying I mean uh, we should let, I mean your system into let you, let the word. I think we should concentrate on some of the other people, but I mean you belong to a different level, so

that is my feeling, we should not get involved with your system, so I think, you know what I'm talking about Judge".

Council Member Africa Luna-Carrasco, "thank you Council Member Ponce, that is a good point and thank you judge and definitely agree we must follow the Arizona Supreme Court process, um, if there is no further comments to Ralph, do you want to continue looking into the matter to see what the proper way to perform the evaluations, will be because I see we are still kind of up in the air and there is like confusion uh, Gloria gave you a pretty much clear understanding of what she is asking but, maybe you should look into it to see if that is something that will work for us, um, and it's something that we can carry out."

Mr. Velez, "it is up to me or Council Member Torres?"

Vice Mayor Africa Luna-Carrasco, "to you".

Mr. Velez, "yeah, I can do that".

Vice Mayor Africa Luna-Carrasco, "okay, all right is okay, um, Council Member Torres with the direction, or would you like to add something else?"

Council Member Gloria Torres, "yes, I'm sorry, I was on mute, I'm sorry".

Vice Mayor Africa Luna-Carrasco, "are you okay with the direction for Ralph to continue looking into, um, conducting, the evaluations, in the proper way?"

Council Member Gloria Torres, "yes, yes".

Vice Mayor Africa Luna-Carrasco, "and if there is something that works for us that fits our needs and what we want to proceed with?"

Council Member Gloria Torres, "yes, yes we proceed with it".

Vice Mayor Africa Luna-Carrasco, "if there are no more further comments can I can I get a motion to adjourn".

3. ADJOURNMENT

MOTION: Council Member Gloria Torres/Council Member Luis Cabrera to adjourn the Work Session at approximately 9:18 p.m. Motion passed unanimously.


The vote was as follows:

Mayor Gerardo Sanchez	Aye
Vice Mayor Africa Luna-Carrasco	Aye
Council Member Luis Cabrera	Aye

Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres

Aye
Aye
Aye

APPROVED:



Gerardo Sanchez, Mayor

ATTEST:


for Sonia Cornelio, Deputy City Clerk
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 May 5, 2021. I further certify that the meeting was duly called and held and that a quorum was present.


for Sonia Cornelio, Deputy City Clerk
Sonia Cornelio, City Clerk