

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
August 24 2022
7:00 p.m.

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 Mario Buchanan Jr.
Council Member Luis Cabrera
Council Member Africa Luna-Carrasco (via Zoom)
Council Member Jose Ponce
Council Member Matias Rosales (via Zoom)

ABSENT: Council Member Gloria Torres

OTHERS PRESENT: Lizandro Galaviz, Acting City Manager
Kay Macuil, City Attorney
Melissa Lopez, Acting City Clerk
Adela Cortez, Director of Human Resources
Angel Ramirez, Fire Chief
Crystal Ochoa, Acting Assistant to Council/PIO
Edgar Esparza, Acting Billing & Collections Manager
Eulogio Vera, Director of Public Works
Francia Alonso, Records Management Specialist
Isaac Gutierrez, GIS Specialist
Jorge Perez, Assistant Director of Public Works
Jose Luis Cisneros, Executive Assistant
Miguel Ramirez, Accountant II
Ralph Velez, City Consultant (via Zoom)
Richard Jessup, Chief of Police
Richard Bauermann, Fire Inspector
Ruben Lopez, I.T. Technician
Buna George, Greater Yuma Port Authority
Cesar Neyoy, Reporter
Elizabeth Carpenter, Developer
Lucy Lopez, Reporter
Tom DuBose, DuBose Design Group

2. PLEDGE OF ALLEGIANCE

Council Member Jose Ponce led the Pledge of Allegiance.

3. INVOCATION

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

4. PROCLAMATIONS

4. A. Women's Equality Day - August 26, 2022

4. B. Childhood Cancer Awareness Month - September 2022

4. C. Library Card Sign Up Month - September 2022

4. D. National Suicide Prevention Month - September 2022

Ms. Melissa Lopez, Deputy City Clerk, read the proclamations in their entirety.

5. PRESENTATION

5. A. Presentation on any and all matters regarding the annual update for Greater Yuma Port Authority. (Buna George, Executive Director for Greater Yuma Port Authority)

Ms. Buna George, Executive Director for Greater Yuma Port Authority, provided a PowerPoint presentation which is filed at the City Clerk's Office with the complete agenda packet. The presentation included statistics of commercial and private vehicles, pedestrian traffic for years 2019, 2020 and 2021 among other information.

6. CONSENT AGENDA

6. A. MINUTES OF

- Regular Council meeting held August 10, 2022

- Special Council meeting held August 16, 2022

6. B. Disbursements from August 2, 2022, to August 15, 2022

Total Disbursements \$1,266,434.77

(One Million, Two Hundred Sixty-Six Thousand, Four Hundred Thirty-Four Dollars and Seventy-Seven Cents)

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Luis Cabrera to approve the Consent Agenda as presented. Motion passed unanimously.

The vote was as follows:

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

7. DISCUSSION AND POSSIBLE ACTION ITEMS:

7. A. Discussion and possible action on any and all matters regarding the purchase of bays/barns for apparatus parking at station #2. (Angel Ramirez, Fire Chief)

Mr. Angel Ramirez, Fire Chief, stated this item is something staff had budgeted for the fire station located on the east side of San Luis. This is where they will be parking their vehicles and not attached to the fire station. Staff considers the vendor Absolute Steel and Storage a sole source provider of the two (2) frame buildings in Arizona as allowed under the Purchasing Code 36.02 – Exclusive Services.

MOTION: Council Member Luis Cabrera/Council Member Matias Rosales to approve the purchase and construction of apparatus parking through Absolute Steel and Storage under City Purchasing Code Section 3.05.20 in the amount of \$48,702.90. Motion passed unanimously.

The vote was as follows:

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

7. B. Discussion and possible action on any and all matters regarding the authorization to approve McNeece Bros. Oil Company, Inc. for the purchase of gasoline and diesel fuels from Pacific Pride for Fiscal Year 2022-2023. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, explained that staff is seeking the approval of the purchase of gasoline from McNeece. As indicated in the Purchase Procurement Code, any purchase over \$45,000.00 requires approval of the City Council. Given the current market with oil, it is difficult to obtain proposals and quotes from vendors committing to a specific price due to the fluctuating price of oil. McNeece Brothers Oil Company has been a vendor to the City of San Luis for the past 14 years and after meeting with them, staff determined that they are the most viable option for the city. The city is saving taxes of 18.4 cents for lightweight vehicles and 24.4 cents on heavy equipment with McNeece where the other vendors staff met with, are not able to offer these savings. He added that for the reasons mentioned, staff is requesting that the Mayor and City Council waive the formal procurement code and move forward with the purchase of gasoline and diesel from McNeece for Fiscal Year 2022-2023.

MOTION: Council Member Luis Cabrera/Vice Mayor Mario Buchanan Jr. to approve the purchase of gasoline and diesel fuels from McNeece Bros. Oil Company for Fiscal Year 2022-2023 and waive formal purchase procedures for the reason presented. Motion passed unanimously.

The vote was as follows:

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

7. C. Public Hearing followed by discussion and possible action on any and all matters regarding the recommendation of the Liquor License Application submitted to the Arizona Department of Liquor Licenses and Control by Raul Rafael Urena Taylor on behalf of VR Wholesale, Inc. located at 1345 N. Main Street, San Luis, Arizona. (Melissa Lopez, Deputy City Clerk)

A. Open Public Hearing

MOTION: Council Member Luis Cabrera/Council Member Jose Ponce to open the Public Hearing. Motion passed unanimously.

The vote was as follows:

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

1. Staff and/or applicant presentation

Ms. Melissa Lopez, Deputy City Clerk, indicated that the application received on behalf of Mr. Raul Rafael Urena Taylor was processed and posted along with the notice of the public hearing at the proposed premises for the required number of days. She added the City Clerk's Office did not receive any comments in favor of or against the application. Staff recommended approval of the liquor license application of VR Wholesale, Inc. to the Arizona Department of Liquor Licenses and Control.

2. Call to the Public on this item

There were no comments from the public on this item.

B. Close Public Hearing

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Luis Cabrera to close the Public Hearing. Motion passed unanimously.

The vote was as follows:

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

C. Action on the recommendation on the Liquor License Application to the Arizona Department of Liquor Licenses and Control for Raul Rafael Urena Taylor on behalf of VR Wholesale, Inc.

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Jose Ponce to recommend approval of liquor license application to the Arizona Department of Liquor Licenses and Control for Raul Rafael Urena Taylor on behalf of VR Wholesale, Inc., as presented. Motion passed unanimously.

The vote was as follows:

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

7. D. Discussion and possible action on any and all matters regarding the appointment of one (1) City of San Luis resident to serve on the City of San Luis Planning and Zoning Commission. (Jose A. Guzman, Director of Planning and Zoning)

Mr. Jose Guzman, Director of Planning and Zoning, stated that staff received a letter from Mr. Case Van Veen resigning from serving on the Planning & Zoning Commission; leaving a vacancy with a term expiration of January 31, 2024. Mr. Guzman added that three (3) applications have been received, the applicants are Mr. Jesus Carrillo, Mr. Ruben Walshe and Mr. Cesar Zepeda.

Mayor Gerardo Sanchez asked how many times has the commission not had a meeting due to a lack of quorum.

Mr. Guzman responded there has been issues but have made it work everytime.

MOTION: Mayor Gerardo Sanchez/Vice Mayor Mario Buchanan Jr. to appoint Mr. Jesus Carrillo as Planning and Zoning Commissioner, to fill the vacancy created by Case Van Veen, which expires January 31, 2024. Motion did not pass.

The vote was as follows:

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

MOTION: Council Member Africa Luna-Carrasco/Council Member Luis Cabrera to appoint Mr. Ruben Walshe as Planning and Zoning Commissioner, to fill the vacancy created by Case Van Veen, which expires January 31, 2024. Motion passed with four (4) aye votes and two (2) nay votes by Mayor Gerardo Sanchez and Vice Mayor Mario Buchanan Jr.

The vote was as follows:

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

7. E. Public Hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2022-0425. A request by DuBose Design Group on behalf of the Sam Group Investments Partnership for a Conditional Use Permit from Section 18.35.30 (C)(1) of the City of San Luis Zoning Ordinance to allow a commercial building with a gross floor area greater than 50,000 square feet. Assessor's parcel number 227-15-011, located on the northeast corner of Oak Avenue and County 24 1/2 Street in San Luis Arizona. (Jose A. Guzman, Director of Planning & Zoning)

A. Open Public Hearing

MOTION: Vice Mayor 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 Mario Buchanan Jr.	Aye
Council Member Luis Cabrera	Aye
Council Member Africa Luna-Carrasco	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye

1. Staff Presentation

Mr. Jose Guzman, Director of Planning & Zoning, explained that the City Council approved a rezoning for this project last month and due to the size of the building, a conditional use permit is required. Staff recommends approval with conditions that are very genetic such as the applicant has to comply with all the regulations of the city and with the traffic study requirements.

2. Call to the Public on this item

There were no comments from the public on this item.

B. Close Public Hearing

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Jose Ponce to close the Public Hearing. Motion passed unanimously.

The vote was as follows:

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

C. Action on Conditional Use Permit Case No. 2022-0425

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Luis Cabrera to approve Conditional Use Permit Case No. 2022-0245 subject to the conditions of approval as presented by staff. Motion passed unanimously.

The vote was as follows:

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

7. F. Discussion and possible action on any and all matters regarding Resolution No. 2228. A resolution of the Mayor and City Council of the City of San Luis, Arizona correcting a scrivener's error *nunc pro tunc in*; repealing conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this resolution is to correct a typographical error made on September 23, 2020 when four (4) positions were added to the classified service. One (1) of the positions was meant to be pay grade 200 and it was typed out as 209. That position remained at pay grade 200; the study before it went to the City Council was that it was recommended for 200. Therefore, scrivener's error nunc pro tunc in, means one can correct now and relate back to September 23, 2020.

Mayor Gerardo Sanchez mentioned that this affects Mr. Jose Luis Cisneros, Executive Assistant.

Mr. Cisneros stated that this scrivener's error was done in 2020 and believes it has been used once in the history of San Luis in May 2020, the nunc pro tunc in has only been used once in the history of San Luis on October 20, 2004. That long term means somethings that is being done now, which should have been done in the past. He asked why now? He explained that on July 28, 2022, he submitted a complaint with the Human Resources Department regarding his salary review. In his complaint he stated his pay grade was 209. He was requesting a salary review due to the hours he has been working which are 50 to 60 hours per week, working holidays and weekends, adding that he is unable to take vacation because he gets calls and emails. He is losing vacation hours and next week he will lose more hours because he is unable to take vacation time-off. Mr. Cisneros added that in his complaint he mentioned that his pay grade was 209, which was not the focus of his complaint. He never asked to put in the starting pay of the pay grade. He provided solutions and ways that his pay be improved reflecting the amount of work he does, which are allowed per the personnel policy. Instead of addressing these suggestions, the center of his complaint was moved to being the hours he is working; his salary being increased but moved to being the pay grade. This was two (2) years ago and it has not been a month since he filed the complaint and now it is being brought up. He feels it is not about his salary anymore but rather him being retaliated against in public to something that is worst than that. He added that had he known he was going to be demoted in public, he would of never filed a complaint.

Ms. Macuil said that this has been used once since her time and will have two (2) more on resolutions where the caption was wrong that adopt the improvement districts. She added that it is definitely not retaliation, the pay grade just was not recommended and it was brought to staff's attention. CPS recommended a pay grade 200, the resolution was wrong and it was never paid at the pay grade 209. Pay grade 209 is the level of department heads. This affects one (1) employee, there were four (4) positons on that particular resolution.

Council Member Matias Rosales asked to clarify what it meant by retroactive to 2020.

Ms. Macuil replied that the typographical error would be fixed back to September 2020.

Council Member Matias Rosales asked if moving forward, it will be classified at 200.

Ms. Macuil responded yes, there has not been any factual difference as to what has gone on with the pay, it is just the typographical error.

Mayor Gerardo Sanchez asked what is the pay grade difference from a 209 to a 200.

Council Member Luis Cabrera stated he looked up the pay scale and the latest one is \$28.98 per hour. So the financial burden the city would see is a big hit and it is not \$1.00 or \$2.00, but \$28.98.

Ms. Adela Cortez, Director of Human Resources, indicated that the complaint was submitted to the Human Resources Department and as she was reviewing the complaint, she came about the pay grade which caught her attention because pay grade 209 is used for a department head and that is what prompted the research about it. The difference between the 209 and 200 is over \$50.00, it is a huge variance. The file does indicate the recommendation from CPS that the position value was at 200 and that is how the first thing was compensated or has been listed on that pay grade, so there has not been a compensation provided at that higher level. As staff was doing the research, they found the mistake and proceeded in taking measures to correct it but there is not going to be a change in compensation based on that.

Council Member Matias Rosales asked if he was not being paid at pay grade 209, it was just classified that way, the person or the position was paid at pay grade 200, it was just the classification, therefore, this should not affect Mr. Cisneros's request to ask for a salary increase.

Council Member Luis Cabrera added that he was classified at pay grade 200 and has been paid at pay grade 200 just like CPS classified him.

Ms. Cortez answered that Mr. Cisneros is being compensated for the additional duties and understands about what Mr. Cisneros mentioned regarding working that many hours a week; the value of the classification is based on the scope of responsibility and not so much on the volume. Currently, Mr. Cisneros is being compensated per policy, the additional five (5) percent for performing additional duties than his regular position.

Council Member Luis Cabrera asked if he gets compensated for overtime.

Mayor Gerardo Sanchez replied he does not get compensated overtime as he is an exempt salary employee.

Council Member Matias Rosales added that staff is trying to correct an issue that was brought up because he was asking for possibly a pay increase, so the good thing is that he has not been paid at pay grade 209 for the past two (2) years and after two (2) budgets the City Council has approved; hence the importance of having a Director of Human Resources. So the issue is correcting that and then going back and through the process regarding his original request of the point that he was asking maybe if there is a possibility for a pay raise, because this department has originally had two (2) or three (3) other positions which the city has not really had. He thinks that there are two (2) issues here.

Ms. Macuil stated that the second issue is not on the agenda, it is just the typographical error, but she understands the discussion now.

Council Member Africa Luna-Carrasco asked with the passage or approval of this resolution today, how is that going to affect the employee moving forward. She wanted to express her concern about the employee working so many hours and not being able to take vacation time-off and also that he feels there is retaliation involved in whatever process he is and she would like to see that this is solved so there are employees that come to work feeling appreciated and valued.

Ms. Macuil replied it does not affect the employee at all, it is just correcting the written record.

Mayor Gerardo Sanchez asked that by approving this resolution, the City Council does not approve a compensation for him. Because he is a pay grade 209 but staff is saying that is an error, so basically yes, he is. Mr. Cisneros is understanding he should be making more money and staff is telling him no, but staff made an error, so now you are going down to pay grade 200.

Ms. Macuil explained that when the position was created it was recommended pay grade 200, but there was an error on the resolution and then he has been in the pay grade 200 factually in pay. His grievance has nothing to do with correcting the record.

Mayor Gerardo Sanchez asked if this correction is being made based on the grievance.

Ms. Macuil responded that the only thing that the grievance brought up was the error. Yes staff is correcting the error based on the grievance but has nothing to do with the determination of pay.

Mayor Gerardo Sanchez stated it does have something to do; the reason this was done was determination of pay based on the recommendation of CPS who did the salary study, so it is based on pay.

Ms. Cortez added that if the question is whether or not this is finalizing his request for an increase because there are two (2) items and the resolution just corrects the error found while doing the research, but there is still an item pending that is being researched which has to do with the additional duties which is not on the agenda tonight. Staff is reviewing his hours, vacation and additional duties that he is doing from a couple of positions, including one (1) of them that has the title hyphenated. There is still more that is being done.

Council Member Luis Cabrera stated that if he is understanding correctly, when this position was created in September, CPS evaluated the position at a pay grade of 200. The employee has been paid at a pay grade of 200 since the position was created. There was a complaint done and staff realized that on the resolution the pay grade was 209, which is the typo. Budget retreats and the salary allocations have been at a 200 pay grade. He has been receiving a five (5) percent increase for the additional duties that he has been doing. He thinks there are different items presented tonight and as of now what he reads from this resolution is staff is fixing a typo from the resolution.

He added that he assumes Mr. Cisneros signed paperwork accepting the position of Executive Assistant and that position had a pay grade of 200 he signed two (2) years ago, somehow staff or he found out it was at 209. They pay discrepancy is \$28.98 based on the current pay scale and the 209 pay grade is a director/manager level. Council Member Luis Cabrera added that Mr. Cisneros's issue with the Human Resources Department should be handled internally. Council Member Luis Cabrera indicated that he thinks the City Council should just fix the resolution but it was understood by everyone that the position was at a 200 pay grade and that is how the city has been paying Mr. Cisneros. The city is not retaliating against anyone by fixing a typo, so that is something that is going on between the Human Resources Department and Mr. Lizandro Galaviz, Acting City Manager, then it does not pertain to the City Council but rather is an internal thing that needs to happen. The City Council needs to fix a resolution that was typed wrong.

Council Member Matias Rosales commented that the scenario is correct but he is understanding as well that the issue is that the employee's side should have been taken care of first before this resolution was presented to the City Council. Because this puts the employee in a position thinking otherwise. This has been wrong for two (2) years and does not think this would have had an issue waiting one (1) more month or two (2) more weeks in correcting this resolution and discussing it in public and making the employee feel he is being retaliated against. Staff should of handle Mr. Cisneros's request first in regards to his pay inquiries then after that correct the typo, he does not think this was handle properly.

MOTION: Council Member Luis Cabrera/Vice Mayor Mario Buchanan Jr. to approve and adopte Resolution No. 2228 as presented. Motion passed with five (5) aye votes and one (1) nay vote by Mayor Gerardo Sanchez.

The vote was as follows:

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

7. G. Discussion and possible action on any and all matters regarding Resolution No. 2229. A resolution of the Mayor and Council of the City of San Luis, Arizona, setting towing and storage fees pursuant to Section 10.25.030(H) of the City Code of the City of San Luis, Arizona, repealing any conflicting provisions and providing for severability. (Richard Jessup, Chief of Police)

Mr. Richard Jessup, Chief of Police, explained that as they begin to discover what the towing fees were set at many years ago, they set those fees 13 ½ years ago in February 2009 at \$75.00 for the towing fee and \$25.00 for the impound fee.

This has changed several years ago by state statute as far as Title 9 and Title 28 that gave the police departments and the cities the right to increase that fee to \$150.00 and \$35.00 when it came to the 24-hour a day storage fees. One of the other items of concern was adopted several years ago by the state was also that the impound was 30 days, the impound was then placed down to 20 days. Staff believes they are not in line with the recommendations not only from the state but almost virtually every single city has these particular fees in place of \$150.00 and \$35.00 which is standard. He asked the City Council to approve the adjustment in this recommendation. He further explained, the City of Peoria is the leader when it comes to these types of things but when it passed state legislation Arizona Revised Statutes gave the police departments the ability to charge that as a level. Several years ago, they took 30 days away and made it 20 days storage; they made it a little bit easier for residents to get their cars back. Different police departments across the state, these types of fees, their level of fees for special revenues went down. Probably the City of San Luis Police Department special revenues has decreased at least 50% if not more and they have kept the rates identical to what was adopted 13 ½ years ago. Approximately 90% of all cities and departments have the \$150.00 and \$35.00 fees. Chief Jessup explained who get the fees of towing. The City Council does not have to approve the recommended state towing fees, they can set whatever rate they feel is most appropriate.

Council Member Luis Cabrera stated that \$185.00 is too high for the city's residents and people coming from Mexico.

Chief Jessup added that when a person elects to drive their car, they assumed that risk knowing that they are driving their car on a suspended or revoked driver's license or simply do not have a driver's license then the vehicle is towed per state statute. Therefore, there are things that people know when they drive their cars, they know what risks are involved if they get stopped or their car is illegally parked.

Council Member Jose Ponce commented that \$125.00 and \$25.00 is a fair rate. Chief Jessup added that the City of San Luis Police Department is not required to keep the vehicle for 20 or 30 days, they can now legally return the vehicle to a person if they come with a valid driver's license and they are the registered owner of the vehicle, they assume their responsibility, then they can get their vehicle in a day rather than wait 20 days. There are state statutes that are there for the 20 days if it is a DUI or those types of things. The City of San Luis Police Department is lenient and if they stop a driver with a DUI and there is a licensed driver in the vehicle, they allow that person to drive the car rather than having it towed and stored. Chief Jessup proceeded to give other other examples.

MOTION: Council Member Luis Cabrera/Council Member Jose Ponce to approve and adopt Resolution No. 2229, set the towing fees for \$90.00 and the \$35.00 per 24-hour day, making it a total of \$125.00 within a 24-hour period. Motion passed unanimously.

The vote was as follows:

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

7. H. Discussion and possible action on any and all matters regarding Resolution No. 2230. A resolution of the Mayor and City Council of the City of San Luis, Arizona, establishing rates for parking control devices and parking meters; establishing a parking control zone; repealing any conflicting provisions; providing for severability. (Richard Jessup, Chief of Police and Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that the City of San Luis Police Department researched where the City Council had set the parking meter fee. Minutes were found in two (2) places where it was discussed, but it was never formally adopted, consequently this resolution adopts the \$.50 per hour for the parking meters with a maximum of six (6) hours a day that a car can be at a parking meter and establishes the downtown as the zone for the meters.

Mr. Richard Jessup, Chief of Police, said that it also includes the redesign of downtown and this resolution does not increase the current rate but rather officially establishes the standard rate of \$.50 per hour with a maximum of six (6) hours.

Council Member Luis Cabrera asked who handles the parking meters.

Chief Jessup responded that the City of San Luis Police Department collects the money and then if there are some types of repairs that need to be done, sometimes staff does that. All the money collected is taken to Billing and Collections and deposited in the General Fund Account.

Mr. Lizandro Galaviz, Acting City Manager, stated that staff is re-evaluating that and have made some changes to help with the traffic and officers to make it more efficient for them to be out on the roads where they should be. It is being re-evaluated for next budget to be looking at how that process, revenues and how they will expend it to cover those costs but also as staff develop downtown and how it will be implemented.

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Jose Ponce to approve and adopt Resolution No. 2230. Motion passed unanimously.

The vote was as follows:

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

7. I. Discussion and possible action on any and all matters regarding Resolution No. 2231. A resolution of the Mayor and City Council of the City of San Luis, Arizona, adopting an Intergovernmental Agreement between the City of San Luis and the Yuma County for the Yuma Region-Imagery Acquisition Consortium project. (Jose A. Guzman, Director of Planning and Zoning and Isaac Gutierrez, GIS Analyst)

Mr. Isaac Gutierrez, GIS Analyst, explained that staff buys this aerial imagery from a company called Eagle Webb, formerly Pictometry. They take a picture of the entire county and different resolutions, oblique imagery and ortho imagery. He added that staff was due in 2020 for a new picture but due to COVID-19 it was cancelled. Staff is trying to keep it updated every two (2) years. As of now, there is over 1,500 homes that are not in the aerial imagery; Google map is more updated than staff, but they just took a picture this past April. This resolution is formalize the consortium with the county and its surrounding entities.

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Jose Ponce to approve and adopt Resolution No. 2231. Motion passed unanimously.

The vote was as follows:

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

7. J. Discussion and possible action on any and all matters regarding Ordinance No. 428. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code; declaring the document entitled "San Luis Video Services Regulations" a public record; adopting the "San Luis Video Services Regulations" by adding Chapter 5.25 titled "Video Services" relating to regulating, licensing, imposing fees, imposing a penalty for violation, and establishing an effective date; repealing any conflicting provisions and ordinances; providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this ordinance is not required but staff is moving along with the broadband coming to the area with the grants. All content of this ordinance is in state statute and the Federal Communications Commission Rules of the Federal Government but this puts it together and makes it easier for people who want to come and hook onto the video and for staff to understand the procedure. This also authorizes an imposition of a fee on the providers who will hook in, the maximum that is allowed is 5% of their gross revenues but the city will need to impose that after a notice period.

**A. Action on Reading of Ordinance No. 428 by title only
(City Clerk to read the ordinance by title only)**

MOTION: Council Member Luis Cabrera/Council Member Jose Ponce to approve and adopt Ordinance No. 428 by title only. Motion passed unanimously.

The vote was as follows:

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

Ms. Melissa Lopez, Deputy City Clerk, read Ordinance No. 428 by title only.

B. Action and adoption of Ordinance No. 428

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Luis Cabrera to approve and adopt Ordinance No. 428 as presented. Motion passed unanimously.

The vote was as follows:

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

7. K. Discussion and possible action on any and all matters regarding Ordinance No. 429. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code, Chapter 150 Building Regulations to amend Subsection 150.10.130 (C) and add Subsection (E) to Section 15.10.130 Additional Regulations; repealing any conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained that this ordinance allows the city to recover costs of putting in infrastructure from the adjacent landowners or allows staff recover that cost, it is not mandatory and it also creates a fair process for the owner of the adjacent land. They would get noticed before work begins a hearing appeal and a legal challenge standard. The city would have up to 20 years to recover the costs as land develops. This will allow the city to be more proactive in putting in infrastructure and then getting recovered.

**A. Action on Reading of Ordinance No. 429 by title only
(City Clerk to read the ordinance by title only)**

MOTION: Council Member Luis Cabrera/Vice Mayor Mario Buchanan Jr. to approve and adopt Ordinance No. 429 by title only. Motion passed unanimously.

The vote was as follows:

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

Ms. Melissa Lopez, Deputy City Clerk, read Ordinance No. 429 by title only.

B. Action and adoption of Ordinance No. 429

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Jose Ponce to approve and adopt Ordinance No. 429 as presented. Motion passed unanimously.

The vote was as follows:

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

8. SUMMARY OF CURRENT EVENTS

Council Member Luis Cabrera reported that there will be a concert on Friday at Joe Orduño Park.

9. CALL TO THE PUBLIC

There were no comments from the public.

10. ADJOURNMENT

MOTION: Vice Mayor Mario Buchanan Jr./Council Member Luis Cabrera to adjourn the Regular Council meeting at approximately 8:25 p.m. Motion passed unanimously.

The vote was as follows:

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

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 August 24, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk