

MINUTES
Special Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
November 22, 2022
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Gerardo Sanchez called the Special City Council meeting to order at approximately 6:32 p.m., quorum at approximately 6:39 p.m.

PRESENT: Mayor Gerardo Sanchez
Council Member Jose Ponce
Council Member Matias Rosales
Council Member Gloria Torres (via Zoom at 6:39 p.m.)

ABSENT: Vice Mayor Mario Buchanan Jr.
Council Member Luis Cabrera
Council Member Africa Luna-Carrasco

OTHERS PRESENT: Ralph Velez, Interim City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Adela Cortez, Director of Human Resources
Angel Ramirez, Fire Chief
Edgar Esparza, Billing & Collections Manager
Jenny Torres, Economic Development Manager (via Zoom)
Jorge Perez, Assistant Director of Public Works
Jose Luis Cisneros, Executive Assistant
Maria A. Roldan, Acting Director of Parks & Recreation
Melissa Lopez, Deputy City Clerk
Monica Castro, Director of Finance
Ralph Velez, City Consultant (via Zoom)
Richard Jessup, Chief of Police
Ruben Lopez, I.T. Technician
Yolanda Dueñas, Facilities Supervisor
Cesar Neyoy, Reporter
Christian Cuevas, Meeting Translator
Emma Torres, Campesinos Sin Fronteras
Lucy Lopez, Reporter
Rogelio Torres, Visitor

2. PLEDGE OF ALLEGIANCE

Council Member Matias Rosales led the Pledge of Allegiance.

3. INVOCATION

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

Mayor Gerardo Sanchez mentioned that the community was in shock due to death of four (4) band members known to the residents. He asked those present to keep their families in prayer.

4. PROCLAMATION

4. A. 28th Annual Dia del Campesino Health and Information Fair (Annual Farmworkers Day) - December 3, 2022

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

Ms. Emma Torres, Campesinos Sin Fronteras, thanked Mayor Gerardo Sanchez and the City Council for the continued support for this event.

Mayor Gerardo Sanchez thanked Campesinos Sin Fronteras for all they do for the community.

Following the 28th Annual Dia Del Campesino Health and Information Fair Proclamation, Council Member Jose Ponce presented a Certificate of Appreciation to Ms. Adela Espinoza, Principal at Harvest Preparatory Academy for inspiring and encouraging the children of San Luis, Arizona, to embrace their heritage and culture through the music and dance.

Mayor Gerardo Sanchez thanked and congratulated Ms. Espinoza and Harvest Preparatory Academy for making an impact on the youth.

Ms. Espinoza thanked Mayor Gerardo Sanchez, City Council and community adding that it is an honor to educate the community's children.

5. CONSENT AGENDA

5. A. MINUTES OF

- Regular Council meeting held November 9, 2022

5. B. Disbursements from November 2, 2022 to November 14, 2022

Total Disbursements \$2,055,182.41

(Two Million, Fifty-Five Thousand, One Hundred, Eighty-Two Dollars and Forty-One Cents)

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve the Consent Agenda as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion and possible action on any and all matters regarding the purchase of a new Leach 2R-111 rear loader refuse body. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director Public Works, explained that the Department of Public Works and its Solid Waste division are seeking to purchase a new Labrie Leach 2R-111 rear loader refuse body to be installed on one (1) of our existing chassis. A rear loader truck will significantly improve both the safety and efficiency of uncontainerized solid waste loading and unloading operations, particularly mixed debris that is collected during the city's community cleanup efforts as well as for the special pickup services offered to the residents of San Luis.

The Solid Waste division was approved \$109,900.00 for the purchase of a used rear loader solid waste truck for the fiscal year 2022-2023. In researching, the Fleet Services division found the option of refurbishing our existing 2004 Mack truck refuse body by installing this new Leach 2R-111 body. This truck is currently in good mechanical shape, but unfortunately not being used due to its side loader body being damaged and obsolete.

The Public Works Department is asking for City Council's approval for this purchase in the amount of \$106,862.40. This rear loader body is being procured through a cooperative purchasing contract #091219-LEG with Labrie Enviroquip Group and through its authorized distributor in Arizona, Norwood Equipment. This purchase falls under the provisions of City Code 3.05.090 Cooperative Purchasing.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve the purchase of a Leach 2R-111 Rear Loader Refuse Body from Norwood Equipment in the amount of \$106,862.40. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. B. Discussion and possible action on any and all matters regarding authorization for employees' Cost of Living Adjustment (COLA) for FY 2022-2023. (Monica Castro, Director of Finance)

Ms. Monica Castro, Director of Finance, stated that at the beginning of the year, the city provided its employees with a salary adjustment, however, the targeted salary that the city is looking for is now reflective of the current labor market conditions and the unprecedented inflation that one is currently facing. To alleviate this issue, staff included in this year's budget a salary study. These type of studies take time to be implemented and prepared. In the meantime, the city is struggling with employee retention and hiring. Staff is asking for the City Council's authorization to provide a mid-year cost of living adjustment (COLA) to employees to bring them closer to the labor market and help with the employee retention and motivation. The COLA amount is \$750.00 for full time employees and \$375.00 for part-time employees. There is budget capacity due to vacancies that have not been filled yet.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve the COLA for the classified and contracted employees and budget transfer as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. C. Discussion and possible action on any and all matters regarding storm damage to the city's Fernando Padilla Community Center. (Yolanda Dueñas, Facilities Supervisor)

Ms. Yolanda Dueñas, Facilities Supervisor, commented that Facilities had a new roof installed at the Fernando Padilla Community Center. The roofers neglected to reconnect the roof ducts' downspouts when the job was done. On October 6, 2022, there was water built up on the roof and the water broke through causing water damage. She added that staff contacted Servpro of Yuma East/Foothills to inspect the building and provide us with a quote. After inspecting staff was informed that they would need to do water extraction, remediation and general demolition to the areas affected. The quote provided is an estimated amount of \$22,008.67, which can change once they remove the affected areas. There was the need to hire a roofer to reconnect the downspouts. The city will need to hire a contractor to repair all areas that will be removed to take care of the water damage. A property damage claim report was submitted by Ms. Maria Sabori, Risk Manager, to Southwest Risk. The claims adjuster/property appraiser came in today to inspect and evaluate the damage.

Mayor Gerardo Sanchez clarified that the repairs will cost more than \$22,000.00; Campesinos Sin Fronteras is occupying that building and the city needs to make sure the building is safe to hold people.

Ms. Kay Macuil, City Attorney, added that she informed the insurance of the negligence and they will pursue that angle.

Council Member Jose Ponce asked if the inspector that check the work after it is completed.

Mayor Gerardo Sanchez added that contractors are supposed to be guaranteeing their work.

Council Member Matias Rosales stated roofs have certain inspection criteria. Probably, the finished product is not an inspection part. Normally it is a tear down and when they do the plywood again, that is the inspectors. That is different process that requires an inspector, a house construction works differently.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to waive formal purchasing procedures for the water damage mitigation and approve budget transfer for their reasons presented by staff. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. D. Discussion and possible action on any and all matters regarding Resolution No. 2236. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, approving an intergovernmental agreement with the Bureau of Reclamation ("B.O.R.") for San Luis to construct, install, own, use, operate, and maintain Cesar Chavez Boulevard in the City of San Luis under B.O.R. Contract No. 22-07-34-L2109. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, explained that approximately two (2) years ago, staff submitted an application to the Bureau of Land Management and the Bureau of Reclamation (BOR) requesting 44 acres of right-of-way in order to widen Cesar Chavez Boulevard. Staff received the 25 year license with an option to renew at no cost to the city. This resolution authorizes the Mayor, City Manager or designee to be able to sign the license agreement. If this item is approved tonight, it will go to the Yuma County Water Users' as they also need to review and approve this; and finally it will be forwarded to BOR.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve and adopt Resolution No. 2236 and BOR Contract No. 22-07-34-L2109 as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. E. Discussion and possible action on any and all matters regarding Resolution No. 2237. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, approving an intergovernmental agreement with the Bureau of Reclamation for San Luis to construct, install, own, use, operate, and maintain a downtown park and parking lot in the City of San Luis under B.O.R. Contract No. 18-07-34-L1923. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, indicated that five (5) years ago the Mayor and City Council directed her to acquire approximately four (4) acres of land behind the Price Center Building. The 84,000 square feet facility, half of it is being leased Advanced Call Center (ACT) and under that lease the entire parking facility in front of that building is assigned to ACT. This resolution authorizes the Mayor, City Manager or designee to be able to sign the license agreement. If this item is approved tonight, it will go to the Yuma County Water Users' as they also need to review and approve this; and finally it will be forwarded to BOR.

MOTION: Council Member Jose Ponce/Council Member Matias Rosales to approve and adopt Resolution No. 2237 to execute BOR Contract No. 18-07-34-L1923 as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. F. Discussion and possible action on any and all matters regarding Resolution No. 2238. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, approving an intergovernmental agreement with the Bureau of Reclamation for San Luis to construct, install, own, use, operate, and maintain a downtown park and parking lot in the City of San Luis under B.O.R. Contract No. 21-07-34-L2075. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, stated that under the Mayor and City Council's direction, part of the overall plan was to try to acquire several federal properties around the city where the city could invest in funding and revitalize some of the areas which consists of a downtown park and parking lot totaling approximately 11 acres of land.

Ms. Torres indicated that a conceptual design was done and included parking and park area. Staff has contracted with an engineer to the design of the project and the license has been granted by BOR and will follow the same process as explained in the previous two (2) items.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to adopt and approve Resolution No. 2238 and ratify the execution of BOR Contract No. 21-07-34-L2075, as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. G. Discussion and possible action on any and all matters regarding Resolution No. 2239. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, approving an intergovernmental agreement among the State of Arizona, the County of Yuma, and the City of San Luis regarding responsibilities for the 2022 Arizona Legislature appropriations under Senate Bill 1490 for Cesar Chavez Boulevard roadway improvements. (Jenny Torres, Economic Development Manager and Eulogio Vera, Director of Public Works)

Ms. Jenny Torres, Economic Development Manager, explained that Senate Bill 1490 allocated \$33 million for the widening of Cesar Chavez Boulevard. The bill directs the funding to Yuma County instead of the City of San Luis, but that was a small error. During staff's presentation to the State Legislature, the city was to advance the project to make some changes. However, in meetings with the county, they have agree that the Arizona Department of Transportation (ADOT) will administer the funds. This intergovernmental agreement (IGA) indicated that both the City of San Luis and Yuma County desire that ADOT to keep the allocation of funding and administer the funds. There will be a different IGA that will be presented in the future to the City Council between the City of San Luis and ADOT will include more details on how ADOT will be administering the funds and the administrative fees they will charge the city. She concluded by adding the Yuma County will be presenting this IGA to the Board of Supervisors on December 5, 2022.

MOTION: Council Member Matias Rosales/Council Member Jose Ponce to approve and adopt Resolution No. 2239 as presented. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

6. H. Discussion and possible action on any and all matters regarding Resolution No. 2240. A resolution of the Mayor and City Council of the City of San Luis, Arizona, approving an agreement between the city and owners of parcels in the area of County 24th Street and Avenue E to deed land for public infrastructure, superseding conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, announced that Mr. Doug Nicholls, representative of the owners of the property said in an email that his client requests that the development agreement on tonight's City Council agenda be delayed for a possible future discussion and consideration.

Mayor Gerardo Sanchez commented that when an item is continued it needs to be specific as to a date.

Ms. Macuil replied that it is important when it is a public hearing but on this type of item the owner is asking to be delayed but it does not give a certain date, therefore the city will take this item off the agenda for tonight.

7. SUMMARY OF CURRENT EVENTS

Council Member Jose Ponce reported he attended the San Luis Film Festival and the employees Thanksgiving Luncheon.

Council Member Matias Rosales reported he, Ms. Jenny Torres, Economic Development Manager and Mr. Ralph Velez, Interim City Manager, attended the Arizona Department of Transportation Master Border Regional Plan on Thursday, November 17, 2022 in Phoenix. It is a New Master Plan that they are working for all the regional border communities to continue working as one for the state. This master plan is going to help cities prepare and be on the same page with the other communities to make sure that no one's needs are missed or skipped.

Mayor Gerardo Sanchez commented that the city has been working so hard in trying to get recognition, specifically about border communities, Texas has been used as an example because when they go to Washington, D.C., it is approximately 20-40 representatives that represent Texas. Arizona has more representation as Yuma, Douglas, Nogales and San Luis are present and make an impact.

8. CALL TO THE PUBLIC

Mr. Eliseo Zamora, resident, asked that the health informational services continue to be provided to them from Campesinos Sin Fronteras. The information provided helps them be aware about diabetes and how to take care of themselves as well as chronic illnesses. For the past three (3) weeks, these services have been stopped due to the remodeling of the building and do not know what will happen. Mr. Zamora added that this location is great for them and asked City Council to consider his petition.

Mayor Gerardo Sanchez responded that the city's priority is for the building to be safe for the use of the community. The services provided to the community by Campesinos Sin Fronterars are important, but if the building is not safe to hold people, it cannot be used, until it is safe.

Council Member Jose Ponce responded that he is a member of the support group and they have heard that Campesinos Sin Fronteras will no longer be allowed to use the facility, that the agreement will not be renewed, but Campesinos Sin Fronteras does provide good services to the community.

Mayor Gerardo Sanchez clarified that the city has not talked about getting them out or for them not to use the building. The building is being repaired after the water damage, but the city will continue to work with Campesinos Sin Fronteras and the different organizations.

12. ADJOURNMENT

MOTION: Vice Mayor Matias Rosales/Council Member Jose Ponce to adjourn the Special Council meeting at approximately 7:32 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Gerardo Sanchez	Aye
Council Member Jose Ponce	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye

APPROVED:

Nieves Riedel, 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 Special City Council meeting of the City Council of the City of San Luis, Arizona, held on November 22, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk