

MINUTES
Special Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
December 7, 2022
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Nieves Riedel called the Special City Council meeting to order at approximately 6:27 p.m.

PRESENT: Mayor Nieves Riedel
Vice Mayor Luis E. Cabrera
Council Member Maria Cecilia Cruz
Council Member Tadeo Azael De La Hoya
Council Member Matias Rosales
Council Member Gloria Torres
Council Member Javier Vargas

OTHERS PRESENT: Ralph Velez, Interim City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Angelica Cifuentes, Purchasing Coordinator
Derek Dueñas, Information Technology Manager
Edgar Esparza, Director Billing & Collections
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Fernando Corona, Network & IT Security Administrator
Jonathan Dumadag, Systems Administrator
Jorge Perez, Assistant Director of Public Works
Jose Guzman, Director of Planning & Zoning
Jose Luis Cisneros, Acting Assistant Director of Parks & Recreation
Jossue Cerda, I.T. Help Desk Technician
Karla Lastra, Human Resources Technician
Margarita Dominguez, Administrative Coordinator
Maria Sabori, Risk Management
Melissa Lopez, Deputy City Clerk
Monica Castro, Director of Finance
Nohemy Echavarria, Magistrate
Richard Jessup, Chief of Police
Roula Encinas, Finance Operations Manager
Ruben Lopez, I.T. Technician
Ana Lomeli, Resident
Buna George, Greater Yuma Port Authority
Christian Cuevas, Simultaneous Translator
Maria Gonzalez, Resident

Javier Nuño, Resident
Jose Ponce, Resident
Juan Manuel Guerrero, Justice of the Peace 2 Judge
Lucy Lopez, Reporter
Olivia Jenkins, Resident
Raul Lomeli, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Tadeo Azael De La Hoya led the Pledge of Allegiance.

3. CALL TO THE PUBLIC

There were no comments from the public.

4. CONSENT AGENDA

4. A. MINUTES OF

- Special Council meeting held November 28, 2022

4. B. Disbursements from November 15, 2022 to November 30, 2022

Total Disbursements \$1,306,711.19

(One Million, Three Hundred - Six Thousand, Seven Hundred - Eleven Dollars and Nineteen Cents)

5. DISCUSSION AND POSSIBLE ACTION ITEMS:

5. A. Discussion and possible action on any and all matters regarding Order No. 2022-13. An Order of the Mayor and City Council of the City of San Luis, Arizona, commencing a five (5) day workweek for employees on a four (4)-day workweek; establishing an effective date; repealing any conflicting provisions; and providing for severability. (Ralph Velez, Interim City Manager)

Mr. Ralph Velez, Interim City Manager, explained that he provided Mayor Nieves Riedel and City Council with copies of minutes and a report where this item was previously discussed at a Work Session on December 3, 2019. He added that Vice Mayor Luis E. Cabrera sent him an email regarding the 5/8 and 4/10's schedules. The first question relates to the number of employees there are. Ms. Adela Cortez, Director of Human Resources, provided him with a response of 43 employees from the Fire Department have their own schedule; 41 Peace Officers, three (3) – 9 hour employees at the Police Station; 95 – 5/8s employees; 88 – 4/10s employees; three (3) and Prosecutor's Office that work 4/9s and on Fridays work half a day; there is one (1) in Facilities that works three (3) days, 10 hour shifts and then 2 – 5/8s shift. The bulk of the 10 hour employees are at City Hall for the most part. He asked Mr. Jose Guzman, Director of Planning & Zoning and Mr. Edgar Esparza, Billings & Collections Manager, to explain their daily traffic and how they manage their front counter.

Mr. Edgar Esparza, Billings & Collections Manager, explained that they have an average of 380-400 customers served between 7:00 AM to 8 AM and from 5:00 PM – 6 PM. He also mentioned to take in consideration the shut-off days, therefore, if the schedule is changed to 5/8s, staff will have the same schedule most residents have and will prevent customers from having their services reconnected the same day. A customer will not be able to pay in person after 5:00 PM as the office will be closed. A payment can be completed using the kiosk, located outside City Hall, but the services will not be connected until the following day. Another thing to consider is that on the date the bill is due, many customers call in to make their payment over the phone before they go to work or after they get off from work to avoid a late penalty fee. In regard to increases in utilities, it will approximately \$250.00 to \$300.00 a month.

Mayor Nieves Riedel stated that she has listened to some concerns from members of the City Council and the public. The city is a public servant and the people are requesting that the offices be open Monday through Friday. She added that Mr. Velez was directed to come with a formula for City Hall to be open from 8:00 AM to 5:00 PM, Monday to Friday. Mr. Velez will meet with all Department Directors and come with a schedule.

Council Member Gloria Torres agreed that the city should be open Monday through Friday. Employees can probably have staggered schedules and have staff work out a schedule that will cover Monday through Friday.

Vice Mayor Luis E. Cabrera indicated that he asked Mr. Velez for information and agrees that City Hall needs to be open Monday through Friday. He knows that the 4/10s schedule is a benefit for employees and at the budget retreat last year, he mentioned the option of having staggered schedules and have some employees work Monday through Thursday and other employees work Tuesday to Friday from 7:00 AM to 6:00 PM and continue employees to have their 4/10s schedule.

Council Member Tadeo Azael De La Hoya mentioned that this item was discussed in 2019 and for the records he indicated that he stands 100% behind them; agrees and understands that Elected Officials and staff are public servants. Employees do a good job and the City Council should support them and have the mentality that happy employees and less stressed employees are more productive. It also helps with the recruitment and retention as an incentive; it also increases productivity. He agrees to allow Department Heads to decide on their own schedules for the 4/10s operating a five (5) day work week. Additionally, he added that if there is a discipline issue with an employee abusing such schedule, it should be addressed particularly with that employee and not punishing all employees just for one (1) employee. He does not agree with the school districts not paying their employees because they call in sick before or after a holiday. Having that extra hour in the morning or in the evening away from distractions such as employee traffic throughout the day, also helps employees to work on projects or finish-up other things. He would take it as a punishment and would rather keep it as incentive.

Council Member Javier Vargas asked in the case that the working schedule changes to five (5) days a week, if there are any departments that need to open earlier than 8:00 AM.

Mr. Jose Guzman, Director of Planning & Zoning, stated that his department does assist a lot of customers from 7:00 AM to 8:00 AM, mostly contractors, people doing construction or people that have questions regarding inspections. He added that whatever decision the Mayor and City Council make, staff can accommodate, but asked to take into consideration the construction industry schedule.

Council Member Matias Rosales commented that a big misconception with the community is that when they hear the city is on a 4/10 schedule, they believe it is the entire city and not just City Hall. He believes that the services are needed from 7:00 AM to 8:00 AM and 5:00 PM to 6:00 PM because of the population work out of the area and the demand is there. If the issue is to have the services available on Fridays, he agrees that there is a way to stagger and keep the 4/10s as this is an incentive to employees. This has been discussed in the past because the City of San Luis was one (1) of the city's that was behind on the pay scale several years ago. The city has been trying to catch-up and is still not there. He agrees with Council Member Tadeo Azael De La Hoya that it does not make sense to punish all the employees if someone is abusing it. This is an item that needs more information and could be possibly discussed at a work session and come with a resolution.

Mayor Nieves Riedel clarified that this is not being done to punish anyone, however it needs to be done because they have an obligation with the community.

Council Member Maria Cecilia Cruz commented that this item needs research and added that probably Mr. Velez can bring back this item to the Mayor and City Council and make a decision.

Council Member Javier Vargas asked when there is a holiday, how many hours does the employee get paid.

Mr. Guzman responded employees get paid ten (10) hours.

Mr. Velez clarified that employees on the 4/10s get paid ten (10) hours, employees on the 5/8s schedule get paid eight (8) hours.

Council Member Matias Rosales commented that if the resolution presented tonight passes, it changes the schedule to 5/8s and if the City Council is looking into having staggered schedules then the question is should the motion be to continue this item until additional information is obtained.

Mr. Velez answered that he informed Mayor Nieves Riedel that staff can make this work; there are three (3) key counters; keep the staff that services them, get direction from the Mayor and City Council and staff will make it work. Then all the departments that have their schedule, like the Police Department, Fire Department and Parks & Recreation, can provide their entire schedule to be reviewed. The goal is to be open five (5) days a week.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to continue this item until there is more information from Administration in regards how staff can make this work in a stagger schedule. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

5. B. Discussion and possible action on any and all matters regarding Resolution No. 2242. A resolution of the Mayor and City Council of the City of San Luis, Arizona amending section HR-4-03(A) of the City of San Luis Personnel Policies relating to holidays; repealing conflicting provisions, and providing for severability. (Ralph Velez, Interim City Manager)

Mayor Nieves Riedel suggested continuing this item to a later time as additional information will be needed.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Matias Rosales to continue this item to a scheduled Council meeting in early January 2023. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

5. C. Discussion and possible action on any and all matters regarding Ordinance No. 432. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending Section 2.05.400 of the City Code to change the start time of regular Council Meetings to 6:00 p.m. (Ralph Velez, Interim City Manager)

Mr. Ralph Velez, Interim City Manager, asked that this item also be continued as the first item affects the second item and the second item affects this item.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Matias Rosales to continue this item. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. SUMMARY OF CURRENT EVENTS

Vice Mayor Luis E. Cabrera reported that he and Council Member Maria Cecilia Cruz attended the Dia Del Campesino event on December 3, 2022. He added that it was great to interact with the community. He also commented he attended a workshop at the Recreation Center that was offered to the community.

Council Member Maria Cecilia Cruz reported that she and other Elected Officials attended the Christmas Tree Lighting. She liked seeing the parents and children enjoy this event. She added that parking is an issue as in previous years.

7. EXECUTIVE SESSIONS

Vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A) subsections (1), (3), and (4).

7. A. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03 (A), subsections (1), (3), and (4) on any and all matters relating to the position of Chief of Police and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of Chief of Police, including discussion of a possible confirmation of the City Manager's appointment of the Chief of Police and/or discussion of approval of terms and/or conditions of said appointment pursuant to San Luis City Code § 2.20.020, and consultation with the attorney or attorneys of the City regarding the same. (Ralph Velez, Interim City Manager and Kay Marion Macuil, City Attorney)

7. B. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03(A), subsections (1), (3), and (4) on any and all matters relating to the City Council-Appointed position of Magistrate under San Luis City Code § 2.15.220 and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of the Magistrate, and consultation with the attorney or attorneys of the city regarding the same. (Ralph Velez, Interim City Manager and Kay Marion Macuil, City Attorney)

7. C. Discussion and possible action to hold an executive session pursuant to A.R.S. § 38-431.03(A), subsections (1), (3), and (4) on any and all matters relating to the position of Fire Chief and the employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of the position of Fire Chief, including discussion of a possible confirmation of the City Manager's appointment of the Fire Chief and/or discussion of approval of terms and/or conditions of said appointment pursuant to San Luis City Code § 2.25.040, and consultation with the attorney or attorneys of the city regarding the same. (Ralph Velez, Interim City Manager and Kay Marion Macuil, City Attorney)

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to go into Executive Session at approximately 6:56 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

8. MOTION TO GO BACK INTO SPECIAL SESSION

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to back into Special Session at approximately 8:54 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

9. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to adjourn the Special Council meeting at approximately 8:18 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	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 December 7, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk