

APPROVED by Council

Date: 1/25/2023

Clerks Office: 30

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
January 11, 2023
7:00 p.m.

Vice Mayor Luis E. Cabrera indicated that he would direct the council meeting due to Mayor Nieves Riedel's intermittent inability to speak.

1. CALL TO ORDER/ROLL CALL

Vice Mayor Luis E. Cabrera called the Regular City Council meeting to order at approximately 7:01 p.m.

PRESENT: Mayor Nieves Riedel
Vice Mayor Luis E. Cabrera
Council Member Maria Cecilia Cruz
Council Member Tadeo 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
Alan Guevara, San Luis Police Department
Angel Ramirez, Fire Chief
Aracely De La Hoya, Senior Services Manager
Edgar Esparza, Billing & Collections Manager
Elizabeth Bayne, San Luis Police Department
Eulogio Vera, Director of Public Works
Fernando Villegas, Principal Planner
Francia Alonso, Records Management Specialist
Jenny Torres, Economic Development Manager
Jorge Perez, Assistant Director of Public Works
Jose A. Guzman, Planning & Zoning Director
Jose Luis Cisneros, Assistant Parks & Recreation Director
Lizeth Laguna, San Luis Police Department
Marco Santana, San Luis Police Department
Miguel Alvarez, San Luis Police Department
Michelle Boucher, San Luis Police Department
Monica Castro, Director of Finance
Nancy Juarez, San Luis Police Department
Nigel Reynoso, San Luis Police Department

Olivia Jenkins, Government and Foreign Affairs Coordinator
Richard Jessup, Chief of Police
Ruben Lopez, I.T. Technician
Yadira Bobadilla, San Luis Police Department
Ana Lomeli, Resident
Antonio Carrillo, Yuma County Arts and Cultural Group
Cesar Neyoy, Reporter
Christian Cuevas, Translator
Doug Nicholls, Core Engineering
Javier Nuño, Resident
Lucy Lopez, Reporter
Mark Concha, Resident
Nydia Mendenhall, Resident
Raul Lomeli, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Maria Cecilia Cruz led the Pledge of Allegiance.

3. INVOCATION

Mr. Manuel Castro, Pastor, led the invocation.

Vice Mayor Luis E. Cabrera moved Item No. 7, Summary of Current Events, to be next on the agenda. There was no opposition from the City Council.

7. SUMMARY OF CURRENT EVENTS

Lt. Marco A. Santana presented Chief of Police Richard Jessup with a retirement plaque.

Chief of Police Richard Jessup thanked his staff, City Council, staff, and community members for their support and for allowing him to serve the City of San Luis.

Vice Mayor Luis E. Cabrera thanked and congratulated Chief of Police Jessup. He also reported that he attended a Congressional Delegation meeting led by Senator Kyrsten Sinema with other members of Congress, including Arizona Senator Mark Kelly, Texas Senator John Cornyn, Oklahoma Senator James Lynford, Connecticut Senator Chris Murphy, North Carolina Senator Thom Tillis and local leaders from Yuma County. The issue discussed was the immigration system being outdated and broken, affecting all the border communities, and how this has caused a humanitarian crisis and security issues for the communities. They are committed to a bipartisan approach and trying to get something done in Washington. They are also aware there is a Declaration of Emergency in the City of San Luis due to the possible lift of Title 42. On a separate note, Vice Mayor Luis E. Cabrera reported that he and the other members of the City Council attended the ribbon-cutting ceremony for Subway located on Main Street.

4. CALL TO THE PUBLIC

Mr. Antonio Carrillo, ComicCon President, extended an invitation to the Mayor, Council Members, and community to the Blazing Desert ComicCon; this year, they will be celebrating their 10th Anniversary. The event will occur on February 18, 2023, at Southwest Junior High School. He thanked the Mayor and City Council for their continued support.

5. CONSENT AGENDA

5. A. MINUTES OF

- Special Council Meeting held December 28, 2022

5. B. Disbursements from December 20, 2022, to January 3, 2023

Total disbursements \$1,072,860.66

(One Million, Seventy-Two Thousand, Eight Hundred Sixty Dollars and Sixty-Six Cents)

5. C. Discussion and possible action on any and all matters regarding a Memorandum of Understanding with Yuma Community Food Bank for a cold food storage unit to be placed on city property to expand service to the food-insecure residents of San Luis. (Kay Marion Macuil, City Attorney)

5. D. Discussion and possible action on any and all matters regarding the city's acceptance of funds awarded from the Arizona Internet Crimes Against Children (ICAC) Task Force for the purpose such as training, investigations, computer forensics, and public awareness in connection with Internet Crimes Against Children (ICAC). (Miguel Alvarez, Police Lieutenant)

5. E. Discussion and possible action on any and all matters regarding authorization to purchase updated software for Body Worn Cameras. (Miguel Alvarez, Police Lieutenant)

MOTION: Council Member Gloria Torres/Vice Mayor Luis E. Cabrera to approve the Consent Agenda as presented. 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. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion and possible action on any and all matters regarding the replastering of the Municipal Pool. (Jose Luis Cisneros, Assistant Director of Parks and Recreation).

Mr. Jose Luis Cisneros, Assistant Director of Parks & Recreation, explained that the municipal pool had developed black algae due to an imbalance of chemicals caused by various factors, including weather, improper use of clothing, and other characteristics. The black algae have caused significant damage to the pool plaster, which is crumbling and needs to be replaced as soon as possible to be usable for next season. He added that staff requested quotes for the replastering and received a few. However, it was later realized that the problem was more severe. Therefore, the situation was reassessed, and staff concluded that the pools need to be refurbished, which includes replastering, fixing & replacing the tiles, redecking the perimeter around the pool, replacing the deck drains, replacing the lights and inspecting pipes for possible leaks.

Mr. Cisneros mentioned that this fiscal year, \$255,000.00 were budgeted to begin the San Luis Veterans Park construction. However, these funds have not been used as of this moment. Since refurbishing the pool is urgent, staff recommends using these funds for this project.

Vice Mayor Luis E. Cabrera asked staff, who had been doing maintenance for the past two (2) years, how the pool got to this condition.

Mr. Cisneros responded that the pool water had not been drained in five (5) years. The use of chemicals and the improper use of clothing caused the soaking of the dwelling, and the balances of the PH change caused certain things to grow, causing the black algae and caused the plastering to begin crumbling. He added that the pool was plastered five (5) or 17 years ago.

Vice Mayor Luis E. Cabrera mentioned he noticed the amount of money; if it is not budgeted for, the pool would not be operating in the summer, which is something the city does not want.

Council Member Tadeo Azael De La Hoya asked why this was not done if funds were budgeted for and approved in the past.

Mr. Cisneros replied that he has been in the Parks & Recreation Department for one and a half (1½) months, but his information is that funds were held due to the pandemic. Staff was trying to be conservative with funds and not spend the money on items that were not necessary.

Council Member Tadeo Azael De La Hoya asked if the city knows if there have been any complaints against the contractor with the Registrar of Contractors that the city should be concerned about.

Mr. Milan, Milan Pools and Spas, LLC, responded that there had not been any complaints with the Registrar of Contractors, adding that he is a very responsible person and knows the work well, rest assuring the City Council that he will do a good job.

Vice Mayor Luis E. Cabrera asked how long the project would take to be completed.

Mr. Milan said that it would be completed by the end of April.

Council Member Javier Vargas asked Mr. Milan if he recommended repairing or refurbishing the pool.

Mr. Milan indicated the best option is refurbishing the pool.

Vice Mayor Luis E. Cabrera mentioned that the quote includes a two (2) year warranty and asked Ms. Kay Macuil, City Attorney, to add this to the contract if approved by the Mayor and City Council.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to approve the redecking and refurbishing of the Municipal Pool by Milan Pools and Spas, LLC, not to exceed \$255,370.00, waive formal bidding procedures for the reasons presented and approve the budget transfer as presented. Motion passed with six (aye) votes and one (1) abstention by Mayor Nieves Riedel.

The vote was as follows:

Mayor Nieves Riedel	Abstained
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. B. Discussion and possible action on any and all matters regarding adopting a Notice of Intention to increase water, wastewater, and solid waste collection service rates with an amended report. (Edgar Esparza, Billing and Collections Manager and Monica Castro, Director of Finance)

Mr. Edgar Esparza, Billing & Collections Manager, indicated that on December 20, 2022, the City Council adopted a Notice of Intent to increase the utility rates, and was made public on December 29, 2022. But per Mr. Dan Jackson's recommendation, the reports were amended to include a 2% annual rate increase after 2027 as the cost of services is forecasted to increase 2% to 3% every year. The recommended yearly accumulation must be implemented every year for up to five (5) years or until the new rate study is prepared and adopted. With this, when the City Council adopts the new

rate, the increase will not be that substantial as the city will be implementing a slight yearly increase instead of having a rate increase every three (3) or five (5) years.

Vice Mayor Luis E. Cabrera clarified that adopting a Notice of Intent to increase the utility rate does not increase the rates. A public hearing will be held on March 22, 2023, at 6:00 p.m. He suggested preparing a summary to be posted on social media so the community knows why this is happening.

Mr. Esparza mentioned that the Notice of Intent with all the information would be posted tomorrow, January 12, 2023, with a link to the report performed by Mr. Dan Jackson from Willdan Financial Services.

MOTION: Council Member Javier Vargas/Mayor Nieves Riedel to approve and adopt the Notice of Intent as presented and direct staff to make the amended schedule and report available to the public. 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. C. Discussion and possible action on any and all matters regarding the appointment of two (2) City of San Luis residents 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 & Zoning, stated that currently, there are two (2) terms for the Planning & Zoning Commission that will expire by the end of this month. Staff has received a letter of interest from Commission Member George Amaya and three (3) applications from Ms. Luisa Arreola, Mr. Jesus M. Carrilo, and Mr. Saul Estrada.

MOTION: Council Member Tadeo Azael De La Hoya/Mayor Nieves Riedel to appoint George Amaya and Luisa Arreola to the City of San Luis Planning and Zoning Commission with a term expiration of January 31, 2027. 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.D. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2022-0592. A request by Dahl, Robins & Associates on behalf of HMS Development LLC for a Conditional Use Permit from Section 18.35.30(C)(1) of the City of San Luis Zoning Ordinance to allow commercial building with a gross floor area greater than 50,000 square feet. Assessor's Parcel Number 776-34-260, located south of Cesar Chavez Boulevard between 7th Avenue and 8th Avenue in San Luis, Arizona. (Fernando Villegas, Principal Planner)

Mayor Nieves Riedel declared a possible conflict of interest and indicated she would abstain from this item.

A. Open Public Hearing

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Gloria Torres to open the Public Hearing. Motion passed with six (6) aye votes and one (1) abstention from Mayor Nieves Riedel.

The vote was as follows:

Mayor Nieves Riedel	Abstained
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

1. Staff presentation

Mr. Fernando Villegas, Principal Planner, stated that the applicant has requested that this item be continued to the next Council meeting. He added that staff sent notifications and hand-delivered some of the letters because that was one (1) of the conditions of approval from the Planning and Zoning Commission. He added that staff did not receive any comments or phone calls from the community.

Council Member Tadeo Azael De La Hoya asked if a traffic study would affect the new construction of Cesar Chavez Boulevard.

Mr. Villegas replied that he has a presentation tonight, and the traffic study will be a condition of approval. The applicant favors the traffic study, which will have to be coordinated with both projects.

2. Call to the Public on this item

Ms. Kay Macuil, City Attorney, explained that since staff noticed the public hearing, the Public should be invited to comment on this item and to give the Public yet another chance, to keep the public hearing open until the next date.

Ms. Jessica Lopez, resident, stated that she received a letter and lives within 300 feet of the proposed project and did not understand what was going on, adding that she had questions. Many residents in that area have lived there for many years and want an explanation of what this really means for their property.

Vice Mayor Luis E. Cabrera indicated that no action will be taken today as the item will be continued to the next City Council meeting, where the presentation will be made. He invited Ms. Lopez to meet with the Planning & Zoning Department staff for further details.

B. Close Public Hearing

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to continue the item to Wednesday, January 25, 2023. Principal Planner Fernando Villegas relayed to City Council his department received the applicant's request for a continuance to their next Council Meeting. City Council passed the motion to continue with six (6) aye votes and one (1) abstention from Mayor Nieves Riedel.

The vote was as follows:

Mayor Nieves Riedel	Abstained
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

Vice Mayor Luis E. Cabrera publicly announced: The public hearing is continued to Wednesday, January 25, 2023, at 6:00 p.m. in the San Luis City Hall Council Chambers.

6. E. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2022-0596. A request by Core Engineering Group PLLC on behalf of RL Jones Properties LLC for a Conditional Use Permit from Section 18.40.20 (C)(1) and (10) of the City of San Luis Zoning Ordinance to allow a truck stop with a gas station and convenience store.

Assessor's parcel 227-23-023, located on the southwest corner of Vaughan Street and Port Authority Avenue in San Luis, Arizona. (Fernando Villegas, Principal Planner)

A. Open Public Hearing

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to open the Public Hearing. 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

1. Staff Presentation

Mr. Fernando Villegas, Principal Planner, stated that the applicant is requesting a conditional use permit to allow a truck stop with a gas station and convenience store in the Light Industrial Zoning District. The Zoning Ordinance allows truck stops and commercial compatible with the purpose of the Light Industrial Zoning District with conditional use permits only. He showed an aerial view of the location and existing development around the property. According to the site plan submitted by the applicant, the project will be developed in two (2) phases. The first phase will be the construction of the truck stop area, and the second phase will be a gas station and convenience store.

He added that the Planning & Zoning Commission recommended approval with the following conditions:

1. Development shall comply with the City of San Luis Zoning Regulations, Building Code Requirements, Public Works Standards, and any applicable regulations for industrial development.
2. The applicant/owner shall submit a Trip Generation Memo for the proposed development to determine if the proposed use generates 100 or more trips during the peak hour. Suppose 100 or more trips are generated during peak hours. The applicant/owner shall submit a traffic study during the building permit review. The developer shall construct all improvements recommended by the traffic study caused by the proposed development to the satisfaction of the Public Works Director.

Mr. Villegas indicated that the applicant agrees with both conditions.

2. Call to the Public on this item

There were no comments from the Public on this item.

B. Close Public Hearing

MOTION: Council Member Gloria Torres/Council Member Javier Vargas to close the Public Hearing. Motion passed with six (6) aye votes and one (1) abstention from Mayor Nieves Riedel due to a possible conflict of interest.

The vote was as follows:

Mayor Nieves Riedel	Abstained
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

C. Action on Conditional Use Permit Case No. 2022-0596

MOTION: Council Member Gloria Torres/Council Member Javier Vargas to approve Conditional Use Permit Case No. 2022-0596 subject to the conditions of approval as presented by staff. Motion passed with six (6) aye votes and one (1) abstention by Mayor Nieves Riedel.

The vote was as follows:

Mayor Nieves Riedel	Abstained
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. F. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit Case No. 2022-0618. A request by FLITE Banking Center LLC on behalf of Walmart Stores Inc. for a Conditional Use Permit from Section 18.35.30 (C)(11) of the City of San Luis Zoning Ordinance to allow an outdoor vending machine (ATM) with a drive-through facility. Assessor's parcel 775-05-001, located at 1613 N. Main Street in San Luis, Arizona. (Fernando Villegas, Principal Planner)

A. Open Public Hearing

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Gloria Torres to open the Public Hearing. 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

1. Staff Presentation

Mr. Fernando Villegas, Principal Planner, explained the application is to allow an outdoor vending machine or ATM with a drive-through facility at the Walmart parking lot. The applicant requests the approval of ten (10) parking spaces removal for the ATM installation. The location of the project is behind the Chevron gas station. The Planning & Zoning Commission recommended approval of the project with the following conditions:

1. The proposed use shall not interfere with landscape areas or traffic visibility at driveway entries and street intersections.
2. The proposed use shall not create additional traffic congestion to the existing parking lot and adjacent streets.
3. If the proposed use is not in compliance with the conditions of approval above, the Conditional Use Permit shall become null and void, the proposed improvements shall be removed from the project area, and the site shall be restored to its original condition.

Mr. Villegas stated that the applicant agrees with the conditions.

Vice Mayor Luis E. Cabrera said he knows it will be a Chase ATM, and its customers will be happy to have this facility.

2. Call the Public on this item

There were no comments from the public on this item.

B. Close Public Hearing

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Gloria Torres to close the Public Hearing. 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

C. Action on Conditional Use Permit Case No. 2022-0618

MOTION: Mayor Nieves Riedel/Council Member Javier Vargas to approve Conditional Use Permit Case No. 2022-0618 subject to the conditions of approval as presented. Vice Mayor Luis E. Cabrera abstained from voting due to his employment with Walmart. Motion passed with six (6) aye votes and one (1) abstention by Vice Mayor Luis E. Cabrera.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Abstained
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.G. Discussion and possible action on any and all matters regarding Resolution No. 2251. A resolution of the Mayor and City Council of the City of San Luis, Arizona, establishing and adopting fees for video service providers; repealing any conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this resolution imposes a fee on a cable company and has been noticed longer than required. It is a mixture of Federal and State law that allows cities to charge cable companies for using their rights-of-way to provide their service. The Federal government allows up to a 5% be on their revenues; cities throughout the state have imposed that fee.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to approve and adopt Resolution No. 2251, establishing a video service fee as presented. 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. H. Discussion and possible action on any and all matters regarding Resolution No. 2252. A resolution of the Mayor and City Council of the City of San Luis, Arizona designating signers on city bank accounts; and declaring an emergency. (Monica Castro, Director of Finance)

(Six (6) votes in favor are required to pass immediately as an emergency measure per ARS 19-142)

Ms. Monica Castro, Director of Finance, stated that the bank requires a resolution to appoint authorized signers to the city's bank account. To be efficient and avoid this, every time there is a change in Administration, staff requests to give the signatory authority to the holders of the Mayor, Vice Mayor, and City Clerk. This resolution also states that the Mayor or the Vice Mayor can certify those names to the bank of the holders of such positions. The resolution contains the clause of emergency so that it takes effect immediately for the payroll and accounts payable checks.

MOTION: Council Member Gloria Torres/Council Member Javier Vargas to approve and adopt Resolution No. 2252 and declare an emergency. 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. I. Discussion and possible action regarding Ordinance No. 434. An Ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending sections of Chapter 2.20 of the City Code to include the Chief of Police in the classified service; repealing any conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that this ordinance is to include the Chief of Police in the classified service and removes the consent by the City Council for the appointment of the Chief of Police and will be just like the rest of the Department Heads. It also cleans some of the older languages; for example, Marshall is deleted as that was used for the town.

Council Member Matias Rosales mentioned that it is normal for the Fire Chief to be in the classified service and the Chief of Police under the City Council's direction. He asked how other cities are treating the position of Chief of Police.

Ms. Macuil responded that it is a mixture; it is up to the City Council how they want to handle the position.

Lieutenant Miguel Alvarez said the trend locally, such as in the City of Yuma, falls under the City Manager. Still, other cities throughout the state have it under the direction of the City Council.

Council Member Matias Rosales mentioned that the City of Yuma is a charter city and probably has something to do with it.

Ms. Macuil added that a city does not necessarily need to be a charter city to have it.

Council Member Tadeo Azael De La Hoya commented that given the City of San Luis' trend, the city just had the longest-serving Chief of Police of five (5) years and has gone through a Chief of Police yearly in past years. He thinks this is the best approach to take politics and the City Council out of appointing a Chief of Police.

A. Action on Ordinance No. 434 by title only

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Maria Cecilia Cruz to approve the reading of Ordinance No. 434 by title only. Motion passed with six (6) aye votes and one (1) nay vote by Council Member Gloria Torres.

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	Nay
Council Member Javier Vargas	Aye

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 434 by title only.

B. Action on Ordinance No. 434

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to approve Ordinance No. 434. Motion passed with six (6) aye votes and one (1) nay vote by Council Member Gloria Torres.

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	Nay
Council Member Javier Vargas	Aye

6. J. Discussion and possible action on any and all matters regarding Ordinance No. 435. An Ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending subsection 2.25.040(A) of the City Code to include the Fire Chief in the classified service; repealing any conflicting provisions; providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained this ordinance is for the Fire Chief to be in the classified service and removes the consent by the City Council for the appointment of the Fire Chief and will be just like the rest of the Department Heads.

A. Action on reading of Ordinance No. 435 by title only.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Maria Cecilia Cruz to approve the reading of Ordinance No. 435 by title only. Motion passed with six (6) aye votes and one (1) nay vote by Council Member Gloria Torres.

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	Nay
Council Member Javier Vargas	Aye

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 435 by title only.

B. Action on Ordinance No. 435

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Maria Cecilia Cruz to approve Ordinance No. 435. Motion passed with six (6) aye votes and one (1) nay vote by Council Member Gloria Torres.

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	Nay
Council Member Javier Vargas	Aye

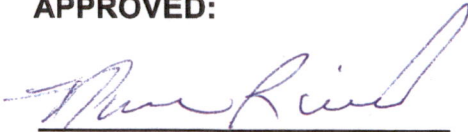
8. ADJOURNMENT

MOTION: Mayor Nieves Riedel/Council Member Tadeo Azael De La Hoya to adjourn the Regular Council meeting at approximately 8:10 p.m. Motion passed unanimously.

The vote was as follows:

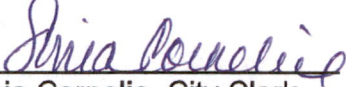
Mayor Nieves Riedel	Aye
Vice Mayor Luis E. Cabrera	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

APPROVED:



Nieves Riedel, Mayor

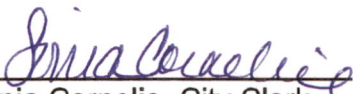
ATTEST:



Sonia Cornelio, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular City Council meeting of the City Council of the City of San Luis, Arizona, held on January 11, 2023. I further certify that the meeting was duly called and held and that a quorum was present.



Sonia Cornelio, City Clerk