

MINUTES
Special Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
December 28, 2022
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Nieves Riedel called the Special City Council meeting to order at approximately 6:30 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 – via Zoom
Council Member Javier Vargas

ABSENT: Council Member Gloria Torres

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
Jorge Perez, Assistant Director of Public Works
Maria Sabori, Risk Manager
Monica Castro, Director of Finance
Ruben Lopez, IT Technician
Cesar Neyoy, Bajo El Sol Reporter
Dan Jackson, Vice President of Willdan Financial Services
Helia Martinez, Resident
Lucy Lopez, San Luis AZ News Reporter
Mark Concha, Resident

2. PLEDGE OF ALLEGIANCE

Vice Mayor Luis E. Cabrera led the Pledge of Allegiance.

3. INVOCATION

The Invocation was lead by Helia Martinez, Pastor of Templo Cristiano Vino Nuevo.

4. CALL TO THE PUBLIC

There were no comments from members of the public.

5. CONSENT AGENDA

5. A. MINUTES OF

- Special Council meeting held November 22, 2022
- Work Session held November 30, 2022
- Special Council meeting held November 30, 2022
- Special Council meeting held December 7, 2022

5. B. Disbursements from December 1, 2022 to December 19, 2022

Total Disbursements \$1,301,190.53

(One Million, Three Hundred-One Thousand, One Hundred Ninety Dollars and Fifty-Three Cents)

5. C. Discussion and possible action on any and all matters regarding the Magistrate Resignation and Agreement. (Ralph Velez, Interim City Manager)

5. D. Discussion and possible action on any and all matters regarding Resolution No. 2244. A resolution of the Mayor and City Council of the City of San Luis, Arizona, creating a Street Lighting Improvement District and declaring its intention to purchase electricity and maintain poles, luminaries, and underground conduit, together with a charge for the use of lighting facilities, for lighting public streets within the area described as Bienestar Estates 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

5. E. Discussion and possible action on any and all matters regarding Resolution No. 2245. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring its intention to provide the Enhanced Municipal Services of operating, maintaining and improving certain retention basins serving the area described as Bienestar Estates 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

5. F. Discussion and possible action on any and all matters regarding Resolution No. 2246. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring its intention of operating, maintaining, repairing and improving certain landscape improvements included within, near and adjacent to the retention and detention basins and parking and parkways and related facilities together with appurtenant structures serving the area described as Bienestar Estates 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

5. G. Discussion and possible action on any and all matters regarding Resolution No. 2247. A resolution of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the city engineer to order the purchase of electricity and to order the maintenance of poles, luminaries, and underground conduit incident to the installation of street lights for lighting public streets serving the area described as Bienestar Estates 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

5. H. Discussion and possible action on any and all matters regarding Resolution No. 2248. A resolution of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the city engineer to order the operation and maintenance of certain retention basins for the area described as Bienestar 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

5. I. Discussion and possible action on any and all matters regarding Resolution No. 2249. A resolution of the Mayor and City Council of the City of San Luis, Arizona, authorizing and ordering the operation, maintenance and repair of certain landscape improvements included within, near and adjacent to the retention and detention basins, parking, parkways and related facilities together with appurtenant structures serving the area described as Bienestar Estates 12 Phase 1 Subdivision, San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to approve the Consent Agenda as presented. The 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 Javier Vargas	Aye

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Presentation followed by discussion on any and all matters regarding water, wastewater and solid waste rate analysis and long-term financial planning. (Edgar Esparza, Billing and Collections Manager and Dan Jackson, Vice President of Willdan Financial Services)

Mr. Edgar Esparza, Billing & Collections Manager, informed that the city had not increased its water, wastewater, and solid waste rates since 2017. He stated that it is a normal practice that cities and towns review their rates every five (5) years and make

any rate adjustments needed to maintain and improve infrastructure and operations needed to provide quality service to its residents. He informed that the city had contracted Willdan Financial Services to do a utility rate study.

Mr. Dan Jackson, Vice President of Willdan Financial Services, mentioned that it is the city's responsibility to provide services that are acceptable to its residents. He added that the city's challenge as a community is to keep the rates as low as possible and balance it with the need to invest in the system to ensure that the city continues to present an acceptable level of service to its citizens. This means that the lowest rates are not always the most beneficial rates to the community. He mentioned that the City of San Luis has very low rates and has managed to keep low rates for a very long time at the same time, there are challenges coming up in the future with regard not only to the fact that expenses are going up but; also there are investments that need to be done to the systems, like any asset it wears out over time, so an investment needs to be done to ensure it continues to work and provide the level of service needed. Furthermore, Mr. Jackson stated that his objective is to help the city meet its utility objective. He mentioned that if the city decides to do a new long-term Water and Wastewater Rate Plan, then the guidelines of the Arizona Revised Statutes are to be followed, which means that the city needs to adopt a Notice of Intent, and this does not obligate the city to increase its rates, sixty (60) days after the adoption of the Notice of Intent, the city needs to hold a Public Hearing to solicit input from the citizens and then the city makes its final decision on a long-term Water and Wastewater Rate Plan.

After his introduction, Mr. Jackson proceeded to make a PowerPoint presentation on the City of San Luis 2022 Water/Wastewater/Sanitation Rate Study. A copy of this presentation is included in the agenda filed in the City Clerk's Office.

Mayor Nieves Riedel commented that the City Council makes decisions that are not popular, but it is the right thing to do in order to provide a quality service.

Council Member Tadeo A. De La Hoya commented that this is a tough decision to make, but it is his belief that the public body needs to do what is right for the community.

Vice Mayor Luis E. Cabrera stated that this increase is needed to serve the community better. He informed that the city has programs that help those in need and also has a senior discount program that the community can take advantage of. He mentioned that he is excited to see this item on the agenda, as this was mentioned in the past, but it never happened; he added that he would like to hear the community's input and what their thoughts are.

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. (Edgar Esparza, Billing and Collections Manager, and Monica Castro, Director of Finance)

Mr. Edgar Esparza, Billing & Collections Manager, informed that City Council needs to adopt a Notice of Intention to consider the increase in water, wastewater, and solid waste collection. If this notice is approved, it will be posted for 60 days on the city's website and bulletin board. He added that the notice has information about the public hearing scheduled for March 8, 2023.

Ms. Kay Marion Macuil, City Attorney, informed that the notice on the city's website would have a link to Mr. Jackson's report. Also, the notice states that the report is available for review with the City Clerk's Office.

MOTION: Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to approve and adopt the Notice of Intent as presented. The motion passed unanimously. Council Member Maria Cecilia Cruz did not vote as she stepped out of the chambers.

The vote was as follows:

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

6. C. Discussion and possible action on any and all matters regarding the independent contractor agreement for continued Interim City Manager services. (Kay Marion Macuil, City Attorney)

Ms. Kay Marion Macuil, City Attorney, informed that the contract was negotiated with Mr. Ralph Velez for Interim City Manager Services; the agreement expires on June 30, 2023.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Tadeo A. De La Hoya to approve the Independent Contractor Agreement with Velez Consulting Services presented and approve the budget transfer as indicated in the fiscal impact of this item. The motion passed unanimously. Council Member Maria Cecilia Cruz did not vote as she stepped out of the chambers.

The vote was as follows:

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

6. D. Discussion and possible action on any and all matters regarding Order No. 2022-14. An order of the Mayor and City Council of the City of San Luis, Arizona, amending, appending and restating the City of San Luis City Use of City Vehicles Policy; repealing any conflicting policies; and providing for severability. (Adela Cortez, Director of Human Resources)

Ms. Adela Cortez, Director of Human Resources, informed that on September 14, 2022, Mayor and City Council adopted the City of San Luis Use of City Vehicles Policy. The proposed new policy will eliminate the waiver for family to ride with employees on city business. Only those associated with city business shall be allowed in city vehicles; the other change is to refer to the Personnel Policies for the use of personal vehicles for city business. She stated that the Personnel Policies are currently in the final stages of review for updates, and currently, employees may use personal vehicles on city business only with their manager's permission, and mileage related to city business will be reimbursed.

Council Member Tadeo A. De La Hoya asked why the waiver was being removed. Asked if there were issues reported with the waiver.

Ms. Cortez replied that removing the waiver would minimize liability to the city. There have not being issues reported.

Ms. Maria Sabori, Risk Manager, replied that the idea is to help the city reduce liability exposure.

Council Member Javier Vargas asked if the waiver is to reduce liability to the city.

Ms. Sabori replied that the waiver is signed by the family members, but it does not cover the city for liability if there is an accident or a lawsuit against the city.

Mayor Nieves Riedel commented that in the private sector, specifically in her company, nobody is allowed to get a family member in the company's vehicles because the

insurance will increase in case of an accident. She stated that the proposed changes are good as this will cover the city for any liability.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to adopt Order No. 2022-14 amending and restating the City of San Luis Use of City Vehicles Policy, as presented. The motions 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 Javier Vargas	Aye

6. E. Discussion and possible action on any and all matters regarding Resolution No. 2243. A resolution of the Mayor and City Council of the City of San Luis, Arizona, adopting a code of conduct for elected and appointed officials; repealing conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Marion Macuil, City Attorney, informed that this proposed code of conduct was an initiative by Mayor and City Council and is based on the City of Tolleson Code of Conduct, which covers good practices of elected officials.

Vice Mayor Luis E. Cabrera thanked Ms. Macuil for working on this code of conduct, this is something that is needed as elected officials need to be responsible and have knowledge of their roles and responsibilities and, more than anything, respect for each other, employees, and constituents.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to approve and adopt Resolution No. 2243, adopting a Code of Conduct for Elected and Appointed Officials. The motion passed with five (5) ayes and one (1) nay from Council Member Tadeo A. De La Hoya.

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	Nay
Council Member Matias Rosales	Aye
Council Member Javier Vargas	Aye

6. F. 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, informed that this ordinance would change the start of the city council's regular meeting time's from 7:00 p.m. to 6:00 p.m. He explained that the reason for the change is the working hours' schedule change from 7/4's to 8/5's.

A. Action on Ordinance No. 432 to read by title only

MOTION: Council Member Javier Vargas/Council Member Tadeo A. De La Hoya to approve the reading of Ordinance No. 432 by title only. The 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 Javier Vargas	Aye

Mrs. Sonia Cornelio proceeded to read Ordinance No. 432 by title only.

B. Action on Ordinance No. 432

MOTION: Council Member Tadeo A. De La Hoya/Vice Mayor Luis E. Cabrera to approve and adopt Ordinance No. 432. The 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 Javier Vargas	Aye

6. G. Discussion and possible action on any and all matters regarding Ordinance No. 433. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending City Code § 10.15.235, titled, Parking in Alleys; continuing the penalty for violations under City Code § 10.15.990; repealing any conflicting provisions and providing for severability. (Miguel Alvarez, Police Lieutenant)

**A. Action on Ordinance No. 433 to read by title only
(City Clerk to Read Ordinance No. 433 by title only)**

B. Action on Ordinance No. 433

Mayor Nieves Riedel suggested continuing this item to a future meeting as members of the City Council are not prepared to take action.

MOTION: Council Member Tadeo A. De La Hoya/Vice Mayor Luis E. Cabrera to continue the item. The 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 – via Zoom	Aye
Council Member Javier Vargas	Aye

7. SUMMARY OF CURRENT EVENTS

Events by Mayor, Council Members and/or City Manager pursuant to A.R.S. § 38-431.02 (k).

Mayor Nieves Riedel thanked the Human Resources Department for putting together the Employee Recognition Dinner.

Council Member Maria Cecilia Cruz reported that she attended the Senior Center Christmas Party.

8. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to adjourn the Special Council meeting at approximately 7:20 p.m. The 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 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 28, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk

