

APPROVED by Council

Date: 2/22/2023

Clerks Office: [Signature]

MINUTES
Special Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
January 25, 2023
6:30 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Nieves Riedel called the Special City Council meeting to order at approximately 6:00 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 (arrived at approximately 6:05 p.m)

OTHERS PRESENT: Ralph Velez, Interim City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Adela Cortez, Director of Human Resources
Axel Chayra, I.T. Technician
Domingo Sosa, Graphics and Media Specialist
Edgar Esparza, Billing and Collections Manager
Eulogio Vera, Director of Public Works
Fernando Corona, Networks & I.T. Security Administrator
Fernando Villegas, Principal Planner
Jorge Perez, Assistant Director of Public Works
Jose Guzman, Director of Planning and Zoning
Jossue Cerda, I.T. Help Desk Technician
Manuel Hernandez, Project Manager
Marco Santana, Police Lieutenant
Martha Jimenez, Building Inspector II
Monica Castro, Director of Finance
Olivia Jenkins, Foreign and Government Affairs Coordinator
Oscar Barnett, Code Enforcement Officer
Richard Bauermann, Fire Inspector
Ruben Lopez, I.T. Technician
Yolanda Dueñas, Facilities Supervisor
Cesar Neyoy, Bajo El Sol Reporter
Fabher Sanchez, Resident
Lilia Quiñonez, Resident

Lucy Lopez, San Luis AZ News Reporter
Lucky Hoyos, Resident
Jose Ponce, Resident
Mark Concha, Resident
Veronica Zavala, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Matias Rosales led the Pledge of Allegiance.

3. INVOCATION

Pastor Ramos from Iglesia Apostolica De La Fe en Cristo Jesus led the invocation.

4. CALL TO THE PUBLIC

Mr. Alberto Cardena, 1582 E. San Pedro Street, SLAZ, mentioned shade structures are needed in this community. He added that he was forced by the city to sign a contract in order to keep his current shade.

Mr. Flavio Rasco, 1798 E. San Pedro Street, SLAZ, said he too signed a contract adding that his shade is needed during the extreme hot weather.

Mr. Jose Del Carmen Martinez, 374 N. San Pablo Street, SLAZ, said his house has a shade structure, was cited and taken to court. He asked the Mayor and City Council to look into this matter.

Mayor Nieves Riedel indicated that the shade structures will be discussed tonight and invited the residents to stay to listen to the presentation and proposal.

5. CONSENT AGENDA

5. A. MINUTES OF

- Regular Council Meeting held January 11, 2023

5. B. Disbursements from January 3, 2023 to January 17, 2023

Total disbursements \$2,007,133.85

(Two Million, Seven Thousand, One Hundred Thirty-Three Dollar and Eighty-Five Cents)

MOTION: Council Member Tadeo De La Hoya/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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. DISCUSSION AND POSSIBLE ACTION ITEM:

6. A Presentation, discussion and possible directions to staff on any and all matters regarding fire, building and zoning regulations pertaining to the construction of cloth shade structures within the required building setback. (Jose A. Guzman, Director of Planning & Zoning)

Mr. Jose Guzman, Director of Planning & Zoning, explained staff wants to make sure the structures are made to safety standards. One (1) of the options is to reduce the front setback to ten (10) feet in front of the driveway. This will allow residents to build a 10 x 20 structure to cover their car in front of their garage or carport and at the same time allowing for the visibility triangle to be in place. Mr. Guzman added that if the City Council directs staff to move forward with this amendment, staff will return to the Mayor and City Council with the specifics on the design of the structure. He demonstrated an example of the structure to which staff has the engineered design standards allowed by the city that can be used by residents without spending money on an engineering design. For the rear, the option is to change the accessory building requirements to 200 square feet, currently anything less than 120 square feet is exempt from a building permit as long as they comply with the distance to the property lines. On the side setback, the amendment will be to include an exemption that allow to reduce the setback to comply with National Fire Protection Association (NFPA1) Standards. Which specifies the requirement on the material ventilation to make sure the fire does not go to the next building. The amendment will allow staff to review in a case by case basis, depending on the design of the structure on the side setback. If staff obtains direction from the Mayor and City Council to proceed with the amendment, the Planning & Zoning Commission will have this item on the meeting for April 11, 2023; the City Council meeting on April 26, 2023 and the ordinance will be effective on May 26, 2023, 30 days after passage of the ordinance. Mr. Guzman indicated he has a flyer for distribution with the proposed changes that is available for the public.

Mayor Nieves Riedel stated the city is working on this matter and asked the residents to be patient.

Vice Mayor Luis Cabrera stated that the proposed text amendment to the City Code and the pictures shown by Mr. Guzman, do not look like a mesh material shade.

He asked if the change would not allow a mesh material shade but something similar to what was displayed or certain material.

Mr. Guzman replied NFPA1 sets standards for testing on the material, therefore if a mesh material meets the requirement, then it will be allowed.

Mayor Nieves Riedel indicated that there will be options the residents will have.

Mr. Rick Bauermann, City of San Luis Fire Department Fire Inspector, explained that within the code, if a structure is to be built, it is up to the person to provide the technical aspects of it. Staff only wants something that will disintegrate quickly and not something that will carry heat and fire from one neighbor to the next; polyester and canvas tend to burn away very quickly. If it is something that is fire retarded, it will carry the heat and fire.

Mayor Nieves Riedel commented that before it was required that the material be slow burning, now that will change.

Council Member Tadeo Azael De La Hoya asked what section on the NFPA changed it, as six (6) years ago the Mayor and Council were informed that the material needed to be fire deterrent and that was an important element on the decision that was made.

Mr. Bauermann read PA1 10.1.1 – every new and existing building or structure shall be constructed, arranged, equipped, maintained and operated in accordance with the code, so as to provide a reasonable level of life, safety, property, protection and public welfare from the actual and potential hazards created by fire. He added that this has been in the code and as far as the fire retarding, that may have been former Chief Green. Basically, the city does not have anything in this code as far as shade covers other than protecting the neighboring structure.

Council Member Gloria Torres remarked the shades are a necessity in the environment one lives during the hot weather. She added that the city needs to find the way people can be allowed to build a shade structure.

Mayor Nieves Riedel said the code needs to be changed to make it work for everyone and everybody needs to be treated under the same rules. There are some shades up and the city needs to find a way to accommodate them such as restructuring and asking the residents to take them down is not acceptable, there is a fix to a problem.

Mr. Alberto Cardenas, resident, said that the previous administration basically forced them to change the insurance they had on their homes in order to keep their shades, which caused their insurance payment to increase.

Mayor Nieves Riedel mentioned that the past is the past and current Mayor and City Council cannot change it and asked for the opportunity to work for the community, as they are working diligently to resolve this issue.

Mr. Flavio Rascon, resident, commented that the problem seems to be that the heat and fire on the shade would jump to the next door neighbor and added that he would not have a problem if his neighbor asks him for permission to build a shade, he thinks there should also be an agreement amongst neighbors.

Council Member Tadeo Azael De La Hoya mentioned that everyone understands that the shades are a necessity, but also to not forget that there is a contractor that is building these shades illegally.

Vice-Mayor Luis Cabrera added that the Mayor and City Council is working on resolving this matter and understands the need of the shades.

Mr. Jose Del Carmen Martinez, resident, stated that it is not true that a contractor is knocking on doors to offer the shades. Each home owner that wants a shade looks for its own certified iron worker/welder to build the shades as it is a necessity. He added if the city assigns a certified person to build the shade structure, then possibly the city can make a permit once the city sees the structure is well done. He added that the city inspector cited and sent him to court, not because he had broken the regulations on the shade structures but because the inspector wanted to.

Mayor Nieves Riedel clarified that the city does not have an interest in building shade structures. The building inspectors are city employees and they follow orders and sometimes employees get insulted by residents, but if there are any complaints because employees are doing their job, residents should come to the local governing body as they are the ones that set the rules and law for the municipality.

Council Member Maria Cecilia Cruz read, "the city's current regulations allow for the construction of cloth shade structure as long as they comply with building code regulations including engineer design and zoning regulations pertaining to the required building setbacks. This means that the structure must be designed and constructed to be all safety standards safety, structural requirements that must be placed at the appropriate distance from property line and other buildings, as specified by the Zoning Regulations according to the building's setback." This is the reason why the former City Council they approved the regulations. They were concerned for the safety of people's homes. There people building shade structures without permits.

Mr. Bauermann indicated he was not part of the original shade structure controversy but according to the code he has gone through, as long as they are built and nothing can be transferred from one residence to the next, reasonably staff does not have a problem.

Council Member Matias Rosales asked how many residents have requested a permit after providing the engineered design standard six (6) years ago.

Mr. Guzman responded none.

There was no action from the Mayor and City Council and agreed for staff to continue working on the text amendment.

6. B. Discussion and possible action on any and all matters regarding consulting services to conduct a Total Compensation Study and a Classification & Analysis/Total Compensation Study. (Adela Cortez, Human Resources Director)

Ms. Adela Cortez, Director of Human Resources, stated that this item was submitted as a request for approval to conduct a Compensation and Classification Study. Since the current pay plan for the City of San Luis was established in 2018, the current benchmark for salaries are outdated for approximately five (5) years. In June 2022, there was a proposal to complete this study and the cost was \$196,000.00, she asked for time to research and find other vendor to perform a cost comparison. Finally, she can make recommendations; the Human Resources Department has received a salary compensation that was completed by the Arizona League of Cities and Towns that includes the 2023 compensation study and data from one (1) of the vendors listed on the agenda item, as they completed a classification and compensation study for the City of Yuma. Therefore, since this data is now available for the city, it can help staff to do the benchmarking and update the city's pay plan. She asked that she be authorized to utilize this data rather than spending \$125,000.00, instead reallocate those funds possibly for salary increases for employees. If staff goes this direction, then an updated pay plan benchmarks by the budget preparation of this year and doing so increases do not have to be delayed because most these studies do take time up to 14 months.

Mayor Nieves Riedel thanked Ms. Cortez for the information adding that she believes that doing studies cost a lot of money and take a long time. Ultimately, employees are the ones paying the price and the city has some really good employees. If the city is able to save money, it can be used towards salaries.

Council Member Tadeo Azael De La Hoya indicated he agreed with Mayor Nieves Riedel adding that one (1) of the vendors was hired and rejected by the City Council in the past because of the complaints and people that were directly relayed and the city wasted money to conduct another salary study with a different vendor that provided the same results. He asked if it will not be a problem that employees will complain that a certain employee received a higher raise because he is related to someone higher in charge or because that employee is well liked and the other one is not.

Mayor Nieves Riedel replied the City Council should allow Ms. Cortez to do her job as she is the expert just like the other departments. The City Council's job is to legislate not to interfere with the Human Resources Department. She promised she will never go to Human Resources and question Ms. Cortez's ability to hire this or that person or ask that she wants Human Resources to hire this person. People tend to think that just because they know the Mayor and/or City Council, they can decide who will be hired and how much they will be compensated.

Ms. Cortez added she has 25 years of experience in Human Resources and there is a high level of integrity and ethics; in Human Resources one has to be an impartial party.

Vice Mayor Luis E. Cabrera thanked Ms. Cortez and commented that at the last budget retreat there was increase of ranks utilizing a formula for employees based on a study that was done to place all employees to their 100% of their pay scale. He asked if this was for the study completed in 2018 or was that study done internally.

Ms. Monica Castro, Director of Finance, responded staff has been working towards bringing the salary salaries to the minimal recommendations of the 2018 salary study. Staff is ready to continue since the 2018 study has already been done and is ready to work towards inflation, bringing salaries to competitive and determine what needs to be reviewed.

Ms. Cortez said there has been a good number of positions that have been studied and it is not that staff is just working with the 2018 study. There are approximately 50 positions that have been studied since then and she only went back to 2020. The history in certain departments have restructured with a succession plan implemented as well an apprenticeship program. Recently, the Human Resources completed a study for law enforcement, which has not yet been introduced to the City Manager. This was prepared internally to help the Police Department for the preparation of their new budget.

Council Member Maria Cecilia Cruz commented the ultimate goal is to save money and keep city employees at a proper rate in competing with other cities.

MOTION: Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to direct staff to analyze the raw data the city has and provide a salary structure. 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. C. Discussion and possible action on any and all matters regarding the purchase of a 7.5-ton bridge crane for the Fleet Maintenance Building Expansion (Manuel Hernandez, Public Works Project Manager)

Mr. Manuel Hernandez, Public Works Project Manager, stated that staff is requesting approval for the purchase of a bridge crane for a new Fleet maintenance building. The new bridge crane is essential for moving and working on large pieces of equipment in parts. Currently, the Fleet Division is using forklifts and other means that are not efficient to work on these large pieces of equipment. In order to line with the construction schedule, Public Works needs to purchase this bridge crane this month. The lead time is approximately 10 to 12 weeks on this device. The cost of this tool is approximately \$130,000.00, staff also asks that the formal procurement procedures be waived.

MOTION: Council Member Maria Cecilia Cruz/Council Member Gloria Torres to approve the purchase of a 7.5 ton bridge crane from Dearborn Crane and Engineering not to exceed \$130,000.00, authorize budget transfer as stated in this agenda fiscal item and to waive formal procurement procedures for the reasons 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. D. Discussion and possible action on any and all matters regarding the authorization to reallocate the budgeted funds from the Fleet Shop Project to the Fernando Padilla Community Center Repair Project. (Yolanda Dueñas, Facilities Supervisor)

Ms. Yolanda Dueñas, Facilities Supervisor, explained that the Fernando Padilla Community Center was vacated after issues with the roof. After visiting the Fernando Padilla Community Center an initial assessment was done for rehab repairs and remodeling that were identified and due to the condition of the building, it was decided to completely remodel the building for possible city staff use. The remodeling of the building will include roofing, flooring, electrical funnel, which includes the restrooms, patching painting ceiling, tiles and cabinets. She added that the Finance Department was able to identify a budget capacity of \$100,000.00 within the Fleet Shop project that is available for use for the Fernando Padilla Community Center project. The City of San Luis Code Sections 305, 110 and ARS § 34-201 require bidding at more than \$23,548.00 through fiscal year, as it adjusted annually for inflation.

Staff has received a few bids and there are still pending a few from construction companies that have come to the building to provide quotes. Staff is asking for authorization from the Mayor and City Council to reallocate \$100,000.00 of an unexpended budget funds from the Fleet Shop project to Fernando Padilla Community Center project. This would allow staff to sub contract vendors needed to perform remodeling of the building. This building is approximately more than 30 years old.

Vice Mayor Luis E. Cabrera commented that just by looking at the pictures displayed and the damage that needs to be repaired, city staff needs to be a little bit more cautious of the city buildings that are leased to any other organizations, to make sure that they are taking care of those buildings as if they were their homes.

Council Member Maria Cecilia Cruz mentioned she toured the building and it does need a lot of repairs, adding that it is a very old building.

Mayor Nieves Riedel commented Ms. Dueñas is saving the city over \$70,000.00 and indicated that this building is not going to be used by another organization but will be used by city staff.

Council Member Tadeo Azael De La Hoya remarked that staff has to be proactive and have smart planning as this building also needs expansion maintenance.

Mr. James Allen, resident, commented that in the military, if an item is so old and one is dumping a lot more money into it and it exceeds the value of the item, then one absolutely is going backwards, because one will end up reinventing the wheel again to patch it again, whereas if it exceeds a certain dollar amount going new in the longrun cheaper because the city will obtain a new structure all together all the way around.

MOTION: Council Member Gloria Torres/Vice Mayor Luis E. Cabrera to approve and a budget transfer for \$100,000.00 as stated in fiscal impact statement. 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. E. Continued 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 a 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 asked Vice Mayor Luis E. Cabrera to take over this item.

A. Continuance of Open Public Hearing

MOTION: Council Member Matias Rosales/Council Member Tadeo Azael De La Hoya to open the continued Public Hearing. The 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

1. Staff presentation

Mr. Fernando Villegas, Principal Planner, explained that the City of San Luis Zoning Ordinance requires a Conditional Use Permit for any building with a gross floor area greater than 50,000 square feet in the Community Commercial Zoning District. The applicant is requesting the approval for the construction of a hotel with 132 rooms with a building square footage of 76,000. The property is located south of Cesar Chavez Boulevard between 7th Avenue and 8th Avenue. To the north of this property is Bienestar Estates 5 residential development, to the west commercial land, to the south Bienestar Estates 2 residential development and to east commercial land and a gas station. The applicant is proposing to use the west half of the existing parcel for the construction of the hotel. The site plan submitted by the applicant shows they will have a 20 foot landscaping buffer that is required by the zoning ordinance adjacent to residential development to the south. The applicant is proposing a three-story building and explained three (3) photographs and their elevation views to the west, east and south from the third floor.

Mr. Villegas furthermore explained that notification letters were hand delivered to residents within 300 feet of the proposed location and staff received no comments in favor of or against the project. The Planning & Zoning Commission recommends 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 subdivision regulations for commercial development.
2. The applicant/owner shall submit a Trip Generation Memo for the hotel to determine if the proposed use generates 100 or more trips during the peak hour. If 100 or more trips are generated during the peak hour, the applicant/owner shall submit a traffic study during the building permit review and all improvements recommended by the traffic study that is caused by the hotel development shall be constructed by the developer to the satisfaction of the Public Works Director.
3. To resend letters to property owners within 300 feet radius using their physical location.

Staff recommends approval with the three (3) conditions and the applicant is in agreement.

Vice Mayor Luis E. Cabrera commented that last time there was a family with questions and was referred to the Planning & Zoning Department as the item was continued. He asked if that family obtained the information.

Mr. Villegas replied he did explain the project to the family as well as other families that called to inquire about the letter they received. A few families were under the impression that part of their property was going to be taken for the development of the hotel.

Council Member Maria Cecilia Cruz said they were provided with a drawing showing trees and asked if they were going to be planted that large.

Mr. Adam Carl, Vice President for Development for Greens, stated they are working in conjunction with HMS and Development on behalf of this project. He clarified that they would plant 24 inch box trees adding the timeframe of their growth which by the time the hotel is opened the trees will be approximately 16-17 inches tall.

Council Member Javier Vargas commented he was not in agreement with the location for the proposed project and asked if there were any members of the surrounding area present as last time there were some concerns from residents within 300 feet of the property.

Mr. Ralph Velez, Interim City Manager, asked what a trip generation memo is.

Mr. Carl explained a trip generation memo consists of an ITE trip generation that nationally recognizes the generation rates for hotels. Based on the category that one would based on the number of rooms, one translates that to how many trips the hotel would produce.

Mr. Velez asked if the traffic study shows that improvement is needed, what type of improvements is this referring to.

Mr. Carl responded they would look at intersection analysis to determine what the peak hour might be and any signal timing.

2. Call to the Public on this item

Ms. Maria Luz Hoyos, resident, stated that having a new hotel in the city and bringing new jobs, etc. is a very good and positive idea, however she expressed she is not in agreement with the location of the proposed project for the hotel. The location is in front of the offices of the school district and behind is a primary school, then one (1) block is where the crossing of high school and middle school students takes place. She added that she believes they are aware of the many cases of child abduction and sees this as a great opportunity for anyone who comes into the community.

Council Member Gloria Torres asked if she is concerned about the children crossing in front of the hotel, because there are a lot of kids that cross the border from Mexico every day in front of the hotel located on Main Street. She also commented that there is no land where the hotel can be built.

Ms. Luis Arreola, 3685 San Predro Street, SLAZ, stated she was there as the Union Leader for the Gadsden Elementary School District representing the teachers, students and community. She is concerned about the safety of the children, she is in agreement with a new hotel, and asked if there is enough manpower in case they go on a lockdown. She asked if there is public service to be able to cover those issues in an emergency with students.

Council Member Javier Vargas asked if this is the same hotel that had planned to build a hotel on Main Street and County 22nd Street.

Mr. Sharard Kadakia, Founding Principal of Prince Group, responded they own and operate 21 hotels from Utah to Yuma. He stated the reason the hotel across from WalMart was not build was due to multiple reasons staff knows about. There are no utilities there, APS wanted them to move the light poles, the grade level of that corner is way below the highway, the cost of bringing the infrastructure to that corner would have not made justification part of the project cost. There was a lot of discussion with city staff and did submit a site plan and completed a utility plan. They did everything to make this work but it was just to expensive.

Mr. Erick Gonzalez, 4028 San Diego Street, SLAZ, stated that he is all for the project of a new hotel, but he is not in agreement with the location of the project. He is against the location of this project not only because of the safety for children but also because of the traffic flow which is already a big problem in the city during the high peak hours and Cesar Chavez Boulevard is not the exception.

Vice Mayor Luis E. Cabrera responded that a new hotel will bring revenue to the city and in regards to the traffic, staff is working with The Arizona Department of Transportation into widening Cesar Chavez Boulevard from Avenue E all the way across through town passing the Post Office.

Mr. James Allen Jr., United States Navy Retired Dental Technician, 1549 Babbit Lane, SLAZ, stated that his concern is the same as the others. School zones are not just designed for nothing, they are designed for control and protection. Once the issues come up, this item will be revisited; if one (1) child gets harmed or injured the responsibility will fall upon the City Council for approving this.

Ms. Miriam Hurtado, 1610 San Luis Lane, SLAZ, stated she is in agreement with the hotel project but not with the location and the reason is because drug trafficking may be increased, prostitution and possible shootings that will cause school lockdowns. She has done some research and some hotels in Los Angeles have caused hotels to close due to the problems mentioned.

Mr. Carl stated that as far as abductions, this hotel is an interior corridor hotel, there is staff in the front, there are key entries in the back, it will be monitored 24/7 and security cameras. As far as traffic, the traffic is already coming from Yuma and other places, people are going to San Luis because they are going to San Luis not because you build a hotel. In his opinion, they are actually going to be taking trips off the road that are going from longer away, to have to be closer to where their actual destination is. As far as the AMP peak hours, they have not done a trip generation for this one, but like hotels are 50 peak hour trips in the morning and what this is 30 coming in and 20 leaving the site at any given time. He also pointed out that this is commercially zoned and hotels from a commercial development is very limited with respect to traffic compared to if you had a drive through.

Mr. Kadakia stated that this is not a motel, this is a Hilton product which is the second (2nd) largest company in the world. Hampton Inn is the best business hotel in the United States today and he is bring the best hotel of the second (2nd) best in the country in San Luis. The project cost will be anywhere from \$25 to \$27.5 million and when they put that kind of investment they do not want an exterior corridor. He takes the responsibility of being a community member very strongly and asked the Mayor and City Council to understand how this works. He added that there are no entrances from the back of the hotel and no one can get into the hotel without a key card; all the rooms and exits have electronic locks. They do not rent rooms to local people unless it is insurance based and if there is a need for local people to stay they make sure they are legit people, in addition they need to have a driver's license and a credit card.

He has been in the hotel business since 1988 and has never had a question of child abduction in a Hilton adding that he is not saying it cannot happen but the way things are designed for the hotels is very important to them. Mr. Kadakia stated that all the light poles in his hotels have cameras including the corridors and entrances, it is manned 24/7. The premises will be staffed with approximately 28-30 people full time. He included that he and his team are professional hotel operators and take their reputation, investment and risk analysis very seriously.

Council Member Tadeo Azael De La Hoya asked if the approval is for the condition of the permit and not for the approval of the site plan.

Mr. Villegas responded the applicant is present because the building is bigger than 50,000 square feet, this is not approving the site plans or building permits but to allow them to go higher than 50,000 square feet.

Mr. Kadakia added that he can assure that his hotel has less traffic than an 800 square foot drive through Starbucks, as he owns two (2) Starbucks. The trip generation in a hotel is less than a medical office, the building is big but the traffic at the hotel is very minimal. The report will come back at approximately 50-55 trips a day; there is a gym next to the proposed premises for the hotel and that is 300 trips a day.

Council Member Maria Cecilia Cruz thanked Mr. Kadakia for the clarification and responding to the residents' concerns. She asked Lieutenant Marco Santana if the San Luis Police Department has concerns about the questions the residents have.

Lieutenant Marco Santana responded he would like to know a little more because his concern is mainly based on the fact that the City of San Luis is growing quite a bit. He added that the City of San Luis cannot be compared to the City of Los Angeles. The question asked is a good question, however he would have to know a few more things, but his focus will always be safety at all times. He added that the City of San Luis Police Department has a project called Block Safety. Block Safety would allow them to have access to the hotel's cameras and focus on the safety of even people inside. He reminded everyone that the City of San Luis is the fourth (4th) safest city in the State of Arizona.

Council Member Javier Vargas asked if this hotel will be having a restaurant and will it sell alcohol and if so, will this hotel be within the boundaries of the law for selling alcohol and open containers next to a school.

Mr. Kadakia responded that all Hamptons by Hilton do not have a restaurant, there is no restaurant traffic. They do provide breakfast in the morning and what they have in place is a system called for my beer and this is a kiosk that works only with the key card of the hotel. The key card has to be in the hands of a person 18 years or older and in front of the front desk. The customer can then take a beer, which is charged to the customer and enjoy it at the pool or in the lobby during the evening from 5:00 p.m to 7 p.m. He added that this is for hotel guests only and not for the public.

Council Member Matias Rosales commented that the city has been working with the developer for past eight (8) years. He thinks security wise, it is covered as Hilton does a great job and is community oriented. There will be a lot of police and law enforcement presence that will occupy the hotel. Cesar Chavez Boulevard is commercially zoned and most is state land and there is no other place in the city where a hotel can be built. He thinks this is great project for the community.

Mr. Velez stated that the approval will be strictly for the rezoning of the size of the Conditional Use Permit. They would have to come back for the site plans to include Cesar Chavez frontage and traffic across the street and everything else that is required has to be accepted by the developer.

Mr. Villegas added that if this gets approved, the next step will be the submittal of building permits and staff will have to make sure that the conditions indicated are met, otherwise the permit will not be approved.

Mr. Velez asked if this is a standard 100 trips or if it is hotel requirement.

Mr. Vera responded that the city's standards has 100 trips, however, staff has the ability to require additional study or additional work from the consultants or applicant. He mentioned that if the size of the hotel was smaller it would have been a done deal without having to be presented to the City Council.

B. Close Public Hearing

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to close the Public Hearing. The 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

C. Action on Conditional Use Permit Case No. 2022-0592

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz approve Conditional Use Permit Case No. 2022-0592 subject to the conditions of approval presented by staff. The 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 Glòria Torres	Aye
Council Member Javier Vargas	Aye

6. F. Discussion and possible action on any and all matters regarding Order No. 2023-01. An order of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the acquisition of all property necessary for the completion of the construction of a portion of 21st Avenue between County 23½ Street and County 24th Street, a portion of County 24th Street between 21st Avenue and Avenue E, and land necessary for a wastewater lift station on the Corner of County 24th Street and 21st Avenue within the City of San Luis by dedication, donation, purchase, exchange, or under the power of eminent domain as a matter of public necessity. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained that staff is asking to obtain for roadways, she explained the diagram included with the agenda item. Order No. 2023-01 allows staff to offer fair market value for the land and go through the court to condemn land to construct improvements. Traffic studies for the area are attached, showing the public health safety and necessity for obtaining the roads. Exhibit C, attached to the agenda item, is the area of an existing lift station. The city obtained this land previously, but just for good measure staff has included it.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to approve Order No. 2023-01. 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

6. G. 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)

Mr. Ralph Velez, Interim City Manager, explained that staff is asking to remove Columbus Day as a paid holiday and replace it with American Heritage Day, which will be the Friday after Thanksgiving Day and remove the COVID-19 Remembrance paid holiday, but keep it as a remembrance day for those employees that lost their lives.

Council Member Tadeo Azael De La Hoya indicated he thinks Columbus Day should stay and call it Indigenous American People's Day and celebrate history. One is in between two (2) possibly four (4) tribes. If the city does not want to call it COVID-19 Remembrance Day, one can call it a Mental Health Day. At the National Association of Latino Elected & Appointed Officials (NALEO) meeting they pounded a lot on having self care and having those holidays appropriated for the employees. If any employee wants to exchange a day for another or work five (5) holidays to be five (5) days off, it is operational and that should be up to the department head not the City Council.

Mayor Nieves Riedel stated that changing the holiday to the Friday after Thanksgiving, is a great benefit to have those two (2) days off. She added that a survey was done with the employees and they liked the idea.

Council Member Matias Rosales suggested leaving Native American Day the day is supposed to be and make the Remembrance Day a pandemic from COVID-19 day that Friday. He would understand if there was a trend of holidays, but this holiday was created to honor those employees that worked hard and paid the ultimate price.

Mayor Nieves Riedel mentioned that the City Council has a fiduciary duty to take care of the city's money.

Vice Mayor Luis E. Cabrera mentioned that in the 11 holidays, there are some holidays that are not federal holidays and asked if it would be more of best practice to observe all of the recognized holidays as the policy versus the ones made up by City Council.

MOTION: Council Member Matias Rosales/Mayor Nieves Riedel to continue this item to a work session when information becomes available. 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

7. SUMMARY OF CURRENT EVENTS

Vice Mayor Luis E. Cabrera reported that earlier today he attended the Yuma County Chamber Mixer at La Malquerida, the place was getting full of visitors from businesses from all throughout Yuma County.

Mayor Nieves Riedel reported that Campesinos Sin Fronteras will hold a recognition event for seniors from the community at the Senior Center beginning at 11:00 a.m.

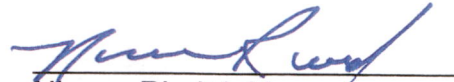
8. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to adjourn the Special Council meeting at approximately 8:16 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

APPROVED:



Nieves Riedel, Mayor

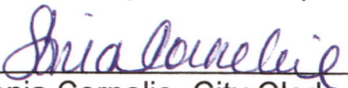
ATTEST:



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 January 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.



Sonia Cornelio, City Clerk