

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
February 22, 2023
6:00 p.m.

1. CALL TO ORDER/ROLL CALL

Mayor Nieves Riedel called the Regular 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 De La Hoya (arrived at approximately 6:05 p.m.)
Council Member Matias Rosales (logged in at approximately 6:25 p.m.
via Zoom)
Council Member Gloria Torres
Council Member Javier Vargas

OTHERS PRESENT: Ralph Velez, Interim City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Adela Cortes, Director of Human Resources
Domingo Sosa, Graphics and Media Specialist
Edgar Esparza, Billing & Collections Manager
Eulogio Vera, Director of Public Works
Francia Alonso, Acting Public Information Officer
Jenny Torres, Assistant City Manager
Marco Santana, Police Lieutenant
Manuel Hernandez, Project Manager
Miguel Alvarez, Interim Chief of Police
Monica Castro, Director of Finance
Ruben Lopez, I.T. Technician
Cesar Neyoy, Reporter
Christian Cuevas, Translator
Lucy Lopez, Reporter
Maria Robles, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Gloria Torres led the Pledge of Allegiance.

3. INVOCATION

Ms. Yolanda Urias, Pastor – Centro Ministerio Yirhd, led the invocation.

4. CALL TO THE PUBLIC

Mr. David Hathaway, Santa Cruz County Sheriff, stated he is visiting the city to see how the authorities of the City of San Luis function.

Mr. Fernando Ramirez, 1235 Babbitt Lane, San Luis, AZ, and Mr. Rafael Arcila, 558 Columbia Street, Somerton, AZ, stated they are representing the San Luis Soccer League Association and added that they will be participating in the Cesar Chavez event to take place on March 25, 2023. Mr. Ramirez indicated that they will be organizing a soccer event in support of the Josefina Yopez Cancer Association to assist the patients undergoing cancer treatments. The soccer tournament will take place after the Cesar Chavez parade at the Joe Orduño Park, they invited everyone present to attend the event.

Ms. Maria Robles, 1195 California Street, San Luis, AZ, thanked the Mayor, City Council and City of San Luis for the support provided in celebrating the life of leader Cesar Chavez. She added that there will be different celebration days during the month of March and invited everyone to attend.

Ms. Carmen Calzada, 1044 Ed Pastor Avenue, San Luis, AZ, asked the Mayor and City Council to prohibit trailers to go through her neighborhood. She added that on February 20, 2022, there was a trailer impeding the traffic to cross. They do not only drive through the area, but they also interfere with the sight of incoming traffic as they park the trailers on the street and it looks like a junk yard.

Mr. Victor Espinoza, 2412 Uribe Street, San Luis, AZ, explained that when he takes his dog to walk to the south of Los Alamos, he has noticed all the trash and tires there is that people go and dump. He asked if a big dumpster could be located so that people can dispose of trash there. All the trash there does not only look bad but it is not good for the environment.

Mayor Nieves Riedel invited and thanked the residents for attending the Council meetings. Furthermore, she introduced Ms. Jenny Torres, Assistant City Manager, adding that Ms. Torres was in charge of the Economic Development Department. Mayor Nieves Riedel also announced that the Council meeting is being livestreamed and hopefully it does not disconnect due to the bad weather (strong winds).

Ms. Maria Cecilia Cruz, 1255 Ruiz Avenue, San Luis, AZ, as Board Member for Yuma Region Bicycle Coalition expressed that on February 11, 2023, they had the 2022 Tour de Fields Award and Sponsor Recognition Luncheon. She added that Proverbs 31 Home Non-Profit was awarded \$5,708.00.

Ms. Cruz mentioned the first year of Tour de Fields counted with 30 participants, in 2020 it had 136 participants, 2021, there was 178 cyclists and in 2022 it consisted of 200 cyclists in the City of San Luis. She presented a trophy to Mayor Nieves Riedel for recognizing the City of San Luis as the host city.

5. CONSENT AGENDA

5. A. MINUTES OF

- Special Council meeting held January 25, 2023

5. B. Disbursements from February 2, 2023 to February 13, 2023

Total disbursements \$1,163,555.05

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

MOTION: Council Member Gloria Torres/Council Member Tadeo Azael De La Hoya 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 contract with Chicano Arts Collective, Inc. for the Chicano Art Walk event for the fiscal year 2022-2023. (Kay Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, explained that this is the first year the city has entered into an agreement with Chicano Arts Collective, Inc. The city has budgeted \$5,000.00 for Chicano Art Walk for Fiscal Year 2022-2023.

MOTION: Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to approve the contract with Chicano Arts Collective, Inc. in the amount of \$5,000.00. 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. B. Discussion and possible action on any and all matters regarding the contract with the Comite De Bien Estar, Inc. for the Cesar Chavez Life and Legacy Celebrations in March. (Kay Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, stated that Comite De Bienestar, Inc., as a non-profit is formally contracting with the city for the events in March in remembrance of the Cesar Chavez Life and Legacy.

Council Member Gloria Torres declared a possible conflict of interest and abstained from voting on this item.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Tadeo Azael De La Hoya to approve the contract with the Comite de Bienestar in the amount of \$5,000.00 for the Cesar Chavez Celebrations in March 2023. Motion passed with six (6) aye votes and one (1) abstention.

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	Abstained
Council Member Javier Vargas	Aye

6. C. Discussion and possible action on any and all matters regarding the appointment of a Trustee to the Employee Benefit Trust due to the expiration of the first of three possible five-year terms of Trustee Gustavo MacGrew. (Adela Cortez, Director of Human Resources)

Ms. Adela Cortez, Director of Human Resources, explained that Arizona Revised Statutes authorizes the City of San Luis to establish a self-funded insurance program for health benefits for its employees.

The same statute requires the establishment of a health benefits trust for the purposes of management and administration of this program, along with establishment of a Health Benefits Trust Board to administer the health benefits trust. The board consists of five (5) trustees who shall hold, manage, care for and keep the fund in established terms and conditions for the Employee Benefits Trust. On March 14, 2023, Mr. Gustavo MacGrew, first (1st) of three (3) possible five (5)-year terms expires. Mr. MacGrew is an insurance agent and has brought expertise to the decisions concerning the health plans in the Employee Benefits Trust. He has expressed his willingness to continue to serve as trustee. Under Section 3.01 of the Declaration of Trust, the Mayor nominates the trustee and the City Council shall consider and may appoint who they Mayor has recommended.

A. Action (by Mayor only) to nominate one (1) Trustee.

Mayor Nieves Riedel nominated Mr. Gustavo MacGrew to continue serving on this board.

B. Action by City Council on the recommendation.

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to appoint Gustavo MacGrew as Trustee to the Employee Benefits Trust. 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 Resolution No. 2254. A resolution of the Mayor and City Council of the City of San Luis, Arizona, amending the City of San Luis Personnel Policies § HR-3-03(L) for additional compensation for reassignments to become effective the date of reassignment rather than after 90 days of the effective date; repealing any conflicting provisions; and providing for severability. (Adela Cortez, Director of Human Resources)

Ms. Adela Cortez, Director of Human Resources, stated that the City's Salary Administration policy, allows for employees to be temporarily assigned to cover another position of a higher or lower grade or assigned to assume some of the duties of a higher or lower pay grade to meet temporary organizational needs.

This is commonly done when another position is vacant or as a result of an employee's Leave of Absence and duties to that position requiring coverage. Furthermore, she added that the policy indicates that employees will remain at their regular rate for 90 days. If the temporary reassignment extends beyond three (3) months, the employee will receive additional compensation on the 91st day. Staff is seeking approval to provide additional compensation to employees on the effective date of the reassignment on day one (1) rather, than waiting for 90 days.

Council Member Tadeo Azael De La Hoya asked if money is owed to any employee that have recently gone through the old policy; he added he is in favor of this policy. Within the last few years, he is aware that there has been a few employees that have been reassigned from lower to higher positions at the need of the city.

Ms. Cortez responded that she would not say they are owed because the current policy states they have to wait 90 days; there are a number of employees on temporary reassignment. If the resolution is approved, then moving forward is when the change takes place for those individuals that are currently reassigned. It would be an executive decision to make it retro pay.

Mayor Nieves Riedel thanked Ms. Cortez for presenting this item adding that employees should be paid on day one (1) of their reassignment.

Vice Mayor Luis E. Cabrera also agreed that employees should be compensated on the first (1st) day they are reassigned.

Council Member Tadeo De La Hoya asked if by executive decision means Mr. Ralph Velez, Interim City Manager or City Council.

Mr. Ralph Velez, Interim City Manager, indicated he would defer to the City Council; but there has been many employees that have gone through this phase and does not believe it would be fair to retro pay the existing employees and not retro pay everybody else that has gone through a reassignment. Currently, there are six (6) employees during the interim to do it retroactive from day one (1) or tomorrow morning. His choice will be tomorrow morning to be fair.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to approve and adopt Resolution No. 2254 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. E. Discussion and possible action on any and all matters regarding the City of San Luis Public Works accepting professional services proposal from Nicklaus Engineering Incorporated for the Re-design, Bidding Assistance, and Construction Administration of the Co. 22nd and 4th Ave intersection improvements to include dual turn lanes and traffic signals. (Manuel Hernandez, Public Works Project Manager)

Mr. Manuel Hernandez, Public Works Project Manager, explained that Public Works is requesting approval from City Council for the Professional Services for the update of the current design to include the turn lanes and traffic signals as mentioned. He added that some traffic studies were completed and the recommendation was to add the turn and traffic signals to improve the turn lanes.

Mr. Eulogio Vera, Director of Public Works, stated that currently there is a design that is complete; the only difference is because of the expansion of Cesar Chavez Boulevard, now that there is funding is actually on a timeline to get build. The original design was updated and recommended dual left turns to help traffic circulation through that intersection. This is for the design and professional service and once it is designed, it includes construction and administration. He added that it may be designed before the end of this fiscal year and completed by next fiscal year. The preliminary layout demonstrates that one corner of right-of-way is still needed; it has been discussed and the owner agreed to it, but the document has not been received. The significant right-of-way that will be used on the east side of 4th Avenue and the city has already acquired it through the process of a lot split.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Maria Cecilia Cruz to accept the Professional Services Proposal for the re-design, bidding assistance and contraction administration of the Co. 22nd Street and 4th Avenue intersection improvements by Nicklaus Engineering, Incorporated not to exceed \$44,797.00. 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. F. Discussion and possible action on any and all matters regarding the acceptance and award of a construction contract for the Co. 24th Street Between Avenue H to Avenue F 1/2 Project. (Manuel Hernandez, Public Works Project Manager)

Mr. Manuel Hernandez, Public Works Project Manager, stated that Public Works is seeking City Council's approval for the acceptance and awarding of a construction contract for the Co. 24th Street between Avenue H to Avenue F½ project.

Mayor Nieves Riedel thanked all those involved in this project and added that this is going to alleviate traffic on Cesar Chavez Boulevard from Avenue F to 10th Street.

Mr. Eulogio Vera, Director of Public Works, expressed that some of the funding for this project is HURF exchange, the city will also obtain some Yuma Metropolitan Planning Organization (YMPO) funding and the remainder will be American Rescue Plan Act (ARPA) funds.

He added that Gutierrez Canales used to be partners with Nicklaus Engineering, one was doing construction and the other one engineering. Since a few year, Gutierrez Canales is 100% on its own doing construction and the city has done business with them and they a reputable company in Yuma County.

MOTION: Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to accept the construction services for the construction of the Co. 24th Street between Avenue H and Avenue F½ by Gutierrez Canales Engineering, PC, not to exceed \$2,639,269.14 and approve budget transfer as stated in the fiscal impact of this item. Motion passed unanimously.

The vote was as follows:

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

7. SUMMARY OF CURRENT EVENTS

Mayor Nieves Riedel announced that a fundraiser will take place after the meeting at La Bodega to assist a city employee who is going through a very serious health issue. The owners of La Bodega have agreed to donate 20% of the sales from 5:00 p.m. to 10:00 p.m., she invited everyone present to participate.

Vice Mayor Luis E. Cabrera reported he attended the Comic-Con event by Mr. Antonio Carrillo, and stated it was a good turnout. He congratulated Mr. Carrillo for the Comic-Con's 10th Anniversary in the City of San Luis. He also mentioned that San Luis High School has their state championship soccer game on February 25, 2023.

Council Member Maria Cecilia Cruz reported that February is Teen Dating Violence Month Awareness and one (1) in four (4) women first experience intimate partner violence prior to the age of 18. On February 16, 2023, South Yuma County Domestic Violence Coalition was invited by the San Luis Police Department to attend the presentation at San Luis High School for Teen Dating Violence Month Awareness and exchanged communication with teenagers.

8. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to adjourn the Regular Council meeting at approximately 6:45 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 February 22, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk