

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
July 26, 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 Azael De La Hoya
Council Member Matias Rosales
Council Member Gloria Torres
Council Member Javier Vargas

OTHERS PRESENT: Jenny Torres, Assistant City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Alicia Zermeño, Magistrate
Angel Ramirez, Fire Chief
Angelica Cifuentes, Purchasing Coordinator
Antonio Maldonado, Video Production Specialist
Domingo Sosa, Graphics and Media Specialist
Edgar Esparza, Billing & Collections Manager
Eulogio Vera, Director of Public Works
Francia Alonso, Public Information Officer
Manuel Hernandez, Acting Assistant Director of Public Works
Miguel Alvarez, Chief of Police
Miguel Ramirez, Finance Accounting Manager
Olivia Jenkins, Operations Coordinator
Ruben Lopez, I.T. Technician
Alberto Leon, Resident
Buna George, Greater Yuma Port Authority
Cecilia Torres, Comite De Bien Estar
Lucky Hoyos, Resident
Mark Concha, Resident
Martina Lopez, Comite De Bien Estar
Michele Peña, Arizona State Representative
Tori Bourguignon, Amberly's Place Director

2. PLEDGE OF ALLEGIANCE

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

3. INVOCATION

Mr. Daniel Ramos – Pastor for Iglesia Apostolica de la Fe en Cristo Jesus, led the invocation.

4. CALL TO THE PUBLIC

Mr. Bruce Luna, 16590 S. Avenue 2 ½ E, Yuma, AZ, handed out to the Mayor and City Council a copy of the United States Constitution adding that this is what we all go by. He commented that, recently at Arizona State University (ASU) a student was arrested for handing out the U.S. Constitution, this is a shame. One has to start thinking about what needs to be done to stand up to things like that. What will be next? That the Pastor cannot pray an invocation at a Council meeting. The City of San Luis has always been the first to do things, to stand up for things and doing the leading, although he is from Yuma, it is not happening in Yuma, there are leaders in San Luis. He also mentioned that the proclamation of child support awareness, it is a wonderful thing the Mayor and City Council are doing, but it also goes to protect children. He added that in the high school, they are allowing grown men to go to the bathroom with a child, if one calls the school, they will say it is not happening. But there are laws to protect that minor child; he has asked the Yuma Union High School, what law allows a grown man to go to the bathroom with a minor and have not been able to tell him which law allows that. They have been teaching parents to call 911 to get it on record, he reminded that the teacher, security, School Resource Officer, principal, and superintendent are there, do they know what is happening, maybe or maybe not. But when a child calls 911, asks for help and want to file a complaint, that complaint should be taken followed by an investigation, then it goes to the City Prosecutor and decide whether it will be placed in front of a Grand Jury. He provided the City Council and the Chief of Police with a packet, if they do not do anything about it, they are as guilty as they now know about it. Young ladies go home without using the bathroom at schools because they are scared, and this can cause a urinary tract infection and emotional distress. Recently, something else came up with Yuma Union High School having to do with marijuana and illicit drugs, his understanding is that if a kid gets caught with illicit drugs, he/she will be suspended for only three (3) days. As parents, one is raising kids not to be involved in drugs, but people are making changes to that it is ok, when it is not ok. When it comes to the chain of custody of drugs, when the principal gets the drugs in the morning, he/she should be transferring it over to the Police Officer immediately. As a parent, one needs to ask one's children what is going on at school and support them.

5. PROCLAMATION/PRESENTATIONS

5. A. Child Support Awareness Month August 2023

Mrs. Sonia Cornelio, City Clerk, read the title of the Proclamation.

5. B. Presentation of retirement plaque to Rodrigo Valencia for his 20 years of service to the City of San Luis. (Angel Ramirez, Fire Chief)

Mr. Angel Ramirez, Fire Chief, stated that today he will present Mr. Rodrigo Valencia, Paramedic/Firefighter, with his 20-year retirement plaque. He added that Mr. Valencia was the first firefighter that became a nurse within the City of San Luis. It is a loss for the City of San Luis and its residents, because he is one (1) of the best firefighters in the organization.

Mr. Valencia thanked his family, the Mayor, City Council, Chief Ramirez and his crew for the support provided during his career. He added it was an honor to have served the City of San Luis and its residents for the past 20 years.

Mayor Nieves Riedel on behalf of the City Council, staff and residents thanked and congratulated Mr. Rodrigo Valencia.

5. C. Presentation and recognition to Sgt. Jesus De Leon for his 23 years of service and retirement from the San Luis Police Department. (Miguel Alvarez, Chief of Police)

Mr. Miguel Alvarez, Chief of Police, thanked Mr. Luna for providing him with the U.S. Constitution, very symbolic for this occasion on Sgt. De Leon's retirement, because as Law Enforcement Officers, they swore to protect the Constitution of the United States of America, which they take very seriously. This is what they do everyday to preserve the rights of the people of the United States in the best way possible. Chief Alvarez added that Sgt. Jesus De Leon is a homegrown Police Officer, retired as a Police Sergeant. He began as a Police Explorer Advisor at the City of San Luis, then a Police Volunteer; his time and service to the City of San Luis and its residents is over 23 years. As a Police Officer, one does not know if one will make it back home when you begin your shift. Today, the city is celebrating Sgt. De Leon's retirement because he made it back to a life outside of law enforcement. They risk their lives to protect each citizen and prays that all officers worldwide are able to return home safely and have the opportunity to retire happy. He presented Sgt. Jesus De Leon with his 23-year retirement plaque and badge.

Mr. De Leon thanked the Mayor, City Council, staff and residents for their support throughout his career serving the City of San Luis and its residents.

Mayor Nieves Riedel on behalf of the City Council, staff and residents thanked and congratulated Sgt. De Leon.

5. D. Presentation on Comite de Bien Estar's Financial Assistance Program and their services to the community. (Martina Lopez, Comite De Bien Estar Housing Director)

Ms. Martina Lopez, Comite de Bien Estar Housing Director, introduced Ms. Cecilia Torres, Rental & Foreclosure Specialist, who works daily with their clients.

Ms. Torres provided a brief PowerPoint presentation on the rental and utilities assistance through the Department of Labor, specially for seasonal and migrant farm workers; emergency rental assistance program/utility assistance through Arizona Department of Economic Security (AZ DES) for elderly people, farmworkers and non-farmworker that are not able to fill out the applications themselves or do not have access to technology. They also aid with foreclosure prevention financial assistance through the Arizona Department of Housing. She explained some of the requirements for the different programs.

Mayor Nieves Riedel commented that she had asked Ms. Lopez about the programs as she found out that there are funds for utilities and Arizona Public Service (APS) has announced they will not disconnect nobody's electricity service. She would like the City Council to consider doing the same with the utilities and not disconnecting the water services to residents during the summer as there are some people that utilize swamp coolers. She asked Ms. Lopez if she can provide the city some flyers that can be distributed to residents of the different programs Comite De Bien Estar offers and meet with Mr. Edgar Esparza, Billing & Collections Manager, to discuss the programs in depth.

6. CONSENT AGENDA

6. A. MINUTES OF

Regular Council meeting held June 28, 2023

6. B. DISBURSEMENTS FROM JULY 13, 2023 TO JULY 19, 2023

Total \$1,214,932.02 (One Million, Two Hundred Fourteen Thousand, Nine Hundred Thirty- Two Dollars and Two Cents)

6. C. Discussion and possible action on any and all matters regarding the Fiscal Year 2023-204 for Council's line-item budget in the General Ledger Account named Council's Contractual Services for consideration of continuing as a signatory on the Intergovernmental Agreement, Greater Yuma Port Authority. (Jenny Torres, Acting City Manager)

MOTION: Council Member Gloria Torres/Council Member Javier Vargas to approve the Consent Agenda as presented.

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. DISCUSSION AND POSSIBLE ACTION ITEMS:

7. A. Discussion and possible action on any and all matters regarding the City of San Luis awarding a construction services contract to Gutierrez Canales Engineering, PC for the replacement of five (5) sanitary sewer manholes located near Hidalgo Ave and Cesar Chavez Blvd. (Manuel Hernandez, Acting Assistant Director of Public Works)

Mr. Eulogio Vera, Director of Public Works, indicated they would like to continue this item and present it to the Mayor and City Council at a future council meeting.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Tadeo Azael De La Hoya to continue this item to a future date. 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. B. Discussion and possible action on any and all matters regarding authorization to approve fiscal years 2023 & 2024 cumulative purchases for the Public Works Department. (Eulogio Vera, Director of Public Works)

Mr. Manuel Hernandez, Acting Assistant Director of Public Works, explained that they are requesting ratification for purchases made in Fiscal Year 2023 and approval of Fiscal Year 2024 accumulative purchases. These cumulative purchases include essential services and supplies such as laboratory services, chlorine, compliance services for water and wastewater operations, landfill services and containers for solid waste, maintenance improvement district landscaping, fuel for entire fleet of city vehicles, day to day supplies and super services staff needs to operate.

Council Member Tadeo Azael De La Hoya asked why a big amount for Fiscal Year 2023 is being ratified.

Mr. Hernandez responded that last year, staff failed to present this cumulative list, only a few vendors were presented, but not the entire list.

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to approve and ratify purchases for FY 2023 and approve purchases for FY 2024 of services and materials listed on the Public Works Cumulative Purchases schedule as presented in this agenda 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. C. Discussion and possible action to hire Jerry Landau as a part-time, temporary employee as an on-call, as-needed, temporary magistrate for the San Luis Municipal Court. (Jenny Torres, Acting City Manager)

Ms. Jenny Torres, Acting City Manager, explained that in January 2023, the Arizona Supreme Court ordered the Yuma Superior Court Presiding Judge to take over the administrative control and day to day operations of the Municipal Court. During that time Judge Alicia Zermeño was ordered as a temporary Municipal Magistrate. On July 18, 2023, staff received a different order from the Presiding Judge appointing Mr. Jerry Landau as temporary Municipal Magistrate. Mr. Landau is an attorney, became a prosecutor for Maricopa County and legislative liason for the Arizona Supreme Court and is currently assisting the Supreme Court in situations like the one the city has in the Municipal Court of having a judge. The recommendations for the term of employment with Mr. Landau was provided by the Superior Court, the city will be using the GSA mileage rate since Mr. Landau lives in the Phoenix area. The plan is for him to come to the City of San Luis for a few days and then drive back. His focus would be on policies, procedures, filling vacancies and address all outstanding court cases. She met with Judge Haws and Court Administrator where the the existing contract with Ms. Zermeño and a new contrarct were discussed. Ms. Torres added that at the next council meeting, she will be presenting Ms. Zermeño's contract, because there will be two (2) temporary magistrates, which the city cannot afford. She is presenting this item to approve Mr. Landau's contract as staff was advised that he is beginning work on July 31, 2023.

Council Member Tadeo Azael De La Hoya asked what happened to the permanent City Magistrate recruitment process.

Ms. Torres responded that at the last council meeting the City Council directed staff to close the opening and reopened it due to some changes to the job description that were recommended by the Superior Court.

Council Member Tadeo Azael De La Hoya asked how long the contract will be for.

Ms. Kay Macuil, City Attorney, stated that it has to end before two (2) years, based on an Arizona case law that limits the time to no more than two (2) years.

Ms. Torres added that the intent is to fill the vacancy as soon as possible, so that a contract is only temporary.

Council Member Tadeo Azael De La Hoya asked then the contract can be terminated in a month if the city finds the person. It is \$80.00 an hour, plus mileage and accomodations and seems costly for him for a period of two (2) years.

Ms. Macuil said Mr. Landau is also appointed by the Presiding Judge and came as an order from the Supreme Court. The normal course, once the city has a magistrate, they would remove the appointment, but in the meantime, the Supreme Court is in charge on the appointment, so there might be some overlap. The termination time will be up to the court and on this one, staff would not be able to give an end date because the court appointed him as well. The Presiding Judge did indicate that he did want some overlap time between the new judge and this judge.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to hire Jerry G. Landau as a part-time, temporary employee as an Assistant Magistrate not to exceed 28 hours per week, direct staff to create a contract with the terms presented for his employment and authorize the Acting City Manager to sign the contract. Motion passed unanimously.

The vote was as follows:

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

8. SUMMARY OF CURRENT EVENTS

Council Member Matias Rosales reported that he and Council Member Tadeo Azael De La Hoya attended the Binational Bridges & Border Crossing meeting in Washington, D.C. at the State Department. These are meetings hosted by the State Department where all the border communities attend and present their needs for their projects. They presented an update on the San Luis Port of Entry I. He added that the State Department brought up that this is being talked about at the federal level in all the departments. They also presented on the San Luis Port of Entry II and the wants of the future for this port.

Council Member Tadeo Azael De La Hoya stated that it is important the communities are represented at these meetings.

Council Member Javier Vargas reported that two (2) weeks ago, he attended the National Association of Latino Elected and Appointed Officials' (NALEO) 40th Conference. In this conference he had the opportunity to meet Latino elected and appointed officials from across the country. He had an opportunity to listen to the exchange of ideas, problems they are facing and their solutions.

Council Member Maria Cecilia Cruza reported that the city has completed some projects such as Phase I - \$600,000.00 in grants & Phase II - \$240,000.00 on Mesa Street; Los Oros Street Phase II - \$500,000.00 in grants; County 22nd Street and Sidewinder Road - \$738,000.00 and County 24th Street - \$2 million. She thanked staff and one can see the completed projects.

Vice Mayor Luis E. Cabrera reported that residents are happy County 24th Street is opened, this was announced on social media and he also read some comments regarding the street lights asking if they will be installed. According to the city's Administration Office, it is in the works. Moving forward staff is trying to locate funding for sidewalks and to continue the development infrastructure as it will not be left as it is. He added that the city welcomes new investing, there is a big investment approaching with the expansion of Cesar Chavez Boulevard, the city does need more funding and will be knocking on doors at all levels looking for that support.

Council Member Gloria Torres thanked all those involved in the projects mentioned by Council Member Maria Cecilia Cruz.

9. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to adjourn the Regular Council meeting at approximately 6:59 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 July 26, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk