

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
September 13, 2023
6:00 p.m.

APPROVED by Council
Date: 10/11/2023
Clerks Office: SC

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 (virtually @ 6:01 p.m.; in person @ 7:43 p.m.)
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, Acting City Manager
Glenn Gimbut, Assistant City Attorney
Melissa Lopez, Deputy City Clerk
Angel Ramirez, Fire Chief
Antonio Maldonado, Video Production Specialist
Domingo Sosa, Graphics and Media Specialist
Eulogio Vera, Director of Public Works
Francia Alonso, Public Information Officer
Jorge Perez, Assistant Director of Public Works
Jose L. Cisneros, Acting Parks & Recreation Director
Juan Tejeda, Associate Planner
Manuel Hernandez, Acting Assistant Director of Public Works
Maria Muñoz, Human Resources Analyst
Maria Sabori, Risk Manager
Olivia Jenkins, Operations Coordinator
Ruben Lopez, I.T. Technician
Xochitl Lopez, Administrative Coordinator
Alberto Leon, Resident
Buna George, Greater Yuma Port Authority
Cesar Neyoy, Reporter
Christian Cuevas, Simultaneous Translator
Daniel Bazua, Resident
Emma Torres, Campesinos Sin Fronteras
Fabher Sanchez, Resident
Frank Rascon, Resident
Guillermina Fuentes, Resident
Julie Engel, Greater Yuma Economic Development Corporation

Lucy Lopez, Reporter
Luis Marquez, Resident
Mark Concha, Resident
Najeh Edais, Edais Engineering
Rogelio Torres, Campesinos Sin Fronteras
Wayne Benesch, Attorney

2. PLEDGE OF ALLEGIANCE

Council Member Gloria Torres led the Pledge of Allegiance.

3. INVOCATION

Mr. Abel Garcia, Pastor - Church for the City, San Luis Campus, led the invocation.

4. CALL TO THE PUBLIC

Ms. Emma Torres, Executive Director for Campesinos Sin Fronteras, spoke about the 29th Annual Dia Del Campesino (Farm Workers Day) and asked the Mayor and City Council for their support for this event to be held. The event will take place on Friday, December 1, 2023.

Mr. Rogelio Torres, Campesinos Sin Fronteras, asked for the usage of the Joe Orduno Park and thanked the Mayor and City Council for their continuous support towards this event.

Mayor Nieves Riedel thanked Mr. and Ms. Torres for their hard work and dedication towards this event.

*Ms. Angelica Torres, 992 Babbitt Lane, San Luis, AZ, stated that some people are dissatisfied with Mr. Castro from Gethsemani Church. She recently experienced a very serious event. Mr. Castro's trailer came into her house, and the trailer was off. This occurred on August 21, 2023, at approximately past 2:00 p.m., that is the time when the police report was done. She got very nervous and scared because her 2-year-old granddaughter was playing in the area 30 minutes before the accident. He continues to have his trailers there, and a few neighbors have had problems with him. I do not agree that he has his sales there because he sells things; he does not give them away. They ask that Mr. Castro not have his trailers or his sales there. The neighbors take out their trash cans, and those who come to buy move them to the sidewalk, and the trash is not taken by the trash truck. She asked the Mayor and City Council to please listen to her and not wait for a fatality to happen. Mr. Castro has not taken the initiative to approach her to ask how she is feeling, and added that he did mention that he was going to take care of everything, and the following, he cleaned up the mess. Ms. Torres and her husband have been dealing with Mr. Castro's insurance as he has not approached them as a concerned neighbor. His mess has converted to trash, causing roaches, mice, and insects. She has a signed letter from her and her neighbors regarding their dissatisfaction with Mr. Castro. She asked that Mr. Castro remove his trailers, adding that there is an ordinance that prohibits trailers in residential areas. His trailers have the box on day and night, making an annoying, bothersome noise.

*Ms. Emma Lopez, resident, added that what Ms. Torres is saying is true. Pastor Castro has always had a mess and trash due to his business. Some trailers carry potatoes and are there for two (2) or three (3) days, and once the trailers are opened, there is a foul odor coming out that is dangerous to inhale as it can cause an infection. She commented that the park next to Mr. Castro's church has the pallets leaning on the wire he placed. He has clothes, and next to him is a mechanic that when one goes by and, looks ugly. This is a hazard for the children in the neighborhood.

*Mr. Daniel Padilla, 101 Babbitt Lane, San Luis, AZ, stated that he and his family live behind the church and will talk about some of the fact they have lived throughout the years. The number of people that go weekly and park wherever they can, including the sidewalks. The commercial trash container is always full of food and rotten products, and the smell of trash always attracts animals and insects. There is an accumulation of pallets, furniture, mattresses, and couches; the noise of the semi-wagon trailer refrigeration every day through 10:00 p.m. or later. Homeless people live on the property, which is not fair for him or his neighbors. The damages caused by the church to him and his neighbors, such as the fences. They have lived with this for many years; this is the 4th time he has come to talk to them. And it is not possible that the city cannot do anything about this, and they are fed up with this situation.

*Ms. Alejandra Perez Arce, resident, stated that she got bit by a salamander on her toe and was hospitalized for three (3) days in San Luis Rio Colorado, Sonora. She lives behind Pastro Castro, and it has affected her as she got bitten by this animal. She continues to feel pain due to this incident, and a mess is near her fence.

Mayor Riedel apologized for all this and assured them that this city is run by rules and laws, and as long she is the Mayor, they will be followed.

5. PROCLAMATION

5. A. Hispanic Heritage Month September 15, 2023 - October 15, 2023

Ms. Melissa Lopez, Deputy City Clerk, read the proclamation by title only.

5. B. Presentation and update on the East San Luis Community Park. (Jenny Torres, Acting City Manager)

Ms. Jenny Torres, Acting City Manager, provided an update on the park and briefly explained the conceptual plan. The park consists of 28 acres, and currently, the city does not have the funding to do it all at once, but it will be done in phases. She added that Phase 1 was focused on planning the area, and over \$700,000.00 was spent. Phase 2 involves evaluating and changing the grading assessments, and due to the constraints in the budget, staff will concentrate on the water, electrical, irrigation, soccer fields, and lighting; the lights will be turned on by the end of October 2023. Ms. Torres explained the planning and its components for Phase 2. The PowerPoint presentation is on file at the City Clerk's Office with the complete agenda packet.

Mayor Nieves Riedel stated that the City of San Luis is one of the five (5) cities that does not have a property tax. The city wants to complete this project, but it takes money. If the city were to complete this project, it would sacrifice other important projects, important as the East San Luis Community Park. So, this is where the community needs to get involved and help. In May 2024, hopefully, the property tax will pass, which will be minimal for the things that residents will attain in return.

Mayor Nieves Riedel indicated that she has been informed that one (1) person wants to speak on Call to the Public. As a result, she will make an exception and give the opportunity to this person to address the Mayor and City Council. (Please see Call to the Public on pages 2 & 3 with an asterisk (*) for those who spoke on Call to the Public after it was announced).

6. CONSENT AGENDA

**6. A. MINUTES OF
- Regular Council meeting held August 9, 2023**

6. B. DISBURSEMENTS FROM AUGUST 16, 2023 TO SEPTEMBER 5, 2023

Total \$2,930,223.47

(Two Million, Nine Hundred-Thirty Thousand, Two Hundred Twenty-Three Dollars and Forty-Seven Cents)

MOTION: Council Member Gloria Torres/Council Member Javier Vargas 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

7. DISCUSSION AND POSSIBLE ACTION ITEMS:

Mayor Nieves Riedel declared a conflict of interest and will abstain from participating. She asked Vice Mayor Luis E. Cabrera to take over the item.

7. A. Discussion and possible action on any and all matters regarding Subdivision Case No. 2023-0291F, a request by Edais Engineering Inc., on behalf of Riedel Holdings LLC, for the approval of Los Mezquites Unit 3 Final Plat; the property is located west of 24th Avenue and south of Los Mezquites Unit 2 Subdivision in San Luis, Arizona. (Jose A. Guzman, Director of Planning & Zoning)

Mr. Juan Tejeda, Associate Planner, explained that this is a request by Edais Engineering for the final plat approval for Los Mezquites Unit 3 Subdivision. The subdivision consists of 38.87 acres that will be subdivided into 171 lots. One (1) big lot will be subdivided to townhomes in the future. The lot sizes range from 6,000 to 11,000 square feet. The property is part of a development agreement approved by the City Council, and the developer will have to comply with the conditions of the agreement. Staff recommends approval of the request with the conditions outlined in the report. The conditions are minor comments that were sent to the developer, comply with the development agreement, and traffic lights that were part of the traffic study. The applicant is in agreement with the proposed conditions.

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to approve Subdivision Case No. 2023-0291F with the conditions as presented by staff. Motion passed with six (6) ayes 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

7. B. Discussion and possible action on any and all matters regarding the Agreement with Arizona Public Service (APS) Company for the Electrical Installation Project for the East San Luis Community Park. (Jose Luis Cisneros, Acting Director of Parks & Recreation)

Mr. Jose Luis Cisneros, Acting Director of Parks & Recreation, stated that APS informed staff that the electrical final design for the park had been completed. APS will install primary installation lines and extend underground primary transmission lines to the new transformer. Also, Specialty Electric, the company awarded the electrical contract, informed staff that, hopefully, the park will have power by the end of next month. The installation of these facilities will allow staff to operate the well, irrigation systems, and lighting. Parks and Recreation staff is requesting the council's approval of the agreement for the construction of electrical distribution facilities for the East San Luis Community Park in the amount of \$51,055.48. This purchase falls under Procurement Code 3.05.020 Exclusive Services, as APS is a sole source provider.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to approve the agreement with APS in the amount of \$51,055.48 for the installation of electrical lines to the East San Luis Community Park. 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 on any and all matters regarding the purchase of (3) John Deere Tractors with Mulch Kit attachment and (1) John Deere Tractor with Backhoe attachment for the Parks Grounds Division. (Jose Luis Cisneros, Acting Director of Parks and Recreation)

Mr. Jose Luis Cisneros, Acting Director of Parks and Recreation, indicated that staff is seeking approval to modify the approved capital improvement projects (CIP) purchases for the background divisions for Fiscal Year 2024, which were four (4) wheel drive compact tractors and four (4) John Deere C920M truck tractors. Both purchases have a combined approved budget of \$118,844.81. After evaluating the department's needs and the vendor availability, staff will prefer to purchase three (3) John Deere Z994R diesel commercial Ztract tractors and one (1) John Deere compact utility tractor with a John Deere backhoe attachment. Staff had originally requested the John Deere model Z920M during the budgeting process; however, this model is not guaranteed to arrive during this fiscal year. Therefore, staff is requesting to purchase the model previously mentioned, which is guaranteed to be delivered within three (3) to five (5) months. Staff believes this model is better as it is known to be more cost-efficient, has a better life span, and will allow staff to be more productive. The current backhoe is constantly breaking down, the cost of repairs and maintenance has increased significantly, and it is believed that it is time to be replaced. The total amount of these purchases is \$97,598.75 and falls under the Procurement Code 3.05.090 Cooperative Purchasing.

MOTION: Council Member Matias Rosales/Council Member Tadeo Azael De La Hoya to approve the purchase of three (3) John Deere Diesel tractors with mulch kit attachments and one (1) John Deere Compact Utility tractor with backhoe in the amount of \$97,598.75 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

7. D. Discussion and possible action on any and all matters regarding the engagement of engineering services and bid assistance with James Davey and Associates, Inc., for the design of a two (2) million-gallon water storage tank at Well Site #7. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, said this project is for the engagement of James Davey and Associates for the design of a 2-million-gallon water storage tank. They recently completed the same work for the City of Somerton and are knowledgeable of this project. James Davey and Associates has helped the City of San Luis on other water projects and has reliable water data on the city's water facilities. Staff is seeking the council's approval to award this design process to James Davey and Associates for \$53,495.00.

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to move to engage James Davey and Associates, Inc. for design services and bid assistance on a new 2 million gallon water storage tank in the amount of \$53,495.00. 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

7. E. Discussion and possible action on any and all matters regarding budget transfer and payment ratification on the intersection improvements on County 22nd Street and Sidewinder Road. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, explained that this is for Phase 1 of Sidewinder Road and County 22nd Street improvements. The city began work in May 2023, and there was only \$170,000.00 budgeted for that fiscal year. Staff anticipated that the project would move as fast as it did; the contractor that was awarded the project completed most of the work during Fiscal Year 2023. Staff worked with the Finance Department and found budget capacity that ended June 30, 2023; therefore approval is being asked for the payment ratification for the amount of work completed during Fiscal Year 2023.

MOTION: Council Member Gloria Torres/Council Member Tadeo Azael De La Hoya to approve a budget transfer and ratify payment of Purchase Order 2023-4230 for construction services at County 22nd Street and Sidewinder Road intersection improvements Phase 1 as stated 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. F. Discussion and possible action on any and all matters regarding amending professional services with Nicklaus Engineering Incorporated for the bidding assistance, construction administration, and extending the project limits of the County 22nd Street and 4th Avenue intersection project. (Manuel Hernandez, Acting Assistant Director of Public Works)

Mr. Manuel Hernandez, Acting Assistant Director of Public Works, stated that this item asks for authorization to amend the current agreement with Nicklaus Engineering for the County 22nd Street and 4th Avenue intersection design project to include bidding assistance, construction administration, and extending the project boundaries.

MOTION: Council Member Javier Vargas/Council Member Maria Cecilia Cruz to accept the amended professional services proposals from Nicklaus Engineering Incorporated, adding bidding assistance, construction administration, and extending the project limits of the County 22nd Street and 4th Avenue intersection improvement design in the amount of \$44,242.00. 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

7. G. Discussion and possible action on any and all matters regarding the installation of 37 streetlights at County 24th Street roadway. (Manuel Hernandez, Acting Assistant Director of Public Works)

Mr. Manuel Hernandez, Acting Assistant Director of Public Works, explained that staff seeking approval for the installation of streetlights on the newly completed road at County 24th Street.

Vice Mayor Luis E. Cabrera asked if there is a plan to install streetlights throughout the city.

Mr. Hernandez responded that currently, staff has allotted four (4) projects, including this one; those projects are County 22nd Street between Sidewinder Road and 4th Avenue, 10th Avenue and Cesar Chavez Boulevard and 6th Avenue.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to approve the contract with APS in the amount of \$97,121 for the installation of streetlights along County 24th Street and the southern end of 10th Avenue and authorize budget transfer as requested 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. H. Discussion and possible action on any and all matters regarding authorization to purchase three (3) fully marked Harley-Davidson Motorcycles using Fiscal Year 2023-2024 Capital Projects budgeted funds. (Nigel Reynoso, Administrative Lieutenant)

Mr. Nigel Reynoso, Administrative Lieutenant, stated that they are seeking approval to purchase three (3) fully marked and equipped motorcycles. These motorcycles will be assigned to the Patrol Division or certified motor officers. The motor officers' primary duties are responding to collisions and traffic enforcement. Currently, the Police Department has three (3) 2014 Honda motorcycles and has difficulty finding parts. For the past six (6) months, they have only been able to run one (1) motorcycle at a time because those motorcycles are no longer being made.

Mayor Nieves Riedel asked what the Police Department is doing with old motorcycles. Are they being donated, used them for parts, sell them, etc.

Lieutenant Reynoso responded that the first option is to auction them, and donating them defeats the purpose of who they are being donated to, as they will face the same issues staff is encountering themselves with.

Mr. Glenn Gimbut, Assistant City Attorney, added that since this is not going through a state bid or state contract, he would add to the motion the words, and the Council hereby waves the formal purchasing requirements of the purchasing code.

MOTION: Council Member Matias Rosales to approve the purchase of three (3) new 2023 Harley-Davidson police motorcycles and approve the marking and equipping of the vehicles for a total amount not to exceed \$137,100.00 as presented and waive formal purchasing requirements of the purchasing code. 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. I. Discussion and possible action on any and all matters regarding temporary staffing services through Hire Quest Inc. (Maria Muñoz, HR Analyst)

Ms. Maria Muñoz, HR Analyst, explained that the Human Resources Department contracted HireQuest Inc., a temporary staffing agency, last year to assist five (5) different departments. The services they usually provide are construction, light industrial, administrative/clerical services. This is good for time-sensitive projects or temporary projects; members are placed within three (3) to five (5) days upon request, and the time of employment can range from one (1) day to four (4) months. This year, there have been two (2) departments that have requested their services. Last year, HireQuest Inc. assisted with the clean-up campaign organized by the Public Works Department. Therefore, instead of hiring seasonal employees, the department went through a temporary staffing agency. The city does not provide any benefits for them; the temporary staffing agency offers workers compensation benefits. The city does not have to provide workers comp or social security benefits. She mentioned that the city has kept some of those employees as full-time, regular employees following the regular recruitment process. Last year, staff budgeted approximately \$150,000.00, but because it was a new service, staff did not know it would be a high-demand service. This year, a few departments have used them, and each department is paying for the services as needed from their contractual services budgeted line item. The temporary employees are local and from Yuma.

Ms. Monica Castro, Director of Finance, added that this year they are doing some housekeeping, and like Ms. Muñoz stated earlier, staff did not anticipate the amount was going to be high, and when it is more than \$45,000.00, staff must come before the City Council for ratification of 2023. Now, staff is being proactive and anticipates that it will be over \$45,000.00 this year and wants to have an open purchase order and not worry about being over the threshold of the procurement code.

Ms. Jenny Torres, Acting City Manager, stated that HireQuest Inc. has been a great help as they come in and assisted the city with special projects such as the cleaning of the roads after the dust storm, the clean-up campaign and staff has been able to recruit personnel from the agency.

MOTION: Council Member Javier Vargas/Council Member Matias Rosales to approve use of HireQuest temporary services, ratify purchase order for FY 2023 and FY 2024 as stated in this agenda item and waive the procurement city code for the reasons 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

7. J. 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, providing for severability, and declaring an emergency. ITEM CONTINUED FROM THE SPECIAL COUNCIL MEETING HELD JANUARY 25, 2023. (Jenny Torres, Acting City Manager)

(6 votes in favor are required in order to pass immediately as an emergency measure per A.R.S. § 19-142)

Ms. Jenny Torres, Acting City Manager, stated that this is a continuation from a previous City Council meeting. The Human Resources Director did an evaluation of the holidays being observed by the federal government, which is 11 holidays, the State of Arizona observes ten (10) holidays, and the City of San Luis observes 12 holidays. Staff's goal is to be in the middle and have 11 holidays. Therefore, it is recommended to add the Native American Heritage Day, which is the day after Thanksgiving. Then, the city would have 13 holidays; however, staff also recommends removing the COVID-19 Pandemic Remembrance Day from the city service pay holiday under the Personnel Policies but retaining it as a day of reflection and gratitude. In doing so, the city will observe 12 holidays. If the city wants to observe 11 holidays, one (1) holiday will need to be removed. Based on the information obtained, the other holiday to be removed can be Cesar Chavez Day or Columbus Day. Most employees prefer keeping Columbus Day as it is a federal holiday and will coincide with their kids being off from school.

Council Member Tadeo Azael De La Hoya recommended replacing Columbus Day with Native American Heritage Day and removing the COVID-19 Pandemic Remembrance Day. However, if one goes to the Phoenix, Los Angeles, or Texas area, they celebrate Cesar Chavez Day as a paid holiday. Mr. Cesar Chavez died in San Luis, Arizona, and did a lot of his work, and removing it would be contradicting and ironic; he recommended keeping the Cesar Chavez Day. The day after Thanksgiving should not be added as a holiday; historically, it has not worked through Department Heads to be off with their employees directly if they have the leave hours. He will not be voting in favor of taking the holidays from employees.

Council Member Matias Rosales commented that historically, the day after Thanksgiving was always a day off because City Hall did not work on Fridays, which was not an issue.

Council Member Gloria Torres stated that the city should observe the same holidays as the federal government.

Council Member Maria Cecilia Cruz commented she would like to leave the holidays just the way they are now because when the City Council added the COVID-19 Pandemic Remembrance Day, honoring some of the city employees and does not think the City Council should remove somebody's holiday because the City Council honored them. Now, it would be like, okay, they will no longer be honored.

Mayor Nieves Riedel commented that COVID-19 Pandemic Remembrance Day is not a national nor state holiday but should be a day of remembrance. Currently, it is a holiday with pay, and the city has to be conscientious that holidays cost money. The City of San Luis has the most holidays observed in Arizona. She added that between Cesar Chavez Day and Columbus Day, she prefers to observe Cesar Chavez Day out of pure respect, and Hispanics or Mexicans have a few heroes. It took a long time for people to accept it as a holiday, and he was from Arizona. For her, it is important to add the Native American Heritage Day as it does not make sense to have employees work the day after Thanksgiving and remove COVID-19 Pandemic Remembrance Day.

Council Member Matias Rosales asked if Columbus Day is observed during the fall break from schools.

Vice Mayor Luis E. Cabrera responded that the Gadsden School District is off Friday and Monday as a fall break, but they get Columbus Day off, even though they do not say it is Columbus Day off. Somerton School District for Sun Valley gets Monday and the entire week off due to the fall break. As a parent, he would like Columbus Day off because his children would be home and would not need to arrange a babysitter. He agrees that the city needs to commemorate Cesar Chavez but also the City Council also needs to analyze how much money a holiday costs the city before making a decision. He is okay with removing COVID-19 Pandemic Remembrance Day and keeping it as a Remembrance Day. Perhaps the city can coordinate something with the schools and involve the community for that particular day.

Council Member Javier Vargas commented that he agrees with Council Member Gloria Torres and that the city should observe the same holidays as the federal government, remove the COVID-19 Pandemic Remembrance Day, and keep it as a Remembrance Day.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Tadeo Azael De La Hoya to keep the Cesar Chavez Day and Columbus Day, remove the COVID-19 Pandemic Remembrance Day, and add the Native American Heritage Day after Thanksgiving. Motion passed with six (6) ayes and one (1) nay vote by Council Member Maria Cecilia Cruz.

The vote was as follows:

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

Vice Mayor Luis E. Cabrera asked if the emergency clause was needed as he did not add it to the motion.

Mr. Glenn Gimbut, Assistant City Attorney, stated that the emergency clause was needed only if the City Council was going to remove Columbus Day.

7. K. Discussion and possible action on any and all matters regarding the restructuring of several city departments. (Jenny Torres, Acting City Manager)

Ms. Jenny Torres, Acting City Manager, explained that during the budget retreat, staff mentioned they were looking at reorganizing some of the departments. Staff intent is to look at the city's growth, efficiency, and the needs. They met with different departments for a portion of the reorganization; maybe there will be more in the future. The Department of Planning & Zoning will be called Development Services Department because of the department's different divisions. Another change will be to have an assistant to the Director of Development Services instead of a Principal Planner to ensure that there is someone in the department to take action and make decisions when the Director of Development Services is out of the office. Another change is in the positions of Planning Technician and Building Permit Technician, there was an Administrative Coordinator, so they tapped into the funding to allocate some additional funding for those two (2) positions; they will become the Development Coordinator and Building Services Coordinator.

Public Works will be divided into two (2) different divisions; both divisions will have an Assistant Director of Public Works, similar to what the Finance Department has. One (1) Assistant Director of Public Works will overlook Highway Users, Solid Waste, and Fleet Services; the other Assistant Director of Public Works will be responsible for Wastewater, Electricians, and Water Systems.

The engineering will be separated and have its own department. The city has been struggling to find a civil engineer. Once it is a separate department, it will be a city engineer instead and include an engineering technician, which the city has now, and will add a project manager. Staff wants to expedite the current associate planner, who is a civil engineer, to assist the Engineering Department with the process, the city will continue to outsource, but it is going to be minimal as there is someone in charge that can move the process forward. The Director of Public Works is an engineer, and he, too, will be able to help with the projects. It is a matter of efficiency and process in ensuring the city is responsive to the public.

Furthermore, Ms. Torres added that the Facilities Division, in reviewing it and comparing it to other similar cities, it was found out that Facilities is under the Public Works Department. Staff is focusing on removing the engineering from Public Works, keep the Facilities Division within Administration, and moving it to the Public Works Department within a year. In this division, a Project Coordinator was added, and this person will do any project that the city is doing internally, such as initiating the pre-development process, meeting with all the departments, and obtaining input, just like an outside developer. The only change in the Parks & Recreation Department was to remove Facilities and temporarily move it to Administration. In the Fire Department, one (1) change needed was the Operations Coordinator, who will also assist with the operations of the second Fire Station.

Council Member Tadeo Azael De La Hoya asked who performed the research and if CPS HR Consulting reviewed it.

Ms. Torres responded that staff did the research and was unsure if Human Resources contacted CPS HR Consulting, the city's human resources consulting company, for the changes.

Ms. Monica Castro, Director of Finance, added that she is not sure if CPS HR Consulting was contacted, but when Human Resources makes recommendations, they look at several government sources where they benchmark their recommendations. In some instances, the Human Resources Department has reached out to CPS HR Consulting when they cannot find information with the other agencies they work with.

Council Member Tadeo Azael De La Hoya commented that he would like to see a report by CPS HR Consulting because doing it in-house brings it back to what was previously done, making changes just because someone wanted to.

Discussions, questions, and answers occurred between the Mayor, City Council, Ms. Torres, and Ms. Castro regarding the positions and suggested changes.

Mr. Glenn Gimbut, Assistant City Attorney, explained that an EIT is a person who has a degree from an engineering college, can be from Mexico, but has passed certain tests by the Board of Technical Registration, then that person is designated engineer training and then must practice for three (3) years under a professional licensed professional engineer and then becomes a professional engineer.

Mayor Nieves Riedel suggested continuing this item so that all confusion and questions can be addressed and answered.

Council Member Maria Cecilia Cruz asked Mr. Gimbut if this needs to be reviewed by CPS HR Consulting.

Mr. Gimbut responded that ideally, and what has been done in the past, is a formal resolution laying out the restructure as well as the salary range and have the City Council approve it as a resolution reorganizing City Hall. He recommended that that is what is developed in the period of continuance with a formal resolution.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Maria Cecilia Cruz to continue the item until the proper information is presented. Motion did not pass with three (3) ayes and four (4) nay votes by Mayor Nieves Riedel, Vice Mayor Luis E. Cabrera, and Council Members Gloria Torres and Javier Vargas.

The vote was as follows:

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

Vice Mayor Luis E. Cabrera asked if the City Council has ratified positions in the past.

Mr. Gimbut responded yes, the City Council creates, eliminates positions, and sets the salary.

MOTION: Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to approve the departments' structure as presented by staff. Motion passed with four (4) ayes and three (3) nay votes by Council Members Maria Cecilia Cruz, Tadeo Azael De La Hoya, and Matias Rosales.

The vote was as follows:

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

7. L. Discussion and possible action on any and all matters regarding Order No. 2023-09. An Order of the Mayor and City Council of the City of San Luis, Arizona, voluntarily withdrawing from the Greater Yuma Port Authority, repealing conflicting provisions, and providing for severability. (Jenny Torres, Acting City Manager)

MOTION: Mayor Nieves Riedel/Council Member Javier Vargas to continue this item for a later 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. M. Discussion and possible action on any and all matters regarding Resolution No. 2288. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, renaming the city building at 800 East Cesar Chavez Boulevard, the Fernando Padilla City Building, repealing conflicting provisions, and providing for severability. (Jenny Torres, Acting City Manager)

Ms. Jenny Torres, Acting City Manager, stated that the Fernando Padilla Community Center was a community center; however, the City of San Luis has taken over that facility, and is being occupied by the Human Resources and Information Technology Departments. Staff is requesting that the building be renamed to Fernando Padilla City Building.

MOTION: Council Member Gloria Torres/Council Member Javier Vargas to approve and adopt Resolution No. 2288. Motion passed with six (6) ayes and one (1) nay vote by Council Member Tadeo Azae 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 Gloria Torres	Aye
Council Member Javier Vargas	Aye

7. N. Discussion and possible action on any and all matters regarding the prosecutor vacancy and whether to continue the position as a full-time city employee in the classified service or return to a part-time, outsourced independent contractor. (Kay Marion Macuil, City Attorney)

Mr. Glenn Gimbut, Assistant City Attorney, stated that one (1) option, informed by Ms. Kay Macuil, City Attorney, earlier today, is to have a full-time in-house prosecutor but hire a law rookie for this position, which will drop the salary expectation by approximately \$30,000.00 - \$35,000.00 a year, from what the city is currently paying. He and Ms. Macuil believe that a law rookie can fill the job and hire a full-time in-house attorney at the same time.

Mayor Nieves Riedel commented that the amount of money this position cost the city was astronomical. Going back to the original way it was done, the city will save approximately \$150,000.00. There is a person who is taking this position for three (3) months, and this is a very serious position. The City Council must look at different options, find ways to save money, and give the residents the service they deserve.

Council Member Tadeo Azael De La Hoya asked if the city goes with an independent contractor if the entire division is being eliminated.

Ms. Jenny Torres, Acting City Manager, replied yes because it would be under the contractual services, and current staff will be terminated.

Council Member Maria Cecilia Cruz commented that she would like to keep an in-house prosecutor as it is convenient for police officers to build that relationship with the prosecutor to make their cases stronger. The city is growing, and it is a very important position; she understands the position to save money but cannot cut costs when it is an important position.

Council Member Javier Vargas asked how many employees would be losing their jobs.

Ms. Torres responded that it will be three (3) employees, including the prosecutor.

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Gloria Torres to approve the prosecutor's position as an independent contractor and transfer the budget for the position to Professional Services. Motion did not pass with three (3) ayes and four (4) nay votes by Vice Mayor Luis E. Cabrera and Council Members Maria Cecilia Cruz, Matias Rosales, and Javier Vargas.

The vote was as follows:

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

MOTION: Council Member Matias Rosales/Council Member Javier Vargas to continue this item to a later date after the City Council obtains more information. 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. O. Discussion and possible action on any and all matters regarding Resolution No. 2289. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, to designate official places for posting the city's public notices. (Kay Marion Macuil, City Attorney)

Mr. Glenn Gimbut, Assistant City Attorney, explained that the Fernando Padilla Center is currently being used for posting notices; however, that is not used by the general public anymore like it used to. This resolution would change the posting place from the Fernando Padilla Center to the Municipal Court, where more public shows up.

Council Member Matias Rosales asked what other location notices are being posted.

Ms. Melissa Lopez, Deputy City Clerk, stated that notices are also posted at City Hall, the San Luis Police Department, the city's website, and if approved, moving the posting location to the San Luis Municipal Court.

Council Member Matias Rosales asked if there will be a posting location on the city's east side.

Mr. Gimbut replied that the City Council can have as many posting locations as they want.

MOTION: Vice Mayor Luis E. Cabrera/Council Member Maria Cecilia Cruz to approve and adopt Resolution No. 2289 designating the places for official notices and add Fire Station No. 2 as part of the designated places. 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

Vice Mayor Luis E. Cabrera reported that he attended the Library Board of Trustees meeting; it is library sign-up month. At the last council meeting, the Mayor and City Council had a proclamation and reminded all residents to sign up for the free library card. He added that due to Mexico's Independence Day, there will be an art exhibition at the library beginning Saturday for the remainder of the month.

Mayor Nieves Riedel reminded and invited the community about the baseball exhibition game between Arizona Western College and Los Cañeros from Sinaloa on Thursday, September 14, 2023, at 7:00 p.m.

Council Member Maria Cecilia Cruz reported that {INAUDIBLE}, another session they attended was the 10th Annual Aries Sun Council meeting agenda; it was very important for the City of San Luis because it talks about its transportation issues and the importance of the city's relationship between Sonora and Arizona.

Council Member Matias Rosales reported he attended the Arizona League of Cities and Towns Annual Conference and added that there were a lot of great sessions, and the main topics throughout the cities around the state were affordable housing and water. He thanked the employees and the Gadsden School District who assisted and attended the city showcase night, and attendees enjoyed the City of San Luis booth.

Council Member Tadeo Azael De La Hoya reported that the sessions they attended speak for themselves, from Open Meeting Law to Labor Law, the need for infrastructure and innovative ways. These gatherings help elected officials in their professional development and to be updated and educated on the topics the municipalities encounter.

Council Member Javier Vargas reported that he had the opportunity to meet different elected officials and share ideas that will benefit their communities. He realized that the City of San Luis is not the only city going through a problem; other municipalities also go through the same issues as the City of San Luis.

Mayor Nieves Riedel mentioned that people do enjoy the mariachi; when she attended the Mariachi Festival in Tucson with her late husband approximately 23 years ago, she was amazed that they had a mariachi from Canada, and when they got back, they sat with the Gadsden School District Superintendent who was Dr. Aguilera to inquire about what was needed to start a mariachi in town. They needed everything from funds to instruments. The Riedel Family donated the first instruments and mariachi attire. The school district agreed to accept the help from the private community, and as of today, the mariachi still exists in the school district.

Vice Mayor Luis E. Cabrera reported he could not attend the League's Conference but thanked the Council Members representing the City of San Luis.

9. EXECUTIVE SESSION

Vote to hold Executive Session pursuant to A.R.S. § 38-431.03(A) subsections (1), (3), and (4).

Discussion and possible action to hold an executive session under A.R.S. §§ 38-431.03(A)(1) for discussion concerning the employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of the part-time Assistant City Attorney; under A.R.S. §§ 38-431.03(A)(2) for discussion or consultation for legal advice with the City Attorney; under A.R.S. §§ 38-431.03(A)(4) for discussion or consultations with the City Attorneys in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (Mayor Nieves Riedel)

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to go into executive session at approximately 8:13 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

10. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Tadeo Azael De La Hoya/Vice Mayor Luis E. Cabrera to go back into regular session at approximately 8:58 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

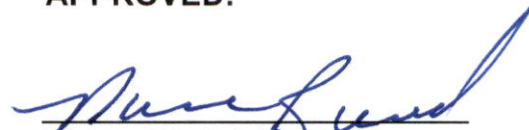
11. ADJOURNMENT

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to adjourn the Regular Council meeting at approximately 8:58 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 September 13, 2023. I further certify that the meeting was duly called and held and that a quorum was present.



Sonia Cornelio, City Clerk