



NOTICE OF REGULAR COUNCIL MEETING

In accordance with § 38-431.02 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of City Council and to the general public that the Mayor and Council of the City of San Luis, Arizona will hold a Regular City Council meeting at 6:00 p.m., Wednesday, October 11, 2023. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. The public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. § 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. § 1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Sonia Cornelio, City Clerk

AVISO DE JUNTA REGULAR

De acuerdo con los Estatutos del Estado de Arizona A.R.S. § 38-431.02, se le informa a los miembros del Cabildo y al público en general que el Alcalde y el Cabildo, tendrán una Junta Regular a las 6:00 p.m., el día Miércoles, 11 de Octubre del 2023. La junta se llevará a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. El público está invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicado en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona A.R.S § 1-602.A.9, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones políticas para hacer una grabación de audio o video de su hijo menor de edad. Las juntas del Cabildo se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabación, o tomar acción personal para asegurarse que su hijo menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con los Estatutos del Estado de Arizona A.R.S. § 1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Sonia Cornelio, Actuaría de la Ciudad

**AMENDED AGENDA ON 10/10/2023
PREVIOUSLY ITEM NO. 7.E. HAS BEEN REMOVED**



**AGENDA
Regular Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
October 11, 2023
6:00 p.m.**

PLEASE TAKE NOTICE THAT MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION. THE MAYOR OR ACTING MAYOR FOR THIS MEETING MAY CHANGE THE ORDER OF THE ITEMS; IF AUTHORIZED BY LAW AND BY A MAJORITY VOTE OF A QUORUM OF CITY COUNCIL MEMBERS PRESENT, AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE VOTE IN ACCORDANCE WITH A.R.S. § 38-431.03(A) AND THE MEETING WILL BE TEMPORARILY RECESSED WHILE THE CITY COUNCIL RETIRES TO EXECUTIVE SESSION WHICH WILL NOT BE OPEN TO THE PUBLIC.

TENGA EN CUENTA QUE LOS MIEMBROS DEL CABILDO DE LA CIUDAD ASISTIRÁN EN PERSONA, TELÉFONO O COMUNICACIÓN POR VIDEO CONFERENCIA. LA ALCALDESA O ALCALDE INTERINO DE ESTA REUNIÓN PUEDE CAMBIAR EL ORDEN DE LOS TEMAS; SI ESTÁ AUTORIZADO POR LA LEY Y POR MAYORÍA DE VOTOS DE UN QUÓRUM DE MIEMBROS DEL CABILDO PRESENTES, SE LLEVARÁ A CABO UNA SESIÓN EJECUTIVA INMEDIATAMENTE DESPUÉS DE LA VOTACIÓN DE ACUERDO CON LOS ESTATUTOS DEL ESTADO DE ARIZONA A.R.S. § 38-431.03 (A) Y LA REUNIÓN SERÁ TEMPORALMENTE RECESADA MIENTRAS EL CABILDO DE LA CIUDAD SE RETIRE A UNA SESIÓN EJECUTIVA QUE NO ESTARÁ ABIERTA AL PÚBLICO.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. CALL TO THE PUBLIC

This is the time for the public to comment. Members of the City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01 (H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

5. PROCLAMATIONS

5. A. Cities and Towns Week October 15-21, 2023

5. B. Red Ribbon Week October 23 - 31, 2023

6. CONSENT AGENDA

All matters are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

6. A. Minutes of

- Regular Council Meeting held September 13, 2023

6. B. DISBURSEMENTS FROM SEPTEMBER 20, 2023, TO OCTOBER 4, 2023

Total \$1,649,978.86

(One Million, Six Hundred Forty-Nine Thousand, Nine Hundred, Seventy-Eight Dollars and Eighty-Six Cents)

7. DISCUSSION AND POSSIBLE ACTION ITEMS:

7. A. Discussion and possible action on any and all matters regarding the purchase of a 2024 Ram 5500 Chassis Cab for the Parks Grounds Division. **(Jose Luis Cisneros, Acting Director of Parks and Recreation)**

7. B. Discussion and possible action on any and all matters regarding the acceptance and award of a construction contract to Viking Painting, LLC for the rehabilitation of the interior and exterior of two (2) steel groundwater storage tanks at Well Sites 5 & 6. **(Jorge Perez, Assistant Director of Public Works)**

7. C. Discussion and possible directions to staff on any and all matters regarding Assistant City Attorney Glenn Gimbut's proposed Contract. **(Kay Marion Macuil, City Attorney, and Glenn Gimbut, Assistant City Attorney)**

7. D. Public hearing followed by discussion and possible action on any and all matters regarding the recommendation of an Application for Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control to authorize La Bodega Kitchen and Bar to sell alcohol on October 20, 2023, and October 27, 2023, during the Dread Mar I Concert. **(Ruben Walshe, La Bodega Kitchen and Bar)**

A. Open public hearing

1. Staff / Applicant Presentation

2. Call to the public on this item

B. Close public hearing

C. Action on Application For Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses & Control

8. SUMMARY OF CURRENT EVENTS

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

9. EXECUTIVE SESSSION

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

Discussion and possible action on any and all matters regarding action to hold an executive session under A.R.S. § 38-431.03(A) subsection (1) for appointment of an Acting Police Chief, subsection (3) for discussion or consultation for legal advice with the City Attorney

regarding the same. **(Kay Marion Macuil, City Attorney)**

10. MOTION TO GO BACK INTO REGULAR SESSION

10. A. DISCUSSION AND POSSIBLE ACTION ITEM:

Discussion and possible action regarding any and all matters concerning Order No. 2023-10. An Order of the Mayor and City Council of the City of San Luis, Arizona, to appoint an Acting Chief of Police. **(Jenny Torres, Acting City Manager and Adela Cortez, Director of Human Resources)**

11. ADJOURNMENT



PROCLAMATION

Regular City Council Meeting

5. A.

Meeting Date: 10/11/2023

Title:

Cities and Towns Week October 15-21, 2023

Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

CITIES AND TOWNS WEEK
October 15 - 21, 2023

WHEREAS, the citizens of the City of San Luis rely on the city to experience a high quality of life in our community; and

WHEREAS, cities and towns in Arizona work 24 hours a day, seven days a week to deliver vital city services such as fire, police and emergency medical response to ensure safe communities; and

WHEREAS, cities and towns in Arizona also provide services and programs that enhance the quality of life for residents such as parks, utilities, street maintenance, sanitation & recycling services, libraries, community centers and recreational programs; and

WHEREAS, it is important for the City of San Luis to continue to provide the excellent delivery of services and programs that our citizens have come to expect in our community; and

WHEREAS, it is one of the responsibilities of the City of San Luis Officials to ensure open and accessible government through frequent communication with citizens using various avenues and means; and

WHEREAS, through participation and cooperation; citizens, community leaders, local businesses and municipal staff can work together to ensure that services provided by the City of San Luis can remain exceptional elements of the quality of life of our community.

NOW THEREFORE, BE IT RESOLVED, that, I, Nieves Riedel, Mayor of the City of San Luis, do hereby proclaim October 15-21, 2023, as "**Arizona Cities & Towns Week**", and joins with the League of Arizona Cities & Towns and fellow municipalities across the State of Arizona.

DATED this 11th day of October 2023.

Nieves Riedel, Mayor

ATTEST:

Sonia Cornelio, City Clerk



PROCLAMATION

Regular City Council Meeting

5. B.

Meeting Date: 10/11/2023

Title:

Red Ribbon Week October 23 - 31, 2023

Attachments

Proclamation



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

RED RIBBON WEEK
October 23 - 31, 2023

WHEREAS, alcohol and drug abuse in this Nation have reached epidemic stages; and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, the National Red Ribbon Campaign will be celebrated in communities in America during Red Ribbon Week, October 23 - 31; and

WHEREAS, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

WHEREAS, the City of San Luis remains committed to the success of the Red Ribbon Campaign;

NOW, THEREFORE, BE IT RESOLVED, that, I, Nieves Riedel, Mayor of the City of San Luis, do hereby proclaim October 23 - 31, 2023, as Red Ribbon Week, and encourage citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, joining the Yuma County Anti-Drug Coalition and the rest of the state and nation making a visible statement that we are strongly committed to a drug-free America.

Dated this 11th day of October 2023.

Nieves Riedel, Mayor

ATTEST:

Sonia Cornelio, City Clerk



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

6. A.

Meeting Date: 10/11/2023

Summary

Minutes of

- Regular Council Meeting held September 13, 2023

Attachments

RCM 9/13/2023

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
September 13, 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 (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 Tejada, 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



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

6. B.

Meeting Date: 10/11/2023

Summary

DISBURSEMENTS FROM SEPTEMBER 20, 2023, TO OCTOBER 4, 2023

Total \$1,649,978.86

(One Million, Six Hundred Forty-Nine Thousand, Nine Hundred, Seventy-Eight Dollars and Eighty-Six Cents)

Attachments

Disbursements



City of San Luis

Finance Department

COUNCIL MEETING OCTOBER 11, 2023
Disbursement Report from 09/20/2023 TO 10/04/2023

<u>Bank Accounts</u>	<u>Check Date</u>	<u>Amount</u>	<u>Schedule</u>
Accounts Payable Check Account	09/22/2023	\$ 429,936.57	Schedule A
Payroll Check Account	09/28/2023	\$ 496,891.98	Schedule B
Accounts Payable Check Account	09/29/2023	\$ 723,150.31	Schedule C

Total Disbursements: \$ 1,649,978.86

Please contact Ms. Monica Castro prior to the meeting if additional information is needed.

Prepared by Karla Plascencia: _____

Verified by Director of Finance: _____

For Council approval on: _____

Mayor: _____

Council: _____

RECEIVED

OCT 04 2023

CITY CLERK'S OFFICE

Payment Register

From Payment Date: 9/18/2023 - To Payment Date: 9/22/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
1BYPAYABLE - 1st BY Accounts Payable									
Check									
106996	09/18/2023	Open			Accounts Payable	AAED	\$546.00		
106997	09/19/2023	Open			Utility Management Refund	AGUIRRE, DANIEL	\$18.88		
106998	09/19/2023	Open			Utility Management Refund	AMADOR, KASSANDRA & CLAUDIA VERDUGO	\$160.29		
106999	09/19/2023	Open			Utility Management Refund	BAY, NOE F & CARLA R CASTANEDA	\$50.71		
107000	09/19/2023	Open			Utility Management Refund	CASTRO, CLAUDIA & SANDRA	\$54.34		
107001	09/19/2023	Open			Utility Management Refund	CHAVIRA-PULIDO, CESAREO GRP #79	\$0.31		
107002	09/19/2023	Open			Utility Management Refund	CHAYRA, AXEL	\$67.44		
107003	09/19/2023	Open			Utility Management Refund	DLR GROUP C/O ERICH RAMSTINE	\$205.94		
107004	09/19/2023	Open			Utility Management Refund	FELIX, FERNANDA	\$81.71		
107005	09/19/2023	Open			Utility Management Refund	GONZALEZ, ADRIANA	\$151.62		
107006	09/19/2023	Open			Utility Management Refund	GONZALEZ, NAHOMI	\$257.03		
107007	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$111.39		
107008	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$13.03		
107009	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$72.87		
107010	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$11.06		
107011	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$2.87		
107012	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$10.69		
107013	09/19/2023	Open			Utility Management Refund	HOUSING AMERICA CORPORATION GRP #121	\$14.02		
107014	09/19/2023	Open			Utility Management Refund	KNOWLES, ALMA	\$202.14		
107015	09/19/2023	Open			Utility Management Refund	MARTINEZ, ELIAS, A	\$167.80		
107016	09/19/2023	Open			Utility Management Refund	MARTINEZ-FLORES, JORGE A GRP #79	\$13.85		
107017	09/19/2023	Open			Utility Management Refund	MILLER, ANITA G & SHONTERIA J	\$2,246.47		
107018	09/19/2023	Open			Utility Management Refund	MONTES, ARNOLD GRP #79	\$28.56		
107019	09/19/2023	Open			Utility Management Refund	PEREZ RUIZ, JENNIFER, A	\$110.15		
107020	09/19/2023	Open			Utility Management Refund	SAIZ, JOVAN & KAREN CASTRO	\$117.61		

Payment Register

From Payment Date: 9/18/2023 - To Payment Date: 9/22/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
107021	09/19/2023	Open			Utility Management Refund	SANCHEZ, JOSE D & LINDA GRP #79	\$15.98		
107022	09/19/2023	Open			Utility Management Refund	SANCHEZ-CASILLAS, JOSE & MARIA	\$87.81		
107023	09/19/2023	Open			Utility Management Refund	SANTOYO, URBENTINA	\$12.41		
107024	09/19/2023	Open			Utility Management Refund	TAQUERIA LA SANLUISINA, CO/JOSEFINA VEGA	\$280.19		
107025	09/19/2023	Open			Utility Management Refund	VIRAMONTES, FERNANDO & ROSALVA	\$123.27		
107026	09/22/2023	Open			Accounts Payable	CORONA, FERNANDO	\$93.00		
107027	09/22/2023	Open			Accounts Payable	DE LA HOYA, TADEO	\$108.00		
107028	09/22/2023	Open			Accounts Payable	DUENAS, DEREK	\$93.00		
107029	09/22/2023	Open			Accounts Payable	GONZALEZ, MARLENY	\$167.00		
107030	09/22/2023	Open			Accounts Payable	LOPEZ, ABRAHAM	\$167.00		
107031	09/22/2023	Open			Accounts Payable	VARGAS, JAVIER	\$108.00		
107032	09/22/2023	Open			Accounts Payable	ANDRADE, CYNTHIA	\$185.04		
107033	09/22/2023	Open			Accounts Payable	APS	\$97,121.95		
107034	09/22/2023	Open			Accounts Payable	APS	\$50.00		
107035	09/22/2023	Open			Accounts Payable	ARIZONA MEXICO COMMISSION	\$1,500.00		
107036	09/22/2023	Open			Accounts Payable	ARIZONA PUBLIC SERVICE	\$885.91		
107037	09/22/2023	Open			Accounts Payable	BINGHAM EQUIPMENT CO	\$292.84		
107038	09/22/2023	Open			Accounts Payable	CORTEZ, ADELA	\$32.47		
107039	09/22/2023	Open			Accounts Payable	DUARTE, ERNESTO	\$87.00		
107040	09/22/2023	Open			Accounts Payable	E.I.C. INC	\$7,398.50		
107041	09/22/2023	Open			Accounts Payable	HERRERA, RAMON	\$200.00		
107042	09/22/2023	Open			Accounts Payable	JONES GALAVIZ, JOEY	\$92.50		
107043	09/22/2023	Open			Accounts Payable	LAWSON PRODUCTS INC.	\$33.54		
107044	09/22/2023	Open			Accounts Payable	MILLER, DAMIAN	\$200.00		
107045	09/22/2023	Open			Accounts Payable	NAVARRO BELTRAN, ALEJANDRO	\$100.00		
107046	09/22/2023	Open			Accounts Payable	O'REILLY AUTO PARTS	\$109.99		
107047	09/22/2023	Open			Accounts Payable	PINNACLE MEDICAL GROUP AZ P.C	\$1,870.00		
107048	09/22/2023	Open			Accounts Payable	PUBLIC RECORDS AND INFO MGMT.GRP	\$381.60		
107049	09/22/2023	Open			Accounts Payable	RODRIGUEZ HINOJOSA, ALEJANDRO	\$34.35		
107050	09/22/2023	Open			Accounts Payable	ROMERO ALVAREZ, RAUL, A	\$250.00		
107051	09/22/2023	Open			Accounts Payable	RUGGED SOLUTIONS AMERICA LLC	\$355.74		
107052	09/22/2023	Open			Accounts Payable	RUSH TRUCK CENTER	\$2,857.61		
107053	09/22/2023	Open			Accounts Payable	SOUTH YUMA COUNTY LANDFILL	\$25,880.67		
107054	09/22/2023	Open			Accounts Payable	US POST MASTER	\$2,457.20		
107055	09/22/2023	Open			Accounts Payable	XEROX CORPORATION	\$6.48		
107056	09/22/2023	Open			Accounts Payable	YUMA SOUTHWEST CONTRACTORS ASSOC	\$200.00		
107057	09/22/2023	Open			Accounts Payable	NEW HORIZONS LEARNING GROUP	\$2,783.75		
107058	09/22/2023	Open			Accounts Payable	HIREQUEST LLC	\$2,400.53		
Type Check Totals:						63 Transactions	\$153,740.11		

Payment Register

From Payment Date: 9/18/2023 - To Payment Date: 9/22/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference	
EFT										
4143	09/22/2023	Open			Accounts Payable	AMAZON WEB SERVICES INC	\$2.84			
4144	09/22/2023	Open			Accounts Payable	AMAZON.COM SALES, INC.	\$1,663.69			
4145	09/22/2023	Open			Accounts Payable	ARIZONA WESTERN COLLEGE	\$552.62			
4146	09/22/2023	Open			Accounts Payable	CHAPMAN DCJR YUMA LLC	\$9,260.42			
4147	09/22/2023	Open			Accounts Payable	CITY OF YUMA	\$725.44			
4148	09/22/2023	Open			Accounts Payable	CLEARGOV INC	\$12,874.80			
4149	09/22/2023	Open			Accounts Payable	CUEVAS, CHRISTIAN	\$125.00			
4150	09/22/2023	Open			Accounts Payable	DESERT DOCUMENT SHREDDERS, LLC	\$107.75			
4151	09/22/2023	Open			Accounts Payable	FENCING BY S.K. L.L.C.	\$110.61			
4152	09/22/2023	Open			Accounts Payable	FNP-C.& ASSOCIATES PLLC	\$180.00			
4153	09/22/2023	Open			Accounts Payable	FRUTH GROUP INC	\$344.59			
4154	09/22/2023	Open			Accounts Payable	HDS TRUCK DRIVING INSTITUTE INC	\$17,375.00			
4155	09/22/2023	Open			Accounts Payable	KIMLEY-HORN AND ASSOCIATES INC	\$25,805.00			
4156	09/22/2023	Open			Accounts Payable	MCLOUGHLIN & EARDLEY GROUP, INC.	\$79.97			
4157	09/22/2023	Open			Accounts Payable	MERRILL WALKER BUILDERS, INC.	\$122,968.85			
4158	09/22/2023	Open			Accounts Payable	METRO FIRE EQUIPMENT INC	\$226.50			
4159	09/22/2023	Open			Accounts Payable	ON TRACK OVERHEAD DOORS LLC	\$3,417.03			
4160	09/22/2023	Open			Accounts Payable	ORDUNO-CROUSE, CANDICE	\$1,800.00			
4161	09/22/2023	Open			Accounts Payable	POLAR ICE LLC	\$504.29			
4162	09/22/2023	Open			Accounts Payable	REPUBLIC EVS LLC	\$65,995.00			
4163	09/22/2023	Open			Accounts Payable	SMITH, RALPH E. SR.	\$3,305.00			
4164	09/22/2023	Open			Accounts Payable	STANDARD PRINTING COMPANY, INC	\$960.77			
4165	09/22/2023	Open			Accounts Payable	SUN GRAPHICS	\$1,604.71			
4166	09/22/2023	Open			Accounts Payable	THOMSON WEST PUBLISHING CO.	\$2,194.67			
4167	09/22/2023	Open			Accounts Payable	VERIZON COMMUNICATIONS INC	\$3,031.05			
4168	09/22/2023	Open			Accounts Payable	WAXIE SANITARY SUPPLY	\$875.86			
4169	09/22/2023	Open			Accounts Payable	YUMA SUN INC	\$105.00			
Type EFT Totals:										
1BYPAYABLE - 1st BY Accounts Payable Totals							27 Transactions	\$276,196.46		

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	63	\$153,740.11	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	63	\$153,740.11	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	27	\$276,196.46	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	27	\$276,196.46	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount

Payment Register

From Payment Date: 9/18/2023 - To Payment Date: 9/22/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Open		90	\$429,936.57	\$0.00
					Reconciled		0	\$0.00	\$0.00
					Voided		0	\$0.00	\$0.00
					Stopped		0	\$0.00	\$0.00
					Total		90	\$429,936.57	\$0.00
Grand Totals:									
		Checks	Status	Count	Transaction Amount		Reconciled Amount		
			Open	63	\$153,740.11		\$0.00		
			Reconciled	0	\$0.00		\$0.00		
			Voided	0	\$0.00		\$0.00		
			Stopped	0	\$0.00		\$0.00		
			Total	63	\$153,740.11		\$0.00		
		EFTs	Status	Count	Transaction Amount		Reconciled Amount		
			Open	27	\$276,196.46		\$0.00		
			Reconciled	0	\$0.00		\$0.00		
			Voided	0	\$0.00		\$0.00		
			Total	27	\$276,196.46		\$0.00		
		All	Status	Count	Transaction Amount		Reconciled Amount		
			Open	90	\$429,936.57		\$0.00		
			Reconciled	0	\$0.00		\$0.00		
			Voided	0	\$0.00		\$0.00		
			Stopped	0	\$0.00		\$0.00		
			Total	90	\$429,936.57		\$0.00		

Guadalupe Canez

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Pay Day Register

Pay Date Range 09/09/23 - 09/22/23

Pay Batch 202320

Pay Batch 202320 Total

Employees in Pay Batch 303

Female Employees in Pay Batch 86

Hours Description	Hours	Gross	Withholdings and Deductions	Gross Base	Benefits	Gross Base
100 - REGULAR	21,660.5027	514,432.49	Gross	686,510.29	ASRS ALTERNATE	966.11 9,670.73
1000 - ADMIN LEAVE	55.0000	1,465.20	Imputed Income		AZ STATE RETIREMENT	48,797.73 401,959.28
1001 - LEAVE WITHOUT PAY	63.6834	.00	FEDERAL TAX WITHHOLDING	45,581.92	LONG TERM DISABILITY	603.05 401,959.28
1006 - CIVIC LEAVE	14.0000	366.24	SOCIAL SECURITY TAX	42,563.58	PSPRS - ALTERNATE	254.25 3,178.12
1007 - ON CALL WORKED HOURS	24.1666	476.21	MEDICARE	9,954.20	PSPRS FIRE DB NORM - TIER 1	10,920.28 83,170.60
1009 - PART TIME	391.9498	11,475.05	STATE WITHHOLDING	13,326.07	PSPRS FIRE DB NORM - TIER 2	664.69 5,062.42
1010 - PART TIME FIREFIGHTERS	71.5000	1,628.77	AZ STATE RETIREMENT	48,797.73	PSPRS FIRE DB NORM - TIER 3	3,714.00 38,849.44
201 - OVERTIME	1,314.6836	44,116.69	CHILD SUPPORT 2	234.46	PSPRS FIRE DCCN - TIER 3	279.58 3,106.46
202 - OP STONE GARDEN- O.T.	678.5000	32,715.02	DEFERRED COMP - ROTH	850.00	PSPRS FIRE DISABILITY - TIER	44.42 3,106.46
2023 - FMLA - SICK LEAVE	69.0000	1,396.23	DEFERRED COMPENSATION	3,682.00	PSPRS POLICE DB NORM - TIER	7,126.17 75,569.10
2024 - FMLA - VACATION LEAVE	154.0000	2,720.41	DEFERRED COMPENSATION	118.61	PSPRS POLICE DB NORM - TIER	1,194.91 12,671.41
2036 - MARSHALS OT	11.0000	472.07	GARNISHMENT - CHILD	2,440.91	PSPRS POLICE DB NORM - TIER	3,927.57 41,083.49
300 - VACATION EARNED	1,236.7000	.00	LONG TERM DISABILITY	603.05	Total	\$78,492.76
301 - VACATION USED	795.6433	21,879.38	PSPRS FIRE DB RATE - TIER 1a	5,315.73		
400 - SICK EARNED	1,138.3867	.00	PSPRS FIRE DB RATE - TIER 1b	1,046.83	Employer Taxes	Gross Base
405 - SCHEDULED SICK LEAVE	495.1668	11,640.37	PSPRS FIRE DB RATE - TIER 2	387.27	MEDICARE	9,954.20 686,510.29
406 - UNSCHEDULED SICK LEAVE	513.2331	16,227.38	PSPRS FIRE DB RATE - TIER 3	3,714.00	SOCIAL SECURITY TAX	42,563.58 686,510.29
502 - ON CALL PAY I.T.	.0000	100.00	PSPRS FIRE DC RATE - TIER 3	279.58	SUTA/UNEMPLOYMENT	3,929.09 654,837.41
503 - STAND-BY PAY	656.8300	1,313.66	PSPRS FIRE DISABILITY RATE	44.42	Total	\$56,446.87
809 - RETRO PAY	40.4731	1,373.35	PSPRS POLICE DB RATE - TIER	4,222.56		
900 - COMPENSATION EARNED	10.5150	.00	PSPRS POLICE DB RATE - TIER	1,558.47	Workers' Comp	Gross Base
924 - AMBULANCE - REGULAR	879.6666	18,716.32	PSPRS POLICE DB RATE - TIER 2	969.35	ANIMAL CONTROL OFFICERS	64.98 2,888.31
925 - AMBULANCE - OVERTIME	86.8333	2,649.45	PSPRS POLICE DB RATE - TIER 3	3,927.57	ATTORNEY- ALL & CLERICAL-	58.47 26,579.70
965 - PD - STAND-BY PAY	.0000	1,346.00	Net	\$496,891.98	AUTO SERVICE/ REPAIR	302.98 10,859.78
Total	30,361.4340	\$686,510.29			BUILDING- NOC OPER BY	589.47 16,283.39

BUS COMPANY AND DRIVERS	188.50	3,414.85
CLERICAL OFFICE/ LIBRARY/	361.77	150,732.12
Electrician	68.58	2,184.00
FIREFIGHTERS	319.71	9,082.29
FIREFIGHTERS & DRIVERS	6,788.46	142,913.70
GARBAGE/ ASH/ REFUSE	565.48	9,047.61
Homemaker Service	40.09	1,750.82
MUNICIPAL/ TOWN/	773.75	44,214.83
PARKS- NOC ALL EMPLOYEES	730.51	23,564.98
POLICE OFFICERS	6,936.59	146,033.96
RECREATION- ALL EMPLOYEES/	245.81	17,941.89
SEWAGE DISPOSAL/ PLANT	937.19	27,244.74
Street or Road Construction	2,446.06	27,701.50



Pay Day Register

Pay Date Range 09/09/23 - 09/22/23

Pay Batch 202320

WATERWORKS OPERATIONS	744.31	21,449.60
Total	<u>\$22,162.71</u>	

Direct Deposits	Amount
1st Bank Yuma	44,128.35
ACADEMY BANK	2,564.57
Bank of America	4,010.00
Bank of America CA	1,152.19
Bankcorp	200.00
BMO HARRIS BANK	4,237.14
CAPITAL ONE	575.89
Charles Sch	250.00
Chase Bank	238,739.18
CHASE BANK CA	1,349.61
CHASE BANK MORGAN	2,645.91
CHASE BANK TX	3,644.11
chase centro	1,818.20
discover	900.00
Federal Credit Union	42,082.02
FF CREDIT UNION	3,876.98
FIDELITY	219.49
FIREFIGHTER FIRST CREDIT UNION	5,854.68
HUGHES FCU	1,790.33
MECHNICS BANK	1,340.88
National Bank	1,288.25
Navy Federal	25,171.42
NBKC Bank - Acorns	435.19
NetSpend Corporation DD	120.00
NORTH ISLAND CREDIT UNION	827.87
PATHWARD	2,613.09
Sunbank	1,887.38
SUTTON BANK	1,134.89
THE FOOTHILLS BANK	679.78
VANTAGE WEST	1,774.57
WASHINGTON FEDERAL	1,168.01
Wells Fargo	94,332.69
WELLS FARGO CA	1,868.50
WELLS FARGO CALE	1,175.63
Total	<u>\$495,856.80</u>
Check	\$1,035.18

Monica
Castro

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Payment Register

From Payment Date: 9/25/2023 - To Payment Date: 9/29/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
1BYPAYABLE - 1st BY Accounts Payable									
Check									
107059	09/26/2023	Open			Accounts Payable	CRISIS SYSTEMS MANAGEMNT, LLC	\$595.00		
107060	09/26/2023	Open			Accounts Payable	FERGUSON WATERWORKS	\$834.72		
107061	09/26/2023	Open			Accounts Payable	GALLS, AN ARAMARK CO., LLC	\$1,753.22		
107062	09/26/2023	Open			Accounts Payable	SYNERGY HOLDING, INC	\$1,131.42		
107063	09/26/2023	Open			Accounts Payable	YUMA COUNTY SUPERIOR COURT	\$5,456.62		
107064	09/29/2023	Open			Accounts Payable	BARNETT, OSCAR	\$216.00		
107065	09/29/2023	Open			Accounts Payable	GOMEZ, ALEXIS, I	\$216.00		
107066	09/29/2023	Open			Accounts Payable	GUZMAN, JOSE, A	\$216.00		
107067	09/29/2023	Open			Accounts Payable	PACHECO, ROMAN	\$216.00		
107068	09/29/2023	Open			Accounts Payable	RUIZ, OSCAR	\$179.00		
107069	09/29/2023	Voided		09/29/2023	Accounts Payable	SUPPORT PAYMENT, CLEARINGHOUSE	\$2,675.37		
107070	09/29/2023	Open			Accounts Payable	GALERIA CAFE	\$380.50		
107071	09/29/2023	Open			Accounts Payable	GARCIA, JESUS	\$72.00		
107072	09/29/2023	Open			Accounts Payable	LOPEZ ARMENTA, JOSE, MARTIN	\$72.00		
107073	09/29/2023	Open			Accounts Payable	LOPEZ CAMARGO, FABIOLA	\$496.00		
107074	09/29/2023	Open			Accounts Payable	PULIDO INIGUEZ, ALAN FRANCISCO	\$54.00		
107075	09/29/2023	Open			Accounts Payable	RAMIREZ, FELIPE	\$108.00		
107076	09/29/2023	Open			Accounts Payable	RAMIREZ, TERESITA, D	\$75.00		
107077	09/29/2023	Open			Accounts Payable	ROMERO ALVAREZ, RAUL, A	\$150.00		
107078	09/29/2023	Open			Accounts Payable	SANDOVAL, YAHELL	\$240.00		
107079	09/29/2023	Voided		10/04/2023	Accounts Payable	CORREA, ENRIQUE	\$204.46		
107080	09/29/2023	Open			Accounts Payable	ENCINAS, JOSE	\$234.46		
107081	09/29/2023	Voided		10/04/2023	Accounts Payable	FLORES, ELVIS, N	\$235.16		
107082	09/29/2023	Voided		10/04/2023	Accounts Payable	GARCIA RENTERIA, JESUS, PEDRO	\$230.31		
107083	09/29/2023	Voided		10/04/2023	Accounts Payable	GONZALEZ, SAMUEL	\$72.92		
107084	09/29/2023	Voided		10/04/2023	Accounts Payable	GREEN, TYLER	\$304.00		
107085	09/29/2023	Voided		10/04/2023	Accounts Payable	OCHOA, ANTONIO	\$224.57		
107086	09/29/2023	Voided		10/04/2023	Accounts Payable	RAMIREZ, ANGEL	\$326.88		
107087	09/29/2023	Open			Accounts Payable	SAUCEDA, JOEL	\$487.80		
107088	09/29/2023	Voided		10/04/2023	Accounts Payable	VALENZUELA, JAIME	\$354.81		
107089	09/29/2023	Open			Accounts Payable	ADLERHORST INTERNATIONAL, LLC	\$3,771.25		
107090	09/29/2023	Open			Accounts Payable	ANDERSON, RICHARD	\$30.00		
107091	09/29/2023	Open			Accounts Payable	ANGEL'S TOWING SERVICE/AUTO SALES	\$90.00		
107092	09/29/2023	Open			Accounts Payable	ARIZONA PUBLIC SERVICE	\$77.88		
107093	09/29/2023	Open			Accounts Payable	AUTOZONE STORES, INC	\$62.83		
107094	09/29/2023	Open			Accounts Payable	AZ STATE PRISON COMPLEX - YUMA	\$248.50		
107095	09/29/2023	Open			Accounts Payable	AZ STATE PRISON COMPLEX - YUMA	\$89.00		
107096	09/29/2023	Open			Accounts Payable	BOJORQUEZ GASTELUM, ERICK	\$164.20		
107097	09/29/2023	Open			Accounts Payable	CAMPA, JOAQUIN	\$80.00		
107098	09/29/2023	Open			Accounts Payable	CARLOS, FLORES F.	\$2,210.00		
107099	09/29/2023	Open			Accounts Payable	CARO MAGANA, VICTOR, H	\$87.00		
107100	09/29/2023	Open			Accounts Payable	CARRASCO, DANYA, P	\$240.30		

Payment Register

From Payment Date: 9/25/2023 - To Payment Date: 9/29/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
107101	09/29/2023	Open			Accounts Payable	CENTURYLINK	\$458.86		
107102	09/29/2023	Open			Accounts Payable	CENTURYLINK	\$296.06		
107103	09/29/2023	Open			Accounts Payable	FERRELLGAS, LP	\$158.12		
107104	09/29/2023	Open			Accounts Payable	FX TACTICAL, LLC	\$366.46		
107105	09/29/2023	Open			Accounts Payable	GREEN RUBBER- KENNEDY AG	\$168.75		
107106	09/29/2023	Open			Accounts Payable	GUTIERREZ CANALES ENGINEERING P.C.	\$3,030.90		
107107	09/29/2023	Open			Accounts Payable	IPS GROUP INC	\$5,546.83		
107108	09/29/2023	Open			Accounts Payable	JC WELDING, LLC	\$765.00		
107109	09/29/2023	Open			Accounts Payable	LAWSON PRODUCTS INC.	\$18.85		
107110	09/29/2023	Open			Accounts Payable	LOWE'S HIW, INC.	\$13,477.80		
107111	09/29/2023	Open			Accounts Payable	O'REILLY AUTO PARTS	\$530.93		
107112	09/29/2023	Open			Accounts Payable	RUSH TRUCK CENTERS OF ARIZONA, INC	\$8,200.00		
107113	09/29/2023	Open			Accounts Payable	SAFETY-KLEEN SYSTEMS, INC	\$331.13		
107114	09/29/2023	Open			Accounts Payable	SANTANA, PEDRO, LUIS	\$400.00		
107115	09/29/2023	Open			Accounts Payable	SECURITY TITLE AGENCY, INC	\$334,610.34		
107116	09/29/2023	Open			Accounts Payable	STANDARD INSURANCE CO.	\$4,152.40		
107117	09/29/2023	Open			Accounts Payable	THE HOME DEPOT	\$952.71		
107118	09/29/2023	Open			Accounts Payable	TRANSWESTERN INSURANCE ADMIN	\$390.00		
107119	09/29/2023	Open			Accounts Payable	WESTERN GROWERS ASSURANCE TRUST	\$908.09		
107120	09/29/2023	Open			Accounts Payable	XEROX CORPORATION	\$1,476.76		
107121	09/29/2023	Open			Accounts Payable	YUMA COUNTY CHAMBER	\$725.00		
107122	09/29/2023	Open			Accounts Payable	RAY ALLEN MANUFACTURING, LLC.	\$1,937.05		
Type Check Totals:						64 Transactions	\$403,865.22		
EFT									
4172	09/26/2023	Open			Accounts Payable	CITY OF SAN LUIS EMPLOYEE BENEFIT TRUST	\$261,212.36		
4173	09/26/2023	Open			Accounts Payable	ADEMCO INC,	\$1,546.26		
4174	09/26/2023	Open			Accounts Payable	ODP BUSINESS SOLUTIONS LLC	\$3,787.94		
4175	09/26/2023	Open			Accounts Payable	PURCHASE POWER	\$685.83		
4176	09/26/2023	Open			Accounts Payable	SPECTRUM BUSINESS	\$368.50		
4177	09/29/2023	Open			Accounts Payable	24/7 GET FIT LLC	\$1,242.00		
4178	09/29/2023	Open			Accounts Payable	ALSCO, INC	\$277.64		
4179	09/29/2023	Open			Accounts Payable	AMAZON.COM SALES, INC.	\$2,426.88		
4180	09/29/2023	Open			Accounts Payable	B&H PHOTO & ELECTRONICS CORP.	\$919.98		
4181	09/29/2023	Open			Accounts Payable	BORDER GYM	\$525.00		
4182	09/29/2023	Open			Accounts Payable	CDWG	\$6,979.83		
4183	09/29/2023	Open			Accounts Payable	CONSULTANT ENGINEERING INC	\$2,710.36		
4184	09/29/2023	Open			Accounts Payable	CORE ENGINEERING GROUP, PLLC	\$895.00		
4185	09/29/2023	Open			Accounts Payable	CSC OF YUMA	\$366.27		
4186	09/29/2023	Open			Accounts Payable	CYBER MARKETING NETWORK, INC	\$164.67		
4187	09/29/2023	Open			Accounts Payable	DESERT VALLEY SERVICES, INC	\$1,069.30		
4188	09/29/2023	Open			Accounts Payable	DESERT WATER STORE INC	\$156.37		
4189	09/29/2023	Open			Accounts Payable	ÉCOVERDE, LLC	\$419.47		

Payment Register

From Payment Date: 9/25/2023 - To Payment Date: 9/29/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
4190	09/29/2023	Open			Accounts Payable	FORJACERO TR LLC	\$1,328.54		
4191	09/29/2023	Open			Accounts Payable	FRUTH GROUP INC	\$81.24		
4192	09/29/2023	Open			Accounts Payable	HILL BROTHERS CHEMICAL CO.	\$19,649.72		
4193	09/29/2023	Open			Accounts Payable	ODP BUSINESS SOLUTIONS LLC	\$2,154.73		
4194	09/29/2023	Open			Accounts Payable	PRECISION PROTECTIVE SERVICES LLC	\$1,782.00		
4195	09/29/2023	Open			Accounts Payable	RDO EQUIPMENT CO.	\$65.86		
4196	09/29/2023	Open			Accounts Payable	REAL PURIFIED WATER LLC	\$72.03		
4197	09/29/2023	Open			Accounts Payable	SAM'S CLUB	\$439.68		
4198	09/29/2023	Open			Accounts Payable	SAN LUIS AIR CONDITIONING LLC	\$1,250.00		
4199	09/29/2023	Open			Accounts Payable	SOUTHERN TIRE MART LLC	\$3,396.32		
4200	09/29/2023	Open			Accounts Payable	SPECTRUM BUSINESS	\$1,626.36		
4201	09/29/2023	Open			Accounts Payable	TANK INDUSTRY CONSULTANTS, INC.	\$1,200.00		
4202	09/29/2023	Open			Accounts Payable	TORRES, ALEJANDRA , S	\$945.00		
4203	09/29/2023	Open			Accounts Payable	WAXIE SANITARY SUPPLY	\$674.61		
4204	09/29/2023	Open			Accounts Payable	YUMA CO. AIRPORT AUTHORITY INC	\$167.79		
4205	09/29/2023	Open			Accounts Payable	YUMA WINNELSON CO.	\$3,326.03		
Type EFT Totals:									
1BYPAYABLE - 1st BY Accounts Payable Totals									
							34 Transactions	\$323,913.57	

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	55	\$399,236.74	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	9	\$4,628.48	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	64	\$403,865.22	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	34	\$323,913.57	\$0.00
	Reconciled	0	\$0.00	\$0.00

Payment Register

From Payment Date: 9/25/2023 - To Payment Date: 9/29/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Voided		0	\$0.00	\$0.00
					Total		34	\$323,913.57	\$0.00
All									
					Status		Count	Transaction Amount	Reconciled Amount
					Open		89	\$723,150.31	\$0.00
					Reconciled		0	\$0.00	\$0.00
					Voided		9	\$4,628.48	\$0.00
					Stopped		0	\$0.00	\$0.00
					Total		98	\$727,778.79	\$0.00
Grand Totals:									
Checks									
					Status		Count	Transaction Amount	Reconciled Amount
					Open		55	\$399,236.74	\$0.00
					Reconciled		0	\$0.00	\$0.00
					Voided		9	\$4,628.48	\$0.00
					Stopped		0	\$0.00	\$0.00
					Total		64	\$403,865.22	\$0.00
EFTs									
					Status		Count	Transaction Amount	Reconciled Amount
					Open		34	\$323,913.57	\$0.00
					Reconciled		0	\$0.00	\$0.00
					Voided		0	\$0.00	\$0.00
					Total		34	\$323,913.57	\$0.00
All									
					Status		Count	Transaction Amount	Reconciled Amount
					Open		89	\$723,150.31	\$0.00
					Reconciled		0	\$0.00	\$0.00
					Voided		9	\$4,628.48	\$0.00
					Stopped		0	\$0.00	\$0.00
					Total		98	\$727,778.79	\$0.00

Karla
Plascencia

Digitally signed by: Karla Plascencia
 DN: CN = Karla Plascencia email =
 kplascencia@sanluisaz.gov C = US O
 = City of San Luis OU = Finance
 Date: 2023.10.04 12:31:06 -07'00'



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. A.

Meeting Date: 10/11/2023

Department Head: Jose L. Cisneros, Acting Director of Parks & Recreation, Parks & Recreation Department

Submitted By: Crystal Ochoa, Administrative Coordinator, Parks & Recreation Department
Action Requested:

ITEM:

Discussion and possible action on any and all matters regarding the purchase of a 2024 Ram 5500 Chassis Cab for the Parks Grounds Division. **(Jose Luis Cisneros, Acting Director of Parks and Recreation)**

SUMMARY:

During the budgeting planning for Fiscal Year 2024, Parks Grounds staff analyzed the division's needs, concentrating on the equipment and vehicles they held. Staff requested a 2023 Ram 5500 Chassis Cab to add to their vehicle inventory. Currently, the Parks Grounds Division does not have a chassis cab, also known as a dump truck. This type of vehicle is essential for hauling heavy loads or towing other equipment. This vehicle can be used to accomplish various everyday tasks such as removing and transporting soil and demolished concrete. As the division is tasked with completing more projects, they must reach out to Public Works to borrow their dump truck. Public Works has been very helpful in these cases, but before staff can commit to a project, they must ensure the dump truck is available. When requesting quotes, staff asked for 2024 models since they are more readily available than 2022 or 2023 models.

Staff contacted dealerships that have been used in the past but were advised that they no longer hold state contracts. The dealerships that provided staff with quotes were:

- (1) Chapman Dodge Chrysler Jeep Ram in Yuma, AZ, provided a written quote of \$103,501.86
- (2) Chapman DCJR in Scottsdale, AZ, provided a written quote of \$90,047.96.
- (3) Bill Luke CJDJ in Phoenix, AZ, provided a written quote of \$82,709.76.

Per the quotes received, staff would like to proceed with the lowest bid from Bill Luke CJDJ in the amount of \$82,709.76.

Since the quotes presented are from vendors who do not have state contracts but are reliable vendors that the city has purchased vehicles in the past, and going out to bid will not be cost-efficient since written quotes have already been obtained by these vendors that would most likely also be the ones to bid for this request, staff would like to request Mayor and City Council waive formal procedures as allowed under Procurement Code 3.05.010 (F).

Parks staff is seeking approval to purchase a 2024 Ram 5500 Chassis Cab from Bill Luke Chrysler-Jeep & Dodge for the amount of \$82,709.76.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE THE PURCHASE OF A 2024 RAM 5500 CHASSIS NOT TO EXCEED \$89,710.00 AND WAIVE FORMAL PURCHASING PROCEDURES FOR THE REASONS PRESENTED.

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: YES
CITY/STATE/FEDERAL FUNDS: CITY
TOTAL: \$82,709.76
BUDGETED AMOUNT: \$103,502.00
AVAILABLE AMOUNT TO TRANSFER: N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: CAPITAL OUTLAY -
EQUIPMENT - 100-999-90000
/ \$103,502.00

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

The purchase of a 2022 RAM 5500 Chassis Cab was approved for Fiscal Year 2023-2024. At the moment, most dealerships are selling 2024 models due to the year almost ending and manufacturers ordering newer models. Staff reached out to car dealerships from who we have purchased vehicles in the past, and upon requesting quotes staff was advised that they do not hold state contracts. To avoid any delays and to take advantage of the vehicle availability, staff is requesting City Council to waive formal procedures of City Code 3.05.010 (D) and award the purchase to Bill Luke Chrysler-Jeep & Dodge who submitted the lowest bid of \$82,709.76 for the 2024 Ram 5500 Chassis Cab. This purchase would be under budget since the Parks Grounds Department was approved \$103,502.00 for the purchase of such vehicle.

Attachments

Quote #1 - Chapman Dodge Chrysler Jeep Ram Yuma
Quote #2 - Chapman DCJR Scottsdale
Quote #3 - Bill Luke Chrysler-Jeep&Dodge Phoenix



Chapman Dodge Chrysler Jeep Ram Yuma
 349 E 32nd Street
 Yuma
 AZ, 85364
<https://www.chapmandodgechryslerjeepram.com>

Deal #
91491

Marco Roldan
 Contact Sales: (928) 344-2650
 chapman@chapmanyuma.com



2024 Ram 5500 Chassis Cab

CITY OF SAN LUIS

Cash	
\$0.00 Customer Cash	\$103,501.86
Rebates	\$2,500.00

Payment Detail

Selling Price	\$98,136.00
Rebates	\$2,500.00
Taxes (6.712%)	\$6,419.09
Fees	\$1,446.77
Amount Financed	\$103,501.86

X

Customer Signature & Date

X

Victor Cerda | Manager Signature & Date

Payments offered here are all subject to final credit approval from the lending institution. Vehicle Price does not include accessories and is before Taxes and/or applicable fees. Leases in some cases require additional cash for Security Deposit, and at Lease's End, Lessee is responsible for \$0.25 per Mile over 12000 Miles per year and a Disposition Fee of \$495.00. Wear and tear guidelines apply. All prices, specifications, and availability subject to change without notice.

SUN COUNTRY

TRUCK EQUIPMENT INC.

4245 E. Superior Ave

Phoenix, AZ 85040

Estimate

Date	Estimate #
9/5/2023	56968

Name / Address	Ship To
Chapman Chrysler 3800 N. 89th Street Scottsdale, AZ 85251	Chapman Chrysler 3800 N. 89th Street Scottsdale, AZ 85251

Rep	Department	Chassis Model	Salesman
KL			Dave Z

Item	Qty	Description	Cost	Location	weights	Total
DU-11-3 w/4016SRED	1	Rugby 11 ft 2/3 yard dump body w/12" solid sides, and an electric over hydraulic single acting hoist (P) I.20 P.6 REV 7/23	9,004.00	SO		9,004.00
Rugby dump bed install		Labor and material to install 9 and 11 foot fold down or solid Rugby beds. Beds will be painted white. includes installing factory camera.				4,256.29
CU ICC BUMPER BP964824WLL	1	ICC BUMPER White Steel Straight Side Backpack Truck Box 48" X 24" X 96". Two adjustable shelves ,Stainless steel locking T-handle latches and gas spring door openers WEIGHT 700lbs (P) I2 7/23	3,503.17		700	3,503.17
Labor	2	Labor	125.00	Labor	0.00	250.00

Not responsible for items left over 30 days.

Phone #	Fax #
602-438-4956	602-438-4947

Subtotal	\$17,333.96
Sales Tax (0.00)	\$0.00
Total	\$17,333.96

BILL LUKE CHRYSLER-JEEP&DODGE
2425 WEST CAMELBACK ROAD
PHOENIX, AZ 850153420

Configuration Preview

Date Printed: 2023-09-20 6:47 PM **VIN:** **Quantity:** 1
Estimated Ship Date: **VON:** **Status:** BA - Pending order

Sold to: BILL LUKE CHRYSLER-JEEP&DODGE (08625)
 2425 WEST CAMELBACK ROAD
 PHOENIX, AZ 850153420

Ship to: BILL LUKE CHRYSLER-JEEP&DODGE (08625)
 2425 WEST CAMELBACK ROAD
 PHOENIX, AZ 850153420

Vehicle: 2024 5500 REG CAB CHASSIS 4X2 (144.5 in WB - CA of 60 in) (DP5L63)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	DP5L63	5500 REG CAB CHASSIS 4X2 (144.5 in WB - CA of 60 in)	53,710	49,950
Package:	2YG	Customer Preferred Package 2YG	3,770	3,469
	ETN	6.7L I6 Cummins Turbo Diesel Engine	9,295	8,552
	DF2	6-Spd Auto Aisin AS69RC HD Trans	1,000	920
Paint/Seat/Trim:	PW7	Bright White Clear Coat	0	0
	APA	Monotone Paint	0	0
	*V9	Cloth 40/20/40 Bench Seat	0	0
	-X8	Black/Diesel Gray	0	0
Options:	XCL	Engine Shutdown Timer	250	231
	XF7	Dual Alternators Rated at 440 Amps	285	263
	XNR	Manual DPF Regeneration	345	317
	XHC	Trailer Brake Control	0	0
	MKM	Mopar Splash Guards/Mud Flaps Front	75	69
	AHQ	Max Tow Package	1,295	1,192
	AZB	Heavy Duty Front Suspension Group	260	240
	A62	Level 1 Equipment Group	1,635	1,504
	NLL	52 & 22 Gallon Dual Fuel Tanks	795	732
	ADH	Electrical Accessory Group	585	539
	XF6	Voltage Monitoring Auto Idle Up Sys	0	0
	5N6	Easy Order	0	0
	170	Zone 70-Phoenix Arizona	0	0
	4EA	Sold Vehicle	0	0
Destination Fees:			1,995	1,995

 = Restriction

HB: 2,200 **Total Price:** 75,295 69,973
FFP: 69,348
EP: 66,674

Order Type: Retail **PSP Month/Week:**
Scheduling Priority: 1-Sold Order **Build Priority:** 99
Salesperson:
Customer Name:
Customer Address:

Instructions:

DRAKE EQUIPMENT OF ARIZONA

2235 S 19TH AVE
PHOENIX, AZ 85009
602.278.2552
DRAKEEQUIPMENT.COM

QUOTE

Quote Number: 75314
Quote Date: Sep 27, 2023
Page: 1

Bill To:

BILL LUKE AUTO CENTER
ATTN: ACCOUNTS PAYABLE
2425 W CAMELBACK RD
PHOENIX, AZ 85015-3497

Ship To:

BILL LUKE AUTO CENTER
ATTN: ACCOUNTS PAYABLE
2425 W CAMELBACK RD
PHOENIX, AZ 85015-3497

Customer Contact

Customer ID
BILLUK

Good Thru
10/27/23

Payment Terms
Net 10 Days

Sales Representative
TRENT A. PULKRABEK

QUANTITY	ITEM	ITEM DESCRIPTION	UNIT PRICE	AMOUNT
		-		
1.00	075-116492	11' 7" 2-3 YD DUMP BODY 10 GA FLOOR 10 GA SOLID 12" SIDES AND ENDS STRUCT CHANNEL UNDERSTRUCTURE 1/4 CABSHIELD 4016 SUBFRAME HOIST ELEC/HYD PUMP	10,608.76	10,608.76
1.00	001-512002	INSTALL 2-3 YD DUMP (ELEC/HYD)	1,287.00	1,287.00
1.00	001-512007	PAINT WHITE INDUSTRIAL GRADE URETHANE	841.00	841.00
		-		
1.00	00-SUB TO INSI	PRICE IS SUBJECT TO VISUAL INSPECTION OF VEHICLE OR EQUIPMENT. REFER TO TERMS AND CONDITIONS.		
1.00	00-DEALER ORI	TO CONFIRM ORDER, REVIEW FOR ACCURACY AND EMAIL BACK TO YOUR SALES REP WITH SIGNATURE AND PO#/VIN _____ ORDERED CONFIRMED BY _____		

Subtotal	12,736.76
Sales Tax	
TOTAL	12,736.76



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. B.

Meeting Date: 10/11/2023

Department Head: Eulogio Vera, Director of Public Works, Public Works Department

Submitted By: Jorge Perez, Assistant Director of Public Works, Public Works Department

Action Requested:

ITEM:

Discussion and possible action on any and all matters regarding the acceptance and award of a construction contract to Viking Painting, LLC for the rehabilitation of the interior and exterior of two (2) steel groundwater storage tanks at Well Sites 5 & 6. **(Jorge Perez, Assistant Director of Public Works)**

SUMMARY:

The Department of Public Works is seeking Council approval for accepting and awarding a construction contract to Viking Painting, LLC, 10905 Harrison St., La Vista, NE 68128 for the City of San Luis Water Storage Tanks Rehabilitation Project at Well Sites #5 #6. Viking Painting, LLC was the only bidder for this project and Tank Industry Consultants, our engineering consultant evaluated the bid and recommended acceptance of the bid and award construction to Viking Painting, LLC.

The project consists of the complete cleaning and repainting of the interior surfaces and the complete cleaning and repainting of the exterior surfaces with containment. Additional work items include installation of a new 16-in. diameter shell pipe penetration in Well #5, roof manholes, clog-resistant roof vents, and interior column guide clips; modification of the stairway top-rails, platform toe bars, and roof safety railing toe bars; including other miscellaneous repairs.

Public Works is seeking Council approval for accepting Construction Services from Viking Painting, LLC for this project in the amount of \$1,263,575.00. This purchase falls under the provisions of City Code 3.05.050 Performance bond, City Code 3.05.030 Bidding. A 5% contingency and bond expense is included in the quote.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO ACCEPT AND AWARD THE SUCCESSFUL BID TO VIKING PAINTING, LLC, FOR THE WATER STORAGE TANKS REHABILITATION PROJECT AT WELL SITES #5 & #6 NOT TO EXCEED \$1,263,575.00.

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	Yes
CITY/STATE/FEDERAL FUNDS:	City
TOTAL:	\$1,263,575.00
BUDGETED AMOUNT:	\$2,000,000.00
AVAILABLE AMOUNT TO TRANSFER:	Not Applicable

ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: Capital Outlay - Equipment -
300-302-90000 / \$2,251,054.53

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

This project was budgeted in FY 2024.
Capital Outlay - Equipment - 300-302-90000
Budgeted Amount \$2,000,000.00
Account Balance \$2,251,054.53
Project Fiscal Impact \$1,263,575.00

Attachments

TIC Bid Review
Bidder's Proposal



TANK
INDUSTRY
CONSULTANTS

*Engineering Water Tanks
Since 1979*

7740 West New York Street
Indianapolis, Indiana 46214
317 / 271-3100 - Phone
317 / 271-3300 - FAX

Pittsburgh, Pennsylvania
412 / 262-1586

El Paso, Texas
915 / 790-0790

Atascadero, California
805 / 538-4206



October 5, 2023

Mr. Manuel Hernandez
City of San Luis
Public Works Department
1090 E. Union Street
P.O. Box 3750
San Luis, Arizona 85349

RE: Bid Review for Repairing and Repainting the Interior and Exterior of
Two 1,000,000 Gallon Steel Ground Storage Tanks,
“Public Works Yard Tanks - Wells #5 and #6”
San Luis, Arizona; TIC 23.105.W1696.001&002

Dear Mr. Hernandez:

Tank Industry Consultants has received a copy of the bid proposal that the City of San Luis received on the above referenced project. The Engineer’s estimate provided by Tank Industry Consultants was \$2,051,500.

The apparent low bidder on the project was Viking Painting for the amount of \$1,263,575.

Tank Industry Consultants has observed projects of similar scope performed by Viking Painting.

Tank Industry Consultants can see no reason not to award the project to Viking Painting.

If you have any questions, please feel free to contact me.

Sincerely,

Tank Industry Consultants

Patrick J. Brown
Vice President

An Employee-Owned Company

BIDDER'S PROPOSAL

Repairing and Repainting the Interior and Exterior of Two 1,000,000 Gallon Steel Water Tanks "Public Works Yard Tanks - Wells #5 and #6"

Statement of Estimated Quantities and Proposal Prices

Item No.	Item Description	Est. Qty.	Unit	Unit Price	Bid Amount
1A	Base Bid for Repairs and Interior Repainting Well #5	1	Lump Sum	N.A.	\$ <u>303,200.00</u>
1B	Base Bid for Exterior Repainting Well #5	1	Lump Sum	N.A.	\$ <u>148,300.00</u>
1C	Base Bid for Repairs and Interior Repainting Well #6	1	Lump Sum	N.A.	\$ <u>113,000.00</u>
1D	Base Bid for Exterior Repainting Well #6	1	Lump Sum	N.A.	\$ <u>331,000.00</u>
2	Repair Welding <u>If Required</u>	60	man-hour	\$ <u>350.00</u>	\$ <u>21,000.00</u>
3	Pit Filling and Surfacing <u>If Required</u>	6	gallon	\$ <u>750.00</u>	\$ <u>4,500.00</u>
4	Interior Chipping & Grinding <u>If Required</u>	200	man-hour	\$ <u>250.00</u>	\$ <u>50,000.00</u>
5	Roof Rafter Replacement <u>If Required</u>	70	roof rafter	\$ <u>2,750.00</u>	\$ <u>192,500.00</u>
6	Rafter Bracing <u>If Required</u>	70	rafter brace	\$ <u>750.00</u>	\$ <u>52,500.00</u>
7	Guides for Column Bases <u>If Required</u>	2	column	\$ <u>2,500.00</u>	\$ <u>5,000.00</u>
8	Additional Work <u>If Required</u>	100	man-hour	\$ <u>200.00</u>	\$ <u>20,000.00</u>
9	5% Contingency (amount to be 5% of total of Bid Items 1A through 1D)	N.A.	N.A.	N.A.	\$ <u>22,575.00</u>

TOTAL AMOUNT BID

(Items 1A through 9 inclusive)

\$ 1,263,575.00

TOTAL AMOUNT BID One Million Two Hundred Sixty-Three Thousand Five Hundred Seventy-Five Dollars and Zero Cents
(written in words)

Unit Prices have been computed in accordance with paragraph 13.03.C of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

00300-10



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. C.

Meeting Date: 10/11/2023

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Motion

ITEM:

Discussion and possible directions to staff on any and all matters regarding Assistant City Attorney Glenn Gimbut's proposed Contract. **(Kay Marion Macuil, City Attorney, and Glenn Gimbut, Assistant City Attorney)**

SUMMARY:

At present time Glenn Gimbut is employed as Assistant City Attorney as a part-time employee and has been so employed since October 16, 2015. This contract would replace the current contract and would expire on October 15, 2025.

The contract will be attached to this agenda before the meeting.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE THE CONTRACT WITH GLENN GIMBUT AS PRESENTED.

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	Yes
CITY/STATE/FEDERAL FUNDS:	City
TOTAL:	See the Fiscal Impact Statement
BUDGETED AMOUNT:	See the Fiscal Impact Statement
AVAILABLE AMOUNT TO TRANSFER:	See the Fiscal Impact Statement
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE:	See the Fiscal Impact Statement

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

This information will be provided before the meeting.

Attachments

Employment Contract

PART-TIME SALARY EMPLOYMENT AGREEMENT

This agreement (“Agreement”) is made this _____ day of October, 2023, at the City of San Luis, County of Yuma, State of Arizona, between the City of San Luis, Arizona, (“City”), a municipal corporation of the State of Arizona, 1090 E. Union Street., San Luis, Arizona, and Glenn Gimbut (“Assistant City Attorney.”) This Agreement takes the place of the Employment Agreement between the City and Assistant City Attorney dated June 28, 2017. In consideration of the mutual covenants, agreements and promises provided herein, the sufficiency of which is expressly acknowledged, City and Assistant City Attorney agree as follows:

SECTION I

TERM AND NATURE OF EMPLOYMENT

This Agreement is for a specific and limited duration. The Assistant City Attorney shall be employed by the City of San Luis as an Assistant City Attorney effective October, October 21, 2023 (which is a start of a pay period) until October 15, 2025, (the “Agreement Period”), unless the Assistant City Attorney’s employment is terminated at an earlier date pursuant to Section V below.

SECTION II

PART-TIME SALARY EMPLOYMENT

A. During the Agreement Period, the Assistant City Attorney shall be a part-time employee on salary, classified as exempt from overtime payment. He agrees to work a minimum of 900 hours annually during the term of this Agreement. He shall submit an exempt time sheet to his supervisor for the payroll system and separate timeslips for use of his supervisor to see that he is on track for the minimum 900 hours annual work. The timeslips shall itemize the hours worked during the pay period and provide running total for the fiscal year, which the supervise shall verify. It is understood that the annual work will track the annual anniversary of this Agreement and not necessarily the fiscal year of City.

B. The Assistant City Attorney shall devote time, attention, and energies to the performance of his duties as Assistant City Attorney of the City of San Luis, Arizona. The City agrees that the Assistant City Attorney may perform private legal consultation services that do not conflict with his duties under this Agreement.

SECTION III

DUTIES

A. During the Agreement Period, the Assistant City Attorney shall represent the City in its legal affairs and provide legal advice and counsel to the City of San Luis. The Assistant City Attorney shall serve the City diligently and according to his best professional and personal abilities in all respects, and generally do all things for the best interests of the City that is usually done by persons occupying his position as a legal officer of a political subdivision.

B. The Assistant City Attorney shall report to and be under the supervision of the City Attorney. The Assistant City Attorney shall be subject to the direction and control the City Attorney. The City Attorney may review, evaluate, and complete the evaluation of the performance of the Assistant City Attorney from time to time during the term of this

Agreement.

C. The City Council may designate another City staff person to provide the supervision described in this Section III. Said designee must be an employee of the City and cannot be a sitting San Luis Council Member.

SECTION IV
RATE OF COMPENSATION

A. **Annual Salary:** The salary of the Assistant City Attorney shall be an annual base salary of \$65,000.00 payable biweekly on the City's payroll schedule in equal increments of \$2,500.00. The salary is compliant with the minimum required annual pay required by the federal Fair Labor Standards Act and its regulations ("FLSA") for exempt employees.

B. **Annual Sick Leave Accrual:** Part-time employees accrue one hour of sick leave for every 30 hours worked capped at 40 hours in a fiscal year under A.R.S. § 23-372(A) and the City of San Luis Personnel Policies, Section HR-4-05(A)(2) as amended by Resolution No. 2012. The Assistant City Attorney shall accrue a maximum of 30.33 hours of sick leave per fiscal year under this Agreement. The 30 hours per fiscal year rate of accrued sick hours is calculated considering the minimum 900 hours in Section II. The 900 hours are divided by 26 pay periods in a fiscal year which equals 34.61 hours per pay period, rounded up to 35 hours per pay period. 35 hours worked divided by 30 hours for every one sick hour accrued equals 1.16 hours per pay period accrued. 1.16 sick hours times 26 pay periods equals 30.33 hours accrued per year. In mathematical formula it is as follows:

Accrual = 1 sick hour/30 hours worked.
900 hours/year /26 pay periods/year = 34.61 (rounded up to 35 hours)
35 hours/ pay period /30 hours /1 hour sick = 1.16 sick hours/ pay period
26 pay periods x 1.16 sick hours/ pay period = 30.33 sick hours per year.

The sick hours accrued under the above formula shall be counted toward and part of the minimum 900 total hours paid by the \$65,000.00 salary. In other words, the Assistant City Attorney taking of sick time is to be credited against his pledged 900 minimum work hours per year.

C. Under this Agreement, the Assistant City Attorney does not lose previously accrued and unused sick time under his employment agreement with the City dated June 28, 2017.

D. The City agrees to budget and pay for the professional dues and subscriptions of the Assistant City Attorney as the City deems necessary for his continuation and participation in national, regional, state, and local associations and organizations necessary for his continued professional participation, growth, and advancement, and for the good of the City. This shall include any continuing legal education requirements of the State Bar of Arizona. The City agrees to provide Assistant City Attorney with a cell phone, remote access to the City's internet system, and any other devices the City would provide to a City department head for work performed other than on the premises of City by policy or practice.

E. Unless otherwise stated herein, the Assistant City Attorney shall be entitled to all other employment benefits provided for other part-time employees of the City. The Assistant City Attorney shall not be eligible to participate in any health insurance program. If the Assistant City Attorney experiences a qualifying event under the federal Family Medical Leave Act and its regulations and binding interpretation (“FMLA”), and he is eligible to apply for FMLA, he may apply for FMLA job protection. Under A.R.S. 38-766.02(A), the City is required to pay approximately \$8,000.00 into the Arizona State Retirement System for an alternate contribution rate for employed retired members, but the Assistant City Attorney as a retired member, receives no benefit from this required payment.

F. It is recognized by the City Council that the Assistant City Attorney must devote the time necessary to his duties involving both normal office hours and time outside these hours. As previously stated, this is a part-time position with a minimum of 900 working hours a year. The taking of personal time off should be in line with this premise, and rests in the discretion of and with the approval of the City Attorney or City Council’s designee under Section III. Since the minimum pledged annual hours are 900, there is sufficient ability to schedule personal time off with the Assistant City Attorney’s supervisor, given the needs of the Office of the City Attorney.

SECTION V TERMINATION OF EMPLOYMENT

A. The City expressly agrees that it shall not take any action to terminate this Agreement or otherwise discharge Assistant City Attorney from his employment during the Agreement Period except as expressly provided for herein. The Assistant City Attorney’s employment may be terminated by a majority vote of the City Council as provided by San Luis City Code §.2.15.030.

B. In the event that the City terminates this Agreement or discharges Assistant City Attorney during the Agreement Period, the City shall pay to the Assistant City Attorney severance the total sum of \$32,500.00, less applicable withholdings (which is equivalent to six (6) months of pay). A condition precedent to this severance payment, Assistant City Attorney shall execute a release of any and all claims he may have against the City, in the form attached hereto as Appendix A. The City shall make the severance payment no later than ten (10) business days following the effective date of the required release. In addition, the Assistant City Attorney shall be entitled to his accrued salary including sick leave taken to the effective date of termination. In addition to this compensation and/or any other rights to compensation or benefits to which Assistant City Attorney may have under this Agreement or law. Upon termination and satisfaction of the above condition precedent (in this Section V(B)), the Assistant City Attorney shall have no further legal duty or obligation under this Agreement.

C. Notwithstanding the foregoing, if the Assistant City Attorney is terminated because of a conviction relating to any felony or loss of license to practice law in the State of Arizona, the City shall have no obligation to make any severance payment pursuant to Section V(B) above. The City reserves the right to suspend any severance pay payment pursuant to the above Section V(B) during any proceedings while felony charges are

pending or other proceedings which could result in the loss of the license to practice law in the State of Arizona.

D. The Assistant City Attorney may resign from his employment at any time upon the giving of at least thirty (30) days' written notice to the City Attorney, the City Manager, his City Council's designated supervisor if any, the Mayor, and Council, unless the parties agree to a different notice period.

E. Upon termination under Section V(C) or V(D) above, the Assistant City Attorney shall only be entitled to compensation earned to the effective date of termination, and any other rights to compensation or benefits to which Assistant City Attorney may have under this Agreement or by law.

**SECTION VI
CONTRACT TERMS TO BE EXCLUSIVE**

This Agreement (including Appendix A) contains the sole and entire agreement between the parties and shall supersede any and all other agreements between the parties. The parties acknowledge and agree that neither of them has made any representation with respect to the subject matter of this Agreement nor any representations inducing its execution and delivery except such representations as are specifically set forth in this writing and the parties acknowledge that they have relied on their own judgment in entering into the same. The parties further acknowledge that any statements or representations that may have been made by either of them to the other are void and of no effect and that neither of them has relied on such statements or representations in connection with its dealings with the other.

**SECTION VII
WAIVER OR MODIFICATION INEFFECTIVE
UNLESS IN WRITING**

It is agreed that no waiver or modification of this Agreement or of any covenant, condition, or limitation contained in it shall be valid unless it is in writing and duly executed by the party to be charged with it, and that no evidence of any waiver or modification shall be offered or received in evidence in any proceeding, arbitration, or litigation between the parties arising out of or affecting this Agreement, or the rights or obligations of any party under it, unless such waiver or modification is in writing, duly executed as above. The parties agree that the provisions of this paragraph may not be waived except by a duly executed writing.

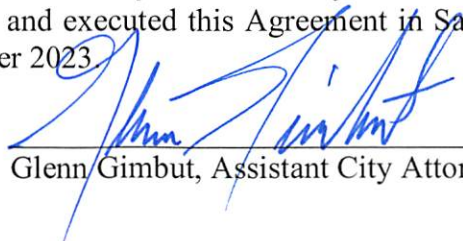
**SECTION X
CONTRACT GOVERNED BY LAW OF
STATE OF ARIZONA**

A. The parties agree that it is their intention and covenant that this Agreement and performance under it and all suits and special proceedings relating to it be construed in accordance with and under and pursuant to the laws of the State of Arizona and that in any action, special proceeding, or other proceeding that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of Arizona shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which any action or special proceeding may be instituted.

B. In the event that the City adopts as a policy a program of settling employment claims or suits by binding arbitration and adopts a form of agreement for new employees to sign during the course of this Agreement, Assistant City Attorney agrees to sign said agreement and be bound by the same.

C. This Agreement shall be subject to the cancellation provisions of ARS §38-511.

In witness whereof, the City of San Luis, Arizona has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested to by its Clerk, and Glenn Gimbut, Assistant City Attorney, has signed and executed this Agreement in San Luis, Yuma County, Arizona on the ____ day of October 2023.



Glenn Gimbut, Assistant City Attorney

Nieves Riedel , Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney

Appendix A

**SEVERANCE AGREEMENT
AND GENERAL RELEASE**

THIS SEVERANCE AGREEMENT AND GENERAL RELEASE (hereinafter this "Agreement") is entered into by and between Glenn Gimbut ("GIMBUT"), on the one hand, and the City of San Luis (the "CITY"), on the other hand.

WHEREAS, GIMBUT was employed by the CITY as Assistant City Attorney;

WHEREAS, GIMBUT and the CITY entered into an Employment Agreement (the "Employment Agreement");

WHEREAS, the CITY terminated GIMBUT's employment prior to the expiration of the Employment Agreement;

WHEREAS, the Employment Agreement requires the CITY to pay severance to GIMBUT based on the early termination of the Employment Agreement for a non-disqualifying reason; and

WHEREAS, as a condition precedent to the receipt of severance pay, the Employment Agreement requires GIMBUT to release any and all claims he may have against the CITY.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, and for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the CITY and GIMBUT voluntarily and knowingly agree as follows:

1. **Definitions.** For the purposes of this entire Agreement, the term "CITY" includes the City of San Luis and, to the extent applicable, as direct, intended and third party beneficiaries hereof, its past, present, and future officers, employees, representatives, trustees, administrators, fiduciaries, attorneys, insurers, agents, subsidiaries, affiliated entities, elected officials, councilmembers, predecessors, successors, heirs, and assigns, jointly and severally, in both their personal and official capacities (collectively, the "Released Parties").

For the purposes of this entire Agreement, the term "GIMBUT" shall refer to Glenn Gimbut, his marital community, and his heirs and assigns.

2. **Severance Payment.** Within ten (10) business days of the effective date of this Agreement, the CITY shall provide GIMBUT with severance pay in the amount of \$37,500, less applicable withholdings. The payment shall be made by check payable to "Glenn Gimbut" or by direct deposit to GIMBUT's bank account on file with the CITY.

3. **Release by GIMBUT.** GIMBUT hereby irrevocably and unconditionally releases and discharges the CITY and all other Released Parties from any and all claims, demands, liens, agreements, covenants, actions, suits at law or equity, obligations, debts, damages, judgments, liabilities, attorneys' fees, costs, and expenses of whatever kind, known or unknown, suspected or unsuspected, which he had or has based on any matter or thing occurring prior to his execution

of this Agreement, including but not limited to claims that arise from or relate to GIMBUT's employment with the CITY or the termination of the employment relationship. The released claims include any claims arising under the Age Discrimination in Employment Act, the Arizona Civil Rights Act, the Arizona Wage Payment Act, or Title VII of the Civil Rights Act of 1964. The released claims further include, but are not limited to, all claims for breach of contract, wrongful discharge or layoff, constructive discharge, retaliatory discharge, impairment of economic opportunity, intentional or negligent infliction of emotional distress, or any other tort, including but not limited to defamation, invasion of privacy, intentional interference with contract or prospective advantage, violation of any constitutional right, sex discrimination, race discrimination, disability discrimination, age discrimination or any other form of employment discrimination or retaliation, and any and all claims arising from any alleged violations by or on behalf of the CITY or any other Released Party under every applicable federal, state, or local law, rule, regulation, ordinance, public policy or common law, including under the Arizona Employment Protection Act, the Arizona Peace Officer Bill of Rights, the Arizona Fair Wages and Healthy Families Act, the Civil Rights Act of 1991, the Equal Pay Act, the Americans with Disabilities Act, or the Family and Medical Leave Act. GIMBUT also waives and releases any appeal or grievance rights pursuant to the CITY's personnel policies or municipal code.

GIMBUT understands and acknowledges that this release forever bars him from suing or otherwise asserting a claim against the CITY or any of the other Released Parties on the basis of any event occurring through his execution of this Agreement, whether the facts are now known or unknown, and whether the legal theory upon which such claim might be based is now known or unknown. GIMBUT further agrees and acknowledges that the Released Parties are intended third party beneficiaries of this release of claims.

4. **Waiver of Right to Recovery and No Inducement.** GIMBUT expressly waives any right to monetary recovery should any administrative agency pursue any released claim on his behalf.

5. **Consultation with Legal Counsel.** GIMBUT acknowledges that this Agreement constitutes written notice from the CITY that it advises him to seek legal counsel before signing this Agreement.

6. **Notice of Time for Reflection and Waiver.** GIMBUT acknowledges that he has fully discussed all aspects of this Agreement with his attorney to the extent he wishes to do so. GIMBUT agrees that he has carefully read and fully understands all of the provisions of this Agreement and that he is voluntarily entering into this Agreement. GIMBUT agrees that, as part of this Agreement, he has been provided with consideration in addition to anything of value to which he is already entitled. GIMBUT is advised that, prior to waiving claims he may have under the Age Discrimination in Employment Act, he may take up to twenty-one (21) calendar days to consider this Agreement before signing, and he may revoke this Agreement within seven (7) calendar days after he signs the Agreement. If GIMBUT wishes to revoke the Agreement, he must do so by delivering written notification of the revocation before the expiration of the revocation period to Stephen B. Coleman at Pierce Coleman PLLC, 7730 E. Greenway Road, Suite 105, Scottsdale, AZ 85260. In the event this Agreement is signed prior to the expiration of 21 days, GIMBUT acknowledges that he has voluntarily and knowingly agreed to waive his entitlement to take 21 days to consider this Agreement for the purpose of expediting his receipt of the consideration outlined in Section 3.

7. **Effective Date of Agreement.** This Agreement will be effective upon execution by both parties and the expiration of the seven-day revocation period outlined in Section 6 above without revocation by GIMBUT.

8. **Full Consideration.** The parties agree that compliance with the above-described terms constitutes full and sufficient legal consideration for the promises and covenants set forth in this Agreement.

9. **No Admission of Wrongdoing.** The parties each agree that nothing in this Agreement shall be construed as an admission by any of them of any wrongdoing or violation of any applicable law, and that nothing in this Agreement shall be so construed by any other person.

10. **Bar.** GIMBUT specifically agrees that this Agreement may be pled by the CITY or any of the other Released Parties as an absolute bar to any released claim.

11. **Complete Agreement.** This Agreement sets forth all of the terms and conditions of the agreement between the parties and shall be considered and understood to be a contractual commitment and not a mere recital, except that it shall be read in conjunction with the Employment Agreement between the parties. This Agreement shall be binding upon the CITY and its successors and assigns and GIMBUT and his respective agents, marital community, heirs, executors, representatives, and assigns.

12. **Fees and Costs.** Each party shall bear and pay his or its own costs and attorneys' fees with regard to this Agreement and any matters covered herein. However, in an action to enforce any term or terms of this Agreement or to seek damages for breach of this Agreement, the prevailing party in that action shall be entitled to recover reasonable attorney's fees.

13. **Waiver and Amendment.** A waiver of any right under this Agreement must be in writing to be effective. This Agreement may be amended only by a writing signed by the parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.

14. **Choice of Law.** The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against either of the parties. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona, except to the extent that federal laws apply.

[AGREEMENT CONTINUES ON NEXT PAGE]

15. **Acknowledgement.** GIMBUT acknowledges that in executing this Agreement, he does not rely on any inducements, promises or representations made by the CITY other than those expressly stated herein. Further, GIMBUT declares that he has read this Agreement and fully understands its terms and contents, including his rights and obligations hereunder, and freely, voluntarily and without coercion enters into this Agreement. GIMBUT agrees and acknowledges that the waiver and release of all rights or claims he may have under any local, state, or federal law is knowing and voluntary.

CITY OF SAN LUIS

By _____

Its _____

Dated: _____

GLENN GIMBUT

Dated: _____



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

7. D.

Meeting Date: 10/11/2023

Department Head: Sonia Cornelio, City Clerk, City Clerk's Office

Submitted By: Melissa Lopez, Deputy City Clerk, City Clerk's Office

Action Requested: Motion

Public Hearing

ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding the recommendation of an Application for Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control to authorize La Bodega Kitchen and Bar to sell alcohol on October 20, 2023, and October 27, 2023, during the Dread Mar I Concert. **(Ruben Walshe, La Bodega Kitchen and Bar)**

- A. Open public hearing
 - 1. Staff / Applicant Presentation
 - 2. Call to the public on this item
- B. Close public hearing
- C. Action on Application For Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses & Control

SUMMARY:

On October 20, 2023, and October 27, 2023, La Bodega Kitchen and Bar wishes to sell beer in the parking areas around it, which will be fenced off for the Dread Mar I Concert.

RECOMMENDATION / SUGGESTED MOTION:

- A. I MOVE TO OPEN PUBLIC HEARING.**
 - 1. Staff and/or applicant presentation**
 - 2. Call to the public on this Item**
- B. I MOVE TO CLOSE PUBLIC HEARING.**
- C. I MOVE TO RECOMMEND APPROVAL TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL THE APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT OF LA BODEGA, LLC AS PRESENTED.**

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:	N/A
CITY/STATE/FEDERAL FUNDS:	N/A
TOTAL:	N/A
BUDGETED AMOUNT:	N/A
AVAILABLE AMOUNT TO TRANSFER:	N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE:	N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

There is no fiscal impact associated with this item.

Attachments

Application



**TEMPORARY EXTENSION OF
PREMISES/PATIO PERMIT**
A non-refundable \$100 fee will apply

Arizona Department of Liquor Licenses and Control
800 W. Washington St. 5th Floor Phoenix, AZ 85007
(602) 542-5141

DLIC USE ONLY

Job #:
Date Accepted:
CSR:

**OBTAIN RECOMMENDATION FROM THE LOCAL GOVERNING BODY BOARD 60 DAYS PRIOR
AS WELL AS SUBMIT A COPY TO THE DEPARTMENT OF LIQUOR**

License#: 12143217

1. Agent Name: Walshe Ruben Alberto
Last First Middle

2. Business Name: La Bodega LLC

3. Business Location Address: 1950 Cesar Chavez Blvd. San Luis AZ 85349
Street City State Zip Code

4. Business Phone Number: 928-261-0032 Contact Phone Number: 928-261-0032

5. Mailing address: P.O. Box 1523 San Luis AZ 85349
Street City State Zip Code

6. Email Address: labodegasl2016@gmail.com

7. Specific purpose for change: Hosting Dread Mar I Concert

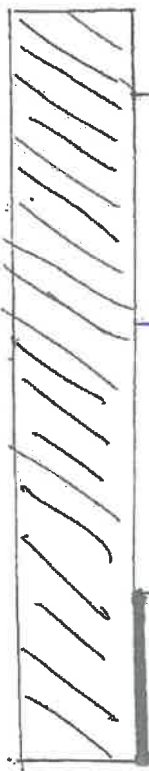
Dates of the Temporary Extension – Must not exceed 6 months.

Date	Day of Week	Start Time	End Time
10/20/2023	Friday	2:00 PM	
10/21/2023	Saturday	12:00 AM	2:00 AM
<u>10/27/2023</u>	<u>Friday</u>	<u>2:00 PM</u>	
<u>10/28/2023</u>	<u>Saturday</u>	<u>12:00 AM</u>	<u>2:00 AM</u>

(Attach additional sheet if necessary)

**Must provide written notice to the Department of Liquor of any modification
10 days prior to change/addition to scheduled Temporary Extension.**

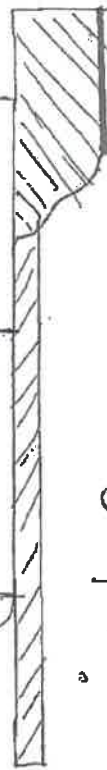
RECEIVED
SEP 25 2023
CITY CLERK'S OFFICE



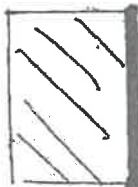
1950 E Juan Sanchez Blvd.

La Bodega
kitchen and Bar

Parking Lots



PARKING
EXTENSION →



Extension

Parking
Extension



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

9.

Meeting Date: 10/11/2023

Department Head: Sonia Cornelio, City Clerk, City Clerk's Office

Submitted By: Melissa Lopez, Deputy City Clerk, City Clerk's Office

Action Requested: Motion

ITEM:

EXECUTIVE SESSSION

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

Discussion and possible action on any and all matters regarding action to hold an executive session under A.R.S. § 38-431.03(A) subsection (1) for appointment of an Acting Police Chief, subsection (3) for discussion or consultation for legal advice with the City Attorney regarding the same. **(Kay Marion Macuil, City Attorney)**

SUMMARY:

City Council can be properly advised by holding an executive session for the purposes described in the agenda item. Under A.R.S. § 38-431.03 (A) subsections (1) and (3), City Council is not permitted to direct the City Attorney in executive session.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO HOLD AN EXECUTIVE SESSION PURSUANT TO A.R.S. § 38-431.03(A) SUBSECTIONS (1) AND (3).

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: No
CITY/STATE/FEDERAL FUNDS: N/A
TOTAL: N/A
BUDGETED AMOUNT: N/A
AVAILABLE AMOUNT TO TRANSFER: N/A
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

There is no fiscal impact associated with this item because A.R.S. § 38-431.03(D) states "Legal action involving a final vote or decision shall not be taken at an executive session[.]"



AGENDA ITEM REVIEW FORM

Regular City Council Meeting

10. A.

Meeting Date: 10/11/2023

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Motion
Order

ITEM:

DISCUSSION AND POSSIBLE ACTION ITEM:

Discussion and possible action regarding any and all matters concerning Order No. 2023-10. An Order of the Mayor and City Council of the City of San Luis, Arizona, to appoint an Acting Chief of Police. **(Jenny Torres, Acting City Manager and Adela Cortez, Director of Human Resources)**

SUMMARY:

An internal recruitment was conducted for the duties of the Chief of Police to be assumed in an acting capacity during the temporary vacancy of the Chief of Police position. The selected candidate would continue in the classified service while performing the duties of Acting Chief of Police and return to their regular position once the Chief of Police vacancy is filled. Any pay adjustment for the new duties would follow the City of San Luis Salary Administration policy.

Two employees submitted a Letter of Interest. A summary of their highlights is attached to this Agenda Item as the third attachment. An order has been prepared and attached for each applicant. The order with the applicant selected will be signed. The suggested motion has left the name for the Council to fill in their selection between the two applicants.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPOINT _____ AS ACTING CHIEF OF POLICE UNDER THE CONDITIONS ORDERED IN ORDER NO. 2023-10.

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: Yes
CITY/STATE/FEDERAL FUNDS: City
TOTAL: See fiscal Impact statement
BUDGETED AMOUNT: See fiscal impact statement
AVAILABLE AMOUNT TO TRANSFER: See fiscal impact statement
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: See fiscal impact statement
FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

Adjustments under the personnel policies for acting positions are available in the salary budget for fiscal year 2023-2024. Due to the vacancy of the Chief of Police position there is budget available to cover any salary adjustments regarding this temporary appointment.

Attachments

Detective Order No 2023-10

Lieutenant Order 2013-10

CandidatesHighlights



Order

No. 2023-10

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDER OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, TO APPOINT AN ACTING CHIEF OF POLICE.

WHEREAS, San Luis City Code § 2.15.010 (as City Council amended on August 9, 2023) provides that the City Council shall appoint the Chief of Police, who shall serve at the pleasure of the City Council; and

WHEREAS, there exists a vacancy in the Chief of Police Position; and

WHEREAS, the City Council wishes to provide for the performance of the duties of the Chief of Police; and

WHEREAS, the City Council agrees with the internal applicants' wishes to retain their classified service status if selected to perform the duties of Chief of Police;

NOW, THEREFORE, the Mayor and City Council of the City of San Luis ORDER IT:

Section 1: Javier Nuño, Police Detective, is by this order appointed as Acting Chief of Police until the City Council may make further decisions regarding the appointment to the position of the Chief of Police.

Section 2: Javier Nuño is to remain in the classified service of the City of San Luis as a Police Detective while performing the duties of Acting Chief of Police. When his appointment as Acting Chief of Police terminates, he shall remain in his position as Police Detective.

Section 3: Javier Nuño shall receive a pay increase for the period of time that he is serving as Acting Chief of Police per the current City of San Luis policy on salary administration.

Section 4: If any section, subsection, sentence, clause, phrase, or portion of this order is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction or controlling legislation, such decision or legislation shall not affect the validity of the remaining portions of this order.

[Intentionally left blank; signature page follows]

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____ day of October 2023.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney



Order

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2023-10

AN ORDER OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, TO APPOINT AN ACTING CHIEF OF POLICE.

WHEREAS, San Luis City Code § 2.15.010 (as City Council amended on August 9, 2023) provides that the City Council shall appoint the Chief of Police, who shall serve at the pleasure of the City Council; and

WHEREAS, there exists a vacancy in the Chief of Police Position; and

WHEREAS, the City Council wishes to provide for the performance of the duties of the Chief of Police; and

WHEREAS, the City Council agrees with the internal applicants' wishes to retain their classified service status if selected to perform the duties of Chief of Police;

NOW, THEREFORE, the Mayor and City Council of the City of San Luis ORDER IT:

Section 1: Nigel Reynoso, Police Lieutenant, is by this order appointed as Acting Chief of Police until the City Council may make further decisions regarding the appointment to the position of the Chief of Police.

Section 2: Nigel Reynoso is to remain in the classified service of the City of San Luis as a Police Lieutenant while performing the duties of Acting Chief of Police. When his appointment as Acting Chief of Police terminates, he shall remain in his position as Police Lieutenant.

Section 3: Nigel Reynoso shall receive a pay increase for the period of time that he is serving as Acting Chief of Police per the current City of San Luis policy on salary administration.

Section 4: If any section, subsection, sentence, clause, phrase, or portion of this order is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction or controlling legislation, such decision or legislation shall not affect the validity of the remaining portions of this order.

[Intentionally left blank; signature page follows]

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____day of October 2023.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney

Acting Chief of Police - Candidates' Highlights

Name:	Nigel I. Reynoso	Javier Nuño Jr.
Education:	Bachelor of Science Degree in Criminal Justice Administration	High School Diploma
Professional Certifications:	FBI Law Enforcement Executive Development Certification; and Northwestern University School of Police Staff and Command Certification	N/A
Military Experience:	US Marine: 1997 - 2006 Honorably Discharged	US Army: 1989-1992 Honorably Discharged
Work Experience / Police Ranks Held:	Acting Chief Lieutenant Sergeant Corporal Detective Officer	Acting Chief Captain Lieutenant Sergeant Agent Corporal Detective Officer
Residency:	San Luis, AZ	San Luis, AZ
COSL Service:	17 years and 10 months	14 years and 5 months