

AMENDED AGENDA ON 9/22/23

PREVIOUSLY ITEMS 3.B. AND 3.C. HAVE BEEN REMOVED AND RE-NUMBERED ACCORDINGLY



**AGENDA**  
**Special Meeting**  
**San Luis City Council**  
**Council Chambers**  
**1090 E. Union Street**  
**San Luis, AZ 85349**  
**September 25, 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. **DISCUSSION AND POSSIBLE ACTION ITEMS:**
  3. A. Discussion and possible action on any and all matters regarding Subdivision Case No. 2023-0295F - Los Mezquites Townhomes Final Plat. A request by Edais Engineering Inc., on behalf of Riedel Holdings LLC, for the approval of Los Mezquites Townhomes 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)**
  3. B. Discussion and possible action on any and all matters regarding the authorization to reallocate Council Contingency Funds for Landscaping Improvements for the Fernando Padilla City Building and San Luis Fire Station No. 2. **(Lizette Varela, Assistant Director of Parks & Recreation)**
  3. C. Discussion and possible action on any and all matters regarding a 12-month lease agreement on a 2024 Peterbilt Solid Waste Side Loader Truck with Rush Refuse Systems. **(Manuel Hernandez, Acting Assistant Director of Public Works)**
  3. D. Discussion and possible action on any and all matters regarding the engagement of James Davey and Associates, Inc. and budget transfer for the conceptual design of 6th Avenue and County 22nd Street. **(Eulogio Vera, Director of Public Works)**

**3. E.** Discussion and possible action on any and all matters regarding Resolution No. 2291. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring that the City Council deems the granting of a franchise with Southwest Gas Corporation beneficial for the City of San Luis; ordering an election to be held on March 12, 2024, at which election there shall be submitted to the voters of the City of San Luis whether said franchise shall be granted to Southwest Gas Corporation. **(Melissa Lopez, Deputy City Clerk)**

**3. F.** Discussion and possible action on any and all matters regarding Ordinance No. 445. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending Chapter 6.05 Animal Control of the City of San Luis by adding provisions for definitions and licensing; providing for penalties; repealing any conflicting provisions; and providing for severability. **(Nigel Reynoso, Administrative Lieutenant)**

A. Action on reading Ordinance No. 445 by title only

B. Action on Ordinance No. 445

**4. ADJOURNMENT**

**MINUTES**  
**Special Council Meeting**  
**San Luis City Council**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**September 25, 2023**  
**6:00 p.m.**

**APPROVED** by Council:  
Date: 10/25/2023  
Clerks Office: 80

**1. CALL TO ORDER/ROLL CALL**

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

**PRESENT:** Mayor Nieves Riedel  
Vice Mayor Luis E. Cabrera  
Council Member Maria Cecilia Cruz  
Council Member Matias Rosales  
Council Member Gloria Torres  
Council Member Javier Vargas

**ABSENT:** Council Member Tadeo Azael De La Hoya

**OTHERS PRESENT:** Jenny Torres, Acting City Manager  
Kay Macuil, City Attorney  
Melissa Lopez, Deputy City Clerk  
Adela Cortez, Director of Human Resources  
Alvaro Escalante, Parks Supervisor  
Angel Ramirez, Fire Chief  
Antonio Maldonado, Video Production Specialist  
Ariana Gonzalez, Graphics & Media 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 Guzman, Director of Planning & Zoning  
Jose Luis Cisneros, Acting Director of Parks & Recreation  
Lizette Varela, Assistant Director of Parks & Recreation  
Manuel Hernandez, Acting Assistant Director of Public Works  
Nigel Reynoso, Administrative Lieutenant  
Olivia Jenkins, Operations Coordinator  
Ruben Lopez, I.T. Technician  
Albert Leon, Resident  
Mark Concha, Resident  
Najeh Edais, Edais Engineering

## 2. PLEDGE OF ALLEGIANCE

Council Member Maria Cecilia Cruz led the Pledge of Allegiance.

## 3. DISCUSSION AND POSSIBLE ACTION ITEMS:

**3. A. Discussion and possible action on any and all matters regarding Subdivision Case No. 2023-0295F - Los Mezquites Townhomes Final Plat. A request by Edais Engineering Inc., on behalf of Riedel Holdings LLC, for the approval of Los Mezquites Townhomes 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)**

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

Mr. Jose Guzman, Director of Planning & Zoning, explained that this request is from Mr. Najeh Edais for the final plat of Los Mezquites Townhomes. The subdivision is 4.65 acres and will be divided into 46 lots ranging in size between 2,900 to 5,600 square feet. Four (4) tracts are proposed to comply with the required open space and amenities needed for this type of development. The proposed use is consistent with the Zoning and General Plan. This property is part of the development agreement approved by the City Council, and the owner must comply with all the conditions. They have submitted the revised plans, and are being reviewed by staff. Staff recommends approval with the condition that the applicant addresses the comments, comply with the development agreement approved by Resolution No. 2204, comply with the traffic lights as part of the traffic study and that Los Mezquites Unit 3 subdivision plat be recorded prior to the recordation of Los Mezquites Townhome Final Plat. The applicant is in agreement with the conditions.

**MOTION:** Council Member Javier Vargas/Council Member Maria Cecilia Cruz to approve Subdivision Case No. 2023-0295F with conditions as presented by staff. Motion passed with five (5) 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

**3. B. Discussion and possible action on any and all matters regarding the authorization to reallocate Council Contingency Funds for Landscaping Improvements for the Fernando Padilla City Building and San Luis Fire Station No. 2. (Lizette Varela, Assistant Director of Parks & Recreation)**

Ms. Lizette Varela, Assistant Director of Parks & Recreation, stated that staff is asking for the reallocation of council contingency funds for landscaping improvements to the Fernando Padilla City Building and the San Luis Fire Station No. 2. The exterior of these buildings was not contemplated and funds were not allocated for the landscape. The flagpole for San Luis Fire Station No. 2 was mentioned on the agenda item; however, it was excluded due to engineering costs and permits. The flagpole installation is not included in the total amount of \$29,231.71. The Fire Department will present the flagpole item separately at a future meeting. Parks staff will complete the landscape projects and eliminate the labor cost. The projects will be completed within six (6) to eight (8) weeks once staff initiates it upon approval of the reallocation of council contingency funds.

Mayor Nieves Riedel commented that since staff will work on these projects, the city saves approximately 50% to 60% of the costs.

**MOTION:** Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to approve the Landscape Improvement Project for the Fernando Padilla City Building in an amount not to exceed \$11,815.00 and transfer the budget from Council Contingency to the General Ledger account shown in the fiscal impact. 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

**MOTION:** Vice Mayor Luis E. Cabrera/Council Member Maria Cecilia Cruz to approve the Landscape Improvement Project for Fire Station No. 2 in an amount not to exceed \$17,510.00 and transfer the budget from Council Contingency to the General Ledger account shown in the fiscal impact. 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

**3. C. Discussion and possible action on any and all matters regarding a 12-month lease agreement on a 2024 Peterbilt Solid Waste Side Loader Truck with Rush Refuse Systems. (Manuel Hernandez, Acting Assistant Director of Public Works)**

Mr. Manuel Hernandez, Acting Assistant Director of Public Works, mentioned that this is a 12-month lease agreement for a 2024 Peterbilt Solid Waste Side Loader Trash Truck rental.

**MOTION:** Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to approve a 12-month lease agreement on a 2024 Peterbilt Solid Waste Side Loader Truck, not to exceed \$100,800.00, and waive formal procurement procedures. 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

**3. D. Discussion and possible action on any and all matters regarding the engagement of James Davey and Associates, Inc. and budget transfer for the conceptual design of 6th Avenue and County 22nd Street. (Eulogio Vera, Director of Public Works)**

Mr. Eulogio Vera, Director of Public Works, explained that the Public Works Department was tasked to look into a conceptual design for 6<sup>th</sup> Avenue, connecting Union Street to County 22<sup>nd</sup> Street. This is a large project because it crosses the east main canal and the main drain. Staff reached out to James Davey, one of the city's consultants, who works the most with the Yuma County Water Users' Association since they maintain both facilities. A proposal was received from James Davey and Associates for less than \$42,000.00 for the 30% design for 6<sup>th</sup> Avenue, then, they will provide a 15% design and master plan for County 22<sup>nd</sup> Street. Staff is asking for a budget transfer to cover those expenses since it was not a budgeted item.

Mayor Nieves Riedel commented that she is aware the city does not have money; however, it is good to plan for the future. She has plans on how to get money to the city. It is better to be prepared than to leave it for the last minute. While it is going to be expensive, it will not be impossible to accomplish.

Mr. Vera added that another thing that is critical about doing this and will help for planning is coming up with the right-of-ways.

**MOTION:** Council Member Gloria Torres/Vice Mayor Luis E. Cabrera move to engage James Davey and Associates, Inc., for the conceptual design services of 6<sup>th</sup> Avenue in the amount of \$41,930.00 and approve the budget transfer as presented in this agenda item. Motion passed unanimously.

The vote was as follows:

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

**3. E. Discussion and possible action on any and all matters regarding Resolution No. 2291. A resolution of the Mayor and City Council of the City of San Luis, Arizona, declaring that the City Council deems the granting of a franchise with Southwest Gas Corporation beneficial for the City of San Luis; ordering an election to be held on March 12, 2024, at which election there shall be submitted to the voters of the City of San Luis whether said franchise shall be granted to Southwest Gas Corporation. (Melissa Lopez, Deputy City Clerk)**

Ms. Melissa Lopez, Deputy City Clerk, stated that this resolution is to publish a Call of Election for the Special Election to be held on March 12, 2024. She added that although the publication of a Call of Election is optional, it has been customary for the City of San Luis to publish the Call of Election, as this is a good way to inform the City of San Luis citizens that an election will be held.

Council Member Matias Rosales asked who would pay for this election.

Ms. Lopez responded that Southwest Gas will pay for it.

Council Member Gloria Torres, what is the cost of a special election.

Ms. Lopez replied that approximately \$40,000.00.

Mayor Nieves Riedel commented that one of the things that Southwest Gas Corporation does not want is to have an election at the same time or month as the city; the city might go with a property tax election and they think having two (2) elections might be confusing for voters.

Ms. Jenny Torres, Acting City Manager, added that the information provided by Southwest Gas stated that Southwest Gas will pay 50% of the election cost.

Council Member Matias Rosales asked what the rush is to move it up versus having it in the regular election cycle, he added they must not want it to be with the rest of the items on the ballot.

Mayor Nieves Riedel asked if this item could be continued to a Work Session because the property tax is a must for her, and the city comes first.

Ms. Kay Macuil, City Attorney, stated that the current Southwest Gas Franchise Agreement expires on May 26, 2024, so the city will need to have something in place. She added that Ms. Torres has it in writing, and Southwest Gas will pay only 50% of the cost for the election.

**MOTION:** Mayor Nieves Riedel/Vice Mayor Luis E. Cabrera to continue this item.  
Motion passed unanimously.

The vote was as follows:

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

**3. F. Discussion and possible action on any and all matters regarding Ordinance No. 445. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending Chapter 6.05 Animal Control of the City of San Luis by adding provisions for definitions and licensing; providing for penalties; repealing any conflicting provisions; and providing for severability. (Nigel Reynoso, Administrative Lieutenant)**

Mr. Nigel Reynoso, Administrative Lieutenant, explained that this is an amendment to Chapter 6.05 Animal Control of the City Code. The City Council approved Resolution No. 2278 on January 28, 2023. The ordinance allows the city to handle dog licensing and pet dogs within the city limits rather than relying in the Yuma Humane Society. Currently, there have not been any restrictions for any dogs, but the purpose of having a dog license is to ensure that dogs are properly vaccinated against rabies.

**A. Action on reading Ordinance No. 445 by title only**

**MOTION:** Council Member Javier Vargas/Vice Mayor Luis E. Cabrera to approve the reading of Ordinance No. 445 by title only. 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

Ms. Melissa Lopez, Deputy City Clerk, read Ordinance No. 445 by title only.

#### **B. Action on Ordinance No. 445**

**MOTION:** Vice Mayor Luis E. Cabrera/Council Member Javier Vargas to approve and adopt Ordinance No. 445 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

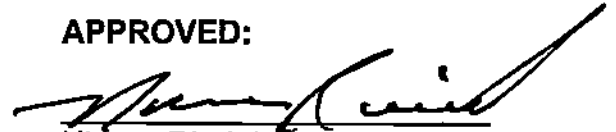
#### **4. ADJOURNMENT**

**MOTION:** Vice Mayor Luis E. Cabrera/Mayor Nieves Riedel to adjourn the Special Council meeting at approximately 6:22 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 Matias Rosales	Aye
Council Member Gloria Torres	Aye
Council Member Javier Vargas	Aye

**APPROVED:**

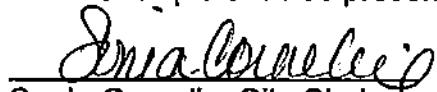
  
Nieves Riedel, Mayor

**ATTEST:**

  
Sonia Cornelio, City Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special City Council meeting of the City Council of the City of San Luis, Arizona, held on September 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

  
Sonia Cornelio, City Clerk