

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
January 24, 2024
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 Gloria Torres
Council Member Maria Cecilia Cruz
Council Member Tadeo Azael De La Hoya (at 6:02 p.m.)
Council Member Matias Rosales
Council Member Javier Vargas

ABSENT: Council Member Luis E. Cabrera

OTHERS PRESENT: Jenny Torres, Acting City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Antonio Maldonado, Video Production Specialist
Domingo Sosa, Graphics and Media SPecialist
Emmanuel Botello, Police Lieutenant
Edgar Esparza, Billing & Collections Manager
Enrique Lopez, Assistant Fire Chief
Eulogio Vera, Director of Public Works
Jorge Perez, Assistant Director of Public Works
Jose Guzman, Director of Development Services
Juan Tejeda, Associate Planner
Lizette Varela, Acting Director of Parks & Recreation
Manuel Hernandez, Assistant Director of Public Works
Maria Sabori, Risk Manager
Miguel Ramirez, Finance Accounting Manager
Olivia Jenkins, Operations Coordinator
Roula Encinas, Finance Operations Manager
Ruben Lopez, Information Technology Technician
Albert Leon, Resident
Angelica Torres, Resident
Brian De La Hoya, Resident
Lorena Sanchez Martinez, Resident
Maria De Jesus Juarez, Resident
Maria Nuñez, Resident

Mark Concha, Resident
Sergio Muñoz, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Matias Rosales led the Pledge of Allegiance.

3. INVOCATION

Pastor Yolanda Urias – Centro Misionero Yireh.

4. CALL TO THE PUBLIC

Ms. Angelica Torres, 992 Babbitt Lane, San Luis, AZ, thanked Mayor Riedel because she helped them with the problem that affected her with the trailer that went into her house belonging to Mr. Manuel Castro. She added that Mayor Riedel arranged for the trailer to be removed and thanks to her, there is no more trailer. In this second phase, it helped them because Pastor Castro does not understand and has to respect for the laws and ordinances of the city. Their concern is that Mr. Castro wants to continue with his sales, yes because he sell and does not donate anything...the neighbors do not want more trailers or small trucks. It is already beginning to cause disorder and crowding of people and cars. They want the city to do their job and not allow the gentleman to continue with his sales. She asked to please be listened to as they have no peace of mind. She further stated that Mr. Castro is announcing on social media he is going to have a peaceful protest.

Mayor Nieves Riedel stated that it is not just herself but the City Council that are supporting to resolve this problem along with other city departments. The city is trying to do the correct thing and it is nothing personal. The church is there and can continue, however, there are persons that unfortunately are men of God like he says, that do not have the delicadecy to respect the government nor government employees such as the Police Department. The city is working on the issue although it might seem like it is slow, but it is difficult, specially when there are unfair attacks; justice will come, especially the divine justice.

Ms. Maria De Jesus Juarez, Arden Avenue – Plaza 2, San Luis, AZ, stated that some residents in that area are unhappy because of the route change and not being able to park on the sidewalk as it affects their parking space. She understands it is the law, but wanted to express she is not in agreement.

Ms. Maria Nuñez, Arden Avenue, San Luis, AZ, stated that during the meeting held last night with the residents of the area and city personnel, the question was asked who had initiated this change and said it was her. She asked the city to have the cars removed from the sidewalks due to a safety hazard as the streets in that are very narrow and cars drive by in a fast speed and no one wants to be ran over by a car.

Back then, three (3) years ago, it was not possible, however, the city conducted a study or investigated and determined that the new law was going to be applied in that area beginning in February of 2024.

She is happy and thanked the city for doing this, for not allowing cars to park on the sidewalk and making streets in the area one way. The families that own a lot of cars will have to use the parking of their front neighbor; there are residents that have enough space inside their property and can park three (3) to four (4) cars. She added she has experienced harassment and has defended herself and there are people in the city that know that. She does things to improve and help the residents and as a community to resolve things not to be fighting and arguing. When she began the request, she asked for signatures from her neighbors but when they found out that she argued with the former mayor, some of her neighbors withdrew their signatures. She wishes for the law to be implemented as it will benefit the residents, it is a matter of looking for a solution without attacking anyone. All this began because her mother noticed that the vehicles drove by in a high speed and this problem has been like this for the past 15 years. She finally decided to speak up approximately three (3) years ago. She will abide to what the law stipulates.

Mayor Nieves Riedel thanked those that have the courage to come to the meetings and speak up. The Mayor and City Council have to listen to what different departments such as Fire, Police, Public Works and Planning & Zoning recommend as it is a matter of safety.

Ms. Lorena Sanchez Martinez, Arden Avenue - Plaza 1, San Luis, AZ, stated that she does not have a problem, but noticed that not many people showed up for the meeting due to them working and attended the meeting last night with city staff. During the meeting with city staff last night, there were some questions that were not answered because city staff did not have a response. She understands that it is due to a safety concern and when Ms. Nuñez came, she accompanied her. The streets are very narrow and remembers that when Ms. Nuñez asked if those streets could be converted to one way streets, she was told that it was not possible due to the space, then she asked for a street renovation but was told that there were no funds. She added that there has not been any maintenance done to those streets. This will affect some residents as they were given the option to close their car ports and that limits the parking space, the problem is that there is no space to park their cars. The city should consider the residents of that area and should analyze how it will affect them. They are not against any improvements but residents should be considered when making changes that will cause conflicts in their parking spaces.

Mayor Nieves Riedel asked Ms. Sanchez Martinez to provide her information to Ms. Olivia Jenkins, Management Coordinator, to obtain the responses needed and at the same time she can possibly help provide the answers to the neighbors in that area.

Mr. Sergio Muñoz, Cadena Street, San Luis, AZ, stated that in his household there are four (4) cars, his neighbor in the front also owns four (4) cars, the eight (8) cars take up the street to park and the other neighbors will not have any space to park, this will harm the neighbors. He is not sure if the other neighbors are in agreement with what the city has been planning in this area. They were informed last night by city staff that the city has been planning this for the past five (5) months. He asked to be listened for a solution, because elected officials only look for them when they want their vote, but if they do not help then what is the purpose of voting for them.

Mayor Nieves Riedel asked Mr. Muñoz to provide his information to Ms. Jenkins and if needed sit with each one of them to explain thing by thing and the reason. It is not a whim but are things that need to be done.

5. PRESENTATIONS

5. A. Presentation on the Southwest Off-Road Series (SOS) event to take place on April 13, 2024. (Manuel Rojas, SOS Event Coordinator)

Mr. Manuel Rojas, Southwest Off-Road Series (SOS) Event Coordinator, presented to the City of San Luis, Arizona, a new event, the Southwest Off-Road Series Expo. This event came abroad from a group of people that contacted him with the need of helping out high schoolers with scholarships. This is a collaboration amongst different entities to make this event happen. The event will take place on April 13, 2024, at the east side of San Luis and they are asking the city for financial assistance. He clarified that this is a new event and has no ties to the Off-Road Expo the city has sponsored in the past.

Mayor Nieves Riedel stated that she does have a conflict as she is a sponsor but applauds what this organization is doing for the youth.

5. B. Presentation on the Arizona Students Association and their services to the community. (Brian De La Hoya, Arizona Students' Association Fellow)

Mr. Brian De La Hoya, Arizona Students' Association Fellow, stated he represents the association and recently made Yuma County Youth Town Hall in which they spoke about crime prevention for the youth, educational opportunities, economy, housing crisis and other topics.

The PowerPoint presentation is included in the complete agenda packet filed at the City Clerk's Office. He distributed certificates of appreciation to those who participated in the first Yuma County Town Hall.

6. CONSENT AGENDA

6. A. MINUTES OF

- Special Council meeting held January 3, 2024

6. B. DISBURSEMENTS FROM DECEMBER 30, 2023 TO JANUARY 18, 2024

Total \$1,685,326.09

(One Million, Six Hundred Eighty-Five Thousand, Three Hundred Twenty-Six Dollars and Nine Cents)

MOTION: Council Member Matias Rosales/Council Member Tadeo Azael De La Hoya to approve the Consent Agenda as presented. Motion passed unanimously.

The vote was as follows:

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

7. DISCUSSION AND POSSIBLE ACTION ITEMS:

7. A. Discussion and possible action on any and all matters regarding the approval of budget transfer from City Council Contingency to City Council Contractual Services accounts. (Roula Encinas, Acting Director of Finance)

Ms. Roula Encinas, Acting Director of Finance, stated that the agenda item seeks approval to process the budget transfer from City Council Contingency Account to City Council Contractual Services Account. The agreements approved by the City Council in July 2023 were for the Greater Yuma Port Authority (GYPA), 4FrontED, Small Business Development Center, Greater Yuma Economic Development Corporation (GYEDC) and Arizona Interagency Farmworkers Coalition. The funds were allocated in the City Contingency Account at the time the budget was adopted. In order to record expenses accordingly, staff is asking for the City Council's approval to proceed with the budget transfer.

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to approve the budget transfer for \$142,190.00 to allocate the funding of these Agreements from the City Contingency Account to the City Contractual Services Account for FY2024. Motion passed unanimously.

The vote was as follows:

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

7. B. Discussion and possible action on any and all matters regarding an Independent Contractor Agreement with Victor Remigio Martinez Cantu to provide professional services for the 4FrontED Binational Region. (Jenny Torres, Acting City Manager)

Ms. Jenny Torres, Acting City Manager, explained that in 2019, the Cities of San Luis, Somerton, Yuma, Town of Wellton and Yuma County entered into an Intergovernmental Agreement (IGA) to begin the 4FrontED Program. The IGA specified a per capita cost for each entity contributing towards the operations of the program, which included the hiring of an Executive Director along with other operations. The City of San Luis took on the responsibility of becoming the Fiscal Agent which means that revenues come into the City of San Luis and takes care of the expenses. Hence, the reason this Independent Contractor Agreement is being presented to the City Council. The 4FrontED Board recruited through the City of Yuma the replacement of Mr. Nasser Mendez, who was the previous Executive Director and have selected Mr. Victor Remigio Martinez Cantu as the new Executive Director. The agenda form shows a fiscal impact balance of \$27,000.00; throughout the years, there was funding coming in, but there was not a lot of activities taking place and the balance was being carried over each year. When Mr. Mendez came in he held a lot of activities, thereby depleting that account.

Ms. Torres added she has talked to 4FrontED Chairman Mayor Nichols about the situation and must move forward if the communities agree to continue with the program to establish a new IGA and has recommended to review the per capita income in hopes of increasing them as those will be the revenues that would be able to pay for the Executive Director along with other operations. She has met with the different City Managers and County Administrator to work on the IGA and present it to the City Council in March. Based on the expenses for an Executive Director on a monthly basis, cellphone stipends and the website hosting fee, she believes the entities could afford to continue with the program and hire the Executive Director through June. The Contract annotates 45 days to inform the Executive Director about ending the program if the municipalities wanted to go that direction. The 4FrontED Board's direction is to approve the Contract and continue working on the IGA.

Mayor Nieves Riedel asked why can't the City of Yuma take on the responsibility of their project and the City of San Luis contributes towards it?

Ms. Torres responded that she has offered to the City Manager and Mayor Nichols to take over the Fiscal Agent, as it would make sense because the Executive Director's office is located at the City of Yuma.

Council Member Matias Rosales commented that it came to the concensus that because the City of San Luis is a border community, it wanted to maintain that and staff would help each other and normally the economic developers were helping this person out, but it is a matter of logistics and who wants to be the one running the program.

He added that he did some research on Mr. Martinez Cantu and received good feedback that he is going to be a great addition to this organization and has the connections or resources to continue moving forward.

Ms. Torres added that Mr. Martinez Cantu was not able to be present at the Council meeting due to a prior commitment in Hermosillo, Sonora, however upon his return he will attend a Council meeting to introduce himself.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to approve the Independent Contractor Agreement with Victor Remigio Martinez Cantu for \$60,000.00 for professional services for the 4FrontED Binational Region Program with funding from the contributing members. Motion passed unanimously.

The vote was as follows:

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

7. C. Discussion and possible action on any and all matters regarding the re-appointment of two (2) City of San Luis residents to serve on the City of San Luis Planning and Zoning Commission. (Jose A. Guzman, Director of Development Services)

Mr. Jose Guzman, Director of Development Services, stated that there are two (2) terms on the commission that will expire at the end of the month. The City Council can direct staff to open the vacancies, however, staff is presenting the item since both Commission Members have expressed their interest in continuing serving on the commission. The motion is to re-appoint the members.

Council Member Matias Rosales asked if they have good meeting attendance?

Mr. Guzman replied they do have good meeting attendance.

MOTION: Council Member Matias Rosales/Council Member Maria Cecilia Cruz to re-appoint Javier Barraza to the City of San Luis Planning and Zoning Commission with a term expiration of January 31, 2028. Motion passed unanimously.

The vote was as follows:

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

MOTION: Council Member Matias Rosales/Council Member Tadeo Azael De La Hoya to re-appoint Ruben Walshe to the City of San Luis Planning and Zoning Commission with a term expiration of January 31, 2028. Motion passed unanimously.

The vote was as follows:

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

7. D. Discussion and possible action on any and all matters regarding the purchase of new traffic signal materials and equipment for two (2) of the Highway Users Division Capital Improvement Projects. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, explained that the Public Works Department currently has two (2) intersection improvement projects on its Fiscal Year 2024 Capital Improvement Projects list. The two (2) projects are County 22nd Street and Sidewinder Road intersection and County 22nd Street and 4th Avenue intersection. These intersections are under design and almost complete. Staff is requesting City Council approval for the purchase of equipment for the traffic signal in advance to take advantage of the time and get some long lead items for arrival. The purchase will be made from Clark Transportation Solutions for the poles, master arms and luminaires for both intersections. The department is following a Cooperative Agreement from Maricopa County Department of Transportation as allowed under the City Code.

Vice Mayor Gloria Torres asked how will it take for the projects to be completed.

Mr. Perez responded that staff is hoping to have both intersections completed by October 2024.

MOTION: Council Member Matias Rosales/Council Member Tadeo Azael De La Hoya to approve the purchases of traffic signal materials and equipment from Clark Transportation Solutions in the amount of \$110,388.64 as presented in the fiscal impact of this item. Motion passed unanimously.

The vote was as follows:

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

7. E. Discussion and possible action on any and all matters regarding the purchase of new Pureflow Chemical Feed Systems for water treatment sites. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, mentioned this item is for the purchase of Pureflow Chemical Feed Systems for the city's water treatment facilities in the amount of \$324,940.00. The department currently uses a calcium hypchloride feeding system, which is in the form of briquette chlorine. The department is looking to transition into liquid chlorine form for several reasons such as safety, ease of maintenance, reduction in labor hours, delivery of materials, etc. He added that PureFlow is a company that the city has used on Well Site No. 7; they are a sole source vendor.

MOTION: Council Member Matias Rosales/Council Member Javier Vargas to approve the purchase of PureFlow Chemical Feed Systems in the amount of \$324,940.00 and to waive formal purchasing procedures for the reasons presented. Motion passed unanimously.

The vote was as follows:

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

7. F. Discussion and possible action on any and all matters regarding the purchase of new traffic signal materials and equipment for two (2) of the Highway Users Division capital improvement projects. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, stated that this item goes along with Item No. 7. D., the difference is the vendor for a different type of equipment. This is for the controller in the cabinet and battery back-up system from EconoLite Control Products. This purchase will be procured through a Cooperative Agreement through the Maricopa County Department of Transportation.

MOTION: Council Member Javier Vargas/Council Member Maria Cecilia Cruz to approve the purchase of traffic signal materials and equipment from EconoLite Control Products in the amount of \$71,462.76 as presented in the fiscal impact of this item. Motion passed unanimously.

The vote was as follows:

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

7. G. Discussion and possible action on any and all matters regarding Ordinance No. 446. An Ordinance of the Mayor and City Council of the City of San Luis, Arizona, adopting a policy for flags on city property; repealing any conflicting provisions; and providing for severability. (Kay Marion Macuil, City Attorney)

Ms. Kay Macuil, City Attorney, indicated that this policy puts into writing long held practice of the use of the city's flag poles. Cities have the right to freedom of expression on their own flag poles with their own flags and over the years it has been limited to just the United States, POW/MIA, Arizona and City Flags. A few years ago, the city had an Air Quality flag in the park and the law imposed another flag called Remembrance and Honor Flag which honors fallen military. The city has commemorated Cesar Chavez month with Cesar Chavez Day with the Farm Worker Union flag. Other than indoors at the Police Department, where they have flags of the different military branches; these are the flags the city has had over the years. She wants to make sure that a policy is in place so that it is not opened to all comers because of problems at other cities like Boston. The ordinance allows the City Council to have other commemorative flags or other flags that they might want to; it is a proposal and is open to changes if the City Council wants her to bring something else back on that point.

Council Member Matias Rosales asked if when the Police Department is built on the east side of San Luis, will adding more flag poles require to be presented before the City Council?

Ms. Macuil stated that this policy specifies the types of flags allowed to be flown and not a location.

A. Action on reading of Ordinance No. 446 by title only

MOTION: Council Member Matias Rosales/Council Member Javier Vargas to approve Ordinance No. 446 by title only. Motion passed unanimously.

The vote was as follows:

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

Mrs. Sonia Cornelio, City Clerk, read Ordinance No. 446 by title only.

B. Action on Ordinance No. 446

MOTION: Council Member Matias Rosales/Council Member Javier Vargas to approve Ordinance No. 446 as presented. Motion passed unanimously.

The vote was as follows:

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

8. SUMMARY OF CURRENT EVENTS

Mayor Nieves Riedel reported a public service announcement and stated that if after the rain if one sees puddles of water that are interfering with the safety while driving to please contact the Public Works Department. The city has pumps that help with the puddles of water when there is a safety issue.

9. EXECUTIVE SESSION:

Discussion and possible action to hold an Executive Session pursuant to A.R.S. §§ 38-431.03(A)(3), (4), and (7) on any and all matters regarding the Gethsemani Food Ministry operations impacts and consultation for legal advice with the city attorneys including but not limited to possible directions including contract negotiations (under subsection (4)) or land lease (under subsection (7)) allowed in executive sessions. (Kay Marion Macuil, City Attorney)

MOTION: Vice Mayor Gloria Torres/Council Member Maria Cecilia Cruz to go into Executive Session at approximately 7:14 p.m. Motion passed unanimously.

The vote was as follows:

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

10. MOTION TO GO BACK INTO REGULAR SESSION

MOTION: Council Member Tadeo Azael De La Hoya/Council Member Javier Vargas to back into Regular Session at approximately 7:36 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	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 7:37 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member Maria Cecilia Cruz	Aye
Council Member Tadeo Azael De La Hoya	Aye
Council Member Matias Rosales	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 January 24, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk