

MINUTES
Regular Council Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
October 9, 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 Luis E. Cabrera
Council Member Maria Cecilia Cruz
Council Member Tadeo Azael De La Hoya
Council Member Matias Rosales
Council Member Javier Vargas

OTHERS PRESENT: Jenny Torres, Acting City Manager
Kay Macuil, City Attorney
Sonia Cornelio, City Clerk
Adela Cortez, Director of Human Resources
Adrian Hemmer, Police Officer
Adriana Garcia Fernandez, Human Resources Manager
Alan Guevara, Police Lieutenant
Angel Ramirez, Fire Chief
Antonio Maldonado, Multimedia Production & Operations Specialist
Armando Esparza, Director of Economic Development
Carlos Bermudez, Police Sergeant
Damian Miller, Police Lieutenant
Domingo Sosa, Graphics and Media Specialist
Edgar Esparza, Billing & Collections Manager
Elias Gonzalez Jr., Police Communications Supervisor
Eulogio Vera, Director of Public Works
Francia Alonso, Public Information Officer
Jaime Frias, I.T. Specialist
Jorge Perez, Assistant Director of Public Works
Jose A. Guzman, Director of Development Services
Juan Tejeda, Associate Planner
Manuel Hernandez, Assistant Director of Public Works
Maria Sabori, Risk Manager
Marleny Gonzalez, Police Officer
Miguel Ramirez, Finance Accounting Manager

Nancy Juarez, Accreditation and Compliance Coordinator
Nayeli Soto, Police Officer
Nigel Reynoso, Chief of Police
Olivia Jenkins, Administrative Services Manager
Oscar Barnett, Project Manager
Roger Espinoza, Police Officer
Roula Encinas, Director of Finance
Yadira Bobadilla, Police Sergeant
Albert Leon, Resident
Cesar Neyoy, Reporter
Christian Cuevas, Translator
Elizabeth Carpenter, Developer
Guillermina Fuentes, Resident
James Allen Jr., Resident
Lilia Quiñonez, Resident
Luis Marquez, Resident
Mark Concha, Resident

2. PLEDGE OF ALLEGIANCE

Council Member Matias Rosales led the Pledge of Allegiance.

3. INVOCATION

Pastor Ramos – Iglesia Apostolica De La Fe En Cristo Jesus led the invocation.

4. PROCLAMATION/PRESENTATIONS

4. A. Proclamation - Arizona Cities & Towns Week October 13-19, 2024.

Mrs. Sonia Cornelio, City Clerk, read the Proclamation by title only.

4. B. Presentation followed by discussion on any and all matters regarding updates from Economic Development and Public Works on capital projects. (Armando Esparza, Director of Economic Development and Eulogio Vera, Director of Public Works)

Mr. Armando Esparza, Director of Economic Development, provided an update on some of the capital projects that his department is working on as well as the status on some grant applications he submitted. He spoke about the Merrill Avenue Project Phase 1 Improvements in conjunction with the Public Works, Fire and Police Departments; the U.S. Highway 95 Water and Sewer Project and the EPA Community Change Grant. The PowerPoint presentation is attached to the agenda item filed at the City Clerk's Office with the complete agenda packet.

Mr. Eulogio Vera, Director of Public Works, stated that development and delivery of projects are a teamwork as it takes effort from all divisions on the Public Works Department and other departments to make it happen. He provided an update on the Cesar Chavez Boulevard Widening, 10th Avenue Widening Design, Avenue B Widening, Urtuzuastegui Street GSA Improvements, Los Alamos Curve Realignment, County 22nd Street & Sidewinder Avenue Traffic Signal, County 22nd Street & 4th Avenue Improvements & Traffic Signal, 5th Avenue & Kennedy Lane Road Improvement, Main Street & B Street Traffic Signal Design, Union Street & 4th Avenue Design, Liberty Street Drainage Improvements, Radio System Upgrade Public Works Divisions, Water Treatment Process Change, Cesar Chavez Boulevard Water Main Improvements, Water Storage Tank #6 Rehabilitation, Well Site 7 New 2 Million Gallon Water Storage Tank, Well Site 5 New Well and Filtration System, Abandon Well Sites #1 & #2, Cesar Chavez Boulevard Wastewater Main Improvements, Escondido Lift Station Relocation, SCADA – Wastewater, Lakin Lift Station Rehabilitation, East Wastewater Treatment Plant Improvements, West Wastewater Treatment Plant Expansion, Sewer Manholes Repair/Replacement, Duct Cleaning, Door Access Controls and the Air Conditioning Units. The PowerPoint presentation is attached to the agenda item filed at the City Clerk's Office with the complete agenda packet.

4. C. Presentation of Lifesaving Awards to Sergeant Carlos Bermudez, Officers Roger Espinoza, Marleny Gonzalez, Adrian Hemmer and Nayeli Soto. (Nigel Reynoso, Chief of Police)

Mr. Nigel Reynoso, Chief of Police, presented the lifesaving awards to Sergeant Carlos Bermudez, Officers Roger Espinoza, Marleny Gonzalez, Adrian Hemmer and Nayeli Soto for their outstanding performance and actions taken in saving a human life.

Mayor Nieves Riedel thanked Chief Reynoso and his team for their outstanding job.

5. CONSENT AGENDA

5. A. MINUTES OF

- Regular Council meeting held September 11, 2024

5. B. DISBURSEMENTS

From 9/19/2024 to 10/3/2024

Total \$2,601,554.38 (Two Million, Six Hundred One Thousand, Five Hundred Fifty-Four Dollars and Thirty-Eight 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 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 Javier Vargas	Aye

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

6. A. Discussion and possible action on any and all matters regarding the acceptance and award of a construction contract to DPE Construction, Inc. for the construction of the Cesar Chavez Boulevard Sewer Improvements project. (Jorge Perez, Assistant Director of Public Works)

Mr. Jorge Perez, Assistant Director of Public Works, explained that this is for the sewer improvements along Cesar Chavez Boulevard which needs to be done and constructed before or ahead of time of the actual roadway project. The Department of Public Works is seeking Council approval to accept and award a construction contract to DPE Construction, Inc., for this project. DPE Construction, Inc. was the lowest responsible bidder at \$1,406,364.23. Public Works evaluated all bids received in conjunction with its Wastewater Department and its consultant engineer and recommends awarding the contract to DPE Construction, Inc. The Cesar Chavez Boulevard road improvement project is under design and managed by the Arizona Department of Transportation (ADOT). This project does not include utility improvements, hence, the city is responsible for accomplishing the necessary utility improvements before the road work begins. The sewer system improvements needed along the corridor have been designed and procured through a formal bid process resulting in DPE Construction, Inc. being the lowest responsible bidder.

Mayor Nieves Riedel commented that this is team work as the Department of Public Works worked in conjunction with the Finance Department and Administration due to a deficit, moneys were moved from five (5) different accounts.

Ms. Roula Encinas, Director of Finance, added that staff met and were able to find \$620,000.00 of ARPA funds that were not utilized on Fiscal Year 2024, therefore these funds were allocated for the improvements on the east waste water treatment plant.

Council Member Tadeo Azael De La Hoya asked if guidelines are being followed when it comes to the allocation of ARPA funds?

Ms. Encinas responded that yes, the guidelines are being followed and if funds are not compromised by December 2024, then the ARPA funds would need to be returned to the federal government.

There was some discussion amongst the City Council and staff regarding the costs, initiation of the project, termination of the project, details of how the work is going to be done and hours of operation during the project on this road.

Ms. Jenny Torres, Acting City Manager, indicated that a lot of this utility work, sewer, water and APS, is going to happen in the timeframe between now and March. Therefore, one is going to be able to see a lot of work. Staff usually does not put in contracts for the work to be done at night, because it costs the city more money to do it. The Cesar Chavez Boulevard construction will start in the next months, and once construction starts, it is going to be for 18 months.

MOTION: Council Member Javier Vargas/Council Member Luis E. Cabrera to award the contract to DPE Construction, Inc., for the construction of the Cesar Chavez Boulevard Sewer Improvements Project in the amount of \$1,406,364.23 and authorize the budget transfers 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 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 Javier Vargas	Aye

6. B. Discussion and possible action on any and all matters regarding the City of San Luis piggybacking on the City of Yuma's contract with Republic Services for solid waste disposal services. (Manuel Hernandez, Assistant Director of Public Works)

Mr. Manuel Hernandez, Assistant Director of Public Works, stated that staff is seeking the City Council's approval to piggyback off the City of Yuma contract with Republic Services, making them the city's primary waste disposal provider. In June of this year, the City of San Luis received the rate adjustment from the current service provider, South Yuma County Landfill, the city's current disposal site. The cost increase went from \$32.00 per ton to \$39.00 per ton leading to an unbudgeted annual increase of approximately \$85,000.00. During the July 24th Council meeting, Public Works informed the Mayor and Council of the rate adjustment, and that staff would be exploring alternative options with local vendors. Public Works has since met with Republic Services, which is an under a 10 year contract with City of Yuma that expires in October of 2030. The contract has an option for two (2) additional five-year extensions. Their current rate is \$30.60 per ton, with a 3% annual increase baked into the contract.

He added that from August 5th to August 9th, Public Works conducted a week-long pilot, transporting all residential solid waste to Republic Services transfer station on Avenue 3 ½ in Yuma to assess the feasibility of switching providers. Public Works is seeking the City Council's approval to piggyback-off the City of Yuma's contract with Public Services.

Council Member Matias Rosales asked if staff had evaluated the fuel and the distance to the new provider?

Mr. Hernandez responded that staff did evaluate all that during the pilot week and even if there was to be a \$5.00 increase like it happened in 2020, the city would still save up to \$50,000.00.

Council Member Luis E. Cabrera asked who does the City of Yuma's recycling?

Mr. Peter Sternberg, General Manager of Republic Services, responded that they do the City of Yuma's recycling, currently it is part of the agreement in place with them. He added it is a limited processing as they do not do as much as they probably could do, but it is all they wanted to pay. The rate for recycling is the same as it is for trash.

Council Member Luis E. Cabrera suggested holding a work session to further discuss this matter.

MOTION: Council Member Luis E. Cabrera/Council Member Javier Vargas to approve and accept the purchase of solid waste disposal services with Republic Services, as presented. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member 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 Javier Vargas	Aye

6. C. Discussion and possible action on any and all matters regarding the purchase of a leased 2024 Peterbilt Solid Waste Side Loader Truck. (Manuel Hernandez, Assistant Director of Public Works)

Mr. Manuel Hernandez, Assistant Director of Public Works, mentioned that this is for the approval for a purchase of a lease 2024 Peterbilt solid waste truck and to waive formal purchasing procedures as allowed. During the Council meeting of September 2023, the Mayor and City Council approved a 12 month lease on a 2024 Peterbilt solid waste truck.

The lease will expire by the end of 2024; as per the lease agreement 50% of the 12 month lease payments will go towards the purchase of the vehicle, which equals to \$50,000.00.

MOTION: Council Member Javier Vargas/Council Member Tadeo Azael De La Hoya to approve the purchase of a 2024 Peterbilt solid waste truck from Rush Refuse Systems in the amount of \$339,600.00 and to waive formal procurement procedures. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member 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 Javier Vargas	Aye

6. D. Discussion and possible action on any and all matters regarding authorization to purchase two (2) fully marked and equipped new 2024 Ford Explorers using Arizona Department of Emergency and Military Affairs Border Fencing and Technology Grant budgeted funds. (Nigel Reynoso, Chief of Police)

Mr. Nigel Reynoso, Chief of Police, stated that they are seeking approval for the purchase of two (2) Ford Explorers, these vehicles will be assigned to the Police Department Patrol Division. The funds for the purchase of these vehicles were approved through Fiscal Year 2024-2025 Capital Projects Grant Fund. The vehicles will be purchased from Peoria Ford, who currently holds a state contract and was the only dealership that was able to provide the vehicles without an extended order time. The vehicles will be fully equipped and marked. The total amount is \$168,265.78; the Police Department still has approximately eight (8) patrol vehicles that are older than ten (10) years.

MOTION: Council Member Luis E. Cabrera/Vice Mayor Gloria Torres to approve the purchase of two (2) new 2024 Ford Explorers, approve the marking and equipping of the vehicles for a total amount not to exceed \$170,000.00 as presented. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member 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 Javier Vargas	Aye

6. E. Discussion and possible action on any and all matters regarding Resolution No. 2335. A Resolution of the Mayor and City Council of the City of San Luis, Arizona, a Municipal Corporation of Arizona, to authorize the non-binding debt authorization for a Clean Water State Revolving Fund Loan and Grant (forgivable principal) from the Water Infrastructure Finance Authority (WIFA). (Roula Encinas, Director of Finance)

Ms. Roula Encinas, Director of Finance, explained that Resolution No. 2335 requests approval for the City of San Luis to apply for a loan from the Clean Water State Revolving Fund through the Water Infrastructure Finance Authority (WIFA). The total loan amount is not to exceed \$32 million to finance essential waste water and clean water infrastructure projects. The Clean Water State Revolving Fund Program helps public and private water systems across Arizona meet the objective of the Federal Safe Clean Water Act by providing a permanent independent source of low cost financing. Under the Clean Water State Revolving Fund, WIFA provides various types of assistance, including loan technical assistance and forgivable principal. The loan terms vary and may include an interest rate discount and repayment periods of up to 30 years, however, the repayment period cannot exceed the useful life of the infrastructure finance. This resolution authorizes the Acting City Manager and the Director of Finance to initiate the loan application and negotiate terms with WIFA for city waste water projects. Once approved, the city will apply for financial assistance from WIFA, and if matters proceed satisfactorily for the city and WIFA, WIFA will prepare a loan agreement to be entered into by and between the city and WIFA for such financial assistance. The form of such loan agreement will be approved at a subsequent City Council meeting. The final terms of a loan agreement will be known later in the process, but would include a federally subsidized interest rate that could result in lower interest costs to the city, and could include what WIFA calls forgivable principle, which functions essentially like a grant.

MOTION: Council Member Matias Rosales/Council Member Javier Vargas to approve and adopt Resolution No. 2335. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member 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 Javier Vargas	Aye

6. F. Discussion and possible action on any and all matters regarding Subdivision Case No. 2024-0206F - Los Mezquites Unit 4 Subdivision; a request by Edais Engineering Inc., on behalf of Riedel Holdings LLC, for the approval of Los Mezquites Unit 4 final plat, located at the southeast corner of San Luis Lane and 24th Avenue in San Luis, Arizona. (Jose A. Guzman, Director of Development Services)

Mayor Nieves Riedel declared a conflict of interest on this item and asked Vice Mayor Gloria Torres to take over the item.

Mr. Jose Guzman, Director of Development Services, stated that this is a request by Edais Engineering for the final plat approval of Los Mezquites Unit 4. It is 74 acres that will be divided into 267 lots. One (1) lot is almost 12 acres that will be later divided into another subdivision, which will be Mezquites Unit 5. This property was rezoned with conditions and is part of an existing development agreement approved through Resolution No. 2204. Staff recommends approval with the conditions outlined in the report, as follows:

1. Developer must comply with all provisions and conditions of the development agreement approved by Resolution No. 2204 and any amendments.
2. Developer must comply with all provisions and conditions of Ordinance No. 423, codified in the San Luis City Code Section 15.10.130(C) and (D).
3. The Developer shall complete all roadway improvements as specified on page 32, Section 8.A of the "Los Mezquites Subdivision and Von Verde Development LLC" Traffic Impact Study, prepared by Nicklaus Engineering, Inc., dated January 2022. All improvements shall be subject to a payback agreement as outlined in Section 15.10.130(C) of the City Code.
4. Since the land for Mezquites Unit 4 was originally pledged under Resolution No. 2222 for the construction of traffic signals, the Developer shall provide new financial assurances for all required traffic signals and roadway improvements prior to the recordation of the final plat for the Los Mezquites Unit 4 Subdivision.
5. The Developer is required to install a new odor control system for the lift station serving this development, located within the East Waste Water Treatment Plant property. The Developer must provide appropriate financial assurances for the odor control system prior to the recording of the final plat for Los Mezquites Unit 4.

Contributions for the odor control system shall be distributed based on flow contributions, as detailed in the Engineer Design Report.

6. The Developer shall sign an odor easement and waiver, which will be established on the final plat for Los Mezquites Unit 4.

7. The Developer has voluntarily offered to install recreational amenities in a street-level area within the subdivision. In the absence of current city standards for such amenities, the Developer will ensure that the installed amenities align with future city requirements.

8. The five (5) acres of land originally designated as parkland will be changed from park to a buffer area for the wastewater treatment plant.

Council Member Luis E. Cabrera asked what is the policy for street name changes?

Mr. Guzman responded that there is a request for specific street names, they are for Papo Neblina Avenue, Concha Avenue and Leon Avenue. The policy states that the City Council can establish the street names at the time of the final plat. If the request is not approved it would have to be a number street; the City Council can override the policy.

Council Member Luis E. Cabrera remarked that there is an offer of recreational amenities in the street level area and asked if those will be going into a street level defined as the retention basins?

Mr. Guzman responded that the idea of that language is to have those playgrounds or recreational amenities at the street level and not have them at the bottom of the retention basins.

Council Member Luis E. Cabrera commented that he appreciates the gesture of the developer for voluntarily offering these amenities. He wished that this would have been done 20 subdivisions ago as well, because there are many subdivisions that do not have amenities and he is glad that the Development Services Department is working to request these amenities in the future.

Council Member Tadeo Azael De La Hoya stated that he has been asking for these amenities and requirements since he was the Assistant City Manager.

MOTION: Council Member Javier Vargas/Council Member Maria Cecilia Cruz to approve Subdivision Case No. 2024-0206F with conditions as presented by staff. Motion passed with six (6) aye votes and one abstention by Mayor Nieves Riedel due to a conflict of interest.

The vote was as follows:

Mayor Nieves Riedel	Abstained due to a conflict of interest
Vice Mayor Gloria Torres	Aye
Council Member 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 Javier Vargas	Aye

7. SUMMARY OF CURRENT EVENTS

Council Member Luis E. Cabrera reported he attended the Yuma County Library District yesterday as he is one of the trustees. There is going to be an open house tomorrow at the main library in Yuma from 6:00 p.m. to 8:00 p.m. There is a back patio for adults, it is an interesting program they are launching.

Vice Mayor Gloria Torres reported that there was a good turnout at the Vota con Botas event held Thursday, there was a lot of young people. This event should be done more often.

Council Member Matias Rosales reported that the Vota con Botas event was a good event, there was a lot of youth and was a clean concert as there was no alcohol and the attendance was over 6,000 people. He added that early voting began today.

Council Member Maria Cecilia Cruz reported that she along with other Council Members attended the ground breaking for Wendy's. They also attended the groundbreaking for the gym on the east side of town. She added that the 13th Annual Walk Against Domestic Violence took place, the participation was low and thanked the Police Department and the City of San Luis for their support.

Council Member Luis E. Cabrera reported that he saw some of the feedback from the community on Wendy's Facebook posts, they are excited to welcome a Panda Express. He added that earlier this year, he along with Council Member Javier Vargas and the Economic Development Department attended a conference and they have been speaking to Panda Express for the past few years and they finally said they are going to come to San Luis in the near future.

8. ADJOURNMENT

MOTION: Council Member Luis Cabrera/Council Member Javier Vargas to adjourn the Regular Council meeting at approximately 7:20 p.m. Motion passed unanimously.

The vote was as follows:

Mayor Nieves Riedel	Aye
Vice Mayor Gloria Torres	Aye
Council Member 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 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 October 9, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Sonia Cornelio, City Clerk