

MINUTES
Regular Meeting
San Luis City Council
San Luis Council Chamber
1090 E. Union Street
February 25, 2015
7:00 p.m.

APPROVED by Council Date: April 8, 2015 Clerk's Office: /s/ S. Cornelio
--

CALL TO ORDER Mayor G. Sanchez called the Regular City Council meeting to order at approximately 7:04 p.m.

ROLL CALL

PRESENT: Mayor Gerardo Sanchez
Vice Mayor Matias Rosales
Council Member Mario Buchanan Jr.
Council Member Africa Luna-Carrasco
Council Member Maria C. Ramos
Council Member Gloria Torres
Council Member Ruben Walshe

OTHERS PRESENT: Robert Eads, City Manager
Tadeo De La Hoya, Director of Operations
Sonia Cornelio, City Clerk
Aracely De La Hoya, Senior Center Director
Chris Kasid, Parks & Recreation Director
Daniel Paz, I.T. Director
Eulogio Vera, Public Works Director
Geraldine Gutierrez, PIO/Asst. to the City Council
Hank Green, Fire Chief
James Neujahr, Chief of Police
Jennifer Cisneros, Asst. Parks & Recreation Director
Jenny Torres, Community Development Director
John Starkey, Building Safety Director
Jose Guzman, Asst. Planner
Kay Macuil, Assistant City Attorney
Katie St. Louis, Finance Director
Marco Santana, Police Sergeant
Yolanda Dueñas, Facilities Department
Francisca Guzman, Translator
Cesar Neyoy, Reporter
David Lara, Resident
Guillermina Fuentes, Resident

Joel Serpas, Resident
Jorge Gallegos, Resident
Jose Leonardo Suarez, Resident
Lucy Lopez, Reporter
Luis Cabrera, Resident
Pamela Green, Visitor

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor M. Rosales

INVOCATION

The Invocation was made by Mr. Hank Green

PRESENTATION

- Presentation by Fabiola Duron on Hospice Compassus and their services

Ms. Fabiola Duron, Hospice Care Consultant, provided a PowerPoint presentation in regards to understanding hospice care.

Mayor G. Sanchez and the City Council thanked Ms. Duron for the information provided on Hospice Compassus.

CONSENT AGENDA

-MINUTES OF

- Special Council meeting held January 21, 2015
- Regular Council meeting held January 28, 2015
- Work Session held February 4, 2015

-DISBURSEMENTS from February 2, 2015 to February 13, 2015

Total disbursements \$764,682.87

(Seven-Hundred, Sixty-Four Thousand, Six-Hundred, Eighty-Two Dollars and Eighty-Seven Cents)

MOTION: Vice Mayor M. Rosales/Council Member M. Buchanan Jr. to approve the Consent Agenda as presented. Motion passed unanimously.

DISCUSSION AND POSSIBLE ACTION ITEMS:

1. Information and discussion on any and all matters regarding revenues, the result of an Intergovernmental Agreement with the City of Somerton for firefighting personnel. (Hank Green)

Mr. Hank Green, Fire Chief, explained that in 2011 the City of San Luis initiated and finalized an Intergovernmental Agreement allowing the San Luis Fire Department to partner with the City of Somerton and provide emergency ambulance services; the services began on December 2011. The San Luis Fire Department invoiced the City of Somerton \$106,458.00 for fiscal year 2012, however their revenues were limited and requested relief in paying an amount less than the full amount invoiced and a relief was granted of approximately \$60,000.00. The following two (2) years the City of Somerton was a responsible partner and friend to the City of San Luis and paid more than their fair share invoiced for and after two and half (2 ½) years they are basically even. Through the partnership of both entities, the City of San Luis general fund has been benefited by \$471,458.00.

Mayor G. Sanchez stated that at the beginning of this Intergovernmental Agreement, there were doubts if the City of San Luis was going to be losing money and the numbers demonstrate that the City of San Luis is doing well, in addition the City of San Luis has increase its service by having two ambulances stationed here.

No action was needed from the City Council as this item was informational only.

2. Discussion and possible action on any and all matters regarding the Memorandum of Understanding between the City of San Luis and the City of Yuma to apply for a regional Assistance to Firefighter Grant. (Hank Green)

Mr. Hank Green, Fire Chief, said that the City of Yuma has taken the lead through Yuma Fire Departments and Yuma Regional Communications Systems to apply for an Assistance to Firefighter Grant, they are requesting a regional grant on behalf of the Cities of Yuma, San Luis, Somerton and Town of Wellton to replace the aging hardware radios under the grant that gives them the cost of only a match grant which is 10% of the value of the whole grant. The Memorandum of Understanding demonstrates how the Assistance to Firefighters Grant funds awarded will be distributed to each entity and the total match share to be paid as well. The San Luis Fire Department's radios original radios were purchased under grants and have served their life as usefulness and they are slowly phasing out and in approximately four (4) years they will no longer be supported by a mobile company.

MOTION: Council Member M. Buchanan Jr./Council Member M.C. Ramos to authorize the execution of a Memorandum of Understanding between the City of San Luis and the City of Yuma for an application to purchase radios, through the Assistance to Firefighter Grant program. Motion passed unanimously.

3. Discussion and possible action on any and all matters regarding authorization for the City of San Luis Police Department to apply an submit a grant application to the Arizona Department of Homeland Security for the purpose of purchasing portable radio equipment. (James Neujahr)

Mr. Jim Neujahr, Chief of Police, stated that March 2 is the due date for the submittal of grant proposal to the Arizona Department of Homeland Security, at the current time the San Luis Police Department joined Yuma Regional Communication Systems in 2006-2007. The radios that they have are becoming obsolete, Motorola does not service them nor makes parts anymore, therefore those radios will go out of service soon and will need to be replaced. The grant is for approximately \$50,000.00 and will help replace 15 radios and next year they will do the same thing. Mr. Neujahr asked the Mayor and City Council for their support in allowing the San Luis Police Department to submit the grant proposal to the Arizona Department of Homeland Security.

MOTION: Council Member A. Luna-Carrasco/Council Member M.C. Ramos to authorize the City of San Luis Police Department's application and submission of a grant to the Arizona Department of Homeland Security. Motion passed unanimously.

4. Discussion and possible action on any and all matters to approve Resolution No. 1085. A resolution of the Mayor and City Council of the City of San Luis, Arizona pertaining to the submission of projects for consideration in Arizona's 2016 Highway Safety Plan. (James Neujahr)

Mr. Jim Neujahr, Chief of Police, explained that this resolution is a proposal from the San Luis Police Department to the Governor's Office Highway Safety to have a more extensive highway safety program. This is a grant program that allows the San Luis Police Department to enforce certain traffic issues specifically DUIs and one of the issues is underage drinking; due to the border proximity and difference in laws of the United States and Mexico, funds will be used to educate minors that go to Mexico to drink. In addition there is the DUI enforcement, not only from those coming from Mexico but locally as the accident rate is one of the areas that a lot improvement is needed on. A study shows that more of 50% of the accidents occur on Main Street and Juan Sanchez Boulevard, so funds will also be used for speed enforcement.

MOTION: Council Member R. Walshe/Council Member M. Buchanan Jr. to approve Resolution No. 1085. Motion passed unanimously.

5. Discussion and possible action on any and all matters regarding Resolution No. 1087. A resolution of the Mayor and Council of the City of San Luis, Arizona amending the "City of San Luis Personnel Policies" dated July 1, 2008 for certain per diem rates for meals and for mileage reimbursement. (Tadeo De La Hoya)

Mr. Tadeo De La Hoya, City Administration, mentioned that this resolution is presented to the Mayor and City Council to amend the travel policies for out of state travel according to the traveling area or city traveling to per the GSA website. This amendment will improve the efficiency in processing the travel request forms. Travel policies for in-state will remain the same.

MOTION: Vice Mayor M. Rosales/Council Member M. Buchanan Jr. to approve Resolution No. 1087 amending the City of San Luis Personnel Policies regarding per diem for meals and for mileage reimbursement. Motion passed unanimously.

6. Discussion and possible action on any and all matters regarding Second Reading of Ordinance No. 333. An ordinance of the Mayor and City Council of the City of San Luis, Arizona enacting and adopting a Supplement to the Code of Ordinances for the City of San Luis, Arizona; repealing any conflicting provisions; and providing for severability. (Sonia Cornelio)

Ms. Sonia Cornelio, City Clerk, explained that this is the Second Reading of Ordinance No. 333 for the implementation of the first supplement to the City Code for the City of San Luis. The First Reading of Ordinance No. 333 was adopted at the Regular Council meeting held February 11, 2015, staff recommends the approval of the Second Reading of the ordinance.

A. Approval of Second Reading of Ordinance No. 333 by title only

MOTION: Council Member G. Torres/Council Member A. Luna-Carrasco to approve Second Reading of Ordinance No. 333 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 333 by title only.

B. Approval and adoption of Ordinance No. 333

MOTION: Vice Mayor M. Rosales/Council Member M. Buchanan Jr. to approve and adopt Ordinance No. 333. Motion passed unanimously.

7. Discussion and possible action to adopt Second Reading of Ordinance No. 334. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending the official zoning map of the City of San Luis by changing the zoning classification of 1.77 acres located at 3676 E. County 24th Street from C-1 (Neighborhood Commercial) to C-2 (Community Commercial); repealing any conflicting provisions; and providing for severability. (John Starkey)

Mr. John Starkey, Zoning Administrator, explained that Ordinance No. 334 rezones the commercial lot at the northwest corner of Avenue F and County 24th Street; the applicant has proposed to build a convenience and gas station at that site.

A. Approval of Second Reading of Ordinance No. 334 by title only

MOTION: Vice Mayor M. Rosales/Council Member M.C. Ramos to approve Second Reading of Ordinance No. 334 by title only. Motion passed six (6) ayes and one (1) abstention from Council Member G. Torres for a possible conflict of interest.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 334 by title only.

B. Approval and adoption Ordinance No. 334

MOTION: Vice Mayor M. Rosales/Council Member A. Luna-Carrasco to approve and adopt Ordinance No. 334. Motion passed unanimously.

8. Discussion and possible action on any and all matters regarding Second Reading of Ordinance No. 336. An ordinance of the City of San Luis, Arizona amending the San Luis City Code Title VII Traffic Code by adding Chapter 76 relating to prohibiting use of communication devices while driving motor vehicles and riding bicycles; providing for exceptions; providing for a warning period; providing penalties for violations; repealing any conflicting provisions; and providing for severability. (Jim Neujahr)

Mr. Jim Neujahr, Chief of Police, explained that this is the Second Reading of the ordinance for the restriction of the use of cell phone as well as texting while operating a motor vehicle.

A. Approval of Second Reading of Ordinance No. 336 by title only

MOTION: Council Member A. Luna-Carrasco/Council Member M. Buchanan Jr. to approve Second Reading of Ordinance No. 336 by title only. Motion passed unanimously.

Ms. Sonia Cornelio, City Clerk, read Ordinance No. 336 by title only.

B. Approval and adoption of Ordinance No. 336

MOTION: Council Member A. Luna-Carrasco/Council Member M. Buchanan Jr. to approve and adopt Ordinance No. 336. Motion passed unanimously.

9. Discussion and possible action on any and all matters to approve Resolution No. 1086. A resolution of the Mayor and City Council of the City of San Luis approving a Development Agreement between the City of San Luis, Arizona and Robert K. Barkley, Barkley Limited Partnership. (John Starkey)

Mr. John Starkey, Zoning Administrator, explained that the applicant for this case has requested that the rezoning petition and the development agreement are hereby withdrawn, therefore no action is required from the City Council for this item nor Item No. 10.

Mayor G. Sanchez clarified that this project is dead and it is not moving anywhere and if someone wants to develop this land, the process has to begin all over again. Mayor G.

Sanchez also stated that the City Council will not take action or vote on an item that does not exist including Item No. 10.

Mr. Starkey added that Mayor G. Sanchez is correct and if someone wants to develop that project it can be done until July 2015 as there is a one (1) year time limit from when it was first heard by the Planning & Zoning Commission.

10. Public Hearing followed by discussion and possible action on any and all matter regarding First Reading of Ordinance No. 335 by title only. An ordinance of the Mayor and Council of the City of San Luis, Arizona, amending the official zoning map of the City of San Luis by changing the zoning classification of 28.76 acres located south of County 22nd Street between the East Main Canal and Las Quintas Subdivision from Rural Area Residential (RA-10) to Medium Density Residential (R1-6); repealing any conflicting provisions; and providing for severability. (John Starkey)

- A. Action to incorporate Agenda Item Review Form and past public comments**
- B. Open public hearing**
- C. Close public hearing**
- D. Possible action on First Reading of Ordinance No. 335 by title only**

This item was not discussed, refer to Item No. 9.

11. Summary of current events by Mayor, Council Members, City Manager, and/or City Staff pursuant to A.R.S. §38-431.02 (K).

Council Member M.C. Ramos reported that Ms. Charlene Fitzgerald is preparing for the Rural Transportation meeting to be held in Yuma and the Governor was invited to attend, however he will not be able to be present.

Council Member G. Torres reported that she attended the WACOG meeting in Parker in regards to the approval of the budget and she learned how CDBG grants are distributed and she was also appointed to serve as the Secretary of this board.

Mayor G. Sanchez reported that he and Vice Mayor M. Rosales will be attending a border's briefing meeting and staff from different congressional representatives are going to be present and will talk about the City of San Luis and make it clear that the City of San Luis is the biggest border town in Arizona and they will express to the new governor the needs there are for the City, they will take advantage of the time they will have to meet with the representatives to let them know that the City of San Luis is a border town in Yuma County and in the State of Arizona.

Mayor G. Sanchez also reported that the City of San Luis has been working on the welcome signs; two (2) beautiful welcome signs (one placed at each entrance to the

City of San Luis) made by the San Luis High School students. Mayor G. Sanchez thanked the students, Parks & Recreation Staff and added the only the lights are needed to illuminate the signs at night.

Mr. Eulogio Vera, Public Works Director, was asked when Main Street will be completed. Mr. Vera reported that on March 9, Archibald Street will be one way southbound and First Avenue will be one way northbound, also that same day Arizona Department of Transportation will be working on Main Street's underground for approximately three (3) or four (4) weeks and the overall completion of the project will be June 2015. Mr. Vera also explained that this project is done in phases and explained the process of them.

Mr. John Starkey, Zoning Administrator, reported that he was appointed Vice Chairman of the Yuma Metropolitan Planning Organization (YMPO) Technical Advisory Committee, meaning that next year he will be Chairman of YMPO Technical Advisory Committee.

CALL TO THE PUBLIC

Mr. David Lara, 1032 6th Drive, San Luis, AZ, stated that he requested some public records and are not to clear and needs some clarification in regards to the Bailiff's position, if there was a termination, resignation, or if he did not accept the offer? Will the posting be done again...it was not too clear with the documents he was provided. Also if the City needs his services as a volunteer at the Human Resources Department he is willing to cooperate. Mr. Lara mentioned that another important thing is that there was an issue with a couple of officers and there cannot be a double standard; if the previous Council Member lost the election because of a ticket that was not paid and two (2) officers lost their positions, what is worst, a DUI or a ticket and asked the Mayor and City Council to look into that. Mr. Lara thanked Council Member Africa Luna-Carrasco for the tip she gave him as he was able to obtain the information from the court in Somerton.

Ms. Guillermina Fuentes, 1630 N. 9th Avenue, San Luis, AZ, stated that she understand that the Mayor and City Council cannot respond during call to the public, but what she understood Mr. John Starkey said on Item No. 9 is that the person withdrew the application and for clarification she asked if this is true since it has been done a few times and the other thing that he mentioned is that in a year this item cannot be talked about, the year is up in four (4) months and requested clarification on this for those who do not understand the process of how much time the developer has to prepare him/herself to submit another application.

Mayor G. Sanchez responded that he waited until he officially saw something original provided to the City to withdraw the project and it is clear that if this project comes back it must start from the beginning process.

Ms. Kay Macuil, Assistant City Attorney, added that when an application for rezoning is withdrawn, the applicant can reapply one year after the first hearing before the Planning & Zoning Commission, which in this case took place in July 2014 therefore the year counts from that time for a new process for development of this project.

Mr. Jorge Gallegos, 388 Zapata Street, San Luis, AZ, stated that since a few years they have been checking or reviewing how the public funds are being used within the City. He read and questioned how is it possible that the City has a certain amount of employees for many years and seeing the City's Police Department service scarce of many things, the City Council gave themselves a salary raise of over an 80% increase. For any person this is illogical, and he congratulated those who voted against this action, this is not normal, the City has deficiencies and asked if they think that everything will be paid or the City's budget will come from the utilities rates. Since his group entered in the previous administration when Juan Carlos Escamilla was the Mayor, how many jobs have been brought to the City from 8 years back to date.

The residents have to pay the consequences of bad administrations, but the City Council raises their salaries an 85%, 87%, he is not saying it as public servants but being served from the public as individuals to those who voted in favor of this action and asked if this is normal. When one sees that a Police Officer risks his/her life or an employee is under stress because of work...how many years has it been since employees received a salary increase. Going back to bringing opportunities of jobs to the City why does the City make it difficult for them, it does not matter who it is. Forget about politics and personal issues, there is a need for local employment and revenues in the City for that 80% salary increase to the City Council to be paid as well. If those who voted in favor of the action for the salary increase to the City Council had some dignity, they would place that item on the agenda...yes, it is great to receive a \$900.00 monthly compensation. Mr. Gallegos asked the Mayor and City Council to think about it as this is about the use of conscious, the use of the abuse that many of the City Council do...either you serve the City or you serve from the City.

Mr. Jose Leonardo Suarez, 374 Los Tres Hombres Street, San Luis, AZ, stated that Customs and Border Protection always holds a Citizens Academy on a quarterly basis to demonstrate what they do when they risk their lives when they try to save citizens at the desert as well as chasing undocumented people, the techniques and strategies they use and invited the citizens of the community to learn what the San Luis Police Officers go through to keep our community safe by inviting the City of San Luis to do something similar.

Mr. Jesus Cruz, 2098 Torres Street, San Luis, AZ, stated that the traffic on Torres Street is heavy and asked the Mayor and City Council to take this in consideration and although the rezoning is no longer going through in that area, he would like the development of a park as mentioned in previous Council meetings.

12. Adjournment

MOTION: Vice Mayor M. Rosales/Council Member A. Luna-Carrasco to adjourn the meeting at 8:06 p.m. Motion passed unanimously.



Certification of Council Minutes

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council meeting of the San Luis City Council held on February 25, 2015. I further certify the meeting was duly called and held and that the quorum was present and that the City Council approved these minutes at their Regular Council meeting held on April 8, 2015.

Dated this 9th day of April 2015.

/s/ Sonia Cuello, City Clerk