

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

**MINUTES
Special Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
May 26, 2015
6:30 P.M.**

**MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON,
TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION**

CALL TO ORDER Mayor Sanchez called the Special City Council meeting to order at approximately 6:33 p.m.

ROLL CALL

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

OTHERS PRESENT: Robert Eads, City Manager
Tadeo A. De La Hoya, Assistant to the City Manager
Sonia Cornelio, City Clerk
Glenn Gimbut, City Attorney
Angelica Cifuentes, Budget and Procurement
Aracely De La Hoya, Senior Center Director
Eulogio Vera, Public Works Director
Derek Dueñas, IT Specialist
Maria Sabori, HR Senior Analyst
John Starkey, Zoning Administrator
Kay Macuil, Assistant City Attorney
Victor Figueroa, Acting Chief of Police
Jenny Torres, Community Development Director
Katie St. Louis, Finance Director
Manuel Rojas, Assistant Public Works Director
Olivia Jenkins, Utilities Director
Enrique Lopez, Fire Captain
Rodrigo Valencia, Fire Department
Eddie Ramirez, Fire Department
Lucy Lopez, Reporter

Cesar Neyoy, Bajo el Sol Reporter
Noel Chavez, Fire Department
Fabian Felix, Fire Department
Javier Gonzalez, Fire Department
Omar Velazquez, Parks Supervisor

DISCUSSION ITEMS:

1. Discussion on any and all matters pertaining to Text Amendment Case No. 2015-0106-an amendment to the City of San Luis Zoning Ordinance correcting and amending various zoning district uses followed by discussion on any and all matters regarding Ordinance No. 338. An Ordinance of the Mayor and Council of the City of San Luis, Arizona, amending Ordinance No. 332 by reference and fixing the effective date thereof; repealing any conflicting provisions; and providing for severability. (John Starkey)

Mr. John Starkey, Zoning Administrator, explained that this change would be the first one of the few that will go through as they change the Zoning Ordinance to better fit the way staff wants to see things develop in the City. This precise change deals with four items, the first one regarding the complaints they have received regarding the exterior storage of items for sale along Main Street that being said, patio sales on Main Street will be illegal. Once the amendment is adopted to the zoning, the zoning arcs will not allow the residents to have products stored outside in a General Commercial or Community Commercial Zoning District, C2, which is most of the downtown area. The only exception is unless one applies for a conditional use permit as they are to allow to do that. That way if one wants to store bicycles outside or stuff outside for sale they need to go to the Planning Commission and then to the Council to get permission to do so. Therefore, there will be a better control of people stacking a lot of stuff outside their storage. The second part of the text amendment is correcting the clerical mistake with the medical marijuana dispensary. Only a medical marijuana dispensary is allowed in a General Commercial and not for growing. The growing facilities will be allowed in Industrial and Agriculture Districts. The third part of this ordinance is pertaining to allowing mini storage, self-storage (like the hill side storage behind the post office) units in the Community Commercial Zoning Districts, General Commercial as a conditional use. That way the Zoning District still has control on how they are set up. The fourth part of this Text Amendment is to allow medical marijuana dispensaries and medical marijuana growing facilities in the Heavy Industrial District.

These changes will go into effect by the end of June 2015.

2. Discussion on any and all matters regarding the retaining walls and other possible issues on the hillside east of San Luis Plaza Drive. (John Starkey)

Mr. John Starkey, Zoning Administrator, stated that with the remodels on Main Street one way, more traffic will be traveling more on San Luis Plaza Drive with the one-way concerns of more debris being added on and making the hill side more visible, aesthetic and nicer looking. With major stores down there, businesses looking into relocating down there, and commercial property that is vacant, the way it is now will not draw much attention one would hope for. Mr. Starkey brings to attention that if Council would like the property, it could be landscaped more and a better maintenance of the area can be performed overall. The next phase of that project is actually the East Main Canal that had been buried when that street was built. The first hill with the flat top is actually the Yuma County Water Users Association land; they did indeed go in with equipment and cleaned it up nicely. On top is private land along with a road way that was never developed. Referencing to the photo from his PowerPoint he notes the end of the retaining wall, being C Street up to the end of Mesa Street, with most of the area being filled in with concrete debris, which is illegal by Building Codes and Zoning Ordinance requirements. Mr. Glenn Gimbut, City attorney, spoke about the complaints from the Water Users Association about stuff coming down to their sites from up on top. Some of the fence have eroded from beneath it and is structurally not that safe and restated the issue about construction debris. Bringing to light different tools that could be used to fix, and highly recommending if anything is going to be done with the top of the hill to do it in coordination with the Water Users Association which is the middle of the hill. Regarding the amount of debris making the City loses value. Lieutenant V. Figueroa stated that the San Luis Police Department could better enforce the law towards those people, as long as Council and the City stand firm on the process of cleaning the hillside; all broken laws could be brought to light and enforced.

3. Discussion on any and all matters regarding the Fire Department's personnel salaries. (Council Member R. Walshe)

Council Member R. Walshe requested this item to give the firefighters the opportunity and time to be acknowledged by all the Council Members and to know the situation going on in the City's Fire Department, opening the floor to the firefighters present to talk and give more information about what is happening.

Mr. Enrique Lopez, Fire Captain, takes the floor to answer any questions Council may have. With their Department Head on medical leave he will not answer any questions pertaining to him. He explained that when a firefighter gets a promotion one gets a raise from each promotion and a higher skill. The six (6) captains got together and a small survey on the City of Yuma Fire Station Three was done, which is on Arizona and 24th. City of Yuma Fire Station Three runs 4,000 calls a year and the City of San Luis does the same amount a year. Voicing the concerns of his men, he is again trying not to overstep the boundary. He briefly noted that the basic EMT firefighter one and two start off making \$41,000.00 the City of San Luis starts them off at \$35,000.00. With the

approval of Mayor and Council, he wants to request a Work-Session to further discuss the item. Mayor G. Sanchez notes that it is something that can be worked out, but because of the budget and the constraints he does not know how much could be done. While the situation will be solved Mayor G. Sanchez just wishes there was more time because of the budget restraints. He added that The City of San Luis will not be the same as the City of Yuma because their budget is ten (10) times larger than The City of San Luis. The minute they adjust something it affects everyone, especially when it is something large like adding a new position in fire. Salaries need to be compared not just to Yuma but demographically. Mr. E. Lopez was asked why this item was not budgeted. Mr. E Lopez, Fire Captain, responded that while it was an important item, they stayed quiet to work on getting a new engine and to grow the Fire Department. With the insurance and cost of living going up, they just hoped it would be something across the board to everyone. With a flaw in the salary created by someone who no longer works for the City brings more light into a new salary survey, that includes every employee in the City, to look into the highest paid and the lowest paid. Ms. M. Sabori, Human Resources Department, explained that the same person who generated and conducted the survey last time, in 2006 or 2007, would be the same ones conducting this year's survey that should be done this June. Clearing up any confusion, T. De La Hoya, Assistant to the City Manager, says there is a certain amount budgeted to start with employees that are lowest paid according to the newest salary, and there has been adjustments for the past four (4) or five (5) years but only when Department Heads request it. Based on the current report there is money being budgeted to start with whoever is the lowest paid employee, while there is no number present at the moment there are adjustments. Discussing the Fire Department changes in the Paramedics Engineer was budgeted last time but needs to be fixed this time around so that Paramedics become a skill instead of a position. Referring back to the last raise which was only three (3) percent was in 2012 which was with the last survey. With money put aside Mr. R. Eads, City Manager, stated once the survey comes out they will start addressing those changes with no set method being used.

4. Discussion on any and all matters regarding Main Street sidewalk sales. (Council Member R. Walshe)

Council Member R. Walshe mentioned that this was requested to know who exactly would be taking care of the situation and when they will be taking care of it. Council Member A. Luna-Carrasco pointed out if the City wants to move up to the next level the City must be working together and soon. With the progress on Main Street there needs to be more beautification on the sidewalk sales. Mayor G. Sanchez answered that by saying if six (6) Council Members show up to the meetings on the next day and there's a vote that was approved by June 26th, sidewalk sales will no longer be available in the City of San Luis without a condition use permit. Mr. John Starkey, Zoning Administrator, added that after it gets approved he will be sending letters to all the property owners telling them that use is no longer permitted along with stacking items outside the building, explaining the use of a condition of use permit system. While a conversation about the placing of the trashcans in the front of the stores was discussed it was

determined that truly is all about just enforcing the City's rules and regulations. With 12.2 million dollars invested on Main Street there must be more enforcement of the rules.

5. Follow-up on any and all matters regarding Waste Water employees investigating sewer line blockage on private property. (Council Member R. Walshe)

Council Member R. Walshe explained that this is a follow up on what was discussed at the retreat for the Council Members who were not in attendance. This was discussed with Mr. Manuel Rojas, assistant Public Works Director, questions of what is happening with the situation and if they are still going in. Mr. Glenn Gimbut, City Attorney, added that going to the City's sewer, clean out and sending a camera in to see what exactly is causing the blockage is fine there is no need for waivers or permission and they will not be breaking the laws, trespassing or doing private plumbing work either. The only thing that will be done is the inspection. Mr. Rojas explained that the Public Works Department on the average receives four calls a month and during the day where there is an issue about a blockage in the sewer line. Referencing to a picture on the presentation he explained that the yellow line is a property line, from that line to the main sewer is the City's responsibility. From the yellow line to the house is the resident's responsibility. Now on a typical blockage on private property staff check their man holes, if they are preflowing they continue to contact the customer or resident and they will check the clean out which is the only way they can know what is going on. If the clean out is dry they notify the customers and the issue is between the clean out and the house making it the resident's responsible. If the clean out is full of water, there is an issue, but where the plug is that it is up to City staff to determine where the blockage is at. While the blockage could be on the street, the lines could not be fully connected to the residences, or a regress flow, it is up to the City to fix the situation. In that particular stream it is a typical blockage on private property, staff will go in and do an inspection via a cleanup to determine if it is on the owners or the City's side after that a TB inspection is done and document it. When Mr. Rojas had met with Mr. Gimbut and Mr. Robert Eads, City Manager, they had recommended for them to provide a standard operating procedure, a written procedure for all operators to review, and give them instructions. What is coming out has the input of everyone in the division. This will be done once the draft passes legal review and presented to the Mayor and Council for approval.

DISCUSSION AND POSSIBLE ACTION ITEMS:

VOTE TO HOLD EXECUTIVE SESSION PURSUANT TO A.R.S. §§38-431.03.A.1, 38-431.03.A.3, 38-431.03.A.4 and 38-431.03.A.7

MOTION: Council Member A. Luna-Carrasco/ Council Member M.C. Ramos to go to Executive Session at approximately 7:50 pm. Motion passed unanimously.

6. Discussion and possible action to hold an executive session pursuant to A.R.S. §§38-431.03.A.1 and 38-431.03.A.3 on any and all matters relating to the position of prosecutor and the recruitment, employment, assignment, appointment, and/or salaries of that position, and legal advice from the City Attorney regarding the duties of that office, the workload, and the performance of those duties. (Glenn Gimbut)

7. Discussion and possible action for an executive session pursuant to A.R.S. §§38-431.03.A.3, 38-431.03.A.4 and 38-431.03.A.7 with respect to the proposed landfill project. (Glenn Gimbut)

MOTION TO GO BACK TO REGULAR SESSION

MOTION: Council Member A. Luna-Carrasco/ Mayor G. Sanchez to go back to Regular session at approximately 9:38pm. Motion passes unanimously.

8. Adjournment

MOTION: Council Member A. Luna-Carrasco/ Council Member G. Torres to adjourn the meeting at approximately 9:58 pm. 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 Special Council meeting of the San Luis City Council held on May 26, 2015. I further certify the meeting was dully called and held and that the quorum was present and that the City Council approved these minutes at their Regular Council meeting held on July 8, 2015.

Dated this 9th day of July 2015.

/s/ Sonia Cuello, City Clerk