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

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE/INVOCATION

CONSENT AGENDA
All matters are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

-Minutes of
Special Council meeting held June 29, 2011
Regular Council meeting held July 13, 2011

-Disbursements from July 6, 2011 to July 14, 2011
Total disbursements $681,332.43
(Six Hundred Eighty-One Thousand, Three Hundred, Thirty-Two Dollars, and Forty-Three Cents)

DISCUSSION AND POSSIBLE ACTION ITEMS:

1. Monthly presentation by ARCADIS on the expansion of the San Luis Regional Detention Center. (Jim Conlee)

2. Presentation by Dr. John Arnold, CEO/Founder PPEP. (John Arnold)

3. Discussion and possible action to approve and continue agreement with the Humane Society of Yuma. (Ralph Velez)

4. Discussion and possible action to approve contract with Sonia Ramirez for City Prosecutor. (Glenn Gimbut)
5. Public hearing followed by discussion and possible action to approve Resolution No. 947. A resolution by the Mayor and Council of the City of San Luis adopting the final budget for Fiscal Year 2012. (Ketie St. Louis)
   A. Open Public Hearing
   B. Close Public Hearing
   C. Approval of Resolution No. 947

6. Discussion and possible action of adoption of Resolution No. 948. A resolution amending Resolutions 943 and 944 to schedule the election for the City of San Luis 2020 General Plan for March 13, 2012. (Glenn Gimbut)

7. Discussion and possible action to adopt second reading of Ordinance No. 307. An ordinance of the City of San Luis, Arizona, relating to the Privilege License Tax; adopting “The 2010-2011 Amendments to the Tax Code of the City of San Luis” by reference; establishing an effective date: providing for severability and providing penalties for violations. (Glenn Gimbut)
   A. Adoption of second reading of Ordinance No. 307 by title only
   B. Adoption and approval of Ordinance No. 307

8. EXECUTIVE SESSION: Vote to hold an executive session pursuant to A.R.S. §38-431.03.A.1, and 38-431.03.A.3

E1. 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 Chief of Police and the employment, assignment, appointment, promotion, or salaries of a public officer, appointee or employee of the City, namely the possible appointment and employment of a Chief of Police, and consultation for legal advice with the City Attorney regarding appointment of a Chief of Police, and legal options that the City may have.

MOTION TO GO INTO REGULAR SESSION

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

CALL TO THE PUBLIC

This is the time for the public to comment. Members of the City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01 (H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

10. Adjournment
CALL TO ORDER/ROLL CALL. The meeting was called to order at approximately 7:02 p.m. by Mayor Juan Carlos Escamilla.

PRESENT:  Mayor Juan Carlos Escamilla  
Vice-Mayor Gerardo Sanchez  
Council Member Rafael Torres  
Council Member Jose Leonardo Suarez  
Council Member Marco A. Pinzon  
Council Member Africa Luna-Carrasco  
Council Member Mario Buchanan Jr.

OTHERS PRESENT:  Ralph Velez, City Manager  
Sonia Cuello, City Clerk  
Glenn Gimbut, City Attorney  
Angelica Cifuentes, Procurement & Budget Compliance  
Chris Kasid, Parks and Recreation Director  
Daniel Paz, IT Tech Coordinator  
John Starkey, Public Works Director  
Ketie St. Louis, Finance Director  
Michael Trend, Community Development Director  
Olivia Jenkins, Utilities Supervisor  
Sharon Williams, Development Services Director  
Sonia Ramirez, City Prosecutor  
Lyz Gonzalez, Human Resources  
Gloria Torres, Resident  
Maria Pinzon, Resident  
Guillermina Fuentes, Resident  
David Lara, Resident  
Rosa Varela, Resident  
Francisca Guzman, Simultaneous Translator  
Catalina Navarro, Noticias Reporter  
Cesar Neyoy, Bajo El Sol Reporter

PLEDGE OF ALLEGIANCE/INVOCATION

Pledge of Allegiance was led by Mr. John Arnold, PPEP, Inc. Invocation made by Mr. Michael Trend, Community Development Director.
CONSENT AGENDA

-Minutes of
Special Council meeting held June 29, 2011
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-Disbursements from July 6, 2011 to July 14, 2011
Total disbursements $681,332.43
(Six Hundred Eighty-One Thousand, Three Hundred, Thirty-Two Dollars, and Forty-Three Cents)

MOTION: Council Member J.L. Suarez/Council Member M. A. Pinzon to approve the consent agenda as presented. Motion passed unanimously.

DISCUSSION AND POSSIBLE ACTION ITEMS:

1. Monthly presentation by ARCADIS on the expansion of the San Luis Regional Detention Center.

Ms. John Conlee from ARCADIS made a presentation on the expansion of the San Luis Regional Detention Center. He made a power point presentation which included the different phases of construction.

No action required from City Council.

2. Presentation by Dr. John Arnold, CEO/Founder PPEP.

Mr. John Arnold, PPEP, Inc. thanked the City of San Luis for partnering together with PPEP, Inc., in a variety of projects. He made a presentation to Mayor and Council which stated that since 2000-2010 PMHDC has made $3,028,840.00 in loans to 319 borrowers that have created over 250 jobs in San Luis. In 1999, this program was awarded the Micro Program of the Year and honored at the White House by Bill Clinton and Hillary Clinton. In 2011, there have been 21 loans amounting to $61,578.00. There are 14 loans pending in the amount of $433,500.00. He added that in every dollar that the City of San Luis gives to PMHDC, which is $29,000.00 annually, this generates 5 times that amount from the Small Business Administration. Furthermore, Mr. Arnold added that PMHDC provides technical and management assistance to its borrowers to help them succeed. If this all goes away the San Luis economy is going to be seriously affected and any immediate economic recovery will be put off for the foreseeable future. He asked Mayor and Council to re-consider PMHDC funding request in this next year’s budget to insure an ongoing revenue base.

No action required from City Council.

3. Discussion and possible action to approve and continue agreement with the Humane Society of Yuma.
Mr. Sean Smith, Executive Director of Humane Society of Yuma, informed that the current contract is the same as last year’s, with the exception of the clause that states that if it is received one cage full of animal, there will be no charge of $42.00 per animal, but they will only charge $42.00 per day for the first animal and $20.00 per day for the rest of the animals. He suggested increasing the board, which has been $10.00 per day and he suggested increasing it to $20.00 per day fee.

Mayor J.C. Escamilla asked if this fee will be the same for cats.

Mr. Smith explained that there is a $20.00 fee per cat turned in, since there are no statutory mandates to turn in a cat, but the fee is a set fee. He informed that the Humane Society has started running commercials in the Hispanic channels, as an educational ad to spay and neuter the animals. He added that he is trying to work in conjunction with the City to hold a clinic in the City of San Luis.

**MOTION:** Council Member A. Luna-Carrasco/Council Member R. Torres to approve and continue agreement with the Humane Society of Yuma. Motion passed unanimously.

4. Discussion and possible action to approve contract with Sonia Ramirez for City Prosecutor.

Mr. Glenn Gimbut, City Attorney, informed that the contract with Ms. Sonia Ramirez for City Prosecutor services is the same as last year, with the exception that this contract includes the increase that has been discussed in a previous work session. He added that staff is recommending approval of this contract.

Mayor J.C. Escamilla stated that he would like to see in the contract a reporting clause in a quarterly/monthly basis.

Ms. Ramirez stated that she sees no problem for her for reporting to Council.

**MOTION:** Council Member J.L. Suarez/Council Member M.A. Pinzon to approve the contract with Sonia Ramirez for City Prosecutor. Motion passed unanimously.

5. Public hearing followed by discussion and possible action to approve Resolution No. 947. A resolution by the Mayor and Council of the City of San Luis adopting the final budget for Fiscal Year 2012.

**D. Open Public Hearing**

**MOTION:** Council Member J.L. Suarez/Council Member R. Torres to open the public hearing. Motion passed unanimously.

Ms. Ketie St. Louis, Finance Director, informed that this resolution is to approve the final budget for fiscal year 2012; the tentative budget was presented before Council on June 29, 2011. She added that the budget was published in July 5 and 12, 2011. She mentioned that the only item that was adjusted was the School Resource Officer Grant
from Gadsden School District that will not be received anymore; the total amount is approximately $129,880.00.

Mr. John Arnold, PPEP, Inc., stated that last year they requested the City’s contribution in the amount of $29,000.00, but this year they are only requesting $15,000.00 to match the SBA grant funds.

There were no comments from the public or members of Council.

E. Close Public Hearing

**MOTION:** Council Member J.L. Suarez/Council Member A. Luna-Carrasco to close the public hearing. Motion passed unanimously.

F. Approval of Resolution No. 947

**MOTION:** Council Member J.L. Suarez/Council Member R. Torres to approve Resolution No. 947. Motion passed unanimously.

Mayor J.C. Escamilla asked Mr. Ralph Velez, City Manager if Council wishes to contribute to PPEP, Inc. if this will be a possibility to take it out of contingency and bring it as an item on the agenda.

Mr. Velez stated that this item can be brought before council as an item on the next Council meeting.

6. Discussion and possible action of adoption of Resolution No. 948. A resolution amending Resolutions 943 and 944 to schedule the election for the City of San Luis 2020 General Plan for March 13, 2012.

Mr. Glenn Gimbut, City Attorney, explained that pursuant to Resolution No. 943, the City Council did a call for election to do a special election in November 2011. He added that since the adoption of the mentioned resolution, he was asked to present to council an option to hold the general plan election in March 2012. He stated that if Council wishes to hold this special election in March 2012, then Resolution No. 948, will have to be approved, but if it is decided to hold the special election in November 2011, then there is no need to approve this resolution.

Mayor J.C. Escamilla stated that by approving Resolution No. 948, the general plan special election will be moved to March 2012 and will save the City thousands of dollars. Also, the City will have more voters at the polls.

**MOTION:** Council Member R. Torres/Council Member J.L. Suarez to approve Resolution No. 948. Motion passed unanimously.
7. Discussion and possible action to adopt second reading of Ordinance No. 307. An ordinance of the City of San Luis, Arizona, relating to the Privilege License Tax; adopting “The 2010-2011 Amendments to the Tax Code of the City of San Luis” by reference; establishing an effective date: providing for severability and providing penalties for violations.

Mr. Glenn Gimbut, City Attorney, mentioned that each and every year state legislature makes changes to the tax code; he added that the state legislature passed some laws that changed the model city tax code and the state mandates that the model city code is used and will be the city tax code for the City.

C. Adoption of second reading of Ordinance No. 307 by title only

MOTION: Council Member J.L. Suarez/Council Member A. Luna-Carrasco to adopt second reading of Ordinance No. 307 by title only. Motion passed unanimously.

Ms. Sonia Cuello, City Clerk, read Ordinance No. 307 by title only.

D. Adoption and approval of Ordinance No. 307

MOTION: Council Member J.L. Suarez/Council Member A. Luna-Carrasco to adopt and approve second reading of Ordinance No. 307. Motion passed unanimously.

ADDENDUM ITEMS:

A1. Discussion and possible action to authorize and approve of the purchase parking meters, vehicle detection sensors, and related services from IPS Group, Inc. and of vehicles for Police Department of San Luis pursuant to Section 3-4-01.G of the Purchasing Policies.

Mr. Glenn Gimbut, City Attorney, informed that Mr. Ernesto Lugo has been working on this project in conjunction with Mr. Ralph Velez, City Manager. He clarified that the item itself has an error and should not read “and of vehicles for Police Department of San Luis”. He mentioned that this item is the request to purchase parking meters and related equipment from IPS Group, Inc. He commented that this is unique equipment and it has special patents attached to it, and as a result of the uniqueness in the feature that the city desires there is only one source to get this equipment from. The features that were desired by the City are as follows: 1) wanted to be wireless, battery/solar power; 2) have the mechanism to accept payments with credit/debit cards, coins and smart cards. He mentioned that the price is only good by the end of the month. He commented that if Council desires to go forward with this purchase there is a special motion. Mr. Gimbut stated that the City purchasing policies allows Council to waive all formal requirements.

Mayor J.C. Escamilla commented that he finds hard to believe that this vendor is the only vendor for this type of equipment, since now a days companies are up to date in equipment.
Mr. Gimbut explained that this is the only vendor that will build meters that accept debit/credit card, coins and smart cards.

Council Member J.L. Suarez asked if this item is approved what will be the time frame to get these parking meters up and running.

Mr. Velez explained that the next step will be to schedule a work session with Council to do the outline as where the parking meters will be installed and also provide a time schedule.

Vice-Mayor G. Sanchez asked if these parking meters will be overseen by the current Police Officer or if the City will be hiring new officers.

Mr. Velez informed that there were five (5) employees included in the budget and they will be paid by the Municipal Court Special Revenue fund.

**MOTION**: Council Member R. Torres/Council Member A. Luna-Carrasco to authorize and approve the purchase of parking meters and related equipment and services from IPS Group, Inc. as presented for a sum not to exceed $75,000.00; in making this motion Council finds that it would be both unnecessary and impractical to put this to bid without both undue delay and material extra cost to the City. City staff has research this equipment and determined that the vendor is the exclusive provider, and the quote presented is the most economical. As putting this purchase out to competitive bidding requirements is unlikely to achieve a lower price, Council hereby waives any formalities that may be required by the City purchasing policies. Motion passed unanimously.

**A2. Discussion and possible action to authorize and approve agreement with Ramirez Advisors International, LLC.**

Mayor J.C. Escamilla informed that the City has budgeted for this item, and also staff has work a contract with a discount which is included in this new contract.

**MOTION**: Council Member J.L. Suarez/Council Member M. A. Pinzon to authorize and approve agreement with Ramirez Advisors International, LLC. Motion passed with 5 ayes and 2 nays from Council Members A. Luna-Carrasco and M. Buchanan Jr.

Mayor J.C. Escamilla suggested moving item #9 to be the next item on the agenda. There was no opposition from Council.

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

Mayor J.C. Escamilla informed that he attended the redistricting meeting held at Arizona Western College, where the community had the opportunity to address any issues regarding the federal lines. He added that it is very important to attend these meetings to address any concern, because a lot of the decision will be based off suggestions and
recommendations from other communities. Mayor J.C. Escamilla also reported that the grand opening of the local swap meet will be done this coming Saturday, June 30, 2011.

Council Member J.L. Suarez informed that he received a complaint from one of the neighbors of the Los Tres Hombres Street regarding an island and median full of weed and grass. He thanked Mr. Ralph Velez, City Manager, for taking action on this item.

**CALL TO THE PUBLIC**

Mr. David Lara, 1032 6th Drive, San Luis, Arizona, commented that the community has been waiting a long time to see what will be the outcome to this case. He read a section from the Superior Court records that states “the City of San Luis failed to file their own procedure as established under HR307-0601 and HR 307-T-702 of the travel policy and automatically deduct the amount owed to the City from the defendant’s pay from the City of San Luis” in other words blamed was shifted to staff. In all fairness he did pay, late but he paid. He added that he wants to criticize Council Member J.L. Suarez, going back to the issue of the health insurance. He stated that in October 24, 2008, where Council Member J.L. Suarez quoted “when we came to the Council we were told that we were eligible to participate in the City’s health plan, personally I accepted it because I needed it and I included my family”. He added that Council Member J.L. Suarez stated that he will returned the money as soon as it is asked for, and there is a balance pending. Mr. Lara commented during that time that Mr. Gabriel Jimenez, HR Director and Mr. Jeff Philpot, City Administrator, came up with a payment plan, and Council Member J.L. Suarez agreed to pay back. Mr. Lara read a paragraph of the memorandum written, it states that a council member is the only member with a claim that was paid by the City’s medical plan. It also states that since the city is self funded, and he has a total of $5,438.47 and also has contributed to the plan a total of $1,900.00; he also stated that this memorandum suggested that Council Member Suarez repays the difference between the two for a total of $3,538.470. Mr. Lara read another memorandum from Southwest Risk Services, which states that consequently Council Member Suarez is pursuing a claim against the City in the amount of the benefits alleging they were negligent in the administration of health insurance program, he added that “another shift to blame staff from your mistakes, and Mr. Suarez you still owe that money”. He quoted “how can staff and the city employees feel confident, that every time you make a mistake or every time you break the law you are going to shift the blame to them, what is your answer to that.” He also stated that “you should resign Mr. Torres, but that is up to you”. Mr. Lara commented that everybody knew what was happening and should have known better; what happens is that everything that is done wrong is shifted to city staff and employees and is their fault. On a different point, he talked about A.R.S 9-500.26, authority to regulate the entry of minors into Mexico, exempt them from liability and states that “the governing body of an incorporated city or town may adopt an ordinance pursuant to chapter 7 of this title allowing a peace officer of a city or town to prevent the entry from this state into the republic of Mexico at the border by any resident of this state who is under eighteen years of age if the minor is unaccompanied by a parent or guardian or does not have written consent for entry from a parent or guardian. The authority of the peace officer is only to prevent entry and not
to otherwise detain the minor. This section shall not be construed to limit the authority of a peace officer pursuant to any other law.” He recommended Mayor and Council to adopt an Ordinance before school starts.

Ms. Guillermina Fuentes, 1630 N. 9th Avenue, San Luis, Arizona, she commented about Mr. Lara’s comments. She stated that it looks that he is very interested on how to damage Council Members. She suggested Mr. Lara should run for a seat to see if the community likes him. She stated that during the two events that Mr. Lara mentioned, they were errors made by the Human Resources Director, but everyone makes mistakes. She stated that she would like some day to see Mr. Lara come in front of Council and say something positive about Council, because there are positive things happening in the city and community. She added that Mr. Lara feels frustrated because he has never been elected as Council/Mayor for the City, and he just wants to take out that frustration by attacking Council. Unfortunately, Council can’t stop anybody from saying negative things about them. Ms. Fuentes suggested that if Council is tired of Mr. Lara talking trash about them, then a member of council should probably step down and give the seat to him to just shut his mouth. He signals City Council Members about their mistakes, however, he does not talk about his friend that acquired more than $5,000.00 from the City as it is not convenient for him.

Executive session was not held, the Police Chief candidate was not present at the time the meeting adjourned.

8. EXECUTIVE SESSION: Vote to hold an executive session pursuant to A.R.S. §38-431.03.A.1, and 38-431.03.A.3

E1. 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 Chief of Police and the employment, assignment, appointment, promotion, or salaries of a public officer, appointee or employee of the City, namely the possible appointment and employment of a Chief of Police, and consultation for legal advice with the City Attorney regarding appointment of a Chief of Police, and legal options that the City may have.

MOTION TO GO INTO REGULAR SESSION

10. Adjournment

MOTION: Council Member A. Luna-Carrasco/Council Member R. Torres to adjourn the meeting at approximately 8:15 p.m. Motion passed unanimously. Meeting was reopened as Police Chief candidate showed after the meeting was adjourned.

Mr. Glenn Gimbut, City Attorney suggested reopening the meeting then have a motion to go into executive session.
**MOTION**: Council Member J.L. Suarez/Council Member R. Torres to re-open the previous Council meeting. Motion passed unanimously.

**8. EXECUTIVE SESSION**: Vote to hold an executive session pursuant to A.R.S. §38-431.03.A.1, and 38-431.03.A.3

**MOTION**: Council Member J.L. Suarez/Council Member R. Torres to go into executive session at approximately 8:32 p.m. Motion passed unanimously.

E1. 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 Chief of Police and the employment, assignment, appointment, promotion, or salaries of a public officer, appointee or employee of the City, namely the possible appointment and employment of a Chief of Police, and consultation for legal advice with the City Attorney regarding appointment of a Chief of Police, and legal options that the City may have.

**MOTION TO GO INTO REGULAR SESSION**

**MOTION**: Council Member J.L. Suarez/Council Member R. Torres to go into regular session at approximately 10:17 p.m. Motion passed unanimously.

**10. Adjournment**

**MOTION**: Council Member J.L. Suarez/Council Member M.A. Pinzon to adjourn the meeting at approximately 10:18 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 July 27, 2011. 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 August 10, 2011.

Dated this 11th day of August, 2011.

/s/ Sonia Cuello, City Clerk