

CITY OF SOMERTON
MINUTES
REGULAR COUNCIL MEETING
OF THE CITY COUNCIL

7:00 P.M.

Tuesday November 15, 2011

Council Members:

Staff:

M. Porchas, Mayor	(P)	Bill Lee, City Manager	(P)
A. Magana, Vice-Mayor	(P)	Louie Galaviz, Park & Rec Dir	(P)
J. Yepez	(P)	B. Cotman, Chief of Police	(P)
G. Anaya	(P)	S. Palacios, Interim Public Works Dir	(P)
M. Villalpando	(P)	G.W. Hunt, City Attorney	(P)
L. Ramirez	(P)	M. Figueroa, City Magistrate	(A)
L. Galindo	(P)	D. Bradley, Admin. Svcs. Dir	(P)
		C. Juarez, Interim Com. Dev. Dir	(P)
		P. De Anda, Fire Chief	(P)

CALL TO ORDER/ROLL CALL

Mayor Martin Porchas called meeting to order at 7:01 P.M.

Pledge of Allegiance was recited in unison.

All members of the Council were present.

Call to the Public:

None

CONSENT AGENDA

All matters listed here are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be remove from the CONSENT AGENDA and will be considered separately.

1. Minutes for Regular Council Meeting of November 15, 2011.
2. Check Register for October 2011.
3. Bank Reconciliation for October 2011.
4. Arizona's State Treasure's Report (LGIP) for October 2011.

Mayor Porchas entered a motion to approve the consent agenda. Councilwoman L. Ramirez moved to approve the consent agenda. Vice Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

J. Yepez abstain to vote in Item no. 2

OLD BUSINESS

All items are for discussion and possible action.

1. Sales Tax Revenue monthly presentation.

Dough Bradley – Explained how Revenue and Income were during the month of October.

No action was taken

2. ORDINANCE NO. 2011-014 AN ORDINANCE OF THE CITY OF SOMERTON ARIZONA RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE CITY TAX CODE BY EXTENDING THE GENERAL RATE OF TAXATION OF THREE POINT THREE PERCENT (3.3%) INDEFINITELY; PROVING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; DESIGNATION AN EFFECTIVE DATE AND MAKING PROVISIONS FOR EXISTING CONTRACTS.

Bill Lee – Explained that this Ordinance needs to be published for 60 day before take any action.

3. Discussion and possible funding from the two events that assist the City of Somerton with Economic Development ASU Alumni Festival and Josefina Yopez Walk Thon.

Bill Lee- Stated that is up to Council the level they want to support these two events, also recommended support these two organizations with the same dollar amount the City did last year \$5,000.00 to The Tamale Festival and \$800.00 to the Josefina Walk Town.

Bill Lee- Mentioned that there is only \$1,000.00 on Council budget and the rest will be needed to be taking it from contingencies.

Mayor M. Porchas entered a motion to approve funding for the Tamale Festival and Josefina Yopez Walk Town with the same amount was funded last year up to \$5,000.00 to Tamale Festival and up to \$800.00 to the walk town. Councilman M. Villalpando moved to approve this funding. Vice Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

Jorge Lozano- Thank You Council Members and Public on behalf of ASU Alumni Club for the Support to Tamale Festival.

Jose Yopez - Thank You Council Member and Public for the support to the Josefina Yopez Walk Town.

4. Approval of the purchase by the City of Somerton Municipal Property (MPC) of property located at 674 E Main St, Somerton, AZ 85350 Parcel no. 74364132 from Miller, Miller & Stuart, an Arizona partnership, and authorization for the Mayor to approve the Lease of said property from MPC.

Bill Lee- Explained to council member that the reason to bring this item to council is to approve and make final approval and issuing a check to MPC.

Gerry Hunt- Explained to Council Members the process of the purchase of this building which involves a transaction of \$315,000.00, \$100,000.00 of down payment and the balance is carried with interest of 4% for 2 years with the option of two more years.

Bill Lee- Recommended to Council the approval of this transaction, also mentioned that the second reason of bring this item to them is to ask for directions of this procedure and maybe contact the original Architect to help with the right procedure on put out of bid the enclosing of the building.

Mayor Porchas entered a motion to approve the Lease with MPC of the property located at 674 E. Main St Somerton Arizona 85350. Councilman M. Villalpando moved to approve this lease. Councilman L. Galindo seconded the motion. All voted in favor. Motion passed.

NEW BUSINESS

All items are for discussion and possible action.

1. The Somerton City Council to convene as a Board of Adjustment:

Mayor M. Porchas entered a motion to approve to convene as a Board of Adjustment. Councilman J. Yopez moved to approve this convenes. Councilman L. G. Anaya seconded the motion. All voted in favor. Motion passed.

PUBLIC HEARING

Request from Rev. Tomas Munoz on behalf of Immaculate Heart of Mary Church for a Variance to allow exceptions to the above Section of the Zoning Ordinance to reduce the required front setback for the purpose of allowing a stage of approximately 308 sq. ft. and 44” high to remain at its current location on church grounds at 310 W. Spring St. APN: 743-62-150.

Carmen Juarez- explained Council Members the request for a Variance from Rev. Tomas Munoz from Immaculate Heart of Mary Church to allow exceptions to the above section of the Zoning Ordinance.

Carmen Juarez- Read different calls the Staff received about the concern of the safety of the children playing around the structure.

Carmen Juarez- Mentioned to the Board of Adjustment different comments between City Staff and Church Staff.

Carlos Gonzales- 610 W Main St Somerton. AZ, He mentioned that they are also concern about safety; he mentioned that part of their plan is building a fence around the structure.

Martin Porchas – Said he is ok given to the Church the Variance with the condition of the church to meet the City Code.

Mayor M. Porchas entered a motion to approve the Variance to Immaculate heart of Mary. With the condition of meet the City Code within thirty days from now (30) Councilman M. Villalpando moved to approve this Variance. Councilman. G. Anaya seconded the motion. All voted in favor. Motion passed.

COUNCIL TO RECONVENE IN OPEN SESSION

Mayor M. Porchas entered a motion to reconvene in Open Session. Vice Mayor Arturo Magana. Moved to approve this reconvene. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

2. **RESOLUTION NO. 2011-028** A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOMERTON, ARIZONA AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH HOUSING AMERICA CORPORATION, FOR

THE DEVELOPMENT OF ROLLOW ESTATES SUBDIVISION.

Carmen Juarez- Presented Resolution no. 2011-028 for approval.

Mayor M. Porchas entered a motion to approve Resolution no. 2011-028 authorizing the execution of a development agreement with HAC. Councilman M. Villalpando Moved to approve this agreement. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

3. Case #P1-11 Amended Final Plat for Rollow Estates Subdivision

Housing America Corporation submitted an amendment to the final Plat application for Property generally located at south of Main St and West of Cesar Chavez Avenue. Proposing to subdivided 39.50 acres of land to develop 149 low-density, single family homes and 4.3 acre portion to develop a farm labor housing project consisting of 34 apartment units.

Mayor M. Porchas entered a motion to approve The Final Plat application from HAC for Property Located at South Main St and Cesar Chavez Avenue. Councilman M. Villalpando moved to approve this Ordinance. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

4. **Grant Award**

Informational presentation regarding an Arizona Department of Homeland Security Grant Program award.

Paul De Anda- Presented information about the grant Fire and Police department were award lately for the total of \$43,880.00, which they will be using to install computer inside the ambulance and engine.

Mayor M. Porchas congratulate Paul De Anda for the Award they obtained from DHS.

5. Proposed Pool Ordinance.

Proposing a Pool Ordinance be adapted by the Mayor and City Council in order to establish an inspection program for pools. The Fire Department would handle these inspections on an annual basis with the goal of promoting life safety and drowning prevention.

Paul De Anda – presented to council member a few safety reason why Fire Department is recommending adapt this ordinance

Paul De Anda- Said he will bring back this Ordinance to Council when the Wording of ordinance is ready.

6. Discussion and possible adoption of policy to ensure compliance with requirements Imposed by the IRS dealing with monitoring of future issuance of tax-exempt obligations bonds, notes, leases, and certificates.

Bill Lee - Presented the adoption of policy to ensure compliance with requirements imposes by the IRS of tax-exempt obligations bonds, notes, loans, leases, and certificates.

Mayor M. Porchas entered a motion to approve the adoption of Policy to ensure compliance with requirements impose by IRS. Councilman J. Yepez moved to approve this Policy adoption. Vice Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

Meeting was adjourned at 8:30 P.M.


MAYOR MARTIN PORCHAS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting for Tuesday, November 15, 2011.


CITY CLERK