

CITY OF SOMERTON
MINUTES
REGULAR COUNCIL MEETING
OF THE CITY COUNCIL

7:00 P.M.

Tuesday, August 16, 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. Yopez	(P)	B.B. Cotman, Chief of Police	(P)
G. Anaya	(P)	S. Palacios, Interim Public Works Dir	(A)
M. Villalpando	(P)	G.W. Hunt, City Attorney	(P)
L. Ramirez	(P)	M. Figueroa, City Magistrate	(P)
L. Galindo	(P)	D. Bradley, Admin. Svcs. Dir	(P)
		C. Juarez, Interim Com. Dev. Dir	(P)
		P. De Anda, Fire Chief	(A)

CALL TO ORDER/ROLL CALL

Mayor Martin Porchas called meeting to order at 7:00 P.M.

Pledge of Allegiance was led by Councilwoman L. Ramirez and recited in unison.

All members of the Council were present.

Call to the Public

Frank Carrillo, 238 E. Ramona Somerton, AZ-Encouraged Mayor and Council to stop and think about what the expense is going to be to develop the structure and develop a new City Hall. Suggested to Mayor and Council to consider and take the time to develop a fund to purchase an area to build a building would hate to see City staff go back on Furlough Program.

Benjamin Cotman, Somerton Chief of Police-Informed Council that, effective today, the Somerton Police Department will be enforcing the zero tolerance with a warning about parking on sidewalks will be using the warnings for the first 30 days, as an educational process to the public. Somerton Police Department doesn't is not punishing the public but educating them.

CONSENT AGENDA

1. Minutes for Regular Council Meeting of August 02, 2011.
2. Cash Register for July 2011.
3. Arizona's State Treasure's Report LGIP for July 2011.
4. Wells Fargo Bank Statement for July 2011.

Mayor M. Porchas entertained a motion to approve the Consent Agenda. Councilman M. Villalpando moved to approve the Consent Agenda. Councilwoman L. Ramirez seconded the motion. Councilman J. Yepez abstained from Cash Register. Motion passed.

OLD BUSINESS

All items are for discussion and possible action.

1. **RESOLUTION 2011-022** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOMERTON, ARIZONA, APPROVING A PLAN, POLICY AND PROCEDURE TO PROVIDE THE TERRITORY OF ANNEXATION #01-11, CONTAINING 81.00 ACRES MORE OR LESS, WITH APPROPRIATE REVISED STATUTES §9-471 (O).

Carmen Juarez-Recommended to Council to approve this resolution to fulfill the state requirement.

Mayor M. Porchas entertained a motion to approve Resolution 2011-022. Councilman J. Yepez moved to approve resolution 2011-022. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

2. **ORDINANCE 2011-010** AN ORDINANCE OF THE CITY OF SOMERTON, ARIZONA, ANNEXING TO SAID CITY THE NORTH PORTION OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 10 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CONTAINING 81.00 ACRES MORE OR LESS, ALL IN YUMA COUNTY, ARIZONA AND LEGALLY DESCRIBED IN THIS ORDINANCE AND FURTHER DESCRIBED BY A MAP OF THE AREA ANNEXED.
 - a) *Second Reading by Title Only*
 - b) *Approval of Ordinance*

Carmen Juarez-Stated that as of today, there hasn't been any appeals and have all signatures for the legal petition. We're ready to proceed.

Mayor M. Porchas entertained a motion to approve Ordinance 2011-010 Second Reading by Title Only. Councilwoman L. Ramirez moved to approve the Second Reading by Title Only. Vice-Mayor A. Magaña seconded the motion. All voted in favor. Motion passed.

Mayor M. Porchas entered a motion for the Approval of Ordinance. Councilwoman L. Ramirez moved to approve the Ordinance. Vice-Mayor A. Magaña seconded the motion. All voted in favor. Motion passed.

NEW BUSINESS

All items are for discussion and possible action.

1. *Audit questions and answers for the fiscal year ended June 30th, 2010 by Chad Atkinson, CPA and Partner of Hinton Burdick.*

Doug Bradley-Wanted to make sure that mayor and Council know that the auditors were in Somerton auditing for the city.

Mayor M. Porchas-Welcomed the auditors to the city.

2. *Presentation by Housing America Corporation, Inc. on Rollow Subdivision rezoning.*

Irma Myers, Housing America Executive Director, 130 N. State Ave.-Stated that 10 keys to 10 new homes were recently given to 10 new families at Desert Valley III.

Irma Myers-Stated that, due to the economy, President Obama made a recommendation that the self-help program is not going to be available in the future.

Irma Myers-Commented that \$22 Million dollars was passed on 523 by the USDA to provide technical assistance and \$842 Million dollars was approved by Congress into the Senate to provide loans to low-income families.

Manuel Figueroa, City of Somerton Judge-Presented the new home models and the changes made.

Manuel Figueroa-Explained that the board makeup has changed and the philosophy as well.

Irma Myers-Stated that the apartments will be for new tenants.

Judge Manuel Figueroa-Stated that there's people just don't want to move out of the apartments. They just don't want to own because they feel comfortable not having a mortgage.

Stan Nukem-Concerned about how many lots are going to end up as low-income families that reside in Somerton.

Judge Manuel Figueroa-Stated that the City of Somerton is in the process of developing a City Ordinance to require that the apartments do have minimum safety features.

Mayor M. Porchas-We'll look into all the issues that Mr. Nukem has in regards to apartment safety.

Councilman J. Yopez-Recommended for Mr. Nukem to go to one of Housing America's meetings to have most of his questions answered.

Judge Manuel Figueroa-Mentioned that the next meeting will be on August 18, 2011 at 6 P.M. at the main office at 130 N. State Ave. Somerton, AZ.

3. *RESOLUTION 2011-024 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOMERTON, ARIZONA, SUPPORTING THE ADOPTION OF THE MULTI-HAZARDS MITIGATION PLAN WITH ALL YUMA COUNTY TOWNS AND CITIES AND THE STATE OF ARIZONA AS ONE PLAN FOR ALL OF YUMA COUNTY.*

Bill Lee-Stated that the County asked the City to pass a Resolution of the adoption.

Mayor M. Porchas entertained a motion to approve Resolution 2011-024. Councilman M. Villalpando moved to approve Resolution 2011-024. Councilman L. Galindo seconded the motion. All voted in favor. Motion passed.

4. *Financial impact on employees due to changes to Arizona State Retirement allocation.*

Doug Bradley-Explained that Senate Bill 1614 was passed recently and that for state employees the amount put in by the employer actually went down by 3%. This was probably state budgetary reason. It is a benefit for the City because the City is putting in a little bit less, but also the employee is putting in a bit more.

Doug Bradley-Proposing if there's a way for the City to step in and maybe offset the difference that the employee is losing on their paycheck.

Bill Lee-Recommended funding \$28K for the employees.

Mayor M. Porchas-Would so it for this year because the way the state is I don't know if they're going to do another cut.

Bill Lee-We can send a letter stating that City Council decides to put forth this money and that it's not guaranteed for years to follow.

Councilman J. Yopez-Would like for Bill Lee to look at the possibilities of checking into the insurance part where no taxes are taken out.

Mayor M. Porchas-Willing to do it this year and then look at other options. This amount will only be for employee currently employed with the City.

Mayor M. Porchas entertained a motion that the City allocates the percentage that the state retirement put in less for the employees on this one year and to be brought back before next year's budget to be looked at, which is estimated to be \$28,305.00. Mayor M. Porchas moved to approve the allocation of the state retirement percentage for this fiscal year only. Councilman M. Villalpando seconded the motion. All voted in favor. Motion passed.

5. *Discussion and possible direction to staff related to contracts for use of the water tower for a cellular use.*

Doug Bradley-Explained that this coming year it's going to be Arizona's Centennial and every city and community has been asked to create a centennial memorial.

Doug Bradley-Looking for direction from City Council.

Mayor M. Porchas-Wants to make sure there is an Ordinance on towers.

6. *Discussion and consideration of FY 11/12 contract for animal control services between the City of Somerton and Humane Society of Yuma.*

Bill Lee-Asking to ratify the contract.

Bill Lee-Stated that the Humane Society is doing more on this contract than they had in the last one. They're supposed to be in the Somerton area in a weekly basis to check the areas.

Bill Lee-Asked Humane Society to check in with the police Department when they arrive in Somerton. They're supposed to give us a monthly report.

Councilman J. Yopez-Asking to have the Humane Society come before City Council and listen to their concerns for the next time they come down.

Mayor M. Porchas entertained a motion to approve contract with Humane Society Yuma. Vice-Mayor A. Magaña moved to approve contract. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

7. *Discussion and possible approval to hire a consulting firm to assist the City with redevelopment planning efforts along Somerton Main Street.*

Bill Lee-Recommended to hire Dave Fackler.

Bill Lee-Believes this is a good step for Somerton and merchants if they get involved.

Mayor M. Porchas-Sales that is what drives the city. This won't be overnight, it's in the future, 20 or 30 years. Guarantees those same merchants won't be here in 10 or 20 years.

Bill Lee-Stated that Dave Fackler is very enthusiastic about this job.

Bill Lee-Taken Dave's advice on the first phase, which was to put parallel parking on Main Street.

Bill Lee-Believes Dave is the right person to make this happen. He's going to do anything in his power.

Bill Lee-This is a long term and it's going to take some time.

Bill Lee-Would like to bring this back before Council if they feel this is the right time.

Vice-Mayor A. Magana-Supported the first phase and had some concerns about the second phase because there were a couple of recommendations that were not ready to implement.

Vice-Mayor A. Magana-Liking the situation because a month ago we talked about adding someone that would help the chamber and economic development, but thinks there is going to be another phase.

Vice-Mayor A. Magana-Thinks Somerton is an excellent downtown area because of the proximity to Mexico and its culture and it can be improved.

Vice-Mayor A. Magana-Supports it, but also wants to have discussions on what's going to happen in the future.

Councilman J. Yepez-Shares the same concerns as Vice-Mayor A. Magana as well as the accountability and how it's going to be implemented. Understands it's a long term project and we do need someone to keep following up. It's going to take someone who knows what Somerton merchants are going through and knows how to attract other businesses.

Councilwoman L. Ramirez-Thinks Mr. Fackler is very knowledgeable, knows what he's doing and does have the experience.

Councilwoman L. Ramirez-Feels comfortable with having Dave Fackler.

Councilman J. Yepez-Would like see some kind of agenda as to the process that he's following through so that Council could have information.

Mayor M. Porchas-Directed City staff to invite Dave Fackler from NFPD to give a presentation and a contract.

8. *Discussion and possible approval of Resolution 2011-023. A resolution of the Mayor and Council of the city of Somerton adopting a residential anti-displacement and relocation assistance plan under section 104 (d) of the Housing and Community Developing Act of 1974 Amended.*

Bill Lee-Asking to readopt Resolution 2011-023 in order to update it which is currently out of the 5 year period.

9. **RESOLUTION 2011-023** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOMERTON ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN UNDER SECTION 104 (D) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AMENDED.

Mayor M. Porchas entertained a motion to approve Resolution 2011-023. Councilman J. Yepez moved to approve the Resolution. Vice-Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

Summary of current events by Mayor, Council Members and or City Manager, pursuant to A.R.S. §38-431.02(K). Provided that the public body does not propose, discuss, deliberate or take legal action on any matter in the summary.

A motion to ADJOURN was made by Mayor Porchas. Motion approved 7-0.

ADJOURNMENT

Meeting was adjourned at 9:10 P.M.



MAYOR MARTIN PORCHAS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Council Meeting for Tuesday, August 16, 2011.



CITY CLERK