



City of Somerton

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REGULAR COUNCIL MEETING

Tuesday, April 21 2009
7:00 P.M.

PUBLIC SAFETY FACILITY TRAINING ROOM
445 EAST MAIN STREET
SOMERTON, ARIZONA

AGENDA

Notification of public meeting pursuant to A.R.S. § 38-431.02

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Call to 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 (G), 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 time.

CONSENT AGENDA

All matter 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 removed from the CONSENT AGENDA and will be considered separately.

1. Minutes for Regular Meeting April 7, 2009 1-5
2. Cash Balance Report for March 2009 6
3. Arizona State Treasure's Statement of Account for March 2009 7-18

OLD BUSINESS

All items are for discussion and possible action

1. Ordinance No. 2009-001 - An Ordinance of the City Council of the City of Somerton, Arizona, annexing to said city the West half of Section 33 and the East half of Section 32, together with the East half of the Northwest Quarter of said Section 32, all in Township 9 South, Range 24 West of the Gila Base Meridian, Yuma County, Arizona. Excepting there from all of that portion thereof lying South of the North Right of Way Line of the State Highway 95. Containing 698.56 acres more or less and legally described in this Ordinance and further described by a map of the area to be annexed.

- a) Second Reading by title only
- b) Approval of Ordinance

Bill Lee 19-22

2. Presentation on "Community Action on Poverty Simulation" by Mr. Greg Stopka and Brian Stephens from City of Yuma.

Mr. Stopka

NEW BUSINESS

All items are for discussion and possible action

1. Resolution No. 2009-015 – A Resolution of the Common Council of the City of Somerton, Arizona, authorizing the execution of a Pre-Annexation Development Agreement between Renee Gearhart, and City of Somerton for development of the #02-08 annexation.

Bill Lee 23-37

2. Resolution No. 2009-016 – A Resolution of the Common Council of the City of Somerton, Arizona, authorizing the execution of a Pre-Annexation Development Agreement between Brenda Tumbaga, and City of Somerton for development of the #02-08 annexation.

Bill Lee 38-51

PUBLIC HEARING

The City of Somerton is expected to received federal CDBG funds from the Arizona Department of Housing Regional Account (RA). CDBG funds must be used to benefit low-income persons and areas alleviate slum and blight or address urgent need. A Public Hearing will be held at the regular City Council meeting at 7:00 pm on April 21, 2009 at Somerton Public Safety Building to discuss the potential projects. Citizens wishing to express their opinion on this proposed annexation may be heard at this time.

Bill Lee 52-53

1. Resolution No. 2009-017 – A Resolution of the Common Council of the City of Somerton, Arizona authorizing the City Mayor to execute and City to attest to the submission of an application for FY 2009 State Community Development Block Grant.

Bill Lee 55-56

EXECUTIVE SESSION (Approximate time – 30 minutes)

3. EXECUTIVE SESSION

a) Vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(1) and (3).

1. Discussion of any and all matters regarding legal advice regarding Housing America Corporation and Desert Valley Estates III.

2. Legal advice re possible litigation involving a former City employee.

COUNCIL TO RECONVENE IN OPEN SESSION

4. Direction to attorney regarding any and all matters regarding Housing American Corporation and Desert Valley Estates III.

Bill Lee

5. Direction to attorney regarding any and all matters regarding possible litigation involving a former City employee.

Bill Lee

6. 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.

* Work Session April 28, 2009 @ 6:30 – 1st Budget review

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and § 504 of the Rehabilitation Act of 1973, the City of Somerton does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in its programs, activities or services. For information regarding rights and provision of the ADA or § 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordination, City of Somerton Human Resources, 110 N. State Avenue, Somerton, Arizona 85350 (928) 627-8866. TDD is the same number.