

CITY OF SOMERTON  
**MINUTES**  
REGULAR COUNCIL MEETING  
OF THE CITY COUNCIL

7:00 P.M.

Tuesday June 15, 2010

**Council Members:**

**Staff:**

M. Porchas, Mayor  
A. Magaña, Vice-Mayor  
L. Ramirez  
G. Anaya  
M. Villalpando  
L. Galindo  
J. Yepez

B. Lee, City Manager (P)  
L. Galaviz, Park & Rec. Dir (P)  
B. Cotman, Intern Chief of Police (P)  
S. Palacios, Int. Public Works Dir (P)  
G.W. Hunt, City Attorney (P)  
M. Figueroa, City Magistrate (A)  
G. Halford, Admin. Svcs. Dir (P)  
VACANT, Com. Dev. Dir (A)  
P. De Anda, Fire Chief (P)

Vice-Mayor Magana called the meeting to order at 7:01 p.m.

Pledge of Allegiance was led by Council member Anaya and recited in unison.

The City Clerk took Roll Call. Mayor Porchas and Council Member Villalpando were absent.

**Call to the Public:**

**COMMENTS:**

John Weil- presented himself running for State Representative for District 24, if anyone is having any issues that concern you that the legislature could deal with I'm available and would like to hear from you. Thank you!

Vice-Mayor Magana- Who are you running against?

John Weil- my opposition is Russ Jones.

Oscar Sanchez- 1077 W. Yucca Street- I have a question concerning The Somerton Youth Center. I have not seen programs. Why?

Vice-Mayor Magana- The one across from King Market? Mr. Sanchez- Yes! Council Member Ramirez- He is talking about Campesinos Sin Fronteras! Mr. Sanchez- The one by the old Police Station. Vice-Mayor Magana- that Youth Center is ran by Campesinos sin Fronteras. You can

contact Emma Torres she is the person to speak to in regards to the Youth Center. If you have any more questions please call Bill Lee.

## **CONSENT AGENDA**

1. Cash Balance for May 2010.
2. Check Register for May 2010.
3. Liquor License for 4<sup>th</sup> of July Splash event.
4. Liquor License for La Isla Bar & Grill.
5. Arizona's State Treasure's Report LGIP for May 2010.
6. Minutes for Regular Council Meeting for June 1, 2010.

Vice -Mayor Magana entered a motion to approve the Consent agenda as presented. Council member Ramirez moved to approve the Consent agenda. Council member Yepez seconded. All voted in favor of the motion. Motion passed.

## **OLD BUSINESS**

### **All items are for discussion and possible action**

1. Fiscal Year 2010-2011 Preliminary Budget Approval.

Gary Halford- actually this item is considered a new item I will jump to item #2 if it ok. Vice-Mayor Magana- that's ok. On an annual basis the Mayor and City Council is asked to approve a "preliminary budget". Once approved the budget can be reduced but cannot be increased. The final budget will be presented to City Council on the 6<sup>th</sup> of July for approval during a Public Hearing on both City Tax and Budget. Our policy goal this year is to maintain service levels in a significantly reduced financial situation. The preliminary budget before you reflects a slight increase in operating expenses and revenues what was adopted for the current FY 09-10 fiscal year, which was \$28,919,284.00. The following list is the main points of our budget decisions that have led to the recommendation of this balanced FY 10-11 Preliminary Budget.

Continuation of Hiring Freeze, Portion of Planner One's Salary to Enterprise Fund, continue Furlough days for next year, Portion of legal fees being paid for by Enterprise Fund, Transfer of funds to General Fund from Court Enhancement Fund, delay hiring of Community Development Move, Delay of the hiring Police Chief, Sales tax increase, Ambulance Fee Increase and outsourcing payroll. The two big ones are the increase of sales tax and increase in ambulance fee increase.

Bill Lee- praised Gary for his hard work in preparing the budget.

Vice-Mayor Magana – entered a motion to approve the preliminary budget. Council Member Yepez moved to approve the Preliminary Budget. Council Member Ramirez seconded the motion. All voted in favor of the motion. Motion passed.

## 2. Sales Tax & Status of the 2010 Budget.

Gary Halford- as decided by the Mayor and Council there will be a monthly presentation on Sales Tax revenue, this presentation will occur monthly as old business during the second City Council meeting of the month. The actual FY2008 Sales Tax Revenue \$1,363.911 Projected FY2010 Sales Tax Revenue \$925,654 and the Budgeted FY2011 Sales Tax Revenue \$1,234.856. Any questions on sales tax.

Council Member Yopez- would like to see that the City send out a mailer telling the businesses that the sales tax have been increased. Still have people tell me that they have not received any notification regarding the increase. I believe there are still businesses out there that are not charging the increase.

Gary Halford- there is no State requirement that they collect the sales tax; the only requirement is that they pay the sales tax. So if you get a receipt and it doesn't have the correct sales tax doesn't mean they are collecting the wrong sales tax.

Vice-Mayor- Or it could mean that they are paying out of their pocket! Gary- Correct.

Bill Lee- will send out some kind of mailer.

**No action required for information only.**

## **NEW BUSINESS**

### **All items are for discussion and possible action**

#### 1. Presentation from Maria Sanchez Raymond for Constable.

Maria S. Raymond- democratic candidate running for constable in JP 2. Currently working for a non-profit in Yuma. Graduated from the AWC police academy and was a reserve for the Sheriff's Department. Believes that the communities of Somerton, Gadsden, and San Luis needs to be served by a Full-time Constable. Would like to thank the City for letting her introduce herself.

#### 2. Greater Somerton Chamber of Commerce reporting.

Agustin Tumbaga- member of the chamber of commerce updated the council on all the activities and functions in the past 6 years. There is \$6000.00 left in the Chamber budget and can't get any participation so we would like to turn the Chamber over to the City of Somerton. We don't want to close the Chamber since we feel it is very important to the community. We feel that with the leadership of the Council it will bring new faces to the board and reactivated it.

Vice-Mayor Magana- How long can an organization be on Non-Profit status? Agustin- never ends as long as the reports are being turned in and that's what I'm here to present.

Jerry Hunt- the problem is that if the City takes it over all the laws have to apply. But if individually you want to join that is no problem. Chamber could also donate the money to the City with recommendations on what to do with the money.

Bill Lee- spoke to Agustin earlier and we both agree that the Chamber is important to the City. I believe the Chamber is vital for our community. Maybe staff could help to find new members. I don't think that the Chamber should be ran by the City.

Vice – Mayor Magana- Agustin you mentioned that there's a core group and few that do the work? Is the core group the revenue producing business in town? Agustin- Myself and Council member Jose Yepez.

Council Member Yepez- one of the complains were the fees! We tried to make events and from that we would pay for the fees which were \$75.00 per year but still it didn't work. Tried to accommodate everyone but it started dwindling little by little.

Vice-Mayor Magana – I personally think that the City needs a Chamber, but I don't know that the City is the right entity to have it at this point. So let's pursue.

Bill Lee – let us as staff do a little research and then come back to council, and hopefully have some kind of recommendation. Certainly don't want the Chamber to die.

Agustin – also what you as Council could do is appoint someone from Council to get involved in the Chamber just a suggestion, because they could be your voice in the meetings and keep you the Council informed.

3. ORDINANCE 2010-004 AN ORDINANCE OF THE MAYOR AND CITY COUNCIL AMENDING SECTION 8.1.B(t), GENERAL COMMERCIAL DISTRICT (C-2): PERMITTED USES, TO ARTICLE 2-7-8 OF THE SOMERTON ZONING ORDINANCE; AND FOR SEVERABILITY
  - a) First Reading by Title Only
  - b) Approval of Ordinance
  - c)

Bill Lee- we need to take this back to planning and zoning so we ask that this item be removed at this point and we will bring in the next 30 days or so.

Vice-Mayor Magana – And the reason? Bill – there needs to be some changes that probably need some input from planning and zoning so that they can make a recommendation too. Council member Jose Yepez- I read the ordinances and it is closing the doors for any type of schools on the main street corridor, I think if it all possible we can leave it open to where we have conditional use permits available for that and maybe the students are in the back area where they are not exposed. It does create employed and people who attend to buy around the businesses. I don't want to close the doors completely.

Bill Lee- we discussed this very matter today Carmen and I about a possible use permit. Vice-Mayor Magana- one of the reasons we did this was that we wanted they businesses to be revenue

producing. Right? So if that meets the criteria that Mr. Yepez is saying it will pay. Bill – one of the concerns we had was taking the prime retail anything other than prime retail since we don't have that much retail space. Jerry Hunt- if you recall we did a minor amendment to the general plan but what council member Yepez said is correct this is designed to keep schools out. Vice-Mayor Magana – so how do we give the input so it can get to Planning and Zoning so that they can consider it. Jerry Hunt- that something you can tell Bill or you are all welcome to attend. Council member Yepez so the direction is that when it gets to planning and zoning would be to look into the options of having conditional use permits.

Vice-Mayor Magana- entered a motion to table this item for further presentation at a later day. Council member Anaya moved to table item. Council member Ramirez seconded the motion. All voted in favor of the motion. Motion passed.

4. RESOLUTION 2010-012 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOMERTON, ARIZONA, SUPPORTING THE MARINE CORPS AIR STATION YUMA (MCAS YUMA) AS A PRIMARY TRAINING SITE FOR THE F-35 JOINT STRIKE FIGHTER

Bill Lee- this resolution is simply supporting F-35 joint strike fighter here to MCAS.

Vice-Mayor Magana entered a motion to approve Resolution 2010-012. Council Member Yepez moved to approve Resolution 2010-012. Council member Anaya seconded the motion. All voted in favor of the motion. Motion passed.

**A motion to ADJOURN was made by Vice-Mayor Magana. Motion approved 5-0.**

**ADJOURNMENT**

**Meeting was adjourned at 8:10 P. M.**

  
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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 of Tuesday June 15, 2010.**

  
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CITY CLERK