

CITY OF SOMERTON
MINUTES
REGULAR COUNCIL MEETING
OF THE CITY COUNCIL

7:00 P.M.

Tuesday November 01, 2011

Council Members:

M. Porchas, Mayor (P)
A. Magana, Vice-Mayor (P)
J. Yepez (P)
G. Anaya (P)
M. Villalpando (P)
L. Ramirez (P)
L. Galindo (P)

Staff:

Bill Lee, City Manager (P)
Louie Galaviz, Park & Rec Dir (P)
B. Cotman, Chief of Police (P)
S. Palacios, Interim Public Works Dir (P)
G.W. Hunt, City Attorney (P)
M. Figueroa, City Magistrate (A)
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 7:01 P.M.

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

All members of the Council were present.

Call to the Public:

Mrs. Maria A. Medina, from 833 W. Jacobs St- assisted to the meeting to ask for information about not having a wall on the back of her property and what she can do to have privacy, she also mentioned that there is a hold on the road behind of her property.

Mayor Martin Porchas- Mentioned that the City Manager will take care of her situation and because she was not in the agenda for tonight there is no action to take also Mayor said that someone will contact her soon.

Agustin Tumbaga from 235 W. Main ST Assisted to the meeting to invite everybody to the Annual Josefina Yepez Cancer Foundation Walkathon, he also explained the reason of this Walkathon and what is the process to qualify for this assistance.

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 October 18, 2011.
2. Application for Special Event Liquor License From el Diablito ASU Alumni Chapter

Mayor Porchas entered a motion to approve the consent agenda. Councilman J. Yopez moved to approve the consent agenda. Vice Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

OLD BUSINESS

All items are for discussion and possible action.

NEW BUSINESS

All items are for discussion and possible action.

1. Discussion and possible approval of Construction Services Agreement Electrical to provide solar for three locations within the City of Somerton facilities. (Water Treatment Plant, Senior Center, and Public Safety building).

Bill Lee – Recommended to approve the contract between Mac Electric and the City of Somerton to provide solar for our tree locations

Jose Yopez- asked about maintenance on the Solar Panels especially for the ones that are going to be at Public Works facility.

Bill Lee – Mentioned that we are aware of the system and Public Works knows where our water line are and will not be affected.

The president of the Mac Electric- Mentioned that in the Maintenance Contract is established that there is a by annual agreement that the company will come up to clean the panels and once a year they will be here to give any maintenance that may be needed.

She also mentioned that there will be a change on the Watts for \$48,000.00 less.

Mayor Porchas entered a motion to approve Construction Service Agreement with Mac Electrical. Councilman M. Villalpando moved to approve this agreement. Vice Mayor A. Magana seconded the motion. All voted in favor. Motion passed.

2. Discussion and Possible approval of Annual Operations and Maintenance Contract between the City of Somerton and Mac Electric to care for the upcoming solar projects at the Public Safety Building, Water Plant, and Senior Center. This agreement is for 10 year period.

Mayor Porchas entered a motion to approve Annual Operation & Maintenance with Mac Electrical. Councilman M. Villalpando moved to approve this agreement. Councilman L. Galindo seconded the motion. All voted in favor. Motion passed.

3. **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

- a) First reading by Title Only
- b) Approval of Ordinance

Doug Bradley-Recommended to Council to delete the expiration of 3.3% City Tax Code Approved on Ordinance 2010-001 which established that city tax will go back to 2.5% at end of this fiscal year.

Doug Bradley- Recommended – approved Ordinance 2011-014 which will maintain indefinitely the City Tax Code at 3.3%.

Bill Lee – Mentioned that we still we lower compare with City of San Luis and City of Yuma.

Mayor Porchas entered a motion to approve Ordinance no. 2011-014 relating to the Privilege License Tax first reading by Title Only. Councilman L. Galindo moved to approve this Ordinance. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed.

4. **RESOLUTION NO. 2011-027.** CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION APPROVING THE SALE AND EXECUTION AND DELIVERY OF PLEDGED REVENUE OBLIGATIONS EVIDENCING A PROPORTIONATE INTEREST OF THE OWNERS THEREOF IN A PURCHASE AGREEMENT IN ONE OR MORE SERIES; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF NECESSARY DOCUMENTS; DELEGATING AUTHORITY TO DETERMINE CERTAIN MATTERS AND TERMS WITH RESPECT TO THE FOREGOING AND DECLARING AN EMERGENCY.

Mark Reader, From Stone & Youngberg - Explained to Council what will be their responsibilities with the City as Underwriter, also explained what type of bond they will be using which is call Qualify Energy Conservation Bond (QECB)

Mark Reader- Explained that their job will be shortly with the City of Somerton; maybe in about ten days go to the market place as Underwriter and sale the bonds to investors.

Mark Reader – Mentioned different procedure than they will be following at the time they will be selling the bonds like Structure Consideration, Rates plummeted, Tax credit rate, Sources and uses of funds, Impact of federal subsidy, and Legal covenants.

Michel Cafisu – Explained that what they are doing for the City of Somerton is something that they are not doing for anybody else, also mentioned that this program is a amazing program that will benefit the City , also mentioned the legal procedure the City has to follow

Michel- Explained about different documents the City will have to authorize tonight like Purchase of Contract which is part of the transaction, the obligation Purchase Contract, and the Official Stamen.

Mayor Porchas entered a motion to approve Resolution 2011-027 Consideration and possible adoption of this resolution approving the sale, execution and delivery of pledged revenue. Councilman M. Villalpando moved to approve this Ordinance. Councilman L. Galindo seconded the motion. All voted in favor. Motion passed.

Mayor Porchas entered a motion to approve Documents related to Qualified Energy Conservation Bonds. Councilman J. Yopez moved to approve this Ordinance. Councilman M. Villalpando seconded the motion. All voted in favor. Motion passed

5. Execution of any and all other documents related to the Qualified Energy Conservation Bonds issue.

Bill Lee - Recommended approved hiring Stone & Youngberg.

Mayor Porchas entered a motion to approve Documents related to Qualified Energy Conservation Bonds. Councilman J. Yopez moved to approve hiring Stone & Youngberg. Councilman M. Villalpando seconded the motion. All voted in favor. Motion passed

6. Discussion and possible approval of addendum to the Property lease for the Somerton Senior Center for the placement of solar panels for this facility.

Bill Lee

Bill Lee- Recommended to Council approve the Addendum to the property lease with HAC.

Mayor Martin Porchas entered a motion to approve The Property Lease with HAC. Councilman J. Yopez moved to approve the Lease. Councilwoman L. Ramirez seconded the motion. All voted in favor. Motion passed

7. **A RESOLUTION NO. 2011-026 OF THE COMMON COUNCIL OF THE CITY OF SOMERTON, ARIZONA AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN STATES OF ARIZONA AND THE CITY OF SOMERTON FOR DESIGN AND CONSTRUCTION OF THE SOMERTON CANAL ENHANCEMENT PROJECT.**

Sam Palacios

Sam Palacios – Recommended the approved of this resolution base on the information he presented to them.

Mayor Martin Porchas entered a motion to approve Resolution no. 2011-026. Councilman G. Anaya moved to approve Resolution no. 2011-026. Councilman M. Villalpando seconded the motion. All voted in favor. Motion passed

Meeting was adjourned at 8:38 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 1, 2011.



CITY CLERK