

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

7:00 P.M.

Tuesday, December 01, 2009

**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. 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	(A)
L. Galindo	(P)	G. Halford, Admin. Svcs. Dir	(P)
		Cliff O'Neill, 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 Councilman Anaya and recited in unison.

All members of the Council were present.

**Call to the Public**

**None**

**CONSENT AGENDA**

1. Minutes for Work Session of November 12, 2009.
2. Minutes for Regular Council Meeting of November 17, 2009.

Mayor Porchas entertained a motion to approve Consent Agenda as presented. Vice-Mayor Magana moved to approve Consent Agenda. Councilman Galindo seconded the motion. All voted in favor. Motion passed.

**NEW BUSINESS**

*All items are for discussion and possible action.*

1. *Census Presentation for 2010.*

**Juan Carlos Escamilla**, 1578 E. California St., San Luis, AZ-Gave brief update on some of the activities that's being going on in the Somerton Community and create awareness and educate the community about the importance of the Census.

## **OLD BUSINESS**

*All items are for discussion and possible action.*

1. **RESOLUTION 2009-039** A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOMERTON, ARIZONA AUTHORIZING THE EXECUTION OF A PRO RATA PAYBACK AGREEMENT WITH YEPKO AZ, L.L.C. FOR CONSTRUCTION OF AN OVERSIZED SEWER LIFT-STATION AND WATER LINE ON THE WEST SIDE OF THE CITY.

**Bill Lee**-Cliff O'Neill is working on numbers.

**Bill Lee**-Recommends to bring back this item on a later date after hiring another engineer.

**Agustin Tumbaga**, 235 Main St., Somerton, AZ.-Commented that it was his understanding that there were no issues. The major issue on this project is the lift-station.

**Agustin Tumbaga**-Stated that if the problem is the lift-station, there is no problem of it being stricken from the agreement and brought back to Council.

**Bill Lee**-Apologized to Council and everyone for informing everyone about the tabling of this item in such a short notice.

**Councilman Villalpando**-Would like to see the line-items on the invoices.

**Agustin Tumbaga**-Needs direction to what council would want.

**Vice-Mayor Magana**-Provided guidance to staff in regards to the next meeting.

**Irma Myers**, 1557 S. 33<sup>rd</sup>. Yuma, AZ.-Petitioned to table item.

Mayor Porchas entertained a motion to table Resolution for next meeting. Councilman Villalpando moved to table Resolution. Councilman Anaya seconded the motion. Councilman Yopez abstained.

2. *Final Plat for Las Estrellas Subdivision Unit No. 6.*

**Cliff O'Neill**-Stated that the final plat has been reviewed by Tim Eisenman of Nicklaus Engineering and all the technical changes made.

Mayor Porchas entertained a motion to approve Final Plat for Las Estrellas with the conditions as stated. Councilman Yopez moved to approve Final Plat. Vice-Mayor Magana seconded the motion. There was one Nay. Motion passed.

3. *Contract PPA Partners for a Power Purchase Agreement to be located at the City of Somerton's Waste Water Treatment Plant.*

Mayor Porchas entertained a motion to approve the PPA Partners for a Power Purchase Agreement. Councilman Villalpando moved to approve Power Purchase Agreement. Vice-Mayor Magana seconded the motion. All voted in favor. Motion passed.

## **NEW BUSINESS**

*All items are for discussion and possible action.*

2. *Discussion and possible direction to request proposals for performing prosecution services for the city.*

**Bill Lee**-Looking for direction from Council.

**Councilman Villalpando**-Bring back guidelines.

3. *Parks and Recreation Commission Appointment.*

**Not Available on recording.**

4. *Planning & Zoning Commission Appointment.*

**Cliff O'Neill**-Advertise for 8/2011.

5. **ORDINANCE 2009-009** AN ORDINANCE OF THE CITY OF SOMERTON AMENDING ORDINANCE NO. 267 AND REZONING CERTAIN AREAS ANNEXED (#01-09) INTO THE CITY FOR REAL PROPERTIES DESCRIBED HEREIN AS THE WEST HALF OF SECTION 32 AND THE SOUTHWEST QUARTER OF SECTION, TOGETHER WITH THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, ALL IN TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND RIVER BASE MERIDIAN, YUMA COUNTY, ARIZONA, CONTAINING 320.57 ACRES MORE OR LESS, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A", ATTACHED HERETO, FROM COUNTY RA-10 TO CITY AG-20 AND CITY C-2, COUNTY HI TO CITY HI, COUNTY L-1, AND AMENDING THE ZONING MAP TO CONFORM THERETO.

- a) *First Reading by Title Only*
- b) *Approval of ordinance*

Mayor Porchas entertained a motion to approve the First Reading by Title Only. Councilman Villalpando moved to approve the First Reading. Vice-Mayor Magana seconded the motion. All voted in favor. Motion passed.

Mayor Porchas entered a motion for the Approval of Ordinance. Councilman Villalpando moved to approve the Approval of Ordinance. Vice-Mayor Magana seconded the motion. All voted in favor. Motion passed.

6. **ORDINANCE 2009-010** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOMERTON, ARIZONA, AMENDING ARTICLE 2-7 OF THE SOMERTON CITY CODE BY REVISING THE SUBDIVISION ORDINANCE, SECTION 26, APPENDIX, LANGUAGE AND DEFINITIONS, BY ADDING A DEFINITION ENTITLED VEHICLAR NON-ACCESS EASEMENT, AND PROVIDING FOR SEVERABILITY.

- a) *First Reading by Title Only*
- b) *Approval of ordinance*

**Cliff O'Neill**-Stated that City has required developers to put vehicle non-access easements along certain lots in order to ensure smooth traffic flow on our major streets and enhance vehicle and pedestrian safety within residential areas.

**Cliff O'Neill**-Commented that the Community Development Department began enforcing these non-access easements along minor arterial streets last year by requiring residents to remove gates from their property walls that are large enough to drive vehicles through.

**Cliff O'Neill**-The Planning & Zoning Department recommends the approval of the Non-Access Easement to the subdivision Code and the block wall deletion of permits in residential lots.

Mayor Porchas entertained a motion to approve the First Reading by Title Only. Councilman Yepez moved to approve the First Reading. Vice-Mayor Magana seconded the motion. All voted in favor. Motion passed.

Mayor Porchas entered a motion for the Approval of Ordinance. Councilman Yepez moved to approve the Approval of Ordinance. Vice-Mayor Magana seconded the motion. All voted in favor. Motion passed.

7. *IGA Agreement for Information Technology Services, City of Yuma and the City of Somerton.*

**Gary Halford**-Stated that the City has had no internal IT support since November 2008 and in order to fill that void, Captain Cotman has been assisting whenever and however he can.

**Gary Halford**-Commented that this agreement would provide services not only for desk top personal computer troubleshooting but also for web-site design and implementation.

Mayor Porchas entertained a motion to approve the Intergovernmental Agreement. Councilman Villalpando moved to approve the Agreement. Councilman Galindo seconded the motion. Councilman Anaya abstained. Motion passed.

8. *Sales Tax Increase ½ Percent from 2.5% to 3.0%.*

**Gary Halford**-Stated that in order to increase city revenue for the General Fund, the possibility of increasing the city's sales tax general rate of 2.5% to 3.0% should be explored.

**Gary Halford**-In order to generate the projected \$915,000 in sales tax revenue requires that \$36,600,000 worth of goods and services be spent in the City of Somerton.

**Gary Halford**-Recommends for Council discuss the positive and negative aspects of the sales tax increase for future consideration.

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.**

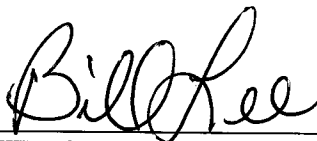
**ADJOURNMENT**

**Meeting was adjourned at 9:50 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 for Tuesday, December 01, 2009.**

A handwritten signature in cursive script that reads "Bill Kee". The signature is written in black ink and is positioned above a horizontal line.

**CITY CLERK**