

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
November 1, 2011
5:00 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Greg Wilkinson
Various department heads or their representatives
City Clerk, Lynda Bushong

I. REGULAR CITY COUNCIL MEETING AGENDA OF NOVEMBER 2, 2011

Public Hearing item A: Land Use Assumptions and Infrastructure Improvements Plan

Wilkinson requested that the public hearing be continued to the Regular Council Meeting of November 16, 2011.

Adoption of Ordinances Consent Agenda item C: Ordinance O2011-39 Local Preference

Mayor Krieger stated that he has received a number of calls from construction companies and contractors that are unhappy with the proposed ordinance. The ordinance appears to be setting up several unintended consequences and could pit local contractors against each other eliminating the possibility of some contractors submitting bids. Mayor Krieger acknowledges that this focuses on a narrow area of the entire intent of the local preference, however, in the instance of a road construction project that could be in the millions of dollars, a 5% local preference could eliminate several of the Yuma community contractors. Because there is a tremendous amount of work involved in submitting a bid, the 5% local preference might discourage contractors in submitting bids. Additionally, the section that states that 50% of the subcontractors must be local might create a problem as well. As a result, Mayor Krieger is convinced that this ordinance needs a lot more work before Council takes action. **Stuart** stated that local preference was approved by the voters and he is not comfortable making changes at this late date. Stuart suggests proceeding with the ordinance and doing revisions as needed. **Mayor Krieger** stated that although the voters approved to have a local preference, specifics such as the percentage and what services are involved or excluded are not yet determined, but according to Moore it must be confined to City proper. Mayor Krieger requested further explanation. **Wilkinson** stated that this item can be further discussed during Executive Session. However, the voters, by an overwhelming majority, have voted for this to move forward. A number of phone calls have been received from different businesses and some of the concerns raised during these discussions with members of the construction industry were valid, the concern is these issues can be an issue in every industry. Wilkinson doesn't see a problem if Council wants to make changes to the numbers in the ordinance. The ordinance stipulates that for larger contracts there is a local preference cap of

\$100,000. There are bound to be arguments for or against local preference based on the location of each contractor.

Mayor Krieger inquired if the question presented to the voters was that the City of Yuma shall have a local preference ordinance and if it specified the percentage or details of the ordinance. **Wilkinson** indicated that the voters approved the City's adoption of a local preference ordinance without specific details of what the ordinance would entail. The ordinance was written in an attempt to make it as general as possible and by incorporating language from a draft submitted by local entities and language from local preference ordinances from other cities.

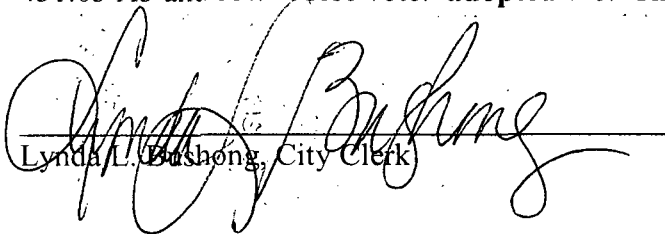
Johnson agreed with Councilmember Stuart in that it is late in the process to pull this ordinance to make adjustments based on complaints from specific sectors. If during the implementation process it is discovered that there is a significant problem, the problem can be assessed and changed. Several of the items being brought up now were specifically mentioned during the discussion of this ordinance. In some cases contractors made the decision to have their property removed from annexation because they didn't want to be within City limits. It would be unfair to give the same preference to contractors that are not within City limits and are not paying City property tax or City sales tax. **Mayor Krieger** stated that he expects some people will be speaking on this tomorrow and that may help us understand their position on this and why it is a challenge for them.

II. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION

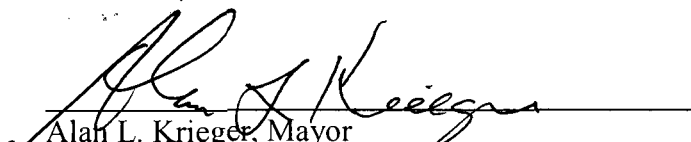
Stuart requested, in light of the upcoming Centennial year, a proposal to rename the Yuma Cemetery to the Yuma Pioneer Cemetery be placed on a future agenda.

III. ADJOURNMENT/EXECUTIVE SESSION

Motion (Mayor Krieger/McClendon): To adjourn the meeting to Executive Session for the items listed on the Executive Session Agenda and Motion Consent Agenda item B.5., under A.R.S. § 38-431.03 A3 and A4. Voice vote: **adopted** 7-0. The meeting adjourned at 5:15 p.m.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of: December 21, 2011
City Clerk: 