



THE CITY OF DOUGLAS

425 10TH STREET, DOUGLAS, ARIZONA 85607

TELEPHONE (520) 417-7302 FAX (520) 417-7143

Brenda Aguilar
City Clerk

AGENDA – WITH ACTIONS TAKEN

DOUGLAS MAYOR AND CITY COUNCIL
SPECIAL MEETING – FEBRUARY 10, 2010
AT OR AFTER 4:30 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER/ROLL CALL.

| | PRESENT | ABSENT |
|---|---------|--------|
| MAYOR, DR. MICHAEL GOMEZ | X | |
| COUNCIL MEMBER MARGARET MORALES-WARD ONE | X | |
| COUNCIL MEMBER MITCH LINDEMANN-WARD TWO | X | |
| COUNCIL MEMBER BOB FERNANDEZ - WARD THREE | X | |
| COUNCIL MEMBER RAY SHELTON – WARD FOUR | X | |
| COUNCIL MEMBER IVAN HUIH - WARD FIVE | X | |
| COUNCIL MEMBER LOUIE ACEDO – WARD SIX | X | |
| CITY MANAGER- CURTIS SHOOK | X | |
| CITY ATTORNEY-JUAN PABLO FLORES | X | |
| FINANCE DIRECTOR-JORGE TREVIÑO | X | |
| CITY CLERK - BRENDA AGUILAR | X | |

2. DISCUSSION/DECISION TO CALL FOR AND CONDUCT AN EXECUTIVE SESSION UNDER THE AUTHORITY OF A.R.S. § 38-431.03 (A) (4) TO CONSULT WITH THE CITY ATTORNEY FOR LEGAL ADVICE REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING CARLOS “YOGI” ORTIZ, AN ASSESSMENT LIEN FORECLOSURE AGAINST THE HARTMAN PROPERTY LOCATED AT 201 16TH STREET, AND A CIVIL RIGHTS CLAIM AGAINST CITY OF DOUGLAS POLICE DEPARTMENT PERSONNEL AND UNDER THE AUTHORITY OF A.R.S. § 38-431.03 (A) (4) TO CONSULT WITH THE CITY ATTORNEY REGARDING DONATION OF PROPERTY, BY THE HALPERN AND MARGOLIS FAMILY, LOCATED AT THE ADJACENT NORTHEAST CORNER OF 5TH STREET AND JEFFERSON AVENUE

Motion PASSED by a vote of 7-0.

“Douglas – the premier southwestern border community.”

3. ADJOURNMENT: 5:13 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, February 11, 2010, @ 11:30 a.m. by

**Patty Granados
Administrative Secretary**

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY OF DOUGLAS DOES NOT, BY REASON OF A DISABILITY, EXCLUDE FROM PARTICIPATION IN OR DENY BENEFITS OF SERVICES, PROGRAMS OR ACTIVITIES OR DISCRIMINATE AGAINST ANY QUALIFIED PERSON WITH A DISABILITY. INQUIRIES REGARDING COMPLIANCE WITH ADA PROVISION, ACCESSIBILITY OR ACCOMMODATION CAN BE DIRECTED TO FRANK PINON WITHIN 72 HOURS AT PHONE/TDD NO. (520) 417-7329, FAX (520) 417-7143, 425 TENTH STREET, DOUGLAS, ARIZONA 85607.



THE CITY OF DOUGLAS

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TELEPHONE (520) 417-7302 FAX (520) 417-7143

Brenda Aguilar
City Clerk

AGENDA – WITH ACTIONS TAKEN

DOUGLAS MAYOR AND CITY COUNCIL
REGULAR MEETING – FEBRUARY 10, 2010
AT 6:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE: By Council
3. INVOCATION: By Council Member Huish
4. ROLL CALL

| | PRESENT | ABSENT |
|---|---------|--------|
| MAYOR, DR. MICHAEL GOMEZ | X | |
| COUNCIL MEMBER MARGARET MORALES-WARD ONE | X | |
| COUNCIL MEMBER MITCH LINDEMANN-WARD TWO | X | |
| COUNCIL MEMBER BOB FERNANDEZ - WARD THREE | X | |
| COUNCIL MEMBER RAY SHELTON – WARD FOUR | X | |
| COUNCIL MEMBER IVAN HUIH - WARD FIVE | X | |
| COUNCIL MEMBER LOUIE ACEDO – WARD SIX | X | |
| CITY MANAGER- CURTIS SHOOK | X | |
| CITY ATTORNEY-JUAN PABLO FLORES | X | |
| FINANCE DIRECTOR-JORGE TREVIÑO | X | |
| CITY CLERK - BRENDA AGUILAR | X | |

5. PRESENTATION OF AWARDS

Not an action item – no action taken.

“Douglas – the premier southwestern border community.”

6. DISCUSSION/DECISION ON CONSENT AGENDA ITEMS:

- A. EXPENDITURES FOR THE MONTH OF JANUARY 2010, TOTALING \$1,961,835.61.
- B. MEETING MINUTES FOR JANUARY 13, 2010.
- C. APPROVAL OF BID PROPOSAL SUBMITTED BY AECOM DESIGN & PLANNING FOR THE PHELPS DODGE MERCANTILE DOWNTOWN STRATEGIC PLAN IN THE AMOUNT OF \$55,943.

Motion PASSED by a vote of 7-0.

7. RESIGNATIONS AND APPOINTMENTS.

Motion PASSED by a vote of 7-0 to appoint Lawana Diffie to the Library Committee and to appoint Felix Soto to the La Perilla Board.

8. PRESENTATION/DISCUSSION BY DEPUTY WARDEN ANTONIO BACA AND WARDEN R. ALLEN BOCK PERTAINING TO INMATE WORK CREWS.

Not an action item – no action taken.

9. DISCUSSION/DECISION ON APPROVAL OF PETITIONS TO RENAME THE LITTLE LEAGUE FIELD ON 15TH STREET AND ESTRELLA AVENUE.

Motion PASSED by a vote of 7- 0 to postpone/table the agenda item for further consideration and to direct city staff to return with criteria to further consider a policy.

10. PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.

Not an action item – no action taken.

11. PRESENTATION/DISCUSSION BY FIRE CHIEF, MARIO NOVOA, REGARDING EMERGENCY MEDICAL SERVICES/AMBULANCE RATE INCREASE.

Not an action item – no action taken.

12. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-659, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE CITY OF DOUGLAS TO ENTER INTO AN AGREEMENT WITH THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY (GOHS) TO PARTICIPATE AS PROGRAM ADMINISTRATOR IN THE CHILDREN ARE PRICELESS PASSENGERS (CAPP) PROGRAM.

Motion PASSED by a vote of 7-0.

13. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-660, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, AUTHORIZING THE CITY OF DOUGLAS TO ENTER INTO AN AGREEMENT WITH FEMA FOR A REIMBURSABLE GRANT TO BE UTILIZED FOR THE PURCHASE OF FIREFIGHTERS PERSONAL PROTECTIVE EQUIPMENT TO FIGHT WILD-LAND FIRES.

Motion PASSED by a vote of 7-0.

14. PRESENTATION/DISCUSSION BY PUBLIC WORKS DIRECTOR/CITY ENGINEER, CARLOS DE LA TORRE, REGARDING THE CITY'S POTABLE WATER STORAGE FACILITIES.

Not an action item – no action taken.

15. PRESENTATION/DISCUSSION BY PUBLIC WORKS DIRECTOR/CITY ENGINEER, CARLOS DE LA TORRE, REGARDING THE FEMA EMERGENCY MANAGEMENT ADMINISTRATION (FEMA) PROVISIONAL ACCREDITED LEVEE (PAL) AGREEMENT IN ORDER TO COMPLY WITH THE NATIONAL FLOOD INSURANCE PROGRAM.

Motion PASSED by a vote of 7-0.

16. DISCUSSION/DECISION ON APPROVAL OF THIRD READING OF ORDINANCE NO. 09-976, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING ORDINANCE NO. 574, 577, AND 09-959 AND AMENDING TITLE 5 OF THE DOUGLAS MUNICIPAL CODE RELATING TO BUSINESS LICENSES BY AMENDING SECTIONS 5.02.010, 5.02.020, 5.02.030, 5.02.040, 5.02.070, 5.02.080, 5.02.110, 5.02.120, AND 5.02.150; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 7-0.

17. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-977, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING CHAPTER 8.04 RELATING TO ALARM SYSTEMS, LICENSES AND PERMITS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 7-0.

18. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-978, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, ESTABLISHING USER FEES FOR FINGERPRINTING SERVICES TO BE PERFORMED BY THE DOUGLAS POLICE DEPARTMENT; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 7-0.

19. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-979, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, INSTITUTING VEHICLE IMPOUND FEES AS PART OF CHAPTER 10 OF THE MUNICIPAL CODE ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 7-0.

20. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-661, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, AUTHORIZING THE EXECUTION OF AN EMPLOYMENT CONTRACT EXTENSION BETWEEN THE CITY OF DOUGLAS AND CITY ATTORNEY, JUAN PABLO FLORES.

Motion PASSED by a vote of 7-0.

- 21. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-662, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, AUTHORIZING THE CITY OF DOUGLAS TO APPLY FOR GRANT FUNDING AND ENTER INTO AN AGREEMENT WITH THE STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR A REIMBURSABLE GRANT FUND ALLOCATION IN AN AMOUNT NOT YET DETERMINED FOR OVERTIME, MILEAGE, AND EQUIPMENT UNDER OPERATION STONEGARDEN GRANT PROGRAM.**

Motion PASSED by a vote of 7-0.

- 22. DISCUSSION/DECISION ON APPROVAL TO ACKNOWLEDGE RECEIPT OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2008/2009.**

Motion PASSED by a vote of 7-0.

- 23. MAYOR'S REPORT.**

Not an action item – no action taken.

- 24. COUNCIL MEMBERS' REPORTS.**

Not an action item – no action taken.

- 25. CITY MANAGER'S REPORT.**

Not an action item – no action taken.

- 26. CITY ATTORNEY'S REPORT.**

Not an action item – no action taken.

- 27. ADJOURNMENT: 9:09 p.m.**

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, February 11, 2010, @ 10:30 a.m. by

**Patty Granados
Administrative Secretary**