



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 – APRIL 14, 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 (excused)
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 (excused)
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 BY THE CITY OF DOUGLAS AGAINST MT DEVELOPMENT, SAMUEL NIEBLAS EMPLOYMENT MATTER, AND STATEMENT OF CONTEST FOR WARD 2 CITY COUNCIL RACE AND 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 AGAINST THE CITY OF DOUGLAS BY COCHISE COUNTY FAIR ASSOCIATION AND UNDER THE AUTHORITY OF A.R.S. § 38-431.03 (A) (7) TO DISCUSS THE POSSIBLE SALE, PURCHASE, OR LEASE OF PROPERTY THE HIDDEN TREASURES R.V. PARK LOCATED ADJACENT TO THE MUNICIPAL GOLF COURSE AND THE PERILLA ESTATES AND THE GOVERNMENT CENTER PROJECT.

Motion PASSED by a vote of 5-0.

“Douglas – the premier southwestern border community.”

3. ADJOURNMENT: 5:45 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, April 15, 2010, @ 9:30 a.m. by

**Patty Ortiz
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.



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AGENDA – WITH ACTIONS TAKEN

DOUGLAS MAYOR AND CITY COUNCIL
REGULAR MEETING – APRIL 14, 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 Shelton

4. ROLL CALL

	PRESENT	ABSENT
MAYOR, DR. MICHAEL GOMEZ	X	
COUNCIL MEMBER MARGARET MORALES-WARD ONE		X (excused)
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 (excused)
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 MARCH 2010, TOTALING \$2,895,600.32.
- B. MEETING MINUTES FOR FEBRUARY 23 AND MARCH 10, 2010.
- C. APPROVAL OF BID PROPOSAL SUBMITTED BY BORDER MART FOR FUEL SERVICE TO THE CITY OF DOUGLAS.
- D. APPROVAL OF BID PROPOSAL SUBMITTED BY NORTHWEST EXTERMINATING.
- E. APPROVAL OF BID PROPOSAL SUBMITTED BY FALCONE BROTHERS & ASSOCIATES, INC. FOR THE PASEO DE LA AMISTAD TRANSPORTATION ENHANCEMENT PROJECT IN THE AMOUNT OF \$407,057.51.

Motion PASSED by a vote of 5-0.

7. RESIGNATIONS AND APPOINTMENTS.

Motion PASSED by a vote of 5-0 to appoint Craig M. Huges to the Industrial Development Authority.

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

Not an action item – no action taken.

9. PRESENTATION/DISCUSSION BY CARLOS DE LA TORRE, PUBLIC WORKS DIRECTOR/CITY ENGINEER, PERTAINING TO A PROPOSED AMENDMENT OF ZONING CODE ARTICLE 5 – HEAVY INDUSTRY DISTRICT, SECTIONS 510.4 AND 510.5.

Not an action item – no action taken.

10. PRESENTATION/DISCUSSION BY CARLOS DE LA TORRE, PUBLIC WORKS DIRECTOR/CITY ENGINEER, PERTAINING TO A PARKING RESTRICTION ALONG 12TH STREET FROM G AVENUE TO F AVENUE.

Not an action item – no action taken.

11. **DISCUSSION/DECISION ON APPROVAL OF THIRD 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 5-0.

12. **DISCUSSION/DECISION ON APPROVAL OF THIRD 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 5-0.

13. **DISCUSSION/DECISION ON APPROVAL OF THIRD 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 5-0.

14. **DISCUSSION/DECISION ON APPROVAL OF SECOND READING OF ORDINANCE NO. 10-980, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, ESTABLISHING FEES FOR THE DOUGLAS FIRE DEPARTMENT EMERGENCY MEDICAL SERVICES (EMS), ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND DECLARING AN EMERGENCY.**

Motion PASSED by a vote of 5-0 without the emergency clause.

15. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-981, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A LAND AND SMALL HANGAR LEASE AGREEMENT BETWEEN THE CITY OF DOUGLAS AND MED-TRANS CORPORATION AT THE DOUGLAS MUNICIPAL AIRPORT LOCATED AT 3200 E. 10TH STREET IN THE CITY OF DOUGLAS, ARIZONA; ESTABLISHING SEVERABILITY OF COMPONENTS; AND DECLARING AN EMERGENCY.

Motion PASSED by a vote of 5-0 without the emergency clause.

16. DISCUSSION/DECISION ON APPROVAL OF SECOND READING OF ORDINANCE NO. 10-982, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, CONFIRMING ESTABLISHED BUILDING PERMIT AND INSPECTION FEES AND ESTABLISHING LEAD BASE PAINT TESTING/INSPECTION FEES FOR THE CITY OF DOUGLAS PUBLIC WORKS AND NEIGHBORHOODS HOUSING AND GRANTS DEPARTMENT; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 5-0.

17. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-983, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REORGANIZING THE FINANCE DEPARTMENT AND MODIFYING THE ORGANIZATIONAL CHART TO ACCOMMODATE FOR SALES TAX ADMINISTRATION/COLLECTION FUNCTIONS AND CHANGING JOB DESCRIPTIONS ACCORDINGLY BY FUNCTION, TITLE AND/OR RANGE; AND SHARING AN ACCOUNT CLERK I POSITION BETWEEN THE MUNICIPAL COURT AND THE FINANCE DEPARTMENT; ESTABLISHING SEVERABILITY OF COMPONENTS; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

Motion PASSED by a vote of 5-0.

18. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-774, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REPEALING RESOLUTION NO. 07-552 AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY OF DOUGLAS, ARIZONA AND THE WATER INFRASTRUCTURE AUTHORITY OF ARIZONA (WIFA) EVIDENCING A LOAN FROM SAID AUTHORITY TO THE CITY IN AN AMOUNT NOT TO EXCEED \$9,000,000 FOR WASTEWATER TREATMENT PLANT IMPROVEMENTS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND DELIVER ALL DOCUMENTS RELATING TO THE LOAN; AND PLEDGING WASTEWATER SYSTEM REVENUE FEES FOR PAYMENT OF THE LOAN.

Motion PASSED by a vote of 5-0.

19. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-775, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, ADOPTING THE CITY OF DOUGLAS PUBLIC HOUSING AUTHORITY'S (THE "PHA") FIVE YEAR PLAN FOR FY 2010-2014; ANNUAL PLAN AND ADMINISTRATIVE PLAN FOR FY 2010.

Motion PASSED by a vote of 5-0.

20. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-776, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION(S) FOR FY 2010 STATE COMMUNITY DEVELOPMENT BLOCK GRANT REGIONAL ACCOUNT FUNDS, CERTIFYING THAT SAID APPLICATION(S) MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

Motion PASSED by a vote of 5-0.

21. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-777, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, COMMITTING LOCAL FUNDS AS LEVERAGE FOR A FY 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION(S).

Motion PASSED by a vote of 5-0.

22. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-778, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, AUTHORIZING THE TRANSITION OF THE LOCAL SALES TAX ADMINISTRATION/COLLECTION FROM A PROGRAM CITY TO A NON-PROGRAM CITY WITH THE ARIZONA DEPARTMENT OF REVENUE.

Motion PASSED by a vote of 5-0.

23. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-779, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, CALLING ATTENTION TO THE NEED TO SECURE ARIZONA'S BORDERS.

Motion PASSED by a vote of 5-0.

24. MAYOR'S REPORT.

- March 25, 2010, GSA meeting regarding port of entry expansion

Not an action item – no action taken.

25. COUNCIL MEMBERS' REPORTS.

Margaret Morales:

- Cleanup issue at 919 5th Street
- Restriping of turn lanes on the west side of 5th Street and Pan American and the crosswalks on 5th Street and Pan American Avenue

Not an action item – no action taken.

Bob Fernandez:

- Downtown development contract status

Not an action item – no action taken.

Louie Acedo:

- Alley cleanup and garbage containers
- Council notification pertaining to personnel matters

Not an action item – no action taken.

26. CITY MANAGER’S REPORT.

- **AECOM strategic plan schedule**

Not an action item – no action taken.

27. CITY ATTORNEY’S REPORT.

- **Newly Elected Officials Training in June 2010**
- **Public Meeting Education Seminar in Mid-Summer 2010**

Not an action item – no action taken.

28. ADJOURNMENT: 8:45 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, April 15, 2010, @ 9:30 a.m. by

**Patty Ortiz
Administrative Secretary**

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