

**NOTICE OF PUBLIC MEETING
OF THE
MAYOR AND COMMON COUNCIL
CITY OF DOUGLAS**

Pursuant to A.R.S. Sec. 38-431.02, notice is hereby given to the members of the City Council and to the general public that the Mayor and Common Council will hold a special meeting open to the public on Wednesday, April 14, 2010, at or after 4:30 p.m. and a regular meeting on the same date at 6:00 p.m..

If authorized by a majority vote of the Council of the City of Douglas, the Council may adjourn the meeting at any time and move into Executive Session for legal advice on any agenda item, pursuant to A.R.S. 38-431.03. The Executive Session will be held immediately after the vote to go into Executive Session and will not be open to the public.

AGENDA: A copy of the agenda for this meeting will be available at the office of the City Clerk at 425 Tenth Street, Douglas, Arizona at least twenty-four hours in advance of the meeting.

CONSENT AGENDA:

ORDER, DEFFERRAL AND ACCELERATION OF AGENDA ITEMS, MAY OCCUR, ALONG WITH VOTE WITHOUT DISCUSSION:

Information concerning the consent items has been forwarded to each Council Member prior to this meeting for study and is on file at the City Clerk's Office in City Hall. Unless some other member of the audience or Council Member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the City Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.

Call to the Public

Those wishing to address the Council need not request permission in advance of the meeting. If you wish to speak during Call to the Public, a presentation request form must be completed and submitted to the City Clerk. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

Dated this 9th day of April, 2010.

MAYOR AND COMMON COUNCIL
CITY OF DOUGLAS



THE CITY OF DOUGLAS

425 10TH STREET, DOUGLAS, ARIZONA 85607
TELEPHONE (520) 417-7302 FAX (520) 417-7143

Brenda Aguilar
City Clerk

AGENDA

**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.
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.
3. ADJOURNMENT.

Brenda Aguilar
City Clerk

“Douglas – the premier southwestern border community.”

Posted at City Hall on Friday, April 9, 2010, @ 4:30 p.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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Brenda Aguilar
City Clerk

AGENDA

**DOUGLAS MAYOR AND CITY COUNCIL
REGULAR MEETING – APRIL 14, 2010
AT 6:00 P.M.
CITY HALL - COUNCIL CHAMBER**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. ROLL CALL
5. PRESENTATION OF AWARDS
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.

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- 7. RESIGNATIONS AND APPOINTMENTS.**
- 8. PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.**
- 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.**
- 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.**
- 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.**
- 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.**
- 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.**

- 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.**

- 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.**

- 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.**

- 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.**

- 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.**
- 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.**
- 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.**
- 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).**

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.

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.

24. MAYOR'S REPORT.

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

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**

Bob Fernandez:

- **Downtown development contract status**

Louie Acedo:

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

26. CITY MANAGER'S REPORT.

- **AECOM strategic plan schedule**

27. CITY ATTORNEY'S REPORT.

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

28. ADJOURNMENT.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Friday, April 9, 2010, @ 4:30 p.m. by

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