



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 – MAY 12, 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 BY THE CITY OF DOUGLAS AGAINST MT DEVELOPMENT; AND SAMUEL NIEBLAS AGAINST THE CITY OF DOUGLAS 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 REGARDING THE CLUB 3000 PROPERTY, BY RESIDENTS AFFECTED BY SB 1070, AND BY RESPONDENTS OF CLAIM OF SALES TAX LIENS ISSUED BY THE CITY OF DOUGLAS 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, THE GOVERNMENT CENTER PROJECT AND 5TH STREET AND CHIRICAHUA AVENUE.

Motion PASSED by a vote of 7-0.

“Douglas – the premier southwestern border community.”

3. ADJOURNMENT: 5:53 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, May 13, 2010, @ 1:30 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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City Clerk

AGENDA – WITH ACTIONS TAKEN

DOUGLAS MAYOR AND CITY COUNCIL
REGULAR MEETING – MAY 12, 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.

6. DISCUSSION/DIRECTION PERTAINING TO SB 1070.

Not an action item – no action taken.

“Douglas – the premier southwestern border community.”

7. DISCUSSION/DECISION ON CONSENT AGENDA ITEMS:

- A. EXPENDITURES FOR THE MONTH OF APRIL 2010, TOTALING \$2,034,140.40.**
- B. MEETING MINUTES FOR MARCH 16 AND 29, 2010, AND APRIL 14, 2010.**

Motion PASSED by a vote of 7-0.

8. RESIGNATIONS AND APPOINTMENTS.

Finance Committee Appointments

Motion PASSED by a vote of 7-0.

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

Not an action item – no action taken.

10. PRESENTATION/DISCUSSION BY COUNCIL MEMBER ACEDO PERTAINING TO ALLEY CLEANUP AND GARBAGE CONTAINERS.

Not an action item – no action taken.

11. DISCUSSION/DECISION ON APPROVAL OF THIRD 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 7-0.

12. DISCUSSION/DECISION ON APPROVAL OF SECOND 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 7-0.

13. DISCUSSION/DECISION ON APPROVAL OF THIRD 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 7-0.

14. DISCUSSION/DECISION ON APPROVAL OF SECOND 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 7-0.

15. DISCUSSION/DECISION ON APPROVAL OF THIRD READING OF ORDINANCE NO. 10-984, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING ORDINANCE NO. 10-979 REGARDING VEHICLE IMPOUND FEES AS PART OF CHAPTER 10 OF THE MUNICIPAL CODE; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND DECLARING AN EMERGENCY.

Motion PASSED by a vote of 7-0.

16. DISCUSSION/DECISION ON APPROVAL OF THIRD READING OF ORDINANCE NO. 10-986, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING ARTICLE 5 OF THE CITY OF DOUGLAS ZONING REGULATIONS BY THE ADDITION OF PERMITTED USES TO SECTION 510.4 AND BY THE ADDITION OF PERMITTED CONDITIONAL USES TO SECTION 510.5 HI-HEAVY INDUSTRY ZONING DISTRICT; 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 RESOLUTION NO. 10-780, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, APPROVING THE APPLICATION SUBMITTAL BY THE CITY OF DOUGLAS POLICE DEPARTMENT FOR PUBLIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$25,930.33 FROM THE TOHONO O'ODHAM NATION TO PURCHASE COMMUNICATIONS EQUIPMENT FOR THE BENEFIT OF THE COMMUNITY.

Motion PASSED by a vote of 7-0.

18. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-781, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DOUGLAS AND THE STATE OF ARIZONA ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION IN AN AMOUNT NOT TO EXCEED \$114,000 TO MATCH FEDERAL FUNDS AT A RATE OF 5.7% FOR DESIGN AND CONSTRUCTION OF CHINO ROAD FROM INTERNATIONAL AVENUE TO 5TH STREET IN DOUGLAS, ARIZONA.

Motion PASSED by a vote of 7-0.

19. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-782, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A COLLECTION AGREEMENT(S) BETWEEN THE CITY OF DOUGLAS AND SURETY ACCEPTANCE CORPORATION, AN ARIZONA CORPORATION, TO PROVIDE PROFESSIONAL DEBT COLLECTION SERVICES, INCLUDING AMBULANCE ACCOUNTS AND UTILITY ACCOUNTS FOR THE CITY OF DOUGLAS FINANCE DEPARTMENT.

Motion PASSED by a vote of 7-0.

20. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-783, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, 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 THE AMOUNT OF \$12,035 FOR THE PURCHASE OF INTELLIGENCE SOFTWARE EQUIPMENT UNDER THE OPERATION STONEGARDEN GRANT PROGRAM.

Motion PASSED by a vote of 7-0.

21. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-784, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DOUGLAS AND COCHISE COUNTY TO ESTABLISH A REGIONAL SERVICE CENTER IN THE PHELPS DODGE MERCANTILE BUILDING LOCATED AT 1012 G AVENUE IN DOUGLAS, ARIZONA.

Motion PASSED by a vote of 7-0.

22. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-785, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF DOUGLAS AND BWS ARCHITECTS FOR THE ARCHITECTURAL AND ENGINEERING SERVICES AS REQUIRED FOR THE DEVELOPMENT AND DESIGN OF THE FIRST PHASE OF THE DOUGLAS GOVERNMENT CENTER PROJECT.

Motion PASSED by a vote of 7-0.

23. DISCUSSION/DECISION ON APPROVAL OF CITY MANAGER RECOMMENDATIONS CONCERNING DPOA AS PRESENTED BY MEMORANDUM ON MARCH 31, 2010.

Motion PASSED by a vote of 7-0.

24. MAYOR'S REPORT.

No report.

Not an action item – no action taken.

25. COUNCIL MEMBERS' REPORTS.

No reports.

Not an action item – no action taken.

26. CITY MANAGER'S REPORT.

No report.

Not an action item – no action taken.

27. CITY ATTORNEY'S REPORT.

No report.

Not an action item – no action taken.

28. ADJOURNMENT: 8:04 p.m.

Brenda Aguilar
City Clerk

Posted at City Hall on Thursday, May 13, 2010, @ 1:30 p.m. by

Patty Ortiz
Administrative Secretary