

**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 **Monday, July 26, 2010**, at 4:00 p.m. The meeting will be held at City Hall – Council Chamber, 425 Tenth Street, Douglas, AZ 85607.

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 Unless some other member of the audience or Council Member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the City Council.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 23<sup>rd</sup> day of July, 2010.**

**MAYOR AND COMMON COUNCIL  
CITY OF DOUGLAS**



# THE CITY OF DOUGLAS

425 10<sup>TH</sup> STREET, DOUGLAS, ARIZONA 85607

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

Brenda Aguilar  
City Clerk

## AGENDA

CITY OF DOUGLAS  
MAYOR AND COUNCIL  
SPECIAL MEETING – JULY 26, 2010  
AT 4:00 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 AND VICE VERSA.
3. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-805, A RESOLUTION OF THE COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, MAKING FINDINGS OF THE NECESSITY OF ACQUISITION OF CERTAIN PROPERTY, WATER WELL AND RELATED EQUIPMENT AND IMPROVEMENTS, AND FEE TITLE TO EASEMENT(S), TO THE EXTENT NOT ALREADY OWNED OR HELD BY THE CITY OF DOUGLAS, FOR MUNICIPAL UTILITY PURPOSES AND AS A MATTER OF SAFEGUARDING, PROMOTING, AND PROTECTING THE PUBLIC HEALTH AND SAFETY THROUGHOUT THE CITY'S CURRENT AND PLANNED WATER SERVICE AREA; AUTHORIZING AND DIRECTING THE ACTING CITY MANAGER ON THIS MATTER, CITY ATTORNEY, AND DISBURSING OFFICIALS OF THE CITY TO TAKE ALL ACTIONS NECESSARY OR CONVENIENT TO EFFECT SAID ACQUISITION BY PURCHASE OR THROUGH EXERCISE OF THE POWER OF EMINENT DOMAIN FOR AN AUTHORIZED, NECESSARY AND PUBLIC USE AND, SUBJECT TO APPROVAL OF THE CITY COUNCIL, TO PAY ALL SUMS ADJUDGED AS JUST COMPENSATION; AUTHORIZING AND DIRECTING THE CITY ATTORNEY, ACTING CITY MANAGER ON THIS MATTER, AND DISBURSING OFFICIALS OF THE CITY TO OBTAIN FROM THE COURT AN ORDER ALLOWING THE CITY INTO IMMEDIATE POSSESSION OF THE PROPERTY TO BE ACQUIRED AS AN URGENT MATTER TO SAFEGUARD, PROMOTE, AND PROTECT THE PUBLIC HEALTH AND SAFETY THROUGH UNINTERRUPTED SERVICE OF WATER MEETING THE ESTABLISHED PUBLIC DRINKING WATER STANDARDS AND IN SUFFICIENT QUANTITIES AND PRESSURES, INCLUDING FIRE FLOWS; AND AUTHORIZING ALL ACTIONS TO CARRY OUT THE DIRECTIVES OF THIS RESOLUTION.
4. ADJOURNMENT.

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Brenda Aguilar  
City Clerk

**Posted at City Hall on Friday, July 23, 2010, @ 3:30 p.m. by**

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**Patricia 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.**