



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

CITY OF DOUGLAS
MAYOR AND COUNCIL
SPECIAL MEETING – OCTOBER 13, 2010
AT OR AFTER 5:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER/ROLL CALL: 5:00 p.m.

	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 RUDY QUIÑONEZ – 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 VICE VERSA, AND AGAINST THE CITY OF DOUGLAS BY THE COCHISE COUNTY FAIR ASSOCIATION AND TO CALL FOR AND CONDUCT AN EXECUTIVE SESSION 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 UNDER THE AUTHORITY OF A.R.S. § 38-431.03 (A) (3) FOR DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OF THE PUBLIC BODY REGARDING REVISIONS IN NEW STATE FIREWORKS REGULATIONS.

“Douglas – the premier southwestern border community.”

Motion PASSED by a vote of 7-0.

3. ADJOURNMENT: 5:54 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, October 14, 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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AGENDA – WITH ACTIONS TAKEN

DOUGLAS MAYOR AND CITY COUNCIL
REGULAR MEETING – OCTOBER 13, 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 RUDY QUIÑONEZ – 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. PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.

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 SEPTEMBER 2010, TOTALING \$2,213,165.62.**
- B. MEETING MINUTES FOR JULY 26, 2010, AUGUST 11, 2010, AND SEPTEMBER 1, 2010.**

Motion PASSED by a vote of 7-0.

- 7. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-985, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A COMMERCIAL PROPERTY LEASE AGREEMENT BETWEEN THE CITY OF DOUGLAS AND CORAZÓN BEHAVIORAL HEALTH SERVICES AT 1815 E. 9TH STREET, IN THE CITY OF DOUGLAS, ARIZONA; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND DECLARING AN EMERGENCY.**

Motion PASSED by a vote of 7-0.

- 8. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-989, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING ORDINANCE NO. 10-980, PERTAINING TO THE DOUGLAS FIRE DEPARTMENT EMERGENCY MEDICAL SERVICES (EMS) FEES; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**

Motion PASSED by a vote of 7-0.

- 9. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-991, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE CITY TO ACQUIRE FROM THE FEDERAL INSURANCE CORPORATION IN THE CAPACITY OF RECEIVER OF IRWIN UNION BANK COLLATERAL INC. AN INDIANA CORPORATION IMPROVED REAL PROPERTY, IDENTIFIED AS PARCEL NUMBERS 410-08-004B; 410-10-001G; 410-10-002G; 410-10-004B; LOCATED ADJACENT TO THE DOUGLAS MUNICIPAL GOLF COURSE AT LA PERILLA ESTATES IN DOUGLAS, ARIZONA, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND DECLARING AN EMERGENCY.**

Motion PASSED by a vote of 7-0.

10. **DISCUSSION/DECISION ON APPROVAL OF SECOND READING OF ORDINANCE NO. 10-992, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING USER FEES FOR THE DOUGLAS PARKING LOT AT 1ST STREET AND CUSTOMS AVENUE, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**

Motion PASSED by a vote of 7-0.

11. **DISCUSSION/DECISION ON APPROVAL OF SECOND READING OF ORDINANCE NO. 10-993, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING CHAPTER 2.02 OF THE DOUGLAS MUNICIPAL CODE BY THE ADDITION OF SECTION 2.02.020 TO ESTABLISH RULES OF CONDUCT FOR COUNCIL MEETINGS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF .**

Motion PASSED by a vote of 7-0.

12. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-804, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING RESOLUTION NO. 09-599, AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE BORDER ENVIRONMENT COOPERATION COMMISSION (BECC) TO INCREASE THE ACCEPTED GRANT FUNDING FROM \$66,100 TO \$71,700 FOR HAZARDOUS MATERIAL TRAINING AND EQUIPMENT TO BE USED BY THE CITY OF DOUGLAS FIRE DEPARTMENT AND OTHER NATIONAL AND INTERNATIONAL EMERGENCY RESPONSE AGENCIES IN THE BORDER REGION.**

Motion PASSED by a vote of 7-0.

13. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-814 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE GRANT APPLICATION SUBMITTAL AND ACCEPTANCE OF POTENTIAL GRANT FUNDING BY THE CITY OF DOUGLAS FROM THE ARIZONA GOVERNOR'S OFFICE OF ECONOMIC RECOVERY IN THE AMOUNT OF \$97,327 FOR THE PURCHASE OF TEN (10) MOBILE DATA TERMINALS AND THIRTEEN (13) VEHICLE MOUNTING PACKAGES FOR THE DOUGLAS POLICE AND FIRE DEPARTMENT.**

Motion PASSED by a vote of 7-0.

14. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-815 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, APPROVING AND ACCEPTING A GRANT OF A PERMANENT ROADWAY EASEMENT ALONG WITH AN EXPANSIVE DRAINAGE EASEMENT FROM FREEPORT-MCMORAN CORPORATION TO THE CITY OF DOUGLAS FOR INSTALLATION AND MAINTENANCE WITH OTHER IMPROVEMENTS, EQUIPMENT, AND APPURTENANCES, LOCATED IN THE PROPOSED 3RD STREET RIGHT OF WAY AND BEYOND IN THE CITY OF DOUGLAS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.**

Motion PASSED by a vote of 7-0.

15. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-816 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 FOR ROADWAY SIGN REPLACEMENT AND RE-STRIPING OF VARIOUS LOCATIONS FOR CITYWIDE IMPROVEMENTS TO BE PERFORMED WITH THE CITY DESIGNED TO ACHIEVE TRAFFIC SAFETY ALONG ROADWAYS IN DOUGLAS, ARIZONA.**

Motion PASSED by a vote of 7-0.

16. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-817 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE CITY TO ACT AS FISCAL AGENT FOR CITY OF DOUGLAS YOUTH ACTIVITIES FUND, IN THEIR GRANT FUNDING FROM THE TOHONO O'ODHAM NATION.**

Motion PASSED by a vote of 7-0.

17. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-818 A RESOLUTION OF THE MAYOR PRO TEMPORE AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, APPROVING A VOTE OF NO CONFIDENCE IN THE LEADERSHIP OF MAYOR GOMEZ.**

Motion PASSED by a vote of 6-0, Mayor Gomez did not vote.

18. MAYOR'S REPORT.

- Update on 3rd Street and Chino Road Project.
 - Easement from Freeport-McMoran.

Not an action item – no action taken.

19. COUNCIL MEMBERS' REPORTS.

Rudy Quiñonez:

- Loudspeakers in the downtown area.

Not an action item – no action taken.

20. CITY MANAGER'S REPORT.

- Clubhouse bar and restaurant update.
- Future presentation of water and sewer rate discounts.

Not an action item – no action taken.

21. CITY ATTORNEY'S REPORT.

- September 8, 2010, Open Meeting Law training recap.

Not an action item – no action taken.

22. ADJOURNMENT: 8:59 p.m.

**Brenda Aguilar
City Clerk**

Posted at City Hall on Thursday, October 14, 2010, @ 4:30 p.m. by

**Patty Ortiz
Administrative Secretary**