

**DOUGLAS CITY COUNCIL
REGULAR MEETING MINUTES
JUNE 9, 2010**

The City of Douglas Mayor and Council met in a Regular Meeting on Wednesday, June 9, 2010, at 6:00 p.m. in the Council Chamber of City Hall – 425 Tenth Street. The Honorable Mayor Gomez called the meeting to order and Council Member Huish led the invocation after the Pledge of Allegiance. Mayor Gomez proceeded to ask for roll call.

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. COMMENTS BY COUNCIL MEMBERS

Outgoing Council Member Acedo congratulated incoming Council Member Rudy Quiñonez and thanked Mayor and Council for their support during his tenure. Appreciation was expressed regarding the city manager and staff in addressing issues involving abandoned homes, junk vehicles, and garbage in Ward 6 and for their financial expertise, which benefited the city during difficult times.

In closing, Council Member Acedo commented on the importance of future enforcement pertaining to issues that affect the city’s image.

All Council Members expressed gratitude and thanked outgoing Council Member Acedo for his work.

“Douglas – the premier southwestern border community.”

Council Member Lindemann thanked his supporters, family, friends and neighbors for their continued trust and faith. He has served on various committees and commissions for almost 20 years as a way to give back to the community. Additionally, Council Member Lindemann stated that he had always strived to be responsive and to listen to the needs of the constituents and would continue to do so in working for a bright future in Douglas.

Council Member Shelton thanked his supporters and all the citizens that voted on Election Day.

Council Member Huish thanked Carlos De La Torre for sidewalk and curbing projects.

6. COMMENTS BY MAYOR GOMEZ

Mayor Gomez stated that contrary to what some people might think, the city had the best council that he knew and if anyone wanted to challenge his comments, he was prepared to provide documentation to show otherwise. Additionally, with Rudy Quiñonez as the new member along with the reelected members, they would continue to be proactive and aggressive in order to make Douglas better. Mayor Gomez reiterated that if anyone doubted his comments, it could be proven with documents and not by hearsay or rumors.

Mayor Gomez thanked Council Members and stated that they would continue to be proactive and do many things for the constituents.

7. PRESENTATION OF AWARDS

Mayor Gomez presented the following service awards: Outgoing Council Member, Louie Acedo, 2.5 years of service to the community and City Manager, Curtis Shook, three years of employment with the City of Douglas.

Item number 10 was addressed immediately after item number 7.

8. OATH OF OFFICE TO RE-ELECTED COUNCIL MEMBERS: MITCH LINDEMANN AND RAY SHELTON; NEWLY ELECTED COUNCIL MEMBER: RUDY QUIÑONEZ.

Judge Alma Vildosola administered the oath of office to the reelected/newly elected officials.

Council Member Quiñonez thanked his family for their support and Ward 6 voters for providing an opportunity to serve the City of Douglas, encouraged calls from constituents for suggestions or ideas, and invited them to attend meetings.

Future city business that Council Member Quiñonez would like to see completed are: cleaning (inaudible) of Rucker Lake, street improvements to include sidewalks and stop signs of the Sunnyside addition, and graffiti enforcement.

In closing, Council Member Quiñonez stated that he looks forward to working with the Mayor and Council, administrators, and city staff in order to accomplish goals since success would be due to teamwork.

9. DISCUSSION/DECISION ON CONSENT AGENDA ITEMS:

- A. EXPENDITURES FOR THE MONTH OF MAY 2010, TOTALING \$1,980,209.03.**
- B. MEETING MINUTES FOR MAY 12, 2010.**
- C. APPROVAL OF BID PROPOSAL SUBMITTED BY DARC CLEANING SERVICES FOR JANITORIAL SERVICE TO THE CITY OF DOUGLAS.**
- D. APPROVAL OF BID PROPOSAL SUBMITTED BY FERGUSON WATERWORKS AND HD SUPPLY WATERWORKS FOR ALL WATER CONSTRUCTION MATERIALS.**
- E. APPROVAL OF BID PROPOSAL SUBMITTED BY MADDUX & SONS FOR ALL ROCK MATERIALS.**
- F. APPROVAL OF BID PROPOSAL SUBMITTED BY WESTERN EMULSION FOR ALL ASPHALT MATERIAL AND MESA MATERIALS FOR COLD MIX.**
- G. APPROVAL OF BID PROPOSAL SUBMITTED BY TMI COATINGS, INC. FOR THE GOLF COURSE WATER TANK REHABILITATION PROJECT IN THE AMOUNT OF \$204,000.**
- H. Motion** by Council Member Morales, **second** by Council Member Shelton to approve the consent agenda items B, E, F, G, including item – A, expenditures for the month of May 2010, totaling \$1,980,209.03.

Roll Call: All members voted in favor. **MOTION PASSED**

Mayor Gomez inquired if DARC was qualified to provide janitorial services for the City of Douglas.

The council was informed by Curtis Shook that DARC had a number of clients and had provided janitorial services for some time.

Mayor Gomez asked for the number of bids.

In response, Curtis Shook stated there had been four.

Council Member Lindemann pointed out that DARC had not been the lowest bidder and requested an explanation.

John Alvarez, Purchasing Agent, explained that the dollar amount was insignificant, Friends' Cleaning bid \$1,600 and DARC bid \$1,672. Staff recommended DARC due to various complaints against Friend's Cleaning.

Council Member Huish commented that staff had evaluated DARC's ability to provide the janitorial service and it would be appropriate to hire them, adding that it would be a benefit for both the vendor and the city.

Mayor Gomez requested an explanation pertaining to Supply Waterworks, item D, and inquired if the tanks supplied water to the projects.

Carlos De La Torre explained that it was an annual bid for materials used for maintenance and repairs throughout the system and the company's name was Ferguson Waterworks.

Mayor Gomez inquired if it was the lowest bid.

Carlos De La Torre stated that it was

Motion by Council Member Morales, **second** by Council Member Huish to approve consent agenda items 9 (C) and 9 (D).

Roll Call: All members voted in favor. **MOTION PASSED**

10. RESIGNATIONS AND APPOINTMENTS.

Youth Activities Fund Board appointments.

Motion by Council Member Lindemann, **second** by Council Member Shelton to approve the appointment of Frank Montoya and Ken Nelson.

Roll Call: All members voted in favor. **MOTION PASSED**

11. DISCUSSION/DECISION ON APPROVAL OF REQUEST BY ROBIN BREKHUS OF THE GADSDEN HOTEL TO CLOSE G AVENUE FROM 10TH STREET TO 12TH STREET AND FROM 11TH STREET FROM THE ALLEY BEHIND THE GADSDEN TO THE ALLEY BY THE DAILY DISPATCH FOR SATURDAY, SEPTEMBER 4, 2010, 1:00 P.M. TO 2:00 A.M. SUNDAY, SEPTEMBER 5, 2010 FOR THE DOUGLAS STREET RODS ANNUAL CRUISE NIGHT CAR SHOW.

Curtis Shook explained the street closure request and provided background information pertaining to the event.

Motion by Council Member Lindemann, **second** by Council Member Morales to authorize the closure of G Avenue between 10th and 12th Streets and 11th Street from the alley behind the Gadsden to the alley by the Daily Dispatch for Saturday, September 4, 2010, and approve the extension of premises application.

Council Member Huish asked at what location the event had been previously held.

Robin Brekhuis informed that the car show was previously held at Sonic Drive-In (currently Burger Shack). The most recent car show during Memorial Day had approximately 100 cars and the upcoming event might involve more cars. Ms. Brekhuis explained that it would be a family event and provided brief event details.

Mayor Gomez commented that Bisbee's Main Street had been previously closed for a similar event and it had been very successful.

Robin Brekhuis agreed and noted that the event had been held in Douglas for approximately 14 years and money was donated to local charities.

Mayor Gomez inquired if Ms. Brekhuis would be paying for some of the insurance expense due to the high cost.

Robin Brekhuis stated that the liability insurance could be covered under the Gadsden Hotel's policy since there would be an extension of premises, adding that the City of Douglas would be named as an additional insured.

Council Member Lindemann expressed concern pertaining to possible street closure complaints by the businesses and inquired if an alternate area had been suggested.

Curtis Shook stated that at various times the G Avenue merchants had complained. However, Mr. Shook spoke to a merchant that expressed concern in the past and he did not have a problem with the type of event.

Robin Brekhus stated that an attempt was made to promote all downtown businesses and had already spoken to several merchants. She also stated that the event did not affect all the businesses and shopping was encouraged in the downtown area.

Council Member Quiñonez inquired if the event could end prior to 2:00 a.m. since the police department might have to deal with more situations at that time due to the extension of premises.

In response, Robin Brekhus stated that although the street closure request was for 2:00 a.m., the event would terminate at 12:00 a.m. and the additional time was necessary for cleanup of the area and once the liquor area was removed, alcohol could not be taken outside from the bar.

Mayor Gomez inquired if the alley would be blocked in the east side of 11th Street.

Robin Brekhus stated that the alley would not be blocked. She has previously worked with police and fire department regarding safety issues and to ensure that there was a fire lane on G Avenue.

Mayor Gomez inquired if the event would restrict to a certain vehicle year.

Robin Brekhus stated that there was no year restriction, but it would be for classic cars.

Roll Call: All members voted in favor. **MOTION PASSED**

12. DISCUSSION/DECISION ON APPROVAL OF APPLICATION FOR TEMPORARY EXTENSION OF PREMISES ON SEPTEMBER 4, 2010, DURING THE DOUGLAS STREET RODS ANNUAL CRUISE NIGHT CAR SHOW TO ROBIN BREKHUS FOR SADDLE AND SPUR TAVERN, 1046 G AVENUE, DOUGLAS, AZ.

Curtis Shook informed that the extension of premises approval would be required in order for liquor to be served outside of the Saddle and Spur Tavern.

Motion by Council Member Morales, **second** by Council Member Lindemann to approve the temporary extension of premises on September 4, 2010, during the Douglas Street Rods Annual Cruise Car Show to Robin Brekhus.

Roll Call: All members voted in favor. **MOTION PASSED**

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

Carlos Valenzuela, Chamber of Commerce President, made the following comments:

- Congratulated the reelected/newly elected officials and extended an invitation for their involvement in future activities.
- Suggested for the city and council members to encourage business' participation in the 4th of July parade.
- Little League State Championships hosted by Douglas in July with support by the Chamber of Commerce.
 - \$1.5 million additional was generated in Nogales, AZ in the previous year.
- Chamber sponsors Douglas Mercado every Saturday.

Alice Novoa-Benson, 832 2nd Street, made the following comments:

- Welcomed Rudy Quiñonez to the council.
- March for Jesus event complaint.
- Disrespect to flag.
- Immigration reform.
- Court hearing scheduled on 06/10/10 pertaining to Alma Vildosola.

14. DISCUSSION/DECISION TO CALL FOR AND CONDUCT AN EXECUTIVE SESSION UNDER THE AUTHORITY OF 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 ADJACENT PROPERTY TO THE HIDDEN TREASURES R.V. PARK OWNED BY GOOCH, HAWKINS, AND YARBER AND PROPERTY LOCATED AT 5TH STREET AND CHIRICAHUA AVENUE.

Motion by Council Member Shelton, **second** by Council Member Huish to enter into executive session.

Roll Call: All members voted in favor. **MOTION PASSED** at 6:51 p.m.

Motion by Council Member Shelton, **second** by Council Member Huish to adjourn the executive session.

Roll Call: All members voted in favor. **MOTION PASSED** at 7:28 p.m.

15. PRESENTATION/DISCUSSION BY CURTIS SHOOK, CITY MANAGER, REGARDING FISCAL YEAR 2010/2011 MUNICIPAL BUDGET PHILOSOPHY AND FINANCE COMMITTEE RECOMMENDATIONS.

Curtis Shook provided background information pertaining to the budget process.

David Caveny, Finance Committee Member, commented on the collaboration of city personnel along with the Finance Committee pertaining to the proposed 2010/2011 Operating Budget.

“We are pleased to report a balanced budget for the majority of all funds with no reductions-in-force or planned furloughs for staff as long as anticipated revenues are received as forecasted. To propose a balanced budget in the General Fund, some non-recurrent revenues were estimated as follows: Use of General Fund Reserve \$300,000; Transfer from Sanitation Fund \$200,000; Additional local sales tax revenue \$300,000; Reserve Police Vehicles \$64,375; Insurance Reserve \$40,000. Total non-recurrent revenues total \$904,735.”

David Caveny also presented the following highlights:

- Establishing a partnership with IDA for Douglas Economic Development, generating a 68% reduction in the Economic Development Operating Budget
- Implementation of the Local Sales Tax Administration/Collection program
- Improvements to the Aquatic Center for \$58,000. The facility will be closed from November 2010, thru February 2011. Eighth Street Pool will be open from June through the end of August (2010).
- Capital expenditures are limited due to budget constraints and \$329,569 appropriation is recommended for the fiscal year.
- Outside agencies
- Special Revenue Funds
 - HURF
 - LTAF
 - Special Projects
 - Housing
 - Grants
- Enterprise Funds
 - Water Fund
 - Sewer Fund
 - Sanitation
 - Golf Course
- Health Care Insurance
- Personnel – Reclassification of Limited Status Positions
- Personnel – Reclassification and Underfill of Positions

In closing, David Caveny stated that the Finance Committee was in support of all recommendations from the city staff. Additionally, Mr. Caveny recommended the adoption of the operating budget, health care plan, and personnel reclassifications as recommended by the city manager and staff.

Council Member Lindemann thanked David Caveny for presenting the information to council.

David Caveny expressed appreciation for city staff and commented on reduction in state funding and on savings created from good business decisions.

Council Member Shelton commented on local government stability and city budget process.

Council Member Huish commended city staff and finance committee for their efforts.

Mayor Gomez commended David Caveny, current administration/city staff for their efforts. Mayor Gomez challenged members of the public to attend meetings.

A PowerPoint presentation was given by Jorge Trevino, Finance Director, and Ana Urquijo, Human Resources Director, regarding the City of Douglas 2010/2011 Budget. The following topics were addressed:

- 2010/2011 Operating Budget
- Budget Philosophy
- Reserve Cash Position
- Consolidated Budget Summary
- Personnel
- Projected Budget - GF
- General Fund
- Projected Budget – Special Revenue
- Special Revenue Funds
- Projected Budget – Enterprise Funds
- 2010 Sewer Model
- 2011 Sewer Model
- 2010 Water Model
- 2011 Water Model
- 2010 Sanitation Model
- 2011 Sanitation Model
- 2010 Call Center Model
- 2011 Call Center Model

Motion by Council Member Shelton, **second** by Council Member Huish to acknowledge receipt of Finance Committee recommendations, presentation of philosophy by staff, and provide direction on the FY 2010/2011 operating budget.

Roll Call: All members voted in favor. **MOTION PASSED**

16. **DISCUSSION/DECISION ON APPROVAL OF THIRD 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.**

Curtis Shook stated that approval of the ordinance would allow the local sales tax collection to be addressed by existing staff and local businesses would be better served. Additionally, in order to layout the implementation on October 1 (2010), the sales tax collection team met frequently. Mr. Shook expressed satisfaction with the organization, finance committee, and council actions, which have made the city solvent.

Motion by Council Member Lindemann, **second** by Council Member Quiñonez to approve the third reading of Ordinance No. 10-983 by number and title only.

Roll Call: All members voted in favor. **MOTION PASSED**

17. **DISCUSSION/DECISION ON APPROVAL OF SECOND 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 DECLARING AN EMERGENCY.**

Curtis Shook explained that the emergency clause should convey the city's interest to conduct business with the requesting party.

Motion by Council Member Shelton, **second** by Council Member Huish to approve the second reading of Ordinance No. 10-986, and place it on third reading by number and title only and declaring an emergency.

Roll Call: All members voted in favor. **MOTION PASSED**

Motion by Council Member Shelton, **second** by Council Member Huish to approve the third reading of Ordinance No. 10-986, by number and title only and declaring an emergency.

Roll Call: All members voted in favor. **MOTION PASSED**

18. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 10-987, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING ORDINANCES 718 AND 837, AND ESTABLISHING FEES FOR PARKS & RECREATION CENTER FACILITIES AND PROGRAMS IN ORDER TO RECOVER OPERATING COSTS, ESTABLISHING SEVERABILITY OF COMPONENTS; AND DECLARING AN EMERGENCY.

Curtis Shook explained the ordinance development process and the need for an ordinance to establish fees and operations.

Mayor Gomez requested clarification on the \$20 per hour fee for a recreation room.

Curtis Shook explained that the fee was for room rental at the recreation center for exclusive use or special use for a period of time.

Mayor Gomez requested further explanation pertaining to vendor booths at \$80 per hour at city sponsored events.

Curtis Shook stated that it would be for private vendors participating at an event such as the 4th of July.

Mayor Gomez inquired what the amount of the fee increase was.

Curtis Shook stated that no fees had been previously collected.

Mayor Gomez inquired if the \$80 fee would cover a three-day event.

Curtis Shook agreed.

Council Member Shelton expressed concern pertaining to the fees and requested further explanation of the \$500 annual Little League fee.

In response, Curtis Shook stated that an additional fee would not be charged for Little League or any formal league, but the fees would be to cover the cost of developing or offering new programs.

Juan Pablo Flores explained the need for codification of city practices pertaining to fees, room usage at the recreation center along with liability insurance, vendor space fee with a prior fee of approximately \$40 or \$50 for city sponsored events, park ramadas, and concession stands at \$500 annually along with liability insurance.

Council Member Huish inquired if the ramada reservation fee was currently set at \$20.

Curtis Shook informed that a ramada fee was not currently being collected, but problems could be mitigated through the fee process.

Council Member Huish inquired if the fees would affect the Douglas Mercado.

Curtis Shook informed the council that the Douglas Mercado was a city-sponsored event under a separate agreement and the fees would not apply. Mr. Shook further stated that the ordinance would affect mobile vendors taking part at a special event. However, the fees would not be revenue oriented and the problem was the lack of control and process of the parks by the city.

Juan Pablo Flores advised that the Douglas Mercado was under a separate ordinance and municipal code and the fee was \$1 per day.

Brenda Aguilar agreed and further explained that the ordinance would not affect the Douglas Mercado Vendors.

Council Member Quiñonez disagreed with the emergency measure for the ordinance since it would not allow an opportunity for public input. Additionally, Council Member Quiñonez expressed disagreement with the fees and suggested that the city should be able to provide some programs and services at no cost.

Curtis Shook stated that the youth would not be charged to play, but a nominal fee would be charged for the summer program that would barely cover the cost of supplies and provided additional information pertaining to program fees.

Council Member Quiñonez suggested a study session to further study the item.

Curtis Shook further explained the fee associated with city sponsored events.

Council Member Quiñonez pointed out the lack of maintenance of the 15th Street Park ramadas and restrooms in comparison to the Airport Park ramadas and restrooms that are well maintained.

Council Member Shelton stated that he had some concerns pertaining to some of the listed items and suggested advance notice of increases.

Council Member Huish suggested removing the emergency clause in order to review the matter further.

Council Member Lindemann agreed that there were conflicts and questions that would need to be addressed.

Motion by Council Member Lindemann, **second** by Council Member Morales to approve the placement of Ordinance No. 10-987, on first reading by number and title only.

Roll Call: All members voted in favor. **MOTION PASSED**

Motion by Council Member Lindemann, **second** by Council Member Shelton to approve the first reading of Ordinance No. 10-986, and to place it on second reading by number and title only.

Roll Call: All members voted in favor. **MOTION PASSED**

19. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-791, 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 GOVERNOR'S OFFICE OF ECONOMIC RECOVERY FOR A REIMBURSABLE GRANT IN THE AMOUNT OF \$351,665.36 FOR THE PURCHASE OF EIGHT (8) POLICE PACKAGE CHEVROLET TAHOE 2WD SUV'S UNDER THE BORDER SECURITY ENHANCEMENT PROGRAM.**

Curtis Shook explained the grant funding allocation through the Arizona Governor's office and its intended use for crime interdiction and vehicle purchase.

Motion by Council Member Huish, **second** by Council Member Quiñonez to approve Resolution No. 10-791.

Council Member Lindemann pointed out a clerical error pertaining to 2WD as noted on the resolution title instead of 4WD as noted on the item memo.

Alberto Melis, Police Chief, agreed that it should be 4WD and provided additional background information pertaining to the grant.

Roll Call: All members voted in favor. **MOTION PASSED**

- 20. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-792, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FY 2010 FUNDING FROM THE TOHONO O’ODHAM INDIAN NATION FOR FUNDING OF COMPUTER SKILLS INSTRUCTION, GED AND JOB SKILLS CLASSES AT THE DOUGLAS PUBLIC LIBRARY AND FOR CROSSWALK AND SIDEWALK IMPROVEMENTS IN THE SUNNYSIDE ADDITION AS TO PROVIDE SAFE PATHWAYS FOR CHILDREN ATTENDING THE JOE CARLSON ELEMENTARY SCHOOL.**

Curtis Shook explained past successful participation in the grant program and requested authorization by the council for the application submittal.

Motion by Council Member Quiñonez, **second** by Council Member Shelton to approve Resolution No. 10-792.

Mayor Gomez inquired if two separate applications would be submitted.

Curtis Shook agreed.

Council Member Huish requested further explanation of what the sidewalk improvements would be at Joe Carlson Elementary School.

Carlos De La Torre stated that the improvement would be an extension of the sidewalk(s) adjacent to Joe Carlson School on Eddie Avenue where curbing was currently being installed.

Roll Call: All members voted in favor. **MOTION PASSED**

- 21. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 10-793, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, URGING AND VOICING BORDER SECURITY CONCERNS TO THE VARIOUS UNITED STATES AND STATE OF ARIZONA AGENCIES TASKED WITH BORDER AND HOMELAND SECURITY AND TO REQUEST ADDITIONAL PHYSICAL AND HUMAN RESOURCES AS REQUIRED TO SECURE ARIZONA’S BORDERS AND PROTECT ITS PUBLIC SAFETY PERSONNEL AND CITIZENS FROM CRIMINAL ACTIVITIES.**

Curtis Shook explained that the item was an initiative, which Mayor and Council had discussed and the item was meant to seek council support for the resolution submittal to the Arizona League of Cities and Towns as part of its legislative package in the current year.

Mayor Gomez explained that as a result of the Robert Krentz criminal event, he had initiated an investigation pertaining to the security east of town. Through very reliable sources of information and upon further investigation, Mayor Gomez was informed that Border Patrol previously had 525 agents in Douglas, but currently it was not at 300 agents, with more violence been created. Mayor Gomez expressed concern regarding the lack of aerial surveillance after dark, ultra lights east of town that helicopters avoid due to lack of radar support for interception of the ultra lights, and criminal backgrounds for thirty 30 percent of apprehensions.

Mayor Gomez further stated that due to security concerns, a resolution was developed and approved by council in the prior month. Additionally, the resolution was presented to S.E.A.G.O., composed of approximately four counties and ten cities, and it had received unanimous support. Mayor Gomez further provided a brief summary of the resolution language and commented that since Congresswoman Gabrielle Giffords did not have the political power to move the resolution forward, he had decided to take it before the Arizona League of Cities and Towns. Furthermore, if the resolution was approved by the Arizona League of Cities and Towns, comprised of ninety towns and cities, it would allow Mayor Gomez to contact all congressional representatives in all the cities of the state (of Arizona) since Congresswoman Giffords could not do it by herself and Douglas would be forgotten.

Mayor Gomez commented on a bill by Senators Jon Kyl and John McCain that would provide unmanned aerial (inaudible) support, an increase of troops to approximately 6,000, and Border Patrol increase to 6,000; currently 300 agents were being trained for the whole nation. The timeline for the bill is 2015.

In closing, Mayor Gomez expressed safety concerns, reminded council of his intent to present the resolution to the League of Arizona Cities and Towns, and further noted that the City of Kingman and City of Flagstaff would support the resolution along with pending support from the following cities/town: Somerton, Yuma, Nogales, San Luis, Benson, and Clifton.

Motion by Council Member Shelton, **second** by Council Member Huish to approve Resolution No. 10-793.

Council Member Shelton agreed with Mayor Gomez, commented on border incidents, and expressed concern regarding the criminal element.

Council Member Huish agreed that something should be done, but questioned if council would receive any attention since it had not occurred to date. Council Member Huish applauded Mayor Gomez for his action and wished him success.

However, he suggested that there were powers beyond their capabilities that had to take action before the problem could be resolved and hoped that it would be a step in that direction. Nevertheless, Council Member Huish does not believe that things might be resolved during his lifetime.

Council Member Quiñonez agreed with comments made by Council Member Huish and further stated that it was a federal issue. Additionally, as a former member of the League of Arizona Cities and Towns, he suggested that a vote might be made, but the resolution could be tossed-out at the last meeting. Council Member Quiñonez further stated that Senators Kyl and McCain had been in office for 35 years and had not accomplished anything.

In response, Mayor Gomez stated that in the prior year a resolution in support of the port of entry had been submitted, it had been considered as a federal issue, and it had worked. As a result, Mayor Gomez along with the city manager had recently met with a legislative manager sent by Senator McCain for a port of entry update.

In addition, Senator Kyl's office was able to provide a diplomatic letter required by GSA for the port of entry.

Council Member Morales inquired if border patrol or military presence was being requested through the resolution's call for additional physical and human resources.

Mayor Gomez stated that the resolution was generic and support was needed on all basis.

Council Member Lindemann stated that no one would want criminal activity to continue and commented on personal observations. Furthermore, Council Member Lindemann expressed opposition regarding militarization of the border, suggested that law enforcement should address the issue and that more border patrol and more law enforcement would be crucial. Additionally, Senator McCain's action to send 6,000 troops would not benefit the community or the neighbors from across the border.

Mayor Gomez stated that it was an emergency issue and informed that the 1,200 personnel assigned would be unarmed and would be assigned to an office at an observation post.

Council Member Lindemann inquired what the benefit would be if there would be fewer border patrol available.

Mayor Gomez reiterated that it was an emergency issue and it would allow an opportunity for more border patrol to be stationed.

Council Member Lindemann stated that the resolution would not make much of a difference unless the council was more specific in addressing specific needs. However, he applauded Mayor Gomez for the effort.

Mayor Gomez inquired what line (on the resolution title) Council Member Lindemann was referring to, and the response was, “request additional physical and human resources.”

Council Member Huish commented that until the criminals were faced with toughness, they would continue to operate without caring for human life.

Council Member Lindemann suggested the use of an aerostat radar.

Mayor Gomez informed that it could not detect ultra light.

Council Member Fernandez commented that until the biggest users realized what the problem was, nothing would deter the drug business due to the demand. He further commented that until the drug laws were changed or the drug price reduced, the sale of drugs would continue. Council Member Fernandez suggested that Senators Kyl and McCain were responsible due to their lack of action in implementing drug laws and immigration laws. He further suggested the submittal of the resolution to the senators.

Sister Mary Kirkhoff of 3879 New Mission Lane, McNeal, AZ, commented regarding the following:

- Just Immigration Reform Group
- Opposes bill (resolution)
 - Violence
 - Military
- Just immigration reform and drug problem control not addressed
- Militarization
- Commended the council for addressing the safety concern
- Would like to see that illegal aliens are also safe

Glenda Bavier of 1450 13th Street, made the following comments:

- Feels safe in Douglas
- Opposes military action
- Suggested Just Immigration Control recommendation by council

Del Carbaga of 1214 11th Street, made the following comments:

- Opposes Resolution 10-793
- Douglas a Unique community
 - Strong ties with Agua Prieta
 - Increase in port of entry inspections
- Concerned with long term effects of resolution
- How to Build Community
- Requested council's participation in scheduling community meetings and to dialogue with residents

Ginny Jordan of 3983 N. Plantation Road, made the following comments:

- Opposes Resolution (10-793)
- Douglas
 - Low crime rate
 - Good neighbors
- Proposal sends the wrong message of Douglas being unsafe
- Visitor might not travel to Douglas

Tommy Bassett 826 11th Street, made the following comments:

- Border security issues since 2007
- Comprehensive Immigration Reform
- Enforcement
- Crime

Mark Adams, Frontera de Cristo and Douglas for Just Immigration Reform, 826 11th Street, made the following comments:

- Opposes Resolution (10-793)
- Concerned with lack of further communication with the community
- Concerned with lack of solid facts pertaining to border violence
 - Requested further information pertaining to facts on issues presented by the council
- Border Patrol Officials and Douglas Police Department report a decrease in crime in the last 10 years in Douglas
- U.S. Customs and Border Protection reports the border is safer than it has ever been
- F.B.I. reports that border cities are the safest cities
- Border Patrol budget and personnel increase since 1996
- Increase in undocumented aliens
- Comprehensive Immigration Reform
- Deaths in Arizona

Luis Araiza of 207 Fort Huachuca Lane, Bisbee, AZ 85603, commented regarding the following:

- Opposes items 19 and 21
- Ultra lights
- Crime victims
- Dangerous countries
- Ranchers
- Canadians

Katherine Romero of 2156 Ho Ho Kam Drive Apt. D, commented regarding the following:

- Supports Resolution
- Crime
- Drugs
- Illegals
- Enforcement

Alice Novoa-Benson of 832 2nd Street, commented regarding the following:

- Aztlan movement
- Immigration

Kathleen Gomez of 1046 G Avenue, commented regarding the following:

- Changes
- O.T.Ms (other than Mexicans)
- Resolution against a changing world
- Mexico's responsibility
- Border security
- Guest worker program
- Political asylum
- Drugs
- Immigration law
- Community view point
- Heritage

In closing, Mayor Gomez informed those in opposition of the item that border security did not harass illegal entrants and criminal backgrounds were being checked. Illegal entrants without a criminal background once released could try again, but the criminals with a criminal background were held, thirty percent have criminal backgrounds. However, those released (and returning) would have to serve thirty days in jail on the third attempt.

Mayor Gomez stated, “That’s what I mean border security, we don’t want the criminals here abusing our young kids, we don’t want the pedophiles in our country, we don’t want the criminals you see every day on the TV. That they have apprehended a guy, he’s wanted in Arkansas for killing someone, he’s wanted for abusing a kid. Those are the only ones that are held, the other ones are let go.”

Roll Call: Council Member Ray Shelton and Mayor Gomez voted in favor, opposing vote by Council Members: Margaret Morales, Mitch Lindemann, Bob Fernandez, Ivan Huish, and Rudy Quiñonez. **MOTION FAILED**

22. MAYOR’S REPORT.

- **Port of entry**
 - Port of entry resolution introduced at a Mayor’s luncheon in the previous year
 - Congresswoman Giffords wrote letter to GSA
 - Resolution approved by Arizona League of Cities and Towns
 - Senator McCain’s manager met with Mayor Gomez for an update
- **Binational Border Legislators and Elected Official Conference**
 - Attended conference in Nogales, AZ

23. COUNCIL MEMBERS’ REPORTS.

Council Member Morales:

- **Lighting request for Speer Park**

Council Member Shelton:

- **Resolution development requesting the deployment of troops to secure the Cochise County Borders**
 - Withdrew item from future consideration

Mark Adams, Frontera de Cristo and Douglas for Just Immigration Reform, 826 11th Street, stated that they were all for border security, but it was just a matter of how to address it.

Alice Novoa-Benson of 832 2nd Street, expressed safety concerns.

Council Member Huish:

- **Adjacent Ways Sidewalk Project**
 - Addressed in item number 5.

24. CITY MANAGER’S REPORT.

- **Government center project update**
 - IGA execution
 - Meeting with county
 - Improvements
 - Hiring of architect
 - AECOM
 - Public discussion
 - June 22, 2010

Council Member Huish inquired why the county had requested a name change to the building.

Curtis Shook explained that it was not a request to rename the building, but the IGA called for a certain section of the building to be known as the Law and Justice Center (Regional Service Center) as it was very important to the Board of Supervisors.

Mayor Gomez inquired what the timeline would be for the county to occupy the building.

Curtis Shook stated that it would be approximately August of 2011, adding that the demolition had been initiated.

25. CITY ATTORNEY’S REPORT.

No report.

26. ADJOURNMENT.

Motion by Council Member Morales, **second** by Council Member Shelton to adjourn the meeting at 10:19 p.m. unanimously passed.

Prepared By:

Brenda Aguilar
City Clerk