

**DOUGLAS CITY COUNCIL
SPECIAL MEETING MINUTES
MAY 12, 2010**

The City of Douglas Mayor and Council met in a Special Meeting on Wednesday, May 12, 2010, at 4:30 p.m. in the Council Chamber of City Hall – 425 Tenth Street. The Honorable Mayor Gomez called the meeting to order and proceeded to ask for roll call.

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

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

“Douglas – the premier southwestern border community.”

3. ADJOURNMENT.

Motion by Council Member Lindemann, **second** by Council Member Morales to adjourn the meeting at 5:53 p.m. unanimously passed.

Prepared By:

Brenda Aguilar
City Clerk

**DOUGLAS CITY COUNCIL
REGULAR MEETING MINUTES
MAY 12, 2010**

The City of Douglas Mayor and Council met in a Regular Meeting on Wednesday, May 12, 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 Shelton 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. PRESENTATION OF AWARDS

Mayor Gomez presented the following service awards to City of Douglas employees: Mario Novoa, Fire Chief, 22 years; Victoria Yarbrough, City Librarian, 2 years; Juan Pablo Flores, City Attorney, 2 years

Item number 8 was addressed immediately after item number 5.

6. DISCUSSION/DIRECTION PERTAINING TO SB 1070.

City Attorney, Juan Pablo Flores, explained that a ten-page memo pertaining to SB 1070 and accompanying House Bill had been placed in the council members' mailboxes earlier in the day.

All council members, unanimously, requested additional time to study the item.

Mayor Gomez noted that a resolution would be developed and considered at a future special meeting.

“Douglas – the premier southwestern border community.”

Del Cabarga of 1214 11th Street:

- Requested a prompt response pertaining to SB 1070
- Expressed disappointment with council's lack of action
- Suggested the development of a resolution opposing SB 1070

Mark Adams of 826 11th Street:

- Douglas for Just Immigration Group - Stop SB 1070 and HB 2162
- Expressed opposition pertaining to SB 1070 and HB 2162
- Supports an immediate repeal/injunction to stop SB 1070 and HB 2162
- Supports Human Rights, safe communities, trusting relationships between the community and local law enforcement, positive binational relationships, immigration reform
- Expressed concern pertaining to council's lack of action
- May 15, 2010, peaceful march/community gathering

Consul de Mexico Oscar Antonio De La Torre:

- Mexican citizens concerned regarding the criminal component and implications of the law pertaining to SB 1070
- Migrant contributions

Roberto Medina of 843 8th Street, Apt. #3:

- Expressed concern regarding racial profiling under SB 1070
- Possible lawsuits against City of Douglas
- Suggested resolution development

Ginny Jordan of 3983 N. Plantation Road:

- Douglas for Just Immigration member
- Economic impact by Mexican visitors to Arizona
- Expressed concern pertaining to civil rights and human rights
- Concerned with council's lack of study of the law

Tony Ballesteros:

- Criticized council for their lack of preparation
- Suggested development of resolution

Ray Rodgers, City of Bisbee Council Member:

- City of Bisbee considering resolution in opposition of SB 1070 and HB 2162
- Commented on the importance of opposing the bill
- Political position taken by Governor Brewer
- Lawsuit implication
- Criminal component
- Civil rights violations
- Immigration reform
- Boycotts
- Economic impact
- Requested discussions to formulate resolution opposing SB 1070 and HB 2162

Lina (unknown last name) of 1457 14th Street:

- Suggested that the initiation of the bill was due to the murder of Robert Krents, a local rancher

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 by Council Member Morales, **second** by Council Member Lindemann to approve the consent agenda items, including item – A, expenditures for the month of April 2010, totaling \$2,034,140.40.

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

8. RESIGNATIONS AND APPOINTMENTS.

Finance Committee Appointments

Motion by Council Member Shelton, **second** by Council Member Huish to approve the reappointment of Victor Varela, Ana Bernal, and Bill Mason.

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

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

Jose Rodrigo Martinez of 933 7th Street, Douglas High School Student, requested the development of youth programs.

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

A PowerPoint presentation was given by Council Member Acedo pertaining to alley cleanup and garbage containers.

Council Member Huish requested an update pertaining to arm-trucks.

Carlos De La Torre, Public Works Director/City Engineer, informed that a new sanitation truck was equipped with an arm and implementation would be pending until possibly year-end due to financial reasons and fiscal impact.

Council Member Acedo suggested that Douglas was designed as an old town and it would be difficult for the trucks to drive through the alleys, but it could work in newer neighborhoods, adding that low power lines and trees would also create a problem. Additionally, illegal dumping issues might be created due to alley abandonment.

Curtis Shook pointed out that the rate increases would allow the city to spend money to obtain the proper garbage cans for the arm-trucks and agreed with issues noted by Council Member Acedo, adding that the automated system might not work in all areas and the council would have to discuss the matter further. However, automation could be implemented in areas where alleyways could be abandoned and it could possibly take place in 12 to 18 months.

Council Member Huish inquired if the citizens would do a better job at garbage control by having it at the front of the house instead of in the back.

Curtis Shook responded that some people would.

Council Member Shelton suggested ordinance development, opposes the placement of garbage disposals in front of the homes, and is in favor of the current system.

Mayor Gomez suggested enforcement of the current ordinance.

Council Member Acedo recommended uniformed wracks.

Council Member Fernandez pointed out that the issue had been previously discussed and suggested enforcement.

Council Member Lindemann stated that it was a solvable problem, which was a combination of enforcement and irresponsibility of the homeowner.

Council Member Morales suggested uniformity, opposes the placement of receptacles in the front of homes, and suggested ordinance enforcement along with the issuance of citations.

Mayor Gomez recommended the issuance of citations for ordinance violation.

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.

Curtis Shook noted that the increases were necessary to maintain the ambulance service and the equipment in a state that would allow the city to continue to provide the appropriate service to the community.

Motion by Council Member Lindemann, **second** by Council Member Morales to approve the third reading of Ordinance No. 10-980, by number and title only and declaring an emergency.

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

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 by Council Member Shelton, **second** by Council Member Huish to approve the second reading of Ordinance No. 10-981, by number and title only and declaring an emergency.

Curtis Shook commented that it was a good formal agreement with the parent company to the current helicopter emergency service located at the airport, which assured payment to the city and assured a location for Med-Trans.

Mayor Gomez inquired if it was only a hangar lease, which excluded involvement in the operations of the airport.

Curtis Shook agreed.

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. 10-981, by number and title only and declaring an emergency.

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

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 by Council Member Lindemann, **second** by Council Member Morales to approve the third reading of Ordinance No. 10-982 by number and title only.

It was pointed out by Curtis Shook that approval of the item was in the public's best interest.

Mayor Gomez asked at what point a developer would be required to conduct the lead test during a construction project.

In response, Christina Gomez - Housing Director stated that she was unaware if it was mandatory.

Curtis Shook also stated that it was possibly not a federal government requirement yet. However, if HUD funding was used it would be required, but when projects were independent the requirement would not apply.

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

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.**

Curtis Shook reminded council of their prior approval for local sales tax collection by city staff.

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

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

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.**

Juan Pablo Flores pointed out that the ordinance was being presented for its first reading and not the third reading as noted due to a clerical error.

Motion by Council Member Shelton, **second** by Council Member Huish to approve the placement of the first reading of Ordinance No. 10-984, by number and title only and declaring an emergency.

Juan Pablo Flores explained the expansion of information pertaining to Arizona Revised Statute and also explained the amendment to the location of hearings.

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

Motion by Council Member Shelton, **second** by Council Member Huish to approve the first reading of Ordinance No. 10-984, and to place it on second 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 second reading of Ordinance No. 10-984, and to 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. 10-984, by number and title only and declaring an emergency.

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

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.

Juan Pablo Flores pointed out that the ordinance was being presented for its first reading and not the third reading as noted due to a clerical error.

Curtis Shook provided information pertaining to a request by a business owner to build in a heavy industry zoning district for a medium industry designation.

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

Council Member Lindemann inquired if the area could be an overlay zone for the different uses permitted.

In response, Carlos De La Torre stated that it could be an overlay zone. However, there was a limitation on the amount of property and the city could be allowed more flexibility to meet future needs.

Moreover, four parcels or five lots are authorized to be under heavy industry, but due to setback requirements the heavy industry would not be able to meet building requirements to build in that zone. Spot zoning would not be a good idea, but providing application flexibility for similar uses within the district or adjacent district would be good.

Mayor Gomez inquired if the issue was been considered due to pending industry requests.

In response, Carlos De La Torre stated that a businessman had purchased a lot in the area of 7th Street and North Douglas Avenue for a wholesale business, small retail, and warehousing function.

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

Motion by Council Member Morales, **second** by Council Member Shelton to approve the first reading of Ordinance No. 10-989, and to place it on second reading by number and title only.

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

Mayor Gomez recessed the meeting at 7:25 p.m. and reconvened at 7:35 p.m.

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.

Curtis Shook informed that it was an annual grant application process through Tohono O’odham and the grant submittal would be for the purchase of repeater equipment. The City of Douglas antenna system does not have 100 percent communication and there is concern pertaining to public safety communications.

Motion by Council Member Fernandez, **second** by Council Member Shelton to approve Resolution No. 10-780.

Mayor Gomez expressed concern pertaining to the communications issue.

In response, Curtis Shook stated that the basic problem of the current towers was due to their height since some of the buildings and trees are not cleared.

Additionally, Alberto Melis - Police Chief stated that the City of Douglas was flat.

Council Member Huish asked if the signal had to travel in a straight line.

Alberto Melis, Police Chief, agreed.

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

- 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.**

Curtis Shook provided background information regarding the intergovernmental agreement.

Motion by Council Member Huish, **second** by Council Member Morales to approve Resolution No. 10-781.

Mayor Gomez requested further explanation pertaining to the 5.7 percent rate.

Carlos De La Torre explained that there were two funds, but what was being executed was from the \$3.5 million fund the city was allocated for the development and construction of Chino Road. Mr. De La Torre further explained that \$2 million was for the Chino Road extension and \$1.5 million was for the development of the design concept report for an ultimate build-out outside of the existing Chino Road alignment. Furthermore, any federal grant money allocated for the federal highway administration has a 5.7 percent match and the match for the city was calculated from the \$2 million.

Mayor Gomez further requested funding allocation for the \$114,000 (city's matching portion).

Curtis Shook stated that the funding would be generated through the special projects fund, which was funded by the ½-cent capital from local sales tax.

Carlos De La Torre agreed with Curtis Shook and noted that a transfer would have to be made from the special projects fund to the grants matching funds.

Mayor Gomez inquired if the money could be taken from 3rd Street funds received from Wal-Mart as previously discussed.

Curtis Shook confirmed that discussions had previously taken place.

Carlos De La Torre noted that the discussion was pertaining to the same fund since 3rd Street was also funded out of the special projects fund, adding that the fund was augmented by escrow money issued by Wal-Mart for the construction of 3rd street.

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

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.

Curtis Shook informed the council of the accounts value in ambulance receivables of approximately \$750,000 and utilities receivables of approximately \$50,000. In addition, through a collection firm, a collection program could be instituted in order to address the loss of funds due to non-collection.

Motion by Council Member Shelton, **second** by Council Member Huish to approve Resolution No. 10-782.

Mayor Gomez asked if the collection companies generally assessed a 40 percent based on collections.

Curtis Shook agreed.

In response, Jorge Treviño stated that if language pertaining to collection referral was noted on the utility and ambulance bills, a collection fee could also be added to the amount due. Upon recovering the outstanding amount and the collection fee the result would be 100 percent collection, which is what the City of Douglas plans to collect.

Council Member Shelton inquired if payment plans were available, suggested adding language to the bill regarding payment options, and also inquired if agreements were signed.

Jorge Treviño stated that individual arrangements had been made previously via written agreement.

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

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.**

Curtis Shook provided background information pertaining to the grant.

Alberto Melis, Police Chief, explained the availability of the funds and provided information pertaining to the equipment.

Motion by Council Member Huish, **second** by Council Member Shelton to approve Resolution No. 10-783.

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

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.**

Curtis Shook provided information regarding the intergovernmental agreement and the intended use of the building by Cochise County. In addition, demolition of the interior of the building might be scheduled in the month of June and services might be provided within an estimated 9 to 10 month timeline.

Motion by Council Member Huish, **second** by Council Member Morales to approve Resolution No. 10-784 and to add the amount of \$1,136,614.03 (to Section VI, page 4 of IGA as the purchase price for PD Building).

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

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.**

Curtis Shook requested approval and authorization to execute the agreement with BWS with a set fee of 7.615 and not to exceed \$300,000.

Motion by Council Member Lindemann, **second** by Council Member Shelton to approve Resolution No. 10-785.

Mayor Gomez inquired if the council was moving ahead of the process in considering approval of the architectural services since the intergovernmental agreement would have to be signed by Cochise County.

Curtis Shook stated that the city was being placed in a position to work synonymous with the process and expected approval from the board of supervisors on the 24th (of May) and thereafter the city would be ready to start.

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

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

Curtis Shook provided background information on the meet and confer process, commended DPOA for understanding the city's financial situation, and recommended no change due to the economy.

Motion by Council Member Shelton, **second** by Council Member Huish to accept the recommendations of the city manager concerning DPOA as presented in his memorandum to mayor and council dated March 31, 2010.

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

Mayor Gomez pointed out that council appreciated the Douglas Police Department for their cooperation, their understanding of the poor economy, and for accepting the city manager's recommendation.

24. MAYOR'S REPORT.

No report.

25. COUNCIL MEMBERS' REPORTS.

No reports.

26. CITY MANAGER'S REPORT.

No report.

27. CITY ATTORNEY’S REPORT.

No report.

28. ADJOURNMENT.

Motion by Council Member Morales, **second** by Council Member Lindemann to adjourn the meeting at 8:04 p.m. unanimously passed.

Prepared By:

Brenda Aguilar
City Clerk