



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 – SEPTEMBER 14, 2011
AT OR AFTER 4:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER/ROLL CALL: 4:00 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 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 (excused)
CITY CLERK - BRENDA AGUILAR	X	

2. OATH OF OFFICE FOR NEWLY APPOINTED WARD 3 COUNCIL MEMBER BEN LA FORGE.

Not an action item – no action taken.

3. ADJOURNMENT: 4:04 p.m.

“Douglas – the premier southwestern border community.”

Brenda Aguilar
City Clerk

Posted at City Hall on Thursday, September 15, 2011, @ 4:00 p.m. by

Ana Laura Gonzalez
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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MAYOR AND COUNCIL
SPECIAL MEETING – SEPTEMBER 14, 2011
AT OR AFTER 4:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER/ROLL CALL: 4:08 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 BEN LA FORGE	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 (excused)
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) (1) TO DISCUSS A PERSONNEL/EMPLOYMENT MATTER CONCERNING THE CITY TREASURER, AND UNDER THE AUTHORITY OF A.R.S. § .38-431.03 (A) (3) TO CONSULT WITH THE CITY ATTORNEY FOR LEGAL ADVICE ON THE PERSONNEL/EMPLOYMENT MATTER, 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 BY THE CITY OF DOUGLAS AGAINST MT. DEVELOPMENT, LLC. AND VICE VERSA.

Motion PASSED by a vote of 7-0.

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3. ADJOURNMENT: 5:59 p.m.

Brenda Aguilar
City Clerk

Posted at City Hall on Thursday, September 15, 2011, @ 4:00 p.m. by

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Administrative Secretary

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AGENDA – WITH ACTIONS TAKEN

CITY OF DOUGLAS
MAYOR AND COUNCIL
REGULAR MEETING – SEPTEMBER 14, 2011
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 BEN LA FORGE	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 (excused)
CITY CLERK - BRENDA AGUILAR	X	

5. PRESENTATION/DISCUSSION BY THE HUMAN RESOURCES DIRECTOR, ANA URQUIJO, CONCERNING PUBLIC TRANSIT SERVICES.

Not an action item – no action taken.

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

Not an action item – no action taken.

7. DISCUSSION/DECISION ON CONSENT AGENDA ITEMS:

- A. EXPENDITURES FOR THE MONTH OF AUGUST 2011, TOTALING \$1,927,800.06.
- B. MEETING MINUTES FOR AUGUST 10, 2011.
- C. APPROVAL OF BID PROPOSAL SUBMITTED BY BYRD'S CONSTRUCTION FOR THE REMOVAL AND REPLACEMENT OF HVAC SYSTEMS FOR THE CITY OF DOUGLAS POLICE DEPARTMENT.

Motion PASSED by a vote of 7-0.

8. A. DISCUSSION/DECISION ON APPROVAL OF THIRD READING OF ORDINANCE NO. 11-1001, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 2010-2011 AMENDMENTS TO THE TAX CODE OF THE CITY OF DOUGLAS" BY REFERENCE; ESTABLISHING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND DECLARING AN EMERGENCY.

Motion PASSED by a vote of 7-0.

- B. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-845, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "THE 2011 AMENDMENTS TO THE TAX CODE OF THE CITY OF DOUGLAS."

Motion PASSED by a vote of 7-0.

9. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-852, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, GRANTING TO ARIZONA PUBLIC SERVICE COMPANY A PERMANENT UTILITY EASEMENT FOR INSTALLATION AND MAINTENANCE OF ELECTRIC LINES, TOGETHER WITH APPURTENANT FACILITIES AND FIXTURES, LOCATED WITHIN A PARCEL OF LAND KNOWN AS THE OLD PHELPS DODGE MERCANTILE BUILDING THAT WILL SOON BECOME THE NEW GOVERNMENT CENTER BUILDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.

Council Member Quiñonez recused himself, did not participate in the discussion, and did not vote citing a conflict of interest due to having financial investments with the company.

Motion PASSED by a vote of 6-0.

10. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-853, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, APPROVING A SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA) ENTERED INTO ON DECEMBER 30, 2008, WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION PURSUANT TO AG CONTRACT NO. P001-2008-005288 FOR AN ECONOMIC STRENGTH PROJECT FUND PROGRAM COVERING ROAD IMPROVEMENTS IN THE CITY OF DOUGLAS.

Motion PASSED by a vote of 7-0.

11. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-854, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE DOUGLAS POLICE DEPARTMENT TO ENTER INTO A GRANT AGREEMENT FROM THE ARIZONA AUTOMOBILE THEFT AUTHORITY IN THE AMOUNT OF \$1,140.00 TO ATTEND AN AUTO THEFT INVESTIGATION TRAINING ON OCTOBER, 2011.

Motion PASSED by a vote of 7-0.

12. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-855, 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 ARIZONA DEPARTMENT OF TRANSPORTATION FOR A REIMBURSABLE GRANT IN THE AMOUNT OF \$108,000.00 WITH A TEN (10) PERCENT LOCAL MATCH FOR THE INSTALLATION OF APPROXIMATELY 1,200 FEET OF SECURITY FENCING AROUND THE CURRENT INFRASTRUCTURE AT THE MUNICIPAL AIRPORT UNDER THE ADOT'S AIRPORT DEVELOPMENT.

Motion PASSED by a vote of 7-0.

13. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-856, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING RESOLUTION 08-537 CLARIFYING RULES FOR IMPLEMENTATION OF ARTICLE III, SECTION 5 OF THE CITY CHARTER OF THE CITY OF DOUGLAS.

Motion PASSED by a vote of 4-3 to table the item.

14. DISCUSSION/DECISION IN CONSIDERATION OF A CITIZEN'S PETITION CONCERNING ISSUES RELATED TO THE CITY OF DOUGLAS EMPLOYMENT PROCESS.

Motion PASSED by a vote of 6-1 to acknowledge receipt of petition and not to take further action.

15. DISCUSSION/DECISION IN CONSIDERATION OF THE CITY OF DOUGLAS 2011 FIREWORKS.

Motion PASSED by a vote of 4-3 to spend the 2011 fireworks budget of \$20,000 for capital improvements in the parks and recreation division.

16. DISCUSSION/DECISION IN CONSIDERATION OF THE FUTURE EMPLOYMENT STATUS FOR THE CITY OF DOUGLAS TREASURER .

Motion PASSED by a vote of 7-0 at 9:03 p.m. to enter into executive session to discuss the employment status of the City of Douglas Treasurer. The executive session was adjourned at 9:15 p.m.

Motion PASSED by a vote of 7-0 to accept the resignation of the City Treasurer effective immediately and to approve a three-month salary severance package.

17. MAYOR'S REPORT.

- 08/30/11 – 09/02/11 Arizona League of Cities and Towns Annual Conference
 - 09/01/11 Council of Governments (COG) Meeting concerning City of Douglas Port of Entry Expansion
 - 09/01/11 Governor and Legislative Luncheon
 - Border security comments made by Alan Bersin, Customs and Border Protection Commissioner, Border Czar and Jan Brewer, Governor
- 09/09/11 Meeting – Port of Entry update by Rubén Reyes, District Director for U.S. Congressman Raúl Grijalva.

Not an action item – no action taken.

18. COUNCIL MEMBERS' REPORTS.

Margaret Morales:

- 08/30/11 – 09/02/11 Arizona League of Cities and Towns Annual Conference
 - 08/30/11 Resolutions Committee – Resolution No. 11-842 Highway User Revenue Fund

Not an action item – no action taken.

Mitch Lindemann:

- 09/02/11 – Ray Rios Fallen Officers Memorial Dedication

Not an action item – no action taken.

19. CITY MANAGER'S REPORT.

None

Not an action item – no action taken.

20. CITY ATTORNEY'S REPORT.

None

Not an action item – no action taken.

21. ADJOURNMENT: 9:22 p.m.

Brenda Aguilar
City Clerk

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