

**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 two special meetings open to the public on **Wednesday, September 14, 2011**, at or after 4:00 p.m., and a regular meeting on the same date at 6:00 p.m. The meetings 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, DEFERRAL 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 Unless some other member of the audience or Council Member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the City Council.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 9th day of September, 2011.

**MAYOR AND COMMON COUNCIL
CITY OF DOUGLAS**



THE CITY OF DOUGLAS

425 10TH 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 – SEPTEMBER 14, 2011
AT OR AFTER 4:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER/ROLL CALL.
2. OATH OF OFFICE FOR NEWLY APPOINTED WARD 3 COUNCIL MEMBER BEN LA FORGE.
3. ADJOURNMENT.

“Douglas – the premier southwestern border community.”

Brenda Aguilar
City Clerk

Posted at City Hall on Friday, September 9, 2011, @ 4:45 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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AGENDA

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.
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.
3. ADJOURNMENT.

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City Clerk

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THE CITY OF DOUGLAS

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Brenda Aguilar
City Clerk

AGENDA

CITY OF DOUGLAS
MAYOR AND COUNCIL
REGULAR MEETING – SEPTEMBER 14, 2011
AT 6:00 P.M.
CITY HALL - COUNCIL CHAMBER

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. INVOCATION.
4. ROLL CALL.
5. PRESENTATION/DISCUSSION BY THE HUMAN RESOURCES DIRECTOR, ANA URQUIJO, CONCERNING PUBLIC TRANSIT SERVICES.
6. PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.
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.

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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.**
 - 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.”**
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.**
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.**
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.**

- 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.**
- 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.**
- 14. DISCUSSION/DECISION IN CONSIDERATION OF A CITIZEN'S PETITION CONCERNING ISSUES RELATED TO THE CITY OF DOUGLAS EMPLOYMENT PROCESS.**
- 15. DISCUSSION/DECISION IN CONSIDERATION OF THE CITY OF DOUGLAS 2011 FIREWORKS.**
- 16. DISCUSSION/DECISION IN CONSIDERATION OF THE FUTURE EMPLOYMENT STATUS FOR THE CITY OF DOUGLAS TREASURER .**
- 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.

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

Mitch Lindemann:

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

19. CITY MANAGER'S REPORT.

None

20. CITY ATTORNEY'S REPORT.

None

21. ADJOURNMENT.

Brenda Aguilar
City Clerk

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