

**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 a special meeting open to the public on **Wednesday, October 12, 2011**, at 5:00 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, DEFFERRAL 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 Unless some other member of the audience or Council Member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the City Council.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 7th day of October, 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 – OCTOBER 12, 2011
AT OR AFTER 5:00 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) (4) TO CONSULT WITH THE CITY ATTORNEY FOR LEGAL ADVICE REGARDING PENDING LITIGATION BY THE CITY OF DOUGLAS AGAINST MT. DEVELOPMENT, LLC. AND VICE VERSA AND TO CONSULT WITH THE CITY ATTORNEY FOR LEGAL ADVICE REGARDING PENDING LITIGATION AGAINST THE CITY OF DOUGLAS POLICE DEPARTMENT BY RAMON AND VERONICA QUINTERO.
3. ADJOURNMENT.

“Douglas – the premier southwestern border community.”

Brenda Aguilar
City Clerk

Posted at City Hall on Friday, October 7, 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.



THE CITY OF DOUGLAS

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**CITY OF DOUGLAS
MAYOR AND COUNCIL
REGULAR MEETING – OCTOBER 12, 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 OF AWARDS.

City of Show Low Police Chief, Jeffrey Smythe, will present an appreciation award to Officer Martin Villa and to Officer Tomas Romero.

City of Douglas Police Chief, Alberto Melis, will present a lifesaving award to Officer Martin Villa and to Officer Ivan Villaescusa.

6. **DISCUSSION/DECISION ON APPROVAL AND AUTHORIZING THE CITY MANAGER TO SEARCH FOR AN AERIAL LADDER FIRE TRUCK AND FINANCING OPTIONS TO PURCHASE.**
 - a. PowerPoint presentation by Fire Chief, Mario Novoa.
7. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-857, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A GRANT FROM THE 100 CLUB OF ARIZONA IN THE AMOUNT OF \$2,828 TO PURCHASE BALLISTIC PROTECTION HELMETS TO USE AT DANGEROUS EMERGENCY SCENES.**
8. **PRESENTATION/DISCUSSION BY FINANCE MANAGER, LUIS PEDROZA, CONCERNING THE FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2011.**

“Douglas – the premier southwestern border community.”

9. DISCUSSION/DECISION ON CONSENT AGENDA ITEMS:
 - A. EXPENDITURES FOR THE MONTH OF SEPTEMBER 2011, TOTALING \$2,145,029.41.
 - B. MEETING MINUTES FOR JULY 13, 2011, AUGUST 29, 2011, AND SEPTEMBER 14, 2011.
10. DISCUSSION/DECISION ON APPROVAL OF FIRST READING OF ORDINANCE NO. 11-1003, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING TITLE 3 OF THE CITY OF DOUGLAS MUNICIPAL CODE RELATING TO MUNICIPAL CEMETERY AND BY AMENDING SECTIONS 3.12.010 THROUGH 3.12.100, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.
11. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-858, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING RESOLUTION NO. 10-664 AND AUTHORIZING THE CITY MANAGER TO OVERSEE THE “NOW” ACCOUNT WITH ALLIANCE BANK OF ARIZONA.
12. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-859, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, TO COMPLY WITH GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) NO. 54, FUND BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS AND APPOINTMENT.
13. DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-860, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE CITY OF DOUGLAS TO ENTER INTO A PARTIAL MATCH GRANT AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA) FOR THE DEVELOPMENT OF A WATER SYSTEM MODEL OF THE CITY OF DOUGLAS WATER DISTRIBUTION SYSTEM AS PART OF A WATER SERVICE PLANNING DESIGN AWARD PROGRAM.

14. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 11-861 OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE CITY OF DOUGLAS, A MUNICIPAL CORPORATION TO ENTER INTO A MUTUAL RELEASE AND SETTLEMENT AGREEMENT WITH RAY A. MEHAN AND JULIE ANN MEHAN, HUSBAND AND WIFE; MT. 300 L.L.C., MEHAN INVESTMENTS L.L.C., AND MT. DEVELOPMENT L.L.C., ALL ARIZONA LIMITED LIABILITY COMPANIES (“MEHAN”) CONCERNING PENDING LITIGATION IN COCHISE AND MARICOPA COUNTY SUPERIOR COURTS ALONG WITH OTHER LEGAL OBLIGATIONS OF THE PARTIES UNDER THE TERMS OF THE MUTUAL RELEASE AND SETTLEMENT AGREEMENT ENTERED INTO BETWEEN THE PARTIES, IN ORDER TO ACCOMPLISH DISMISSAL WITH PREJUDICE AS TO ALL PENDING LITIGATION.**
15. **DISCUSSION/DECISION ON APPROVAL OF AN INVESTIGATION CONCERNING ALLEGATIONS OF AN ETHICAL VIOLATION(S) AND/OR OFFICIAL MISCONDUCT WHICH MAY HAVE OCCURRED ON OR ABOUT SEPTEMBER 30, 2010, BY MAYOR GOMEZ AND INSTRUCTING/AUTHORIZING THE MAYOR PRO TEMPORE TO INVESTIGATE AND TO CONTACT THE APPROPRIATE LAW ENFORCEMENT AGENCIES AND/OR INDEPENDENT COUNSEL TO HANDLE THE INVESTIGATION.**
16. **PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.**
17. **MAYOR’S REPORT.**
 - 09/16/11 Meeting - Arizona Department of Transportation Consultation Meeting concerning the State Long-Range Transportation Plan – What moves You Arizona, the Statewide Transportation Improvement Program covering multimodal projects over the next five years, and other regional transportation planning activities.
 - 09/16/11 Meeting – State Transportation Board Meeting concerning the 5-year Transportation Infrastructure Plan.
 - Update concerning pending House Bill 4039 regarding funding expansion and modernization projects for the City of Douglas Port of Entry.

18. COUNCIL MEMBERS' REPORTS.

Margaret Morales:

- Douglas Recreation Division
 - Repair of exercise equipment.
 - Use of funding from the \$20,000 (unused fireworks budget) allocated for capital improvements in the parks and recreation division.
 - Five-gallon water tank in the workout facility.
 - Request to be filled weekly.

Mitch Lindemann:

- Merits of call to the public.

Ben La Forge:

- Administrative response concerning abatement notices for vacant/abandoned homes with overgrown weeds.
- 09/22/11 City of Willcox Mayors/Managers' Luncheon update.

Ivan Huish:

- Would like to thank everyone who assisted and contacted him concerning his incident at City Hall on 09/14/11.

19. CITY MANAGER'S REPORT.

None

20. CITY ATTORNEY'S REPORT.

None

21. ADJOURNMENT

Brenda Aguilar
City Clerk

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