



**Minutes**

The City of Douglas Mayor and Council met in a Regular Meeting on Wednesday, December 13, 2023, at 6:00 p.m., in City Hall Council Chamber. The Honorable Mayor Donald Huish called the meeting to order.

1. **CALL TO ORDER. 6:00 p.m.**
2. **PLEDGE OF ALLEGIANCE. By Council**
3. **INVOCATION. Councilmember Jose Grijalva**
4. **ROLL CALL.**

	<u>PRESENT</u>	<u>ABSENT</u>
MAYOR, DONALD C. HUISH	X	
MAYOR PRO TEMPORE, MARGARET MORALES	X	
COUNCILMEMBER, MITCH LINDEMANN	X	
COUNCILMEMBER, DANYA ACOSTA	X	
COUNCILMEMBER, RAY SHELTON	X	
COUNCILMEMBER, MICHAEL BALDENEGRO	X	
COUNCILMEMBER, JOSE GRIJALVA	X	
CITY MANAGER, ANA URQUIJO	X	
CITY ATTORNEY, DENIS FITZGIBBONS	X	
CITY TREASURER, LUIS PEDROZA	X	
CITY CLERK, ALMA ANDRADE	X	

5. **PRESENTATION of AWARDS.**

- A. **RECOGNITION** to the **BENSON VISITOR CENTER** for advertising the Douglas community as part of the **HISTORIC AZ80 PROJECT**.

Mayor Huish stated it was very appreciative of the City of Benson Visitor Center and expressed excitement to have the City of Benson Mayor Joe Conrad and the City of Benson Manager Vicky Vivian and appreciated their presence.

Mayor Huish continued to read the biographies for the individuals that worked on the Historic AZ80 Project and included the City of Douglas as part of their advertising.

Bob Nilson: Tourism supervisor of City of Benson Visitor Center since 2003. Bob is no stranger to writing grants, having written one to Union Pacific to enable the center to have the g-scale train simulator, which has become the calling card to the visitor center. Bob's most recent grant was the vai (visit Arizona initiative) round 1 grant, which included the design of the historical highway 80 map, visitor center magnets as well as print advertisement that promoted a road trip down historical highway 80.

Kathy Lara: Social media manager/tourism clerk of City of Benson visitor center since 2019. Kathy successfully wrote the vai-(visit Arizona initiative) round 2 grant, this was her first grant, which included a website & a 28-minute travel guide to historical highway 80. She also elevated the social media presence at the visitor center, with videos & content.

Brett Allen: Executive producer at official best of America since 2007, a tv travel series covering over 30 states in the us that has aired on travel channel, discovery channel and all major networks. BHistorices in Sierra Vista and has long been a videographer and editor and filmed/edited the half hour video "Historic Highway 80 through Cochise County" that was part of the governor's award City of Benson visitor center received at the governor's convention on tourism put on by the Arizona Office of Tourism.

**B. RECOGNITION to Mr. RANDY HEISS** for his dedicated service to the City of Douglas community.

Mayor Huish read the following statement and provided Mr. Heiss with a Recognition Plaque.

"Originally from Michigan, Randy found his way to Southeastern Arizona in February of 1982, and became deeply enchanted with its climate, scenic beauty, and unique cultural fabric, he decided to relocate here. With a natural talent for writing, he began his public service as a consultant to the town of Patagonia, assisting them with grant writing and regulatory compliance issues for various infrastructure projects.

In 2002, when a vacancy occurred in the position of town clerk/manager, Randy applied and was hired. In addition to his regular job duties, Randy was responsible for planning, securing grant financing, and managing the implementation of major infrastructure improvement projects in this small, rural community of 950 residents.

In June of 2009, Randy took the leap from local to regional planning when he was hired to lead the Southeastern Arizona governments organization, where he was quick to realize the region's best opportunity to diversify and grow its economy was expanding cross-border commerce – something he passionately pursues in his work today. He and his Latin American wife Marcella split time between their homes in the beautiful communities of Patagonia and Bisbee and are frequent travelers to the Guaymas-San Carlos area where they enjoy the beach and the genuine warmth and hospitality of the Sonoran people."

**C. CHRISTMAS LIGHT PARADE WINNERS:**

**3rd Place:** Joe Carlson Elementary School

**2nd Place:** Cochise County Sheriff's Office

**1st Place:** Miss Douglas Days - Valentina Corella

Mayor Huish stated that the city had a very successful Christmas Light Parade on November 25, 2023, with over forty entries and it was the most attended parade.

Mayor Huish provided the names and took a photo with the winners.

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

Ida Pedrego of commented on the following:

- 8<sup>th</sup> Street swimming pool and for the city to understand the value of the pool and make sure to keep it for the youth of the community.

Jose Grijalva of 1220 21<sup>st</sup> Street, commented on the following:

- City to work with the American Legion, Veteran's banners year-round petition request.
- Picking a packet for the mayoral seat election.

**7. DISCUSSION/DECISION on APPROVAL of CONSENT AGENDA ITEMS:**

A. **EXPENDITURES** for the month of **NOVEMBER 2023** totaling \$3,087,057.55.

B. **MEETING MINUTES** for **NOVEMBER 8, 2023.**

C. **INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT** of **YVONNE PEREZ.**

D. **PLANNING AND ZONING COMMISSION APPOINTMENT** of **RICHARD ACOSTA.**

**Motion by Council Member Morales, second by Council Member Acosta to approve the consent agenda items as presented.**

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro and Jose Grijalva. Voted Against: None.**

Mayor Huish provided the certificates of appointment to the appointees and expressed appreciation for their willingness to serve along with all other many members of the community.

**8. DISCUSSION/DECISION on APPROVALS.**

- A. FIRST READING OF ORDINANCE NO. 23-1171**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, to undertake a **DEPARTMENTAL REORGANIZATION** affecting the **POLICE DEPARTMENT** and AMENDING the Ordinances No. 631, 673, 728, 848, 04-871, 09-954, 13-1027, 18-1086, 19-1103, 19-1108, 21-1133, 22-1142 and 23-1159; establishing severability of components of ordinance; and establishing an effective date thereof.

Chief Fullen provided background information and stated that through the budget process, there is currently a limited status Accreditation Manager position approved for this fiscal year. The Douglas Police Department recognizes the benefits that accreditation status brings to the agency through peer review of internal policies, procedures, operations, and training intended to promote industry best practices and improved transparency with the community that the department proudly serves. The Arizona Law Enforcement Accreditation Program (ALEAP) was established by the Arizona Association of Chiefs of Police (AACOP) in 2018. ALEAP worked tirelessly to tailor industry-best practices for law enforcement throughout the great state of Arizona.

Additionally, Chief Fullen pointed out that the accreditation process is information intensive and time sensitive. The police department is proposing instead of hiring a limited status Accreditation Manager, to eliminate the one vacant Police Sergeant position (1 of 6) and create a fulltime permanent Police Administrative Programs Coordinator position. This position will oversee the initial and ongoing accreditation process along with other administrative programs such as the body worn cameras.

**Motion by Council Member Acosta, second by Council Member Baldenegro to approve the placement of Ordinance No. 23-1171.**

Council Member Grijalva initial thought was that staff was hiring an administrative assistant, however, for public awareness and after reviewing the background information, it became apparent that this role would encompass diverse responsibilities, combining various tasks into a singular position intended at alleviating the workload of the police department. As the staff is preoccupied with grant-related activities, this new position would assist in easing their burden.

Council Member Grijalva recognized that initially, he presumed the police department might not require much assistance. However, if this initiative indeed eases their workload in safeguarding the community, he wholeheartedly supports it.

Council Member Baldenegro inquired about Chief Fullen's facial hair, to which Chief Fullen explained that it was part of the No Shave November initiative, raising awareness for men's health and cancer. The department engages in this program to deviate from their usual policy, allowing facial hair growth by contributing \$30 per month. The \$2,000 funds collected are donated to the 100 Club of Arizona, benefiting first responders and their families during hardships, including cases of cancer and line-of-duty deaths.

Council Member Lindemann sought clarification if the position was for a sworn individual, to which Chief Fullen clarified that it wasn't. The Administrative Sergeant, which is currently a sworn position, is being considered for replacement by a non-sworn professional staff position.

In response, Chief Fullen explained the evolution of the Administrative Sergeant's role. Initially, this role involved administrative tasks, such as managing bills and daily operations. Over time, responsibilities shifted to other positions within the agency, notably to an administrative assistant. This evolution allowed for the reassignment of responsibilities, creating an opportunity to reconsider the position.

Council Member Lindemann highlighted the availability of sworn officer openings in the city, which Chief Fullen acknowledged. He mentioned the ongoing efforts to fill these openings before the January Academy, with three applicants currently in consideration.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

**Motion by Council Member Acosta, second by Council Member Baldenegro to approve the first reading of Ordinance No. 23-1171.**

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

- B. FIRST READING OF ORDINANCE NO. 23-1172**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **ADOPTING "MARIJUANA LAND USES AMENDMENTS** to the **DOUGLAS ZONING CODE ARTICLE 5 OF TITLE 17** and **CHAPTER 5.02** of the **DOUGLAS MUNICIPAL CODE"** by reference to amend certain provisions, relating to the update of rules and regulations to zoning within the City of Douglas and to the Licensing and Taxation of Marijuana Land Uses; establishing severability of components of Ordinance; and establishing an effective date thereof.

William Osborne provided background information and stated the intent is to amend regulations regarding marijuana land uses to make equivalent nonprofit marijuana establishments. The statute was provided to Planning and Zoning Commission and several options were provided to them as a baseline to bring regulations into parity with the statute making sure that land uses were treated equivalent as required by Statute. The section of statute is in title 36, Chapter 28.2, section 36-2857 localities marijuana establishments and marijuana testing facilities most specifically subsection C1 that states that a locality may not enact any ordinance regulation or rule that 1) is more restrictive than a comparable ordinance regulation or rule that applies to nonprofit medical marijuana dispensaries and therefore, that is the largest cause for the proposed amendments.

**Motion by Council Member Morales, second by Council Member Lindemann to approve the placement of Ordinance No. 23-1172.**

Council Member Morales commented that there had been some interest in the past in having a dispensary, but the interested parties were not able to meet the requirements, and this would allow them to be able to.

In response, Mr. Osborne stated that the amendments provide the opportunity for a dispensary or for an establishment one is nonprofit, and the other is for profit, one is for recreational and one for medical use and for those who might hold a green card with the State of Arizona Department of Health, both are regulated by the State Department of Health. All marijuana uses in the state are regulated by the Department of Health including for permitting and for issuance of through a lottery process. The opportunity to apply for a location in Douglas if the regulations restrict the location of where that lottery winner might be able to be located as has happened in the past.

Council Member Grijalva stated that a few years ago council voted when there was going to be treated recreational the same as medicinal that anybody who wanted to setup had to set up west of Pan American and it seems like mostly it could stay away from schools.

Mr. Osborne responded that the proposed regulations maintain schools as a sensitive use whether private or public school as required by statute but for the other uses that are defined as sensitive those are not included in statute, those are not statutory requirements and are basically limit in the existing map and each of the options would do as far as impact or reducing those sensitive uses or reducing the separation distance for the sensitive uses, option B features only schools public or private 500 feet separation from any proposed use.

Council Member Grijalva asked that if pushing to Pan American that is commercial and there's not going to be any public or private schools and stated that the city should focus on private or public school not to set in a business district because currently there is a problem that there's a school grandfathered in downtown who cross every weekday during dangerous traffic because they could set up there. The focus should be on schools not being able to set up in a business district instead of telling the businesses don't set up near a school because the city could still be having the same problem.

Council Member Shelton inquired if dispensaries would be close to churches.

Mr. Osborne responded that churches are not identified in statutes as a sensitive use and stated they are included in the current regulations.

Council Member Acosta stated that when council adopted the standard regulations, everything was new and there was no guidance and expressed if it's causing the business not to come in to the community, then council would need to go with the standard regulations for it and it is good revenue for the city and seems that the revenue portion is working for other communities and the city could use it.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta and Michael Baldenegro. Voted Against: Council Members: Ray Shelton and Jose Grijalva.**

**Motion by Council Member Morales, second by Council Member Lindemann to approve the first reading of Ordinance No. 23-1172.**

Mayor Huish asked Mr. Osborne for clarification that the city cannot go more restrictive.

Mr. Osborne responded that it was not more restrictive between different marijuana establishments versus dispensaries to be treated equally.

Mayor Huish commented that this would put the city in the plan until the law changes.

Mr. Osborne agreed and stated that if the city were to get another candidate who would go through the state's process of vetting for their opportunity to locate in Douglas and for then to find a candidate location, but they still follow state regulations on specifics of the use.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta and Michael Baldenegro. Voted Against: Council Members: Ray Shelton and Jose Grijalva.**

- C. **RESOLUTION NO. 23-1578**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **DECLARING AS A PUBLIC RECORD** that certain document filed with the City Clerk and entitled "**MARIJUANA LAND USES**" Amendments to the Douglas Zoning Code Article 5 of title 17 and Chapter 5.02 of the Douglas Municipal Code by reference to amend certain provisions, relating to the update of rules and regulations to zoning within the City of Douglas, and to the licensing and fees of Marijuana Land Uses.

Mr. Fitzgibbons provided background information and stated that per state statute would allow council to adopt codes that are lengthy by refence it saves the city on publication costs since all ordinances need to be published in a newspaper, therefore the legislature allows municipalities and declare the code a public record, tell people where they can find a copy and saves the city on publication costs.

**Motion by Council Member Baldenegro, second by Council Member Acosta to approve Resolution No. 23-1578.**

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Michael Baldenegro, and Jose Grijalva. Voted Against: Council Member Ray Shelton.**

- D. FIRST READING OF ORDINANCE NO. 23-1173**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING the PURCHASE of REAL PROPERTY** located at **2017 ROGERS AVENUE**, Douglas, Arizona at a purchase price of **\$560,000**; Approving the Purchase and Sale Agreement and Escrow Instructions with the University of Arizona Board of Regents; Authorizing the Mayor and City Manager to Execute all necessary documents; establishing severability of components of ordinance; and establishing an effective date thereof.

Ms. Urquijo provided background information.

Mr. Pedroza provided financial background information.

**Motion by Council Member Shelton, second by Council Member Acosta to approve the placement of Ordinance No. 23-1173.**

Council Member Baldenegro inquired about the inclusion of equipment and additional land surrounding the building.

In response, Mr. Pedroza confirmed the presence of equipment such as veterinary tables on the UofA side, refrigerators, and various smaller equipment.

Ms. Urquijo supplemented this information by listing office chairs, worktables, conference tables, portable oxygen tanks, carts, exam tables, surgical equipment, dental machines, lockers, filing cabinets, washers, dryers, dishwashers, kennels, freezers, and other items within the premises. Additionally, she mentioned an exterior metal building housing a water heater, exam lights, and various boxed items of unknown content.

Further questioning by Council Member Baldenegro inquired into the property's size, to which Mr. Pedroza specified it covers 3.1 acres.

Council Member Shelton initially considered constructing a new building, but estimated costs amounted to \$3 million. Therefore, Council Member Shelton proposed renovating the existing structure to give it a modern appearance.

Council Member Grijalva acknowledged the necessity of an animal shelter but expressed concern about depleting reserves. He pointed out the city's possession of \$2.9 million in ARPA funds from the federal government over the past two years. He suggested utilizing these funds for the shelter instead of dipping into reserves, especially considering that using reserves might hinder other necessary projects like G Avenue.

Council Member Grijalva emphasized the advantage of using immediately available funds instead of relying on reserves. He proposed a motion to amend the funding source from reserves to ARPA funds, seconded by Council Member Acosta.

Council Member Acosta inquired about discussions with the Humane Society or other interested agencies regarding potential partnership opportunities for an adoption program.

Ms. Urquijo highlighted those previous discussions with various agencies had involved diverse perspectives, but limitations existed, including the current space constraints within the city. However, she viewed this as an opportunity to address such challenges, which could serve as a substantial asset and advantage for the city.

Mr. Fitzgibbons clarified that the revised motion required approval from Council Member Shelton, who had initially proposed the motion.

Council Member Shelton opted to maintain his original motion.

Mr. Fitzgibbons explained that the council could proceed with the formal motion when ready for a vote. If the motion passes, it stands; otherwise, Council Member Grijalva's amendment would still be in consideration.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, and Michael Baldenegro. Voted Against: Council Member Jose Grijalva.**

**Motion by Council Member Grijalva, second by Council Member Acosta to approve the first reading of Ordinance No. 23-1173 with the amendment of using ARPA funds instead of the unrestricted reserves.**

Council Member Shelton inquired of Mr. Pedroza regarding his recommended course of action.

In response, Mr. Pedroza indicated that the staff recommended utilizing the unrestricted reserves. He elaborated that the ARPA funds, initially allocated within the budget for specific purposes, were also available for capital projects. He suggested the possibility of reclassifying these funds if the council desired.

For clarification, Ms. Urquijo specified that the current earmarked ARPA funds amounted to \$2.9 million, with \$1.3 million allocated for downtown. She highlighted that the \$2.9 million was pending approval through a congressional spending request.

Council Member Acosta sought information about the current budget allocation for ARPA funds.

Expressing concern, Council Member Lindemann stated a reluctance to divert funds from downtown projects, emphasizing the importance of maintaining reserves. He emphasized the need for prudence despite acknowledging the time it might take to execute the plans.

Addressing Council Member Acosta's question, Mr. Pedroza outlined various projects within the downtown revitalization totaling \$1.3 million, encompassing street projects, park master plan recommendations, port of entry development, telecommunications expansion study, and RV Park. Ms. Urquijo added that some of these projects had undergone expansion.

Council Member Grijalva responded to Council Member Lindemann's concerns, asserting that the city's revitalization would require time and that the city could recover the funds gradually. He expressed discomfort with tapping into reserves when available ARPA funds, unused for two years, could address community needs.

Council Member Lindemann respectfully reasoned that assuming the government would not reclaim the funds was speculative. He advocated for sticking to the administration's plan, citing the city's earmarking, and reasoning for the funds.

Council Member Grijalva clarified that his concern wasn't the government reclaiming funds but rather the city not utilizing available resources, potentially hindering future funding opportunities.

Ms. Urquijo required confirmation from Mr. Pedroza regarding the accountability of ARPA funds previously provided during the pandemic, indicating that a trip by Senator Kelly had allowed the city to reclassify these funds as city funding, regardless of their ARPA origin.

Mr. Pedroza explained that the federal government granted flexibility a year after issuing funds to smaller communities receiving \$10 million or less in ARPA funds. This allowed such communities to classify revenue loss without necessitating detailed expenditure reporting.

Mayor Huish asked whether ARPA funds for downtown projects involved any grants requiring a city match.

Ms. Urquijo mentioned two pending substantial grants for downtown, specifically mentioning the SBTDBG, for which the city currently has matching funds but is uncertain whether it's the entire \$1.3 million or a percentage.

Mr. Pedroza clarified that the project had been presented as a \$7 million endeavor, with the city contributing \$1.3 million.

Council Member Baldenegro suggested utilizing ARPA funds, citing increased interest rates, to pay \$26,000 upfront. This move aimed to avoid paying interest over the anticipated ten-year period needed to recover the funds, allowing the city to own the property outright.

**Roll call: Voted in Favor: Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: Mayor Donald Huish.**

- E. **RESOLUTION NO. 23-1575**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the City of Douglas to **ACCEPT GRANT FUNDING** and **ENTER** into a **SUBGRANTEE AGREEMENT** with the STATE OF ARIZONA DEPARTMENT OF EMERGENCY and MILITARY AFFAIRS for a REIMBURSABLE GRANT FUND allocation in the amount of \$194,178 for **EQUIPMENT** under the BORDER SECURITY Grant Program.

Chief Fullen provided background information.

**Motion by Council Member Baldenegro, second by Council Member Shelton to approve Resolution No. 23-1575.**

Council Member Baldenegro inquired about the utilization of camera recognition technology and the specific locations for its deployment.

Chief Fullen responded that the allocated funding would enable the police department to acquire approximately 12 cameras, possibly fewer, due to the increased equipment costs between the proposal submission and the awarding of funds.

These cameras, Chief Fullen elaborated, would be strategically placed in key areas within the town characterized by high traffic frequency, encompassing entry and exit routes.

Chief Fullen proceeded to explain the technology for those unfamiliar with license plate readers, stating that the systems being considered are standalone units powered by solar energy and connected via LTE. They capture images of vehicles and license plates without gathering personal identifying information. These images solely include the back of the vehicle and its license plate, providing law enforcement with the ability to cross-reference the license plate or search for a vehicle matching a reported description, aiding in law enforcement inquiries or investigations.

Chief Fullen included that the gathered data remains stored for a duration of 30 days, following which it is automatically erased by the system. Built-in safeguards mandate officers to provide a specific reason for accessing the license plate or information. In the context, this reason would be the case number and the subject of an investigation. Additionally, any inquiry made on a license plate must comply with legal



regulations; the police department cannot run plates without a valid reason. These activities undergo auditing by the Department of Public Safety, as they oversee and ensure compliance with the program's regulations.

Council Member Grijalva asked since it was not included in the budget and it's \$194,000, what programs or grants are going to be affected by it.

In response, Ms. Urquijo mentioned that the capacity for accommodating unforeseen expenses was built into the grants program, with a reserve of \$5 million to address unexpected costs. This portion of the budget could serve as a buffer against such expenditures.

Chief Fullen clarified that the grant in question operated on a reimbursement basis. As the department incurs expenses, they would request reimbursement by submitting a requisition for the costs.

Council Member Morales inquired about how the system captures information on new vehicles.

Chief Fullen explained that the system captures vehicle information through photographs, essentially providing a visual record of what a camera would typically capture in a photo.

Regarding specific operational queries, Chief Fullen mentioned that two individuals present were better equipped to respond.

Hector Soliman Valdez, Director of Local Government Affairs at Flock Safety, detailed how the system discerns alpha-numeric characters on license plates. He noted that the cameras take images of passing vehicles, detecting, and cataloging any alpha-numeric characters observed, including both paper and Arizona plates. This is achieved using infrared technology through lenses and machine learning. Additionally, the system identifies a unique "vehicle fingerprint," enabling the police department to search for vehicles even without a visible license plate. For instance, if someone reports a red Honda without a plate, the system can apply these filters in addition to the license plate filters.

Council Member Baldenegro inquired whether the cameras would capture traffic from both directions.

Mr. Soliman Valdez explained that the cameras are positioned to capture the rear of vehicles, thus capturing two lanes of traffic in one direction, depending on the road configuration.

Chief Fullen added that due to funding limitations and the selected camera locations, capturing two lanes in the opposite direction wouldn't be feasible with a single camera; it would require an additional camera setup.

Council Member Baldenegro inquired on Pan American Avenue if this would be feasible.

Chief Fullen responded that it will capture two lanes in one direction.

As a clarification point, Ms. Urquijo asked if the system would read out of state license.

Mr. Soliman Valdez responded that it does have the ability to filter all 50 states in addition to foreign plates.

Chief Fullen included that they would also receive silver and amber alerts among the types of alerts.

Council Member Baldenegro inquired about the stationary nature of the system, noting that Department of Public Safety cars have license plate readers equipped.

In response, Chief Fullen clarified that this system differs from those in patrol cars, as it's specifically designed to be stationary. It's intended to be relocated from one location to another as needed. However, moving the

system requires the company's assistance, incurring additional costs. The goal is to concentrate on specific areas of significance and necessity.

Council Member Baldenegro asked if the city was eligible to get those types of cameras.

In response, Chief Fullen added that if money could be found.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

- F. **RESOLUTION NO. 23-1576**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **ACCEPTANCE** of a **\$46,800 GRANT** from the **TOHONO O'ODHAM NATION** for the **BRYAN'S WAY PROJECT**.

Daritza Villalobos provided background information.

**Motion by Council Member Baldenegro, second by Council Member Acosta to approve Resolution No. 23-1576.**

Council Member Baldenegro asked about the timing for the city to receive the funding and when the intersection could be completed.

In response, Ms. Villalobos stated that upon the resolution's approval, she would promptly forward it to the Tohono O'Odham Nation, prompting them to issue the check.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

- G. **RESOLUTION NO. 23-1577**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **EXECUTION** of a **LEASE** between the **CITY OF DOUGLAS** and **BARNARD SPENCER JOINT VENTURE** for **20 ACRES OF VACANT LAND** at the **DOUGLAS MUNICIPAL AIRPORT** within parcel # 410-01-005 for purposes of **CONDUCTING CONSTRUCTION CONTRACTOR** operations; establishing severability of components of Resolution; and establishing an effective date thereof.

Luis Pedroza provided background information.

**Motion by Council Member Baldenegro, second by Council Member Acosta to approve Resolution No. 23-1577.**

Council Member Grijalva conveyed enthusiasm about their interest in employing local individuals and emphasized the city's responsibility to promote not just the project but also the job opportunities available to local citizens.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

- H. **RESOLUTION NO. 23-1579**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **ADOPTING** the **PUBLIC INVOLVEMENT PLAN** for the **UPDATE** of the **GENERAL PLAN**; **ESTABLISHING** the **GENERAL PLAN ADVISORY COMMITTEE (GPAC)**; and **AUTHORIZING** the **CITY MANAGER** to **APPOINT MEMBERS** to the **GPAC**.

Ana Urquijo provided background information.

William Osborne provided information on the general plan update which is long due.

**Motion by Council Member Acosta, second by Council Member Shelton to approve Resolution No. 23-1579.**

Council Member Acosta suggested having diversity in this committee to include all facets of the community, looking into PTSO and people wanting to participate.

Mayor Huish stated that if any individuals of the council have any recommendations to give them to Ms. Urquijo for consideration.

Ms. Urquijo stated she will also share the names of prospects and she would be open to suggestions.

Mr. Osborne shared that the General Plan Advisory Committee meetings would be publicly advertised and therefore to keep that in mind as well as one of the meetings would need to be noticed in the paper at least fifteen days in advance.

Additionally, Mr. Osborne provided details of the first General Plan open house to take place on Monday, December 18, 2023, at 5:30 p.m., at the Douglas Visitor Center.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

- I. **APPROVING** of a **SALARY INCREASE** for the city clerk in **RECOGNITION** of her performance evaluation on November 8, 2023, and acknowledgement of her recent professional achievement in attaining the esteemed designation of **MASTER MUNICIPAL CLERK**.

**Motion by Council Member Lindemann, second by Council Member Morales to approve the average MMC salary increase for Alma Andrade in the amount of \$100,936.00 due to her performance evaluation and her recent professional achievement of Master Municipal Clerk designation.**

Council Member Grijalva remarked that the salary is standard, noting Ms. Andrade's commitment to ongoing education, her invaluable contributions to the city, and her extensive service to both the community and employees. He emphasized the risk of losing appointed officials if they're not compensated fairly, citing Ms. Andrade's indispensable role, and expressing concern about the council's prospects without her.

Council Member Acosta acknowledged that the stated salary might seem high, but it's the average, highlighting that other cities comparable to Douglas offer even higher compensation. Council Member Acosta stressed that considering Ms. Andrade's certifications, experience, and contributions, the increase is well-deserved.

Council Member Shelton supported the sentiments of both colleagues, commending Ms. Andrade for her continuous dedication, excellent work ethic, and extended birthday wishes.

Council Member Baldenegro recognized Ms. Andrade's achievements, congratulated her, and extended birthday wishes as well.

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

**J. POSSIBLE DIRECTION** regarding the **MIGRANT SITUATION** in the City of Douglas.

Ana Urquijo provided background information, highlighting the recent challenges faced by a local shelter in accommodating migrants overnight. Over the past 18 or 19 evenings, this shelter initially acted as a temporary holding cell for 4 to 6 hours while awaiting transportation from Pima County to Casa Alita's in Tucson. However, this role has become more demanding. While funding remains uncertain due to transitions from one federal funding source to another, it hasn't vanished entirely. Efforts from congressional delegations continue to pursue additional funds at both state and federal levels, though the issue fundamentally rests on federal asylum reforms, presenting numerous uncertainties.

Furthermore, Ms. Urquijo mentioned the recent situation where the city had to shelter approximately 130 individuals, exceeding the usual capacity of 50 or 60. Despite this strain, by 9 pm, two buses managed to transport 100 individuals to Tucson while the shelter accommodated 30 more.

In addition, Ms. Urquijo clarified an incident where 30 individuals surpassed the shelter's capacity, leaving no room for overnight stays. Consequently, a bus arrived, providing a warming shelter at the fire department's conference room—a measure typically utilized during freezing temperatures, open to anyone in the community. Occasionally, two individuals occupy the warming shelter, and it's available for overflow usage.

Additionally, Ms. Urquijo highlighted the active involvement of the faith community, particularly their representation in coordination with the city to explore potential assistance from congressional delegations in acquiring more resources. However, she clarified that the city had not officially assumed a role in this matter. Despite this, the city took action to aid other agencies, such as registering as a conduit for federal funds. For instance, when Cochise County had \$15,000 allocated for the shelter's food and supplies through either FEMA or DIMA, they were unable to receive it due to procedural obstacles. In response, the city stepped in, offering to act as a conduit for these funds, facilitating the reimbursement process.

Ms. Urquijo expressed the shelter's struggle in accessing necessary resources due to overwhelming paperwork requirements. To support them, the city provided staff assistance, guiding them through the paperwork process and ensuring the necessary signatures and document copies to qualify for reimbursement.

Ms. Urquijo explained the challenging situation the community is facing, noting that the bus funding and deployment are managed by DIMA, a part of the funding transition that has been smoothly executed. However, a persistent challenge arises regarding the number of buses dispatched to the city, contingent on the capacity of Casa Alitas and neighboring shelters. Often, insufficient funding for buses occurs not because of fewer needs in the city but due to limited space availability at the Tucson shelters where migrants are being processed.

Presently, the Pima County system can accommodate 1,000 individuals daily, which aligns with their current rate of assistance. However, at this rate, funding is projected to be depleted by January or February. The primary aim is to avoid street releases while allowing 60 to 90 days to secure new funding, including Governor Hobb's recent plea to the federal government for an additional \$500 million or exploring alternative solutions.

Regarding Cochise County's support at Casa Alitas, their provision of three basic meals has transitioned towards more efficient packaged meals. Additionally, the Red Cross plans to deploy 150 responders to the state for 30 days, offering aid over the holidays, including support for Douglas. The city is waiting to gauge the impact of this support on Douglas and its implications for the city.

Ms. Urquijo emphasized Casa Alitas' report on increasing numbers from Nogales and Douglas affecting their operations. She highlighted the arrival of a second bus from Douglas in Tucson at 11:00 p.m., an occurrence described the previous night, which could have resulted in a need for relocating over 100 individuals elsewhere in the city.

The shelter administered by the Catholic church is facing overwhelming challenges, and discussions with Casa Alitas are underway regarding the potential continuation beyond this month. In an unofficial capacity, the city endeavors to coordinate efforts and be a resource, although staff hasn't received direction on assuming a different role.

Pima County is seeking legal interpretation on how their funding availability or eligibility might change with a declaration of emergency, particularly if the state hasn't declared one. The city is waiting for this information as it's crucial to ascertain if such a declaration would offer resources, as the city hasn't previously been able to gauge these crisis levels.

Exploring potential solutions, the city is considering utilizing the city manager's discretionary authority under Personnel Rules, permitting eight hours per year for employees to volunteer on paid leave for community service projects, including endeavors related to this situation.

Regarding transportation for migrants, the city is collaborating with shuttle services due to limitations in options like Greyhound, Uber, and taxis, only having access to a few shuttles.

Mayor Huish emphasized the federal nature of the situation thrust upon the city and its humanitarian dimensions, calling for continuous efforts with elected officials to address the matter. He highlighted discussions with Congressional representatives such as Congressman Gallego, Congressman Stanton, and Congressman Ciscomani, expressing shared frustrations and the need for resolution.

Council Member Shelton inquired about the feasibility of using the Red Cross building due to its size.

Ms. Urquijo indicated her lack of knowledge regarding the building's ownership and condition.

Chief Fullen expressed the staff's concerns and the need for direction, framing the issue in terms of inevitability rather than possibility, given recent developments. He acknowledged the fundamental role of the faith community in sustaining operations and indicated the potential inability to continue beyond the year's end.

Chief Fullen underscored the city's predicament when funding for buses ceases, mentioning potential absorption of individuals processed in one form or another. He stressed the need to remember these individuals' rights and the looming challenge of an unsheltered population due to logistical constraints.

Chief Fullen highlighted the concerning possibility of exceeding capacity in Pima County, emphasizing that Tucson isn't keen on accepting street releases. He relayed the Border Patrol's directive, indicating that regardless of the city having an operational shelter or not, they would have to release individuals, clarifying that this isn't under consideration.

Lastly, Chief Fullen pointed out that some individuals have the means as they have traveled thousands of miles to get there, underlining the complexity of the issue.

Mayor Huish expressed gratitude to the faith community for their exceptional efforts, surpassing initial expectations.

Council Member Grijalva expressed frustration, stating that the city should have taken a proactive stance when addressing this issue. He questioned why staff were having discussions now instead of being prepared months ago when Title 42 was anticipated to end. Council Member Grijalva emphasized the need for immediate action and the urgency of informing the federal government about the city's imminent crisis and resource needs.

In response, Chief Fullen clarified that staff had discussions and meetings to prepare for the situation, but the city lacked foresight due to a lack of guidance on what to anticipate. An initial plan with the faith community was devised.

Regarding a declaration of emergency, Chief Fullen explained that while a draft was prepared in anticipation, the city needed to demonstrate exhaustion of resources and funding before declaring and seeking assistance from the county.

Mayor Huish conveyed that despite the city's efforts, responses from the county, state, and federal levels indicated they wouldn't intervene, leaving the city in a challenging position.

Council Member Morales suggested exploring accommodation at the House of Hope or hotels in Douglas.

Ms. Urquijo clarified that the city could assist with outreach or allow individuals to rent their own rooms. She highlighted the proactive measures taken by the city since May, although legal advice raised questions about the definition of an emergency.

Council Member Baldenegro inquired about the Governor's authority over the National Guard building.

Ms. Urquijo clarified that the Governor does have oversight of the National Guard, mentioning a pending request related to the Lukeville crisis, but no response had been received yet.

Mayor Huish added that while the Governor approved the allocation of federal funds for the National Guard in Arizona, they didn't approve the use of their building for housing purposes.

Council Member Acosta emphasized the need for proactive measures considering the current circumstances, urging the city to prepare a contingency plan in case the faith-based organizations reach their capacity. While acknowledging the invaluable assistance of faith ministries, she stressed the taxing nature of the situation and advocated for a city plan to prevent potential homelessness within the community.

Council Member Acosta highlighted that while the city is not in the business of sheltering, the situation, post-Title 42, presents a new challenge that cannot be ignored from a humanitarian perspective.

In addition, Council Member Acosta proposed a budget allocation to direct staff in exploring additional community placements and potentially hiring part-time personnel to manage transportation logistics.

Council Member Baldenegro raised the idea of using the call center building for renovations to accommodate needs temporarily, suggesting the purchase of a bus for transportation.

Council Member Morales inquired about potential liability issues regarding insurance if the city were to provide transportation.

Ms. Urquijo assured that ensuring proper insurance coverage would be a priority if transportation services were to be offered.

Council Member Shelton suggested allocating \$100,000 to support the current church initiative and exploring options such as the National Guard building.

Council Member Acosta proposed opening the discussion for public input, welcoming ideas, and suggestions from the community to address the issue.

Council Member Grijalva echoed Council Member Shelton's point, emphasizing the need to allocate funds from a specific line item without burdening other programs or departments.

Mayor Huish mentioned the availability of multiple funding sources that wouldn't impact ongoing operations.

**Motion by Council Member Shelton, second by Council Member Baldenegro to designate \$100,000.00 for expenditures and pursue various opportunities to be able to alleviate the situation and develop a plan for the future.**

**Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.**

## 9. CITY MANAGER REPORTS.

Ms. Urquijo provided the following reports:

- The Community Calendar highlights various upcoming events:
  - Drive-In Movie on Friday, December 15, featuring "Polar Express" starting at dusk in the Ministerio Parking lot (former Kmart parking lot).
  - "Santa in the Park" happening Saturday from 10 am to 1 pm at Castro Park.
  - An Art Workshop series scheduled from Monday, December 18, to Wednesday, December 20.
  - On December 20, the Fire Department launches its holiday jacket and food card, toy drive, and deliveries, providing 140 jackets, 90 food cards for the elderly, and toys for 50 households with nearly 100 kids.
- The Border Air Museum is enhancing its connectivity with aviation history, updating its Facebook page, and improving exhibit quality by incorporating a quality printer and scanner for refinement. They're also developing an audio-visual area for narrated stories, set to be unveiled in January.
- The Veterans Park swimming pool underwent assessment and inspection on November 28, with an expected report in the coming weeks. The city aims to propose both short and long-term solutions afterward.
- The ongoing Cemetery Beautification Project includes constructing a new block fence around the west and north sides and planning for an archway at the third street main entrance. Additionally, restoration efforts for 253 old, neglected graves are underway.
- Staff are attempting to repair two or three collapsed graves per week and intend to plan a waterline replacement project and a potential on-site columbarium as future upgrades.
- Temporary repairs were made on Chino Road in the last two weeks to ensure safety, while the staff continues developing longer-term plans for permanent solutions through capital projects.
- The final approval process is ongoing for the transfer of assumable loans concerning the sale of La Perilla Apartments. Expectations are to ratify the sale at the January meeting.
- Renovation of the therapy pool and some shower rooms at the aquatic center is currently underway.
- The Visitor Center is in the process of launching a new website and Facebook page in collaboration with the public relations staff assistant, anticipated to be completed next year.
- There are plans for hosting the special event "Apacheria Trail," a bicycle race scheduled for November next year.
- Welcoming Brian Meaton, the new Deputy Public Works Director, and John Didier, the second-week tenure Golf Course Superintendent, the city is optimistic about the positive contributions they will bring.

## 10. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND FUTURE AGENDA ITEM REQUESTS.

Council Member Grijalva reminded everyone about commodity's day at the Food Bank. Also, extended gratitude to those who made the wrestling event acknowledging Ms. Elizabeth Daniel, Melissa Rodriguez, Douglas High School for the gym rental, and Ms. Alma Andrade, Mr. Luis Pedroza, and Ms. Ida Pedrego

for their attendance. Emphasizing the importance of City Hall attendance at community events, he expressed appreciation for those present and encouraged greater involvement.

Furthermore, Council Member Grijalva congratulated the employees and announced a lunch event on Friday at the American Legion, emphasizing the need to prioritize excellent treatment for employees, who serve as both the backbone and constituents of the community.

Council Member Lindemann proposed adjusting meeting times from 6 pm to 5 pm, considering the impact on employees' family time. Mentioning that the school board meetings also take place at an earlier time and the desire for broader community attendance, especially among members of the faith community, he suggested that an hour earlier could facilitate engagement and shorten the duration of meetings.

Council Member Shelton conveyed Merry Christmas wishes to everyone, while Council Member Morales extended Christmas greetings and appreciation to all employees for their contributions.

Mayor Huish expressed interest in the potential columbarium at the cemetery, noting the numerous requests received from Alex Espinosa and Brown Page Mortuary. He reported meetings with the Municipal President in Agua Prieta, discussing topics important to the community and potential access to Mexican documents in the United States.

Mayor Huish shared discussions regarding cross-border cultural events and the announcement made by the Governor of Sonora about a major manufacturing factory in Agua Prieta that could employ up to 4,000 people over the next few years due to the developments at the new commercial port of entry.

Council Member Baldenegro concluded by wishing everyone a Merry Christmas.

## 11. ADJOURNMENT.

**Motion by Council Member Morales, second by Council Member Shelton to adjourn the meeting at 8:47 p.m.**

Prepared by:



Alma Andrade, City Clerk