

**MAYOR AND COUNCIL PUBLIC MEETING NOTICE
SPECIAL MEETING - JANUARY 25, 2023, AT 5:30 PM**



Minutes

The City of Douglas Mayor and Council met in a Special Meeting on Wednesday, January 25, 2023 at 5:30 p.m. at City Hall Council Chamber, 425 10th Street. The Honorable Mayor Donald C. Huish called the meeting to order.

1. CALL TO ORDER. 5:30 p.m.
2. ROLL CALL.

	PRESENT	ABSENT
MAYOR, DONALD C. HUISH	X	
MAYOR PRO TEMPORE, MARGARET MORALES	X (by phone)	
COUNCILMEMBER, MITCH LINDEMANN	X	
COUNCILMEMBER, DANYA ACOSTA	X (tardy 5:31)	
COUNCILMEMBER, RAY SHELTON	X	
COUNCILMEMBER, MICHAEL BALDENEGRO		X (excused)
COUNCILMEMBER, JOSE GRIJALVA	X	
CITY MANAGER, ANA URQUIJO	X	
CITY ATTORNEY, DENIS FITZGIBBONS	X	
CITY TREASURER, LUIS PEDROZA	X	
DEPUTY CITY CLERK, CYNTHIA ACUNA ROBLES	X	

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

Ms. Robles stated no public participation forms were submitted.

4. READING of CATHOLIC SCHOOLS WEEK PROCLAMATION.

Mayor Huish read the proclamation.

5. PRESENTATION/UPDATE on the DOUGLAS ORAL HISTORY PROJECT.

Representatives from the Douglas Oral History Project present were; Ginny Jordan, Beth Henson, Ceci Durazo Lewis. Background of the project was presented by the representatives that were present.

6. DISCUSSION/DECISION on APPROVALS.

A. **SECOND READING of ORDINANCE NO. 23-1157**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING** Title 6 of the **ANIMAL CODE**, relating to the regulation of **ANIMALS; AMENDING VIOLATIONS AND PENALTIES; ESTABLISHING AUTHORITY FOR REMOVAL OF NUISANCE ANIMALS AND ORDERS TO SHOW CAUSE**; establishing severability of components of ordinance; and establishing an effective date thereof.

Chief Fullen stated that provision within the article were identified and remedied. Amendments are necessary for general housekeeping and to improve the efficiency and effectiveness in addressing repetitive complaints or violations involving nuisance animals. He provided background on the amended sections of the municipal code.

Motion by Council Member Shelton, second by Council Member Acosta to approve the second reading of Ordinance No. 23-1157.

Council Member Grijalva provided statistics of noise complaints and stated that out of 143 noise complaints, 14 were dog complaints and 9 of the 14 calls were from 3 repeat residents. Council Member Grijalva stated he did not understand the removal of pets and added that on his walks to the gym the majority of the households have dogs and as he walks by the dogs bark. Council Member Grijalva further added dogs most likely belong to elderly, disabled and children. Moreover, Council Member Grijalva would like the community involved and educate them on what the consequence would be. Lastly, Council Member Grijalva is uncomfortable with the extreme of adoption or euthanizing the animal.

Chief Fullen commented laws are necessary. He stated that in the first amendment of the ordinance it allows for progression of enforcement, it is upon the 3rd violation the animal will be removed.

Council Member Shelton stated amendment needs to be done. Council Member Shelton also mentioned 14 complaints are probably coming from intervention on dogs barking, and it is a good way to resolve dogs barking and bothering elderly trying to sleep.

Council Member Acosta commented on being a responsible pet owner, and the account of officer discretion that describes the officer will reasonably access the situation and with the amendments have a recourse of actions that can be taken.

Council Member Grijalva commented Border Patrol alerted by barking dogs.

Chief Fullen stated that tracking metrics will be done to have stats of complaints and dogs seized under the provisions and how many animals are forfeited to show the effectiveness of the amendment.

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

B. SECOND READING of ORDINANCE NO. 23-1158, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING** Article 8.28 of the **HEALTH AND SAFETY CODE**, relating to the regulation of **NOISE**; establishing severability of components of ordinance; and establishing an effective date thereof.

Chief Fullen provided background information on the provision of barking animals.

Motion by Council Member Shelton, second by Council Member Acosta to approve the second reading of Ordinance No. 23-1158.

Council Member Shelton commented having to call in several times over the years when people have parties until 4am.

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

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

Ms. Urquijo provided background information on the reorganization and reported what is to be included in the reorganization.

Motion by Council Member Lindemann, second by Council Member Shelton to approve the placement of Ordinance No. 23-1159.

Council Member Lindemann stated he is in favor of streamlining and making the City government more efficient.

Council Member Grijalva stated that he had asked staff what the fiscal impact will be for next year. Additionally, Council Member Grijalva commented on the need for workers to fix sidewalks, fix streets, and maintain parks, and expressed the need of prioritizing blue-collar jobs instead of funding administration posts.

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

Council Member Acosta asked to compare the current organizational chart and also requested from staff major projects forecasted for the new positions.

Motion by Council Member Lindemann, second by Council Member Acosta to approve the first reading of Ordinance No. 23-1159.

Council Member Shelton agrees with Council Member Acosta and would like to compare the current organizational chart.

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

D. RESOLUTION NO. 23-1538, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **ABOLISHING** the CITY OF DOUGLAS PROGRAM COORDINATING COMMITTEE.

Ms. Gonzalez provided background information on the need of abolishing the committee due to the transfer of the City of Douglas Housing department to Cochise County.

Motion by Council Member Shelton, second by Council Member Lindemann to approve Resolution No. 23-1538.

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

E. **RESOLUTION NO. 23-1539**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **ADOPTING the COCHISE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2022.**

Chief Fullen provided background information on the hazard mitigation plan and stated the plan serves as a guide to the county and participating jurisdictions towards meeting the needs of the communities with regard to greater disaster resilience.

Motion by Council Member Grijalva, second by Council Member Acosta to approve Resolution No. 23-1539.

Council Member Lindemann asked how often the plan is reviewed.

Chief Fullen answered it is reviewed and revised every 5 years and added the City of Douglas has a standalone emergency operation plan.

Council Member Morales asked if this is the disaster plan the city participates in annually with the County.

Chief Fullen answered there are multiple plans and this is a collective plan for the County.

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

F. **CONTRACT AWARD to NATIVE NETWORK, Inc for BROADBAND NETWORK & TELECOMMUNICATIONS PLAN.**

Alex Martinez provided background information on the item.

Motion by Council Member Shelton, second by Council Member Grijalva to approve the contract award to Native Network Inc., for broadband network & telecommunications plan to enhance and expand current telecommunications services for the City.

Council Member Lindemann asked if Native Network Inc. work with existing current broadband that are available in the City.

Mr. Metcalfe answered the purpose of the plan is to identify and catalog services, then provide a plan to enhance if necessary, and help the City define its road map into the future primarily for deficiencies of current network as well as goals and needs for the City moving forward.

Mayor Huish asked if it will incorporate the school district and other government agencies in order to develop a city wide total holistic plan.

Mr. Metcalfe answered yes, the idea is to interview all relative or relevant network operators or stakeholders to develop a comprehensive plan that utilizes and expands on existing networks. Mr. Metcalfe added the goal is a holistic network that can serve and be available to all users.

Council Member Lindemann stated he is unclear as to why a consultant is needed when the services are available.

Ms. Urquijo answered the intent is not to compete, but to assess expansion of services. Ms. Urquijo added from the Smart City perspective, the City will be able to provide new opportunities as it grows into the future and be able to expand beyond the digital divide gaps. Ms. Urquijo stated the road map will pave the way to be able to take on future requests to set up for more growth in the community.

Ms. Urquijo added the needs that this would provide for the opportunity to use the assessment to qualify for future grants for further expansion beyond what current providers handle, and an attraction for future investment to solidify areas in an expanded area since the City is considered a rural area.

Mayor Huish summarized that to plan for the future in the event there are any new schools opening, the expansion of the Port of Entry, the expansion of the city limits etc., infrastructure will be needed and the key is that any of those entities will be able to use the plan to look for grant opportunities to be able to fund their projects based on how it would impact the overall infrastructure of the community.

Council Member Grijalva thanked Ms. Urquijo for the plan, and expressed the City is trying to be independent in broadband.

Ms. Urquijo stated that having a solid network for government purposes and beyond to be able to be a catalyst for future developers.

Mr. Metcalfe stated that trying to identify a wide band of technology that the community would need or want in the future to support all facets of the Smart City.

Council Member Acosta commended Joel Camacho, IT manager for the project. Council Member Acosta added at one time there was only one internet service provider and currently there are a few and with this study the City could get more interest from other companies coming in and competing for our business.

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

7. ADJOURNMENT.

Motion by Council Member Acosta, second by Council Member Grijalva to adjourn the meeting at 6:39 p.m.

Prepared by:



Cynthia Acuña Robles, Deputy City Clerk