

Minutes

MAYOR AND COUNCIL

The Mayor and Council met in a **Special Meeting Public Hearing on Wednesday, FEBRUARY 2, 2022 AT 5:15 p.m.** at the Douglas Visitor Center, 345 16<sup>th</sup> Street. The Honorable Mayor Huish call the meeting to order.

1. **CALL TO ORDER.** 5:15 p.m.
2. **ROLL CALL.**

	<b>PRESENT</b>	<b>ABSENT</b>
MAYOR, DONALD C. HUSH	X	
MAYOR PRO TEMPORE, MARGARET MORALES	X	
COUNCILMEMBER, MITCH LINDEMANN	X	
COUNCILMEMBER, DANYA ACOSTA	X (5:26 p.m.)	
COUNCILMEMBER, RAY SHELTON	X	
COUNCILMEMBER, MICHAEL BALDENEGRO	X	
COUNCILMEMBER, JOSE GRIJALVA	X	
CITY MANAGER, ANA URQUIJO	X	
CITY ATTORNEY, DENIS FITZGIBBONS	X	
CITY ATTORNEY, NICK COOK	X	
CITY TREASURER, LUIS PEDROZA	X	
CITY CLERK, ALMA ANDRADE	X	

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

Ms. Andrade stated no public participation request were submitted.

4. **The PURPOSE of the PUBLIC HEARING is to allow public participation regarding the PROPOSED AMENDMENTS to the City of Douglas CHARTER, which shall be VOTED upon by the QUALIFIED ELECTORS of the City of Douglas at the GENERAL ELECTION on MAY 17, 2022.**

**A. CHARTER AMENDMENTS**

Ana Urquijo presented a powerpoint and provided background information regarding proposed amendments to the City of Douglas charter.

Ms. Urquijo stated a committed city charter committee met four occasions between November and December, Mr. Nick Cook, City Attorney stated only two items did not pass unanimously by the city charter committee.

Ms. Urquijo proceeded to present on the following bullet points:

- Amendment to Article II Section 3 Elections, shifting the election cycle from City cycle to the state cycle for the purpose of efficiency, currently costs \$5.75 per voter, shifting to new election cycle will be \$.75 per voter. This also allows time for participation in the budget process; and this would not only be a mail in ballot election but voters would go to the polling locations.

Councilmember Lindemann stated he remembers the City along with other Cities in the state went to the Arizona Supreme Court to fight for their right to become a charter city and determine for their own election cycle.

Councilmember Shelton stated he agrees with the change.

- Amendment to Article II, Section 4 and Section 5 Term of Mayor and Council. Mayor and Council shall serve more than two consecutive terms and replace it with a council person shall serve until his or her successor is elected and qualified or appointed. Charter Committee voted to leave as is but the amendment will reflect the change.

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- Amendment to Article II Section 6(B) Qualification, Term of Mayor and Council. Mayor and Council would have physically resided in the City of Douglas for at least 2 years preceding the date of such election. Other items corrected are gender neutral language.

Ms. LaMar commented that the title Councilmen had not been changed to reflect Councilperson.

- Amendment to Article II Section 9 of Mayor and Council. Stipend and gender-neutral language. Change Councilperson stipend from \$200 to \$500 and Mayor from \$300 to \$1000 per month. Comparison on cities with similar populations was presented.

Mr. Whetten asked how long the current stipend has been in effect. A comment was made that 15-20 years.

Ms. LaMar asked if all amendments will be voted as a whole. Mr. Cook replied each section that is being proposed will be voted separately.

Councilmember Lindemann commented this will be his fourth term on the City Council, and he's glad to serve. He's always felt that this is a civic duty as an elected official.

Amendment to Article III Section 7(c) Power of Appointment and Removal updating to appoint, remove, promote, and demote any and all officers and employees of the city except the city magistrate, city attorney and city treasure.

Councilmember Morales commented she would like to continue with mayor and council appointing city clerk.

Councilmember Lindemann commented founding fathers created this document and it has worked well.

Mayor Huish added that it's a change to remove it out of the political nature because of record keeping.

Ms. Urquijo commented this change provides stability to the individual, stability for mayor and council, it is a technical, very credentialed position and ensures that mayor and council operates effectively.

Mrs. Urquijo will provide information in reference to other cities management of City Clerks.

- Amendment to Article III, Section 4, removal procedures for the city manager position. Brings clarity to how the city manager is removed, and primarily that is the change that was added "shall not be removed through any other means unless otherwise stated in the manager's employment agreement".

Ms. LaMar commented she was confused with the 5/7 vote.

Mayor Huish responded there are 6 councilmembers and mayor and 5 of them would have to vote to pass.

Mr. Fitzgibbons commented having a 5/7 vote provides stability to the City, and it is also a recruitment tool for the City Manager position.

Ms. Urquijo continued with:

- Amendment to Article IV, Section 1 Administrative departments, Offices, and Officers. This provides city manager the flexibility to alter divisions and offices administratively. Council by Ordinance currently provide for the organization conduct and operation of several offices.
- Amendment to Article IV, Section 2 City Clerk. Reporting to mayor and council is referenced in the charter and to align with the previous recommended change where the city clerk would be under the organization and appointed by the city manager.
- Amendment to Article IV Section 6(B) Merit System to be established. Staff and the committee are recommending removing language for the merit system in the section defining who the board is, what their qualifications are in terms of electors and residents, and at least five years appointment.
- Luis Pedroza presented on the amendment to Article VI, Section 6 Independent audit and review. Authorize city manager to award contract for an independent audit and review.

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- Mr. Pedroza continues with amendment to Article VII, Section 5 Ordinances and Resolutions. Wording change abolish being replaced with eliminate and eliminate the word office. Section 12 appropriating, acquiring, sell, lease and property longer than a year or exchange any real property, allows to be taken by ordinance. Any small leases less than a year do not need to go by ordinance, but by a resolution before mayor and council.
- Ms. Urquijo continued amendment to Article VII, Section 6, Ordinances and Resolutions. Reducing the number of postings of notices for ordinances and reduce the current requirement of three readings to two readings and the current requirement of notice from 48 to 24 hours.  
Section 10 Publication of ordinance and resolution on Paper publications.
- Mr. Pedroza presented amendment to Article VIII, Section 1, Preparation. Currently, the charter reads that the mayor or manager to sign all contracts. Assign designated agents through ordinance by mayor and council for department directors who are assigned their own budgets to be able to execute those smaller dollar contracts. Article VIII, Section 3(B) Transfer of real property. Increasing, then the value from five hundred to five thousand that the manager has the ability to dispose of personal property that no longer is of value. Property above \$500 needs to be taken to auction, city manager will put this item on auction on an online auction right away. Section 5 is restricting city officials' participation in physical auctions but allowing family members to participate live and online auctions.

5. **ADJOURNMENT.**

**Motion** by Council Member Shelton, **second** by Council Member Morales to adjourn the meeting at 5:59 p.m. Motion unanimously passed.

Prepared by:

  
Cynthia Acuña Robles, Deputy City Clerk