

**MAYOR AND COUNCIL PUBLIC MEETING NOTICE  
REGULAR MEETING - FEBRUARY 14, 2024 AT 6:00 PM**



**Minutes**

The City of Douglas Mayor and Council met in a Regular Meeting on Wednesday, February 14, 2024, at 6:00 p.m., at City Hall Council Chamber. Mayor Donald Huish called the meeting to order.

1. **CALL TO ORDER.** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE.** By Council
3. **INVOCATION.** Council Member Ray Shelton
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. READING OF PROCLAMATION.**

**A. Black History Month.**

Mayor Huish proceeded to read the Black History Month proclamation.

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

Dr. Michael Gomez of 2350 12<sup>th</sup> Street, commented on the following:

- Sanitation assistance application renewal.
- Code enforcement and towing vehicles.

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

- Boys and Girls Club and community center petition.

Ida Pedrego of 1815 5<sup>th</sup> Street, commented on the following:

- Community center for all Douglas citizens.

Michael Arevalo of 1331 Bonita Avenue, commented on the following:

- Code enforcement, green (14 days) and red tags (48 hours) on cars by patrol officers.

Mayor Huish requested a follow-up with staff on these issues.

Dr. Kristine Gomez of 720 11<sup>th</sup> Street, commented on the following:

- Thankful for the pickleball courts and requested signage and suggested for people to follow rules.

Mayor Huish thanked Ms. Gomez and also asked staff to follow up on the request.

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

- A. **EXPENDITURES** for the month of **JANUARY 2024** totaling \$1,941,842.09.
- B. **MEETING MINUTES** for **JANUARY 10, 2024**.

**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.**

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

**AMENDED REGULAR MEETING AGENDA SENT ON 2/13/2024**

**1. DISCUSSION/DECISION on APPROVALS.**

A. **RESOLUTION NO. 24-1591**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **EXECUTION** of the **INTERGOVERNMENTAL AGREEMENT** between the **CITY** of **DOUGLAS** and **COCHISE COUNTY** to provide certain **ELECTION SUPPLIES** and **SERVICES** for the City of Douglas **PRIMARY** and **GENERAL ELECTIONS** scheduled for **July 30, 2024**, and November 5, 2024, respectively.

Ms. Andrade provided background information, stating that an intergovernmental agreement with Cochise County is in place to secure election services. She noted that recent legislation, House Bill 2785, signed by Governor Hobbs on February 9, 2024, has prompted changes to the primary election date, now scheduled for July 30, 2024.

Ms. Andrade commented that the reason behind this adjustment is to accommodate a lower threshold for recounts, necessitating additional time for the process. The agreement reflects the corrected date communicated by the county. Ms. Andrade further mentioned that timelines for candidate document submissions have changed, occurring a week earlier. Staff recommends approving the agreement. Additionally, Ms. Andrade noted that the charge per registered voter will be \$0.75, although the exact number of registered voters remains unknown as voter registration closes on Monday, July 1, 2024.

**Motion by Council Member Lindemann, second by Council Member Acosta to approve Resolution No. 24-1591.**

**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.**

**2. REMOVAL OF FIRST READING OF ORDINANCE NO. 24-1175**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING ORDINANCE NO. 08-938** and **AMENDING** the **DOUGLAS MUNICIPAL CODE TITLE 2, CHAPTER 2.02** relating to **CITY COUNCIL** by **AMENDING SECTION 2.02.010 MEETINGS TIME, PLACE AND QUORUM**; establishing severability of components of Ordinance; and establishing an effective date thereof.

A. **FIRST READING OF ORDINANCE NO. 24-1175**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING ORDINANCE NO. 08-938** and **AMENDING** the **DOUGLAS MUNICIPAL CODE TITLE 2, CHAPTER 2.02** relating to **CITY COUNCIL** by **AMENDING SECTION 2.02.010 MEETINGS TIME, PLACE AND QUORUM**; establishing severability of components of Ordinance; and establishing an effective date thereof.

Mayor Huish stated as some may recall, this ordinance was discussed during the January meeting. Due to a misunderstanding, in believing that a council member who initially opposed the change wanted to reconsider.



However, it turned out that this was not the case. Therefore, the item has been removed from the agenda to potentially revisit it later, should the council members wish to do so. That is the reason for the inclusion and subsequent removal due to the misunderstanding.

B. **RESOLUTION NO. 24-1587**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **APPROVING** and **ADOPTING** the Updated **TITLE VI 2024 IMPLEMENTATION PLAN** in conformance with the **CIVIL RIGHTS ACT** of 1964, Section 504 of the **REHABILITATION ACT** of 1973, and the **AMERICANS** with **DISABILITIES ACT** of 1990 (**ADA**) for the City of Douglas **TRANSIT SYSTEM** for the current grant cycle.

Mr. Rivera provided background information and added that the City of Douglas Transit Division, known as Douglas Ride, has prepared its Title VI Civil Rights Implementation Plan to comply with Federal Transit Administration (FTA) requirements and adhere to federal and state laws governing affirmative action, accessibility under the Americans with Disabilities Act (ADA), equal opportunity in employment, business participation, and services to the public. The Douglas Road Transit System is required to submit a Title VI Implementation Plan to the Civil Rights Office during each grant cycle. This year, the plan has been updated to include changes to the executive summary, overall policy and operational descriptions, updated surveys, addition of policies and training materials, and inclusion of a Spanish complaint form. On April 21, 2020, the city submitted a two-year grant application running from October 2020 to September 2022, which funds the Transit Services Formula grant for the City of Douglas. Approval of the updated Title VI Implementation Plan is recommended by staff as a prerequisite to receiving funding.

**Motion by Council Member Morales, second by Council Member Shelton to approve Resolution No. 24-1587.**

**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.**

C. **RESOLUTION NO. 24-1588**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **SUBMISSION** of a **TWO-YEAR GRANT APPLICATION** to the **ARIZONA DEPARTMENT OF TRANSPORTATION** encompassing the October 1, 2024, to September 30, 2026, time frame for **SECTION 5311 RURAL PUBLIC TRANSPORTATION PROGRAM FUNDS** to continue to provide **PUBLIC TRANSPORTATION SERVICES** via the **DOUGLAS RIDES PROGRAM**.

Mr. Rivera provided background information and stated that the city is currently in its twelfth year of managing the transit system program. The deadline for the transit 5311 grant application is approaching, with the submission due by February 21, 2024. Planning is underway for the next two federal years' funding cycle, covering the period from October 1, 2024, to September 30, 2026. Staff are in the process of preparing the budget for the new grant application, which will extend a two-year funding cycle and include provisions for administrative, operational, and potentially planning funds to sustain and enhance the program. The transit program has demonstrated its effectiveness, providing 49,778 rides last year and offering an essential service to the community. Rider numbers have been steadily increasing by approximately 15%, particularly with a significant connection point at Cochise College. Additionally, the crisis connection service has contributed to increased ridership, offering another transportation option for residents and the region. Staff recommend approving the City of Douglas' application for a three-year funding grant for the Douglas Transit Department, covering administrative operations, potential planning funds for future system growth, and capital requirements.

**Motion by Council Member Acosta, second by Council Member Lindemann to approve Resolution No. 24-1588.**

Council Member Acosta commented that the partnerships with transit have been growing and to foster those partnerships with other entities.

**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.**



D. **RESOLUTION NO. 24-1589**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the City of Douglas to enter into the **ARIZONA MUTUAL AID COMPACT (AZMAC)** with the **ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS** for purposes of providing **MUTUAL AID** between participating parties for emergency needs in the City of Douglas and surrounding communities.

Chief Fullen provided background information and stated that the Arizona Mutual Aid Compact delineates procedures for mutual aid assistance among participating parties, considering resource availability, and establishing a compensation mechanism for resource provision. Effective from January 1, 2024, through December 31, 2033, parties may withdraw from the compact at any time. Prior to 2015, many fire agencies in Cochise County operated under formal and informal agreements for mutual aid assistance. Recognizing the value of formalizing and expanding these agreements to include law enforcement and public works, the Cochise County Emergency Manager proposed the Cochise County Mutual Aid Agreement to the mayor and council in September 2015. However, a key difference between this agreement and the Arizona Mutual Aid Compact is the billing process for services provided. Under the state agreement, the assisting entity can bill for services rendered, if this is agreed upon at the time of the assistance request. Given the similarities between the county and state agreements and the advantage of billing clarity offered by the state agreement, stakeholders, including the fire association, favored joining the state compact. Therefore, staff propose joining the Arizona Mutual Aid Compact to facilitate mutual aid in the community.

**Motion by Council Member Baldenegro, second by Council Member Shelton to approve Resolution No. 24-1589.**

Council Member Morales asked if there is a list of parties surrounding communities that would participate in this service.

In response Chief Fullen stated that no specific communities or entities are on the compact now, aside from Cochise County. Also, Cochise County recently approved joining the compact at their January 23, 2024, meeting.

Council Member Lindemann asked regarding the availability to bill an entity which entity would that be and if it is a state function.

Chief Fullen responded that the responsibility for covering costs depends on the specific circumstances. He provided an example of arson fires that occurred at local churches, describing it as a significant event that demanded substantial resources. During this incident, the Fire Department and law enforcement received assistance from other fire agencies, including Sunnyside and Pirtleville. In situations where the city had to seek assistance from Bisbee, the city, as the requesting entity, would be responsible for covering the expenses related to the personnel, equipment, and services provided by Bisbee in response to the emergency.

Council Member Lindemann inquired whether the assistance provided through the compact was facilitated by the state, as he presumed that federal agencies were not involved. He also questioned whether, in the event of a significant emergency requiring extensive assistance, other agencies might offer their services and if this possibility was included in the compact.

Chief Fullen expressed uncertainty if it is explicit outlined in the compact. Generally, in the event of a disaster, the process begins at the local level. If local resources are depleted, the request moves to the county, which can then escalate it to the state level for additional support. However, for federal resources to be mobilized, a state-level declaration is typically required, indicating the scale of the event would need to be substantial.

Chief Fullen added as a clarification point, that the provision allows them to build, but it does not mandate it. Thus, if it has been a longstanding agreement, there is a possibility that the partners could help without any expectations.

Council Member Shelton commented that at times the local assistance has been ready like Pirtleville and Bay Acres and inquired if the city billed each other since the city is a one community.

Chief Fullen responded that in his understanding, the city has not bill against the other.



To provide clarification, Ms. Urquijo emphasized the need to specify not only the agencies but also the cities and towns within Cochise County that are involved in this. Staff could prepare an addendum detailing the cities and towns within Cochise County that have signed on, as it is believed to be limited to Cochise County.

**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.**

**E. RESOLUTION NO. 24-1590**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the entry into an **INTERGOVERNMENTAL AGREEMENT** between the **CITY OF DOUGLAS** and the **SOUTHEASTERN ARIZONA COMMUNICATIONS (SEACOM)** for **MUTUAL AID ASSISTANCE** in the provision of **EMERGENCY COMMUNICATION SERVICES**.

Chief Fullen provided background information and added that the intergovernmental agreement has been established between the City of Douglas and SEACOM to facilitate mutual aid assistance in emergency communication services, particularly for public safety radio and 911 services. Effective from January 1, 2024, to December 31, 2024, the agreement is subject to automatic renewal for successive one-year terms, unless either party gives at least 30 days' notice of termination.

Additionally, Chief Fullen commented that historically, the Cochise County Sheriff's Office served as the backup public safety answering point for the Douglas Police Department, handling dispatch and 911 services for police, fire, and EMS in case of emergencies or evacuations. With most public safety entities being consolidated under SEACOM, SEACOM acts as the primary fallback for Douglas. Under this agreement, Douglas would also serve as a fallback for SEACOM if needed.

This agreement enables the provision of services on a temporary basis during emergencies and includes provisions for invoicing or billing should the need for assistance extend beyond a short-term basis.

**Motion by Council Member Baldenegro, second by Council Member Acosta to approve Resolution No. 24-1590.**

Council Member Baldenegro inquired if a mobile unit would do this in the event the building needs to be vacated.

Chief Fullen stated that with technological advancements, there may come a time in the future when the city is able to achieve comparable services between the Public Safety Answering Points (PSAPs) and SEACOM through radio communications. Currently, a different radio system is utilized than SEACOM, but efforts are underway to address this discrepancy. However, Chief Fullen is uncertain whether a mobile solution would be suitable for long-term use during multi-hour durations compared to having physical facilities in place to provide such services.

**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. 24-1591**, a Resolution of the Mayor and Council, of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **EXECUTION** of the **INTERGOVERNMENTAL AGREEMENT** between the **CITY of DOUGLAS** and **COCHISE COUNTY** to provide certain **ELECTION SUPPLIES** and **SERVICES** for the City of Douglas **PRIMARY** and **GENERAL ELECTIONS** scheduled for August 6, 2024, and November 5, 2024, respectively.~~

## **9. CITY MANAGER REPORTS.**

Ms. Urquijo provided the following reports:

- Several upcoming events to highlight. First, an art workshop series featuring pencil stippling and cross-hatching on March 25, starting at 6:00 p.m. This workshop will be held on Mondays and Wednesdays. Additionally, the city will be hosting a dive-in movie event at the aquatic center on March 16, beginning at 7 p.m. Please note that all events at the aquatic center are subject to weather conditions.

- Excited to announce the upcoming D Hill run on April 6, in partnership with the Douglas Rotary Club. Proceeds from this event will go toward improvements at the Border Air Museum. More information about the run can be found on the city's website.
- The utility billing division and finance department will be implementing year three of a five-year water and sewer program increase approved in 2022, starting in March. If you have any questions about your March billing, please do not hesitate to reach city staff for clarification.
- The aquatic center has reopened after its winter closure. During this time, the therapy pool was resurfaced, and upgrades were made to the women's showers. The center's current operating hours are Monday through Friday from 5 a.m. to 8 a.m. and 4 p.m. to 7 p.m., and Saturday from 7 a.m. to 10 a.m.
- On a somber note, Ms. Urquijo informed that the memorial service for the retired sergeant, Carlos Trujillo, will be held in early April. The Douglas Police Department will coordinate and provide further details once plans are finalized. City's condolences go out to his family and the Douglas Police Department for this loss.
- Regarding pickleball inquiries, signs have been finalized and ordered, and staff will also review courtesy rules for the courts.
- Lastly, an important announcement from the city clerk's office: due to House Bill 2785, the new primary election date is July 30, 2024. Please take note of the revised election timeline, including candidate filing dates and voter registration deadlines.

Ms. Urquijo ended by wishing everyone a Happy Valentine's Day.

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

Council Member Grijalva commented that tomorrow is commodities day at the food bank due to President's Day being observed on Monday. Considering Black History Month, I believe it is fitting to request the reinstatement of Juneteenth recognition as an official holiday for the City of Douglas. Even though it was discussed last year but believes that it should be brought back for discussion.

Council Member Baldenegro suggested the possibility of having a kiosk at City Hall where individuals can obtain permits of any kind from the city. Implementing such a system would make it accessible to the public 24/7 without requiring anything other than permit issuance or payment.

Mayor Huish suggested for staff to look into it.

#### **11. ADJOURNMENT.**

**Motion by Council Member Morales, second by Council Member Shelton to adjourn the meeting at 6:56 p.m.**

Prepared by:



**Alma Andrade, City Clerk**