

**MAYOR AND COUNCIL PUBLIC MEETING NOTICE
REGULAR MEETING - OCTOBER 09, 2024 AT 6:00 PM**



MINUTES

The City of Douglas Mayor and Council met at a Regular Meeting on Wednesday, October 9, 2024, at 6:00 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.** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE.** By Council.
3. **INVOCATION BY:** Pastor Peggy Christiansen – First Presbyterian Church.
4. **ROLL CALL.**

	<u>PRESENT</u>	<u>ABSENT</u>
MAYOR, DONALD C. HUISH	X	
MAYOR PRO TEMPORE, MARGARET MORALES		X (excused)
COUNCILMEMBER, JOSE MONTANO	X	
COUNCILMEMBER, DANYA ACOSTA	X	
COUNCILMEMBER, RAY SHELTON	X	
COUNCILMEMBER, MICHAEL BALDENEGRO	X	
COUNCILMEMBER, RICHARD C. ACOSTA	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. **DOMESTIC VIOLENCE.**

Mayor Huish read the proclamation, emphasizing that domestic violence has no place in Douglas. He urged everyone to remain vigilant and to extend support, kindness, and love to those affected. Together, he expressed hope that, with the grace of God, we can eliminate this issue from our community for good.

- B. **ARIZONA LEAGUE of CITIES and TOWNS WEEK.**

Mayor Huis read the proclamation and announced that it would be shared on social media, along with various activities that showcase the incredible work of our dedicated city employees. He emphasized that none of this would be possible without their efforts, highlighting the importance of the staff and the outstanding work they do.

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

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

- A. **EXPENDITURES** for the month of **SEPTEMBER 2024** totaling **\$2,307,951.78.**
 - B. **MEETING MINUTES** for **SEPTEMBER 11, 2024.**

Motion by Council Member Montaño, second by Council Member D. Acosta to approve consent agenda items as presented.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

8. **DISCUSSION/DECISION on APPROVALS.**
 - A. **DISCUSSION/DECISION** to take from the table the **SECOND READING** of **ORDINANCE NO. 24-1196.**

Mayor Huish mentioned that the purpose of this item is to facilitate discussion that the council tabled during the September 11, 2024 meeting.

Motion by Council Member D. Acosta, second by Council Member Shelton to remove from the table the second reading of Ordinance No. 24-1196.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañó, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

B. DISCUSSION/DECISION on SECOND READING OF ORDINANCE NO. 24-1196, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING** the Planning and Zoning Code Article 15 Section 1502 Defined terms, Article 5 Section 501.7 **PROPERTY DEVELOPMENT STANDARDS**, and Section 516 **INNOVATIVE COMMUNITY OVERLAY ZONES**, and to add a new Section 326 in Article 3 – **TINY HOMES AND TINY HOME PARKS**, to add and clarify Zoning Requirements as they apply to Tiny Homes and Tiny Home Parks and to provide for minimum building sizes for principal uses in residential zoning of the Planning and Zoning Code Article 5 Section 501.7 as set forth in Exhibit A, establishing severability of components of ordinance; and establishing an effective date thereof.

Ms. Urquijo provided background information, noting that this item is being brought back to the council for review based on additional information requested during the last attempt at a second reading. The memorandum includes an update on the metrics regarding home sizes, using our permitting records to show what sizes have been built in our community since 2022. The data reveals that for the SFR6 through SFR16 zones, no homes smaller than 1,962 sqft have been constructed, with the largest being 4,084 sqft. There have been no permits issued for SFR32, indicating a trend toward larger home sizes.

Ms. McLachlan from Cochise County, the contract planner assisting the city noted that the item was tabled during the September meeting due to concerns about minimum principal building sizes in single-family zoning districts. Ms. McLachlan referenced Table 501.7, which outlines the city's regulations on minimum lot size, maximum building height, density, and setbacks.

She stated that staff reviewed the most reliable recent data from 2020 to the present to compare it with national trends. Since 2022, 37 new homes have received certificates of occupancy, with 30 of them—84%—in the SFR6 zoning, averaging 1,962 sqft. Homes in the SFR6 zone ranged from 960 to 1,962 sqft. There were only two homes built in SFR8, three in SFR12, and one in SFR16, with no homes in SFR32 since 2022. This trend may be influenced by the greater availability and lower cost of smaller parcels compared to larger zoning parcels. Even for SFR8 through SFR16, the minimum size for constructed homes was still substantial, with homes averaging around 2,800 sqft in SFR8 and SFR12, and the one permitted home in SFR16 exceeding 4,000 sqft. Overall, the permitted homes exceeded the proposed minimum principal building size, indicating that this amendment would not have hindered or required variances for any of the discussed homes.

Motion by Council Member D. Acosta, second by Council Member R. Acosta to approve the second reading of Ordinance No. 24-1196.

Council Member R. Acosta expressed his gratitude to Ms. Urquijo and the staff for the information provided. He noted that his initial concern was regarding property taxes, particularly since schools are funded through them. After conducting some research and seeking clarification, he understands that the figures proposed are sound.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañó, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

C. SECOND READING OF ORDINANCE NO. 24-1199, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **REZONING A 0.15-ACRE PARCEL** of **LAND** within Douglas Lots 11 and 12 in Block 116 **GENERAL COMMERCIAL (GC)** to **MULTI-FAMILY RESIDENTIAL (MFR)**; and **AMENDING** the **OFFICIAL ZONING DISTRICT MAP**; establishing severability of components of Ordinance; and establishing an effective date thereof.

Ms. Gomez provided background information, explaining that the proposed rezone aims to amend the zoning district map from General Commercial to Multi-Family Residential. This change aligns with the general plan's goals, objectives, and policies to enhance housing supply in response to changing demographic needs. It takes advantage of existing infrastructure and promotes residential development within the neighborhood. Additionally, this amendment encourages increased residential activity in the area, making it more walkable to commercial zones and employment centers.

Motion by Council Member D. Acosta, second by Council Member Shelton to approve the second reading of Ordinance No. 24-1199.

Council Member Montaño inquired for clarification purposes if this was east or west of F Avenue.

Ms. Gomez responded that it is west of F Avenue.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

D. **FIRST READING OF ORDINANCE NO. 24-1200**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING the ACCEPTANCE** of donated real property from James Gary W & Shelley James Judy Living Family Trust consisting of assessor's parcel number 409-06-018N in the City of Douglas, establishing severability of components of ordinance; and establishing an effective date thereof.

Xenia provided background information, noting that Gary W. and Judy James own the parcel previously identified as assessor parcel number 409-06-018N, part of which appears to be a street or public right-of-way. Judy James recently completed a parcel split, dividing the land into three separate parcels and expressing a desire to donate one, which should serve as a street or public right-of-way, to the City of Douglas. This parcel is located on 9th Street, west of Pan American Avenue and north of Chiricahua Road. They have agreed to pay all property taxes owed up to the date of the property transfer to the City of Douglas. Once the donation is accepted, the city will designate the parcel as a public right-of-way.

Motion by Council Member D. Acosta, second by Council Member Montaño to approve the placement of Ordinance No. 24-1200.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

Motion by Council Member D. Acosta, second by Council Member Montaño to approve the first reading of Ordinance No. 24-1200.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

E. **FIRST READING OF ORDINANCE NO. 24-1201**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING the DOUGLAS ZONING CODE**, Article 3 – General Provision, Section 310 – Conditional Uses and Article 5 – Schedule of District Regulations, Section 501 – Single Family Residence relating to **ACCESSORY DWELLING UNITS**; incorporating the recitals by reference; setting forth definitions; establishing fines and penalties for violations; providing for enforcement; providing for the repeal of conflicting ordinances; establishing severability of components of ordinance; and establishing an effective date thereof.

Ms. Gomez provided background information, noting that the Planning and Zoning Commission met on October 3, 2024, and recommended that the Council approve ZCA 2024-03, which includes proposed amendments to Article 3 and Article 5 of the Douglas Zoning Code. These amendments are designed to align with House Bill 2720, which prohibits municipalities from restricting the use or advertisement of single-family accessory dwelling units (ADUs). The bill also prevents additional parking requirements, mandates design standards for ADUs, imposes stricter regulations for ADUs compared to single-family dwellings, establishes excessive setbacks, or requires public street improvements related to ADUs.

Currently, ADUs are subject to several restrictions: they are considered conditional use, must be smaller than the principal structure, and must meet the setback requirements outlined in the development standards. The new house bill would prohibit the city from requiring additional parking for ADUs and from setting setbacks greater than those specified in the SFR districts, as well as from regulating the use or advertisement of accessory dwelling units. However, the city will continue to enforce residential building codes, fire codes, and health and public safety regulations.

Ms. Gomez further explained that the house bill aims to reduce regulatory barriers and promote the integration of ADUs into residential areas, reflecting broader state policies to enhance housing.

Motion by Council Member Montañño, second by Council Member Shelton to approve the placement of Ordinance No. 24-1201.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

Motion by Council Member Montañño, second by Council Member D. Acosta to approve the first reading of Ordinance No. 24-1201.

Mayor Huish commented on record to let the state legislators know to stay out of city business. This is a city issue, and it should be governed by each city.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

F. FIRST READING OF ORDINANCE NO. 24-1202, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING** the Douglas Municipal Code **TITLE 6 CHAPTER 6.16**, providing for **RESTRICTIONS ON MAINTAINING FOWL WITHIN THE CITY**; providing for repeal of conflicting ordinances; establishing severability of components of ordinance; and establishing an effective date thereof.

Ms. Gomez provided background information, noting that the Planning and Zoning Commission met on October 3, 2024, and recommended that the City Council approve ZCA 2024-02, which proposes amendments to Title 6, Chapter 6.16 of the Douglas Municipal Code. This amendment specifically focuses on "Dangerous and Prohibited Animals," particularly the regulations regarding the keeping and maintenance of fowl. Currently, the Douglas Municipal Code allows residents to keep a maximum of four fowl, which must not be housed in front yards or the front portions of lots. Owners must adhere to all applicable state laws, including animal cruelty regulations, as well as county and health guidelines. The fowl must be kept in fully fenced areas with sufficient space within city limits. House Bill 2325 has established that municipalities cannot enact laws preventing residents of single-family detached homes on lots of one and a half acres or less from keeping up to six fowl in their backyards.

Ms. Gomez continued by explaining that municipalities can impose certain regulations, such as prohibiting male fowl like roosters. Fowl must be enclosed in the rear of the property, with specific restrictions, including being at least 20 feet away from neighboring properties. The enclosure cannot exceed 200 square feet or 8 feet in height. She added that while the city is not restricting male fowl, it is proposing to increase the allowance from two to six within the enclosure.

Motion by Council Member D. Acosta, second by Council Member Shelton to approve the placement of Ordinance No. 24-1202.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

Motion by Council Member D. Acosta, second by Council Member Baldenegro to approve the first reading of Ordinance No. 24-1202.

Mayor Huish commented to the state that they have no business involved in local government issues like this one.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

G. **RESOLUTION NO. 24-1626**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the City Manager or his/her designee the authority to exercise the **CITY VEHICLE DESIGNATION EXEMPTION** pursuant to ARIZONA REVISED STATUTES § 38-538.03.

Lt. Lomeli provided background information, stating that A.R.S. § 38-538 et al. requires that city-owned or leased vehicles display specific designations, including the name of the political subdivision and the phrase "for official use only." According to A.R.S. § 38-538.03, the City Council may grant exemptions to these designation requirements on an annual basis for vehicles in the city fleet used for felony investigations or confidential activities. It is recommended that the City Council delegate this authority to the City Manager or their designee. The City Manager or their designee will provide the City Council with an annual written notification confirming that the exemption designation process has been completed in compliance with state law.

Motion by Council Member Baldenegro, second by Council Member D. Acosta to approve Resolution No. 24-1626.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

H. **RESOLUTION NO. 24-1627**, 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 Douglas Unified School District No. 27 for purposes of providing Douglas Police Department reserve personnel to fill two **SCHOOL SAFETY OFFICER** positions within the district, in the City of Douglas.

Lt. Lomeli provided background information, explaining that this is an Intergovernmental Agreement (IGA) between the City of Douglas and the Douglas Unified School District (DUSD) for the assignment of two certified police officers to serve as School Security Officers (SSOs) while school is in session. The agreement includes a cost-sharing arrangement from DUSD for both positions. It will take effect upon approval and remain in place until September 30, 2026, unless it is terminated by either party. In January 2024, the Mayor and Council approved an agreement with DUSD in which the city acted as the hiring agency for officers assigned to the schools. However, the Public Safety Personnel Retirement System (PSPRS) restricts retired officers from being rehired in similar roles, which complicated the implementation of the previous agreement.

DUSD applied for and received funding through the FY2024 Stronger Connections Grant. Under the new agreement, DUSD will act as the hiring agency and will fund the SSO positions through its own Maintenance and Operations (M&O) budget, the Stronger Connections Grant, and other available sources. The city will be responsible for sponsoring a certified reserve officer through the Police Department, providing a police vehicle during work hours, supplying uniforms and gear typically required for an SSO, and ensuring access to agency-sponsored training necessary for maintaining certification through the Arizona Peace Officer Standards and Training Board (AZPOST). The SSOs assigned to DUSD will be considered employees of DUSD and will be under its control and supervision while also fulfilling the appointment requirements as reserve officers for the police department. They must meet all mandated training and testing to maintain their state peace officer certification. The DUSD Board approved the agreement during its regular meeting on September 18, 2024.

Motion by Council Member Baldenegro, second by Council Member R. Acosta to approve Resolution No. 24-1627.

Council Member Richard Acosta remarked that this initiative is significant, particularly for children and students in the community. It enhances safety, and having certified law enforcement on site is invaluable; he believes it will make students and families feel more secure.

Lt. Lomeli added that the positions will initially be filled at the junior high schools, with potential plans to extend to elementary schools in the future, possibly supported by additional grants.

Council Member Montaña asked if there are enough vehicles available to accommodate the two additional officers.

Lt. Lomeli confirmed that there are.

Council Member Baldenegro inquired about Officer Cuevas, who is currently assisting with traffic at the school, and whether officers will continue to help with this.

Lt. Lomeli responded that officers would assist with all school-related matters, including traffic congestion, conducting daily presentations on topics such as bullying awareness, gun safety, and more.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

I. **RESOLUTION NO. 24-1628**, 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 an agreement with the STATE of ARIZONA GOVERNOR'S OFFICE of HIGHWAY SAFETY for a reimbursable grant in the amount of **\$15,150** for **ACCIDENT INVESTIGATION TRAINING**.

Lt. Lomeli provided background information, announcing that the Douglas Police Department has been awarded grant funding from the Arizona Governor's Office of Highway Safety (GOHS) for Accident Investigation Related Professional and Outside Services – AI Training, totaling \$15,150. The GOHS invited proposals for consideration under the Federal 402-AI Plan, and Sgt. David Acosta submitted a proposal for Accident Investigation Training for two officers. These officers will apply the skills they acquire to handle serious vehicle collisions involving significant damage, injury, or death, as well as in routine investigations. This training supports the department's succession planning, as currently, only one officer possesses this advanced level of training and skillset. The city has previously received grant funding from the Governor's Office of Highway Safety for DUI and Selective Traffic Enforcement, which has helped increase DUI arrests and enhance traffic safety awareness in the city and surrounding areas. The grant period is set to run from October 1, 2024, to September 30, 2025, with a total anticipated award amount of \$15,150.

Motion by Council Member Baldenegro, second by Council Member Shelton to approve Resolution No. 24-1628.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

J. **RESOLUTION NO. 24-1629**, 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 an AGREEMENT with the STATE of ARIZONA GOVERNOR'S OFFICE of HIGHWAY SAFETY for a reimbursable grant in the amount of **\$41,126** for **DUI/IMPAIRED ENFORCEMENT OVERTIME** and **CAPITAL OUTLAY** for **Purchase of DUI ENFORCEMENT EQUIPMENT**.

Lt. Lomeli provided background information, stating that the Douglas Police Department has been awarded grant funding from the Arizona Governor's Office of Highway Safety (GOHS) for DUI Enforcement, totaling \$41,126. The GOHS invited proposals under the Federal 405d Plan, and Sgt. David Acosta submitted a proposal for personnel overtime (including employee-related expenses) for DUI enforcement, as well as for the purchase of an Intoxilyzer 9000. Officers will engage in enforcement activities during holidays and other designated dates. For further details, please refer to the attached contract. The department has previously received grant funding from the Governor's Office of Highway Safety for DUI and Selective Traffic Enforcement, which has successfully increased DUI arrests and enhanced traffic safety awareness in the city and surrounding areas. The grant period is from October 1, 2024, to September 30, 2025, with a total anticipated award amount of \$41,126.

Motion by Council Member R. Acosta, second by Council Member Baldenegro to approve Resolution No. 24-1629.

Council Member Baldenegro asked if this is only within city limits or if it could be outside city limits as well.

Lt. Lomeli responded that it could be outside city limits, not necessarily within city limits.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

K. **RESOLUTION NO. 24-1630**, 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 an agreement with the STATE of ARIZONA GOVERNOR'S OFFICE of HIGHWAY SAFETY for reimbursable grant in the amount of **\$15,000** for **OCCUPANT PROTECTION ENFORCEMENT OVERTIME**.

Lt. Lomeli provided background information, announcing that the Douglas Police Department has been awarded grant funding from the Arizona Governor's Office of Highway Safety (GOHS) for Occupant Protection Enforcement, totaling \$15,000. The GOHS solicited proposals for consideration under the Federal 405b Plan, and Sgt. David Acosta submitted a proposal for personnel overtime (including employee-related expenses) dedicated to Occupant Protection Enforcement. Officers will engage in enforcement activities during holidays and other scheduled dates. For more details, please refer to the attached contract. The department has previously received grant funding from the Governor's Office of Highway Safety for DUI and Selective Traffic Enforcement, which has effectively increased DUI arrests and enhanced traffic safety awareness in the city and surrounding areas. The grant period is from October 1, 2024, to September 30, 2025, with a total anticipated award amount of \$15,000.

Motion by Council Member Baldenegro, second by Council Member Shelton to approve Resolution No. 24-1630.

Council Member Montaña inquired about the meaning of occupant protection enforcement.

In response, Lt. Lomeli explained that it involves seat belt enforcement, monitoring speed, and ensuring the safety of vehicle occupants.

Council Member Shelton expressed gratitude to Sgt. David Acosta for his efforts in securing the grants.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

L. **RESOLUTION NO. 24-1631**, 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 an AGREEMENT with the STATE of ARIZONA GOVERNOR'S OFFICE of HIGHWAY SAFETY for a reimbursable grant in the amount of **\$28,000** for the Department's **SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) OVERTIME** and **EMPLOYEE RELATED EXPENSES (EREs)**.

Lt. Lomeli provided background information, stating that the Douglas Police Department has been awarded grant funding from the Arizona Governor's Office of Highway Safety (GOHS) for the STEP program, totaling \$28,000. The GOHS solicited proposals under the Federal 402-PTS Plan, and Sgt. David Acosta submitted a proposal for personnel overtime (including employee-related expenses) for the Department's STEP Program. This program allows officers to concentrate on specific traffic-related issues such as occupant safety (including seatbelt and child restraint compliance), speeding, aggressive driving, and pedestrian safety. The department received \$28,000 for overtime and employee-related expenses. Previously, the department received grant funding from the Governor's Office of Highway Safety for DUI and Selective Traffic Enforcement, which has successfully increased DUI arrests and improved traffic safety awareness in the city and surrounding areas. The grant period is set from October 1, 2024, to September 30, 2025, with a total anticipated award amount of \$28,000.

Motion by Council Member Baldenegro, second by Council Member Montaña to approve Resolution No. 24-1631.

Lt. Lomeli expressed gratitude to Sgt. David Acosta and Officer Owen for their efforts in preparing and securing these grants. He noted that these grants enable the department to work overtime and conduct details, ultimately making the community a safer place.

Mayor Huish instructed Ms. Urquijo to draft a thank-you note on behalf of the Mayor and Council to Sgt. Acosta and Officer Owen.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañó, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

M. **RESOLUTION NO. 24-1632**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING** Resolution No. 24-1587 and **APPROVING** the **ADOPTION** of 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.

Ms. Gonzalez provided background information, explaining that the Douglas Rides transit system is required to submit a Title VI implementation plan to the ADOT Civil Rights office during each grant cycle. As you may recall, the Updated Title VI 2024 Implementation Plan was presented for your approval and adoption through Resolution No. 24-1587 on February 14, 2024. Following ADOT's review of the updated plan, minor revisions were necessary for the demographic chart and the four-factor analysis response. These revisions have been made, reviewed, and approved by ADOT, and this is the final step in approving the implementation plan.

Motion by Council Member Baldenegro, second by Council Member Shelton to approve Resolution No. 24-1632.

Council Member Baldenegro asked about the number of buses equipped with chair lifts for individuals with disabilities.

Ms. Gonzalez replied that all buses are required to have lifts, and the city currently has eight of them. Additionally, there are two smaller Dial-a-Ride vans, making a total of ten accessible vehicles.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañó, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

N. **RESOLUTION NO. 24-1633**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the **ACCEPTANCE** of a **SUBRECIPIENT AGREEMENT** with Cochise County, for funds from the American Rescue Plan Act (ARPA) to support covid-19 activities expenditure categories specifically for **WATER** and **SEWER** facilities to **SERVICE** the new **DOUGLAS COMMERCIAL PORT OF ENTRY**.

Mr. Pedroza provided background information, stating that Cochise County has partnered with the city to develop the infrastructure for the new commercial port of entry. The county is allocating \$5 million of its ARPA funds for water and sewer infrastructure. The city is currently working on the first phase of the port of entry utility infrastructure project, which includes water, sewer, and broadband conduits from Copper Avenue to Cochise College. This phase encompasses water and sewer piping, broadband conduits, and a booster station to serve as a backup for the new well to be constructed near Cochise College, supporting the new commercial port of entry and surrounding development. City engineers are exploring additional redundancy options, such as acquiring Cochise College well.

The estimated total cost of this project phase, according to the engineer's probable construction cost, is \$20.3 million. With the \$5 million from the county's ARPA funds, the city will secure a total of \$19 million from state ARPA, NADBank, WIFA grants, and Army Corps funding to cover this expense. The remaining \$1.3 million will be sought from additional NADBank and/or Army Corps resources that the city is actively pursuing. The \$5 million from the county will be allocated exclusively for water and sewer infrastructure, not for broadband conduits. According to ARPA guidelines, the county must commit these funds by December 31, 2024, through the execution of the grant agreement. The city must utilize the funds by December 31, 2026. Based on the city's timeline, the SR-80 phase of the project will be completed before this deadline, initiating the water and sewer extension to the new commercial port of entry location. Future phases will include constructing a new water well, a new reservoir, a water and sewer utility corridor along James Ranch Road, a sewer connection via Puzzi Ranch Road, and a sewer line crossing of Whitewater Draw using a pipe bridge. The city expresses gratitude for the county's steadfast partnership and financial support in establishing the infrastructure for the new commercial port of entry.

Motion by Council Member D. Acosta, second by Council Member Montañño to approve Resolution No. 24-1633.

Council Member Baldenegro asked about the location of Copper Avenue.

Mr. Pedroza explained that it is situated west of Whitewater Draw, a dirt road that runs north of SR80. There is an abandoned well in that area.

Council Member Montañño added that it is located across from the old entrance to the smelter.

Mayor Huish expressed gratitude to the County Board of Supervisors for their partnership on this project, appreciating their support and collaborative efforts to address all related issues as they work together to secure funding for the new commercial port of entry and the future economic development in the area.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

O. **RESOLUTION NO. 24-1634**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona **AUTHORIZING** the Execution of a **MEMORANDUM of UNDERSTANDING** between the City of Douglas and **STUDIOARCHITECTURE** regarding design services for the **ERUBIEL DURAZO FIELD CONCESSION STAND** project in Douglas, Arizona.

Mr. Pedroza provided background information, noting that Mr. Steven Helffrich from studioARCHITECTURE in Douglas approached the city to collaborate on a grant application for the design of the Erubiel Durazo Concession Stand at Airport Park. Mr. Helffrich applied for a 2025 ARPA Artists Grant, which would fund art projects aimed at supporting jobs in the arts sector. A key requirement of the grant application is a memorandum of understanding with a qualified client, in this case, the City of Douglas.

The city has been working with Mr. Helffrich to develop a concept for the concession stand, restrooms, and complementary amenities around the stand—features that are currently lacking at the baseball park. This grant would finance the next phase of design for the area and enable Mr. Helffrich to receive compensation through the grant if it is awarded. He needed to demonstrate that there is an ongoing project with a non-profit client, such as the City of Douglas. The MOU formalizes this relationship and allocates up to \$10,000 for the project. The agreement will become void if the grant is not awarded, and if it is awarded, the agreement will terminate upon the project's completion.

Motion by Council Member D. Acosta, second by Council Member Shelton to approve Resolution No. 24-1634.

Council Member Acosta expressed appreciation for Mr. Helffrich's enthusiasm for this project, noting that the community is home to many talented individuals. Council Member Acosta hopes this initiative will inspire greater interest among community members.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montañño, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

P. **RESOLUTION NO. 24-1635**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the City of Douglas to receive grant funding from the Arizona Department of Environmental Quality tank site improvement program in the amount of up to **\$40,000** for **UNDERGROUND STORAGE TANK REMOVAL** at city owned property at 300 E. 1st street, Douglas, Arizona.

Mr. Pedroza provided background information, stating that the City of Douglas applied for the ADEQ Tank Site Improvement Program (TSIP) to remediate an orphan underground storage tank found on city-owned property. After two attempts, ADEQ awarded the grant, allowing the city to proceed with the remediation. The city owns parcel 409-10-013 at 300 East 1st Street, where the Aspen Surgical warehouse is located. The city holds a lease with the IDA, which in turn has a long-term lease with Aspen.

An orphan underground storage tank was discovered by Aspen on the northeast side of the property, and they informed the IDA about its presence. As the landlord, the IDA is responsible for covering the removal costs. The IDA received a quote of \$43,127.50 for the tank removal and identified a funding program through the ADEQ TSIP. As the owner of the parcel, the City of Douglas is the grant applicant. The grant was awarded \$25,000 for the removal and an additional \$15,000 for any necessary cleanup. This will be a pass-through grant to the IDA, which will cover the remaining cost of \$18,127.50. All funds will be processed through the city, and the IDA will reimburse the city for that amount. The tank has been removed without any required cleanup, so the city will seek reimbursement from ADEQ for \$25,000 and from the IDA for \$18,127.50.

Motion by Council Member D. Acosta, second by Council Member Baldenegro to approve Resolution No. 24-1635.

Council Member Baldenegro inquired whether there were any chemicals or liquids in the tanks.

Mr. Pedroza replied that 3,000 gallons of liquid were removed. According to the report, the contents included a type of fuel as well as water. There were no spills, and everything was contained and removed safely.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

Q. **RESOLUTION NO. 24-1636**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AUTHORIZING** the City of Douglas to **ACCEPT GRANT FUNDING** from the BUREAU OF JUSTICE ASSISTANCE for a reimbursable grant in the amount of **\$4,497.30** for **BALLISTIC VEST REPLACEMENT**.

Lt. Lomeli provided background information, noting that the Douglas Police Department has been awarded grant funding of \$4,497.30 from the Bureau of Justice Assistance for ballistic vest replacements. The department applied for this funding under the FY2024 Bulletproof Vest Partnership solicitation, which requires a 50% match from the requesting agency for new and replacement vests. Additionally, agencies must implement a mandatory wear policy for uniformed officers. This marks the fourth award the department has received in recent years. Our ballistic vests come with a five-year warranty and are replaced at the end of that period. To qualify for reimbursement, the vests must meet or exceed the standards set by the National Institute of Justice. Fortunately, the program provides a list of approved products and vendors. The grant period is from April 1, 2024, to August 31, 2026, with a total amount of \$4,497.30.

Motion by Council Member Baldenegro, second by Council Member D. Acosta to approve Resolution No. 24-1636.

Council Member Acosta remarked that when she began her law enforcement, officers wore whatever equipment was available. She expressed her appreciation for the ongoing replacement of this gear and thanked them for pursuing funding for these replacements.

Lt. Lomeli noted that there are currently seven vests scheduled for replacement.

Council Member Baldenegro inquired if these vests are similar to the CBP vests that can be worn over shirts.

Lt. Lomeli confirmed that they are.

Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Jose Montaña, Danya Acosta, Ray Shelton, Michael Baldenegro and Richard Acosta. Voted Against: None.

9. CITY MANAGER REPORTS.

Mr. Pedroza provided the manager's report.

Community Calendar

1. Fly-in Event

- Date: Saturday, October 12th, 7:00 AM - 12:00 PM

- Location: Douglas Airport
- Enjoy breakfast burritos, coffee, and beverages for \$10 fundraiser. The Young Eagles program will be offering flights for children, and we will celebrate the Border Air Museum's 22nd anniversary, Refreshments and snacks will be available.

2. Thunder Mountain Wrestling

- Date: October 19th
- Location: Paul Huber Middle School
- V.I.P. doors open at 4:30 PM, with the show starting at 5:00 PM. General doors open at 5:30 PM, with showtime at 6:00 PM. Tickets are \$15 for V.I.P., \$12 for General Admission, and kids under 12 are free.

3. National Night Out & Energize Douglas

- Date: October 25th, National Night Out 5:00 PM - 7:00 PM – Energize Douglas from 5:00pm to 9:00pm
- Location: Downtown, G Avenue (9th to 11th Street)
- Activities: Free games, rock climbing, food vendors, skateboard ramps and rails

4. Trunk or Treat

- Date: October 31st from 4:00pm to 7:00pm
- Location: Copper King Stadium
- This family-friendly event will feature games, decorated trunks, and plenty of candy for kids. There will also be a costume contest for all ages starting at 6:00pm

Aquatic Fall break hours- Beginning October 14th Monday through Friday Lap Swim will be from 5:00pm – 8:00pm and 6:30pm- 8:00pm. Open Swim will be from 1:00pm – 5:00pm.

A special thank you to all city special events team for a successful Mexican Baseball Fiesta that was held last week. The Naranjeros and Yaquis mascots were a great hit this year and the crowd enjoyed the entertainment and game. We had approximately 1,300 in attendance.

LIBRARY: Events

1. Student tutors from Cochise College are available for free after-school tutoring services to Douglas elementary and middle school students who would like extra help with their math, science, reading, and writing assignments. Tutoring in Reading and Writing is available on Tuesday, Wednesday, and Thursday from 3-6pm and on Friday from 3-5pm. Math/Science tutoring will begin on Tuesday, October 15, with tutoring available Monday through Thursday from 3-6pm.

2. On Friday, October 4, October 11, and October 18 from 3-4pm, DPL will feature "Friday Fun", special Halloween activities – including crafts, Halloween cookie decorating, and creating Trick or Treat bags – all leading up to the free "Children's Halloween Costume Party" on October 25 from 5-7pm in the Children's Library.

3. A free "Paint Night for Adults" – with all supplies included – is scheduled for Friday, October 11, at 5:00pm. Advance registration is required at the library circulation desk.

4. The DPL Chess Club, sponsored by Cochise Chess, will play Tuesday, October 8, and Tuesday, October 22, at 3:30pm. All ages are invited, and Cochise Chess will provide all gear free of charge.

5. On Tuesday, October 29, at 6:00pm, the DPL Book Club will meet to discuss "The Housemaid" by Freida McFadden.

LIBRARY: Other News

1. In August, DPL was awarded a \$10,000 LSTA telehealth/telemedicine grant to create a Telehealth Access Point (TAP) on-site and, in September, those funds were used to purchase ten circulating "medi-pac" backpacks containing health self-monitoring equipment (such as blood pressure monitors, pulse oximeters, body weight scales, and digital thermometers). Funds were also used to create a private meeting space that residents can use to connect remotely and confidentially with out-of-town health care providers on the library's high-speed internet connection. With assistance from Public Works, the "ZenBooth Solo" private meeting space has been installed and is now open for use.

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

Council Member Acosta emphasized that National Night Out will be held in collaboration with Energize Douglas this year from 5 PM to 9 PM in downtown Douglas. She also mentioned that on November 1, there will be a Dia de los Muertos celebration in partnership with Energize Douglas.

Additionally, Council Member Acosta raised concerns about the recent embezzlement issues in Santa Cruz County, urging the city to review its current procurement guidelines. She pointed out that the Procurement Specialist also handles project management, which could present a conflict of interest. She suggested that these roles should be separated to prevent any potential issues, especially given that Santa Cruz County is now unable to apply for federal grants.

Council Member Shelton noted that several people have inquired about the status of the Golf Course, the Airport land sale, and downtown revitalization, requesting updates be presented at the next meeting.

Mayor Huish asked for these topics to be included in the special meeting on October 30.

Council Member Baldenegro inquired about the Domestic Violence Vigil.

Lt. Lomeli confirmed that it is scheduled for October 17 at 6:00 PM at the Douglas Police Department.

Mayor Huish expressed gratitude to the community for welcoming the Vice President during their visit, highlighting the significance of such event. He acknowledged that it may be a once-in-a-lifetime occurrence and appreciated the community's understanding and cooperation. He thanked Cochise College and the first responders for their efforts in ensuring the event ran smoothly. He noted that this visit glowed a positive light on Douglas, sharing the community's story. He thanked everyone for their participation, emphasizing the importance of respectfully engaging with the Vice President's office, even when there may be political differences.

11. ADJOURNMENT.

Motion by Council Member Shelton, second by Council Member D. Acosta to adjourn the meeting at 7:23 p.m.

Prepared by:



Alma Andrade, City Clerk