

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.

**WHEREAS**, the City of Douglas and Barnard Specner Joint Venture seek to enter into a twelve (12) month renewable Lease at the City of Douglas Municipal Airport for contractor operations, set up operation of a yard, job staging area, and general office purposes; and

**WHEREAS**, the Lease documents providing the terms and conditions are attached as Exhibit "A" and incorporated herein by reference; and

**WHEREAS**, it is in the best interest of the City of Douglas to enter into the lease with the attendant terms.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Douglas, Arizona, as follows:

**Section 1.** The terms of the Lease are in the best interest of the City of Douglas.

**Section 2.** The City Manager and the City Clerk are hereby authorized to execute and deliver the Lease documents, attached as Exhibit "A", and any related documents necessary to consummate the transaction contemplated by the new lease documentation, for and on behalf of the City of Douglas.

**Section 3.** The officers of the City Council and the City of Douglas are hereby authorized and directed to fulfill all obligations under the terms of the noted new lease terms.

**Section 4.** Severability: If any chapter, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and this Resolution shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

**Section 6.** The provisions of Section 1 of this Resolution shall be effective from the date of enactment.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 13<sup>th</sup> day of December 2023.

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Donald C. Huish, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Alma Andrade, City Clerk

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Denis Fitzgibbons, City Attorney

Prepared by:  
Luis Pedroza, Deputy City Manager/City Treasurer