

Minutes

MAYOR AND COUNCIL

The City of Douglas Mayor and Council met on Wednesday, August 11, 2021 at 6:00 p.m., in the Council Chamber of City Hall, 425 10th Street. The Honorable Mayor Huish called the meeting to order.

1. **CALL TO ORDER:** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** by Council
3. **INVOCATION by:** Deacon Ed Gomez, St. Luke's Catholic Church.

Deacon Gomez commended council for the beautification on the north side of city hall.

Deacon Gomez mentioned they offer two masses at each Parish and added they are not asking people to wear masks, but they can if they want to.

Mayor Huish on behalf of council thanked Deacon Gomez for their efforts in the community to make it a wonderful place that all citizens live in.

4. ROLL CALL.

	PRESENT	ABSENT
MAYOR, DONALD C. HUIH	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	
INTERIM CITY MANAGER/CITY TREASURER, LUIS PEDROZA	X	
CITY ATTORNEY, DENIS FITZGIBBONS	X	
CITY CLERK, ALMA ANDRADE	X	

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

Dr. Kristine Gomez of 720 11th Street, commented on the following:

- Tennis Courts were not maintained for the past eight years.

6. PRESENTATION OF AWARDS:

A. Flood Incident – Community collaboration

Mayor Huish mentioned the Division Names of staff that assisted during the flooding events: Aquatic, Recreation, Parks, Water Division, Development Services, Streets/Construction, Sanitation, Fleet, Public Works Administration, Finance and Wastewater Plant.

Mayor Huish also mentioned the non-paid City of Douglas interns: Isaac Garcia, Adrian Estrada, and Yafet Vidal; and community volunteers Carlos Tapia, Edward Acosta, Zack Acosta, and Paul Gomez; and NPL and Southwest Gas staff: Miguel Mazon, Pedro Cabrera and Julio Amaya.

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

- A. EXPENDITURES for the month of JULY totaling \$1,299,059.27.
- B. MEETING MINUTES for JUNE 23, JULY 7, JULY 14, and JULY 16, 2021.

- C. CHANGE OF OWNERSHIP Liquor License #006 for the Gadsden Hotel, located at 1046 N G Avenue in Douglas, AZ 85607

Motion by Council Member Acosta, **second** by Council Member Shelton to approve consent agenda items.

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 APPROVAL of the following ORDINANCES and RESOLUTIONS:

- A. THIRD READING OF ORDINANCE NO. 21-1135**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the SALE of CITY OWNED REAL PROPERTY located at 357 E. 10th STREET known as the RIVERA BUILDING, as lots 31-32, Block 85 of DOUGLAS TOWNSITE as parcel #409-07-06306 to HARRELL COOLEY LLC, pursuant to terms entered into by the parties; establishing severability of components of Ordinance; and establishing an effective date thereof.

Luis Pedroza provided background information and stated the City put an Invitation for Bid (IFB) for sale of real property located on 357 10th Street for property commonly known as the Rivera Building. The City received two bids, internal staff provided a review as specified in the IFB and recommended the sale to Harrell Cooley LLC for the purchase price of \$65,000.

The City received two bids with conditions as follows:

Harrell Cooley LLC Purchase Price: \$65,000, \$5,000 earnest money, additional earnest money of \$10,000 at close of escrow, \$50,000 owner finance for 8 years at 3% Purpose: Artist collective space and housing. Other: Renovations and business license will be obtained within 18 months. Buyer will commission a notable artist to paint a mural on the building within 3 months of close of escrow. Evaluation Score: Luis Pedroza: 725, Alma Andrade: 950, Damian Dorame: 768.75, TOTAL Score: 2,443.75

Arlo Max Solutions LLC Purchase Price: \$60,000, \$100 earnest money applied to purchase price. Purpose: Holistic services for substance abuse and mental health services, recycling green skills training and employment and supportive workforce living housing development. Other: *Seller shall remove all pigeons and pigeon waste from premises. Seller shall board up all broken windows and entry points for pigeons. Evaluation Score: Luis Pedroza: 306.25, Alma Andrade: 906.25, Damian Dorame: 590, TOTAL Score: 1,802.50 *City obtained a quote to remove the pigeon waste from the second floor of the building from Southwest Hazard Control which came at \$29,844.

Both bidders showed experience in real estate development with other successful projects. The overall scoring showed Harrell Cooley LLC as the best alternative from the two bids.

Motion by Council Member Shelton, **second** by Council Member Baldenegro to approve the third reading of Ordinance No. 21-1135 with modifications as presented.

Mayor Huish invited Mr. Harrell to address the Council and public if he so desired.

Mr. Harrell expressed his passion for procuring historic buildings and driving tourism which has drawn him to invest in Douglas. Mr. Harrell noted his offer was \$34,000 more than the competing offer. Furthermore, Mr. Harrell stated he had a large network of artists he worked with to promote community art funded by the private sector. Additionally, he shared the goal for the property was to clean it and decorate it with a large mural by a notable artist. Lastly, Mr. Harrell stated he bought the Gadsden, the Marlins Building and would continue to purchase properties with the intention to revitalize G Avenue.

Council Member Grijalva congratulated Mr. Harrell.

Council Member Morales expressed her appreciation for the passion to bring much needed tourism to Douglas.

Council Member Shelton noted Mr. Harrell's goals lined up with the City's goal for downtown revitalization.

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.

- B. FIRST READING OF ORDINANCE NO. 21-1136**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, MODIFYING TITLE 8 of the DOUGLAS MUNICIPAL CODE relating to HEALTH and SAFETY by amending Ordinance 826 under Chapter 8.32.260 REGULATING METHODS of ISSUING CITATIONS, establishing severability of components of Ordinance; and establishing an effective date thereof.

Peter Gardner provided background information and highlighted the purpose of the amendment was to allow citations to be served via certified mail.

Motion by Council Member Acosta, **second** by Council Member Shelton to place Ordinance No. 21-1136 on its first reading by number and title only.

Mr. Pedroza commented the intention is to bring Ordinance 21-1136 to the next Council meeting by emergency.

Mr. Harrell commented he witnessed the issue of unkept buildings in Douglas and shared his experience.

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.

Motion by Council Member Acosta, **second** by Council Member Baldenegro to approve the first reading of Ordinance No. 21-1136 and to place it on its second reading by number and title only.

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. 21-1470**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, RATIFYING the execution of AN AMENDMENT to BUILDING LEASE AGREEMENT between the CITY OF DOUGLAS and the ARIZONA BOARD OF REGENTS, to continue to PROVIDE SPACE for the DOUGLAS ANIMAL SHELTER at 2017 Rogers Avenue, in the City of Douglas, Arizona.

Chief Fullen provided background information.

Motion by Council Member Acosta, **second** by Council Member Shelton to approve Resolution No. 21-1470.

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. 21-1471**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the Execution of a SERVICE AGREEMENT RENEWAL between the CITY OF DOUGLAS and the SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION (**SEAGO**) in the amount of \$35,000 to be used in the TRANSIT PROGRAM to maintain services for the elderly and disabled individuals in the City of Douglas and surrounding community.

Humberto Rivera provided background information and noted the intended use was for the transit program for eligible elderly and disabled riders.

Motion by Council Member Lindemann, **second** by Council Member Morales to approve Resolution 21-1471.

Council Member Shelton asked how many years the City of Douglas had utilized the transit program.

Mr. Rivera reported since 2012 the service agreement had been renewed.

Council Member Grijalva suggested flyers could be used to promote the program.

Council Member Acosta suggested to distribute flyers at the Social Security office and DES offices.

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. 21-1472**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the SUBMISSION of a GRANT APPLICATION to the U.S. DEPARTMENT of HOUSING and URBAN DEVELOPMENT (HUD) for the HOUSING CHOICE VOUCHER FY2021 FAMILY SELF SUFFICIENCY (FSS) Program.

Xenia Gonzalez provided background information.

Motion by Council Member Shelton, **second** by Council Member Morales to approve Resolution No. 21-1472.

Council Member Acosta congratulated Ms. Gonzalez for obtaining the minimum number of participants to get full time position.

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. **PROPOSING TO RESCIND RESOLUTION NUMBER 08-537** that was enacted to interpret Article III Section 5 of the City Charter to designate as Acting City Manager the City Clerk then the City Treasurer (in that order) in the absence of the City Manager of 7 or more days. This interpretation does not coincide with the new organizational chart and having a Deputy City Manager that can be placed in responsible charge in the temporary absence of the City Manager.

Luis Pedroza provided background information.

Motion by Council Member Baldenegro, **second** by Council Member Acosta to rescind Resolution No. 08-537.

Council Member Grijalva thanked Mr. Pedroza for bringing the item to the Council's attention.

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.

9. CITY MANAGER REPORTS.

Luis Pedroza reported the City issued a press release reference the Food City closure as it was an issue that caused citizen concern. Furthermore, Mr. Pedroza reported he met with Food City executives who confirmed a reluctant closure will happen October 2021 due to the store's loss of money over many years. Mr. Pedroza thanked Food City for the many years in the community. Lastly, Mr. Pedroza stated the City would work to attract grocery stores.

10. INFORMATIONAL ITEMS and REPORTS from COUNCIL and FUTURE AGENDA ITEM REQUESTS.

Council Member Grijalva reminded everyone of commodity day at food bank and thanked City of Douglas employees who attended the employee luncheon. Lastly, Council Member Grijalva noted City staff was working hard behind the scenes to bring grocery stores to Douglas.

Council Member Shelton recalled a time when there were many "mom and pop" stores in Douglas but those were overpowered by stores that sell for less. Additionally, Council Member Shelton noted that the community was suffering from the loss of stores. Council Member Shelton thanked City staff for pursuing another store to come into the community.

Mayor Huish reported a bill called the American Jobs Act was passed which included quite a bit of dollars for infrastructure. Mayor Huish noted the bill included two Port of Entry projects which could possibly be voted upon in September 2021. Additionally, Mayor Huish was informed by ADOT to proceed with a design concept for the Port of Entry to Highway 80, develop requests for proposals by October 2021, and environmental studies in December and January. Mayor Huish thanked the community regarding the recent flooding which affected the community very personally. Furthermore, Mayor Huish reported the channels flowed as they should, and

the city was set to receive help from the county. Mayor Huish stated the city applied for a federal grant to study major washes in Douglas to identify any inadequacies. Finally, Mayor Huish thanked the community for their efforts and applauded the city workforce for their fantastic work.

11. ADJOURNMENT.

Motion by Council Member Morales, **second** by Council Member Acosta to adjourn the meeting at 6:53 p.m.

Prepared by:



Jesalen Luna, Deputy City Clerk