

MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
APPEALS & CONSTITUTIONAL LITIGATION DIVISION
GOVERNMENT ACCOUNTABILITY UNIT

KATHERINE JESSEN
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May 23, 2019

By Certified Mail, Return Receipt Requested

Douglas City Council
c/o Juan Pablo Flores, City Attorney
425 10th St.
Douglas, AZ 85607

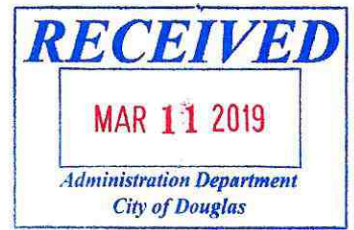
Re: Open Meeting Complaint and the Douglas City Council

Council Members and Mr. Flores:

As you are aware, the Office of the Attorney General (the "Office") has received an Open Meeting Law complaint regarding the Douglas City Council (the "Council"). The complaint alleged that at the Council's February 13, 2019 meeting, the Council engaged in a discussion that went beyond the scope of the agenda. Specifically, the complaint alleged that Mayor Robert Uribe discussed the recall petition against him when this matter was not listed on the agenda. Additionally, the Office noted its concern about the Council's compliance with A.R.S. § 38-431.01(E). After reviewing the Council's April 22, 2019 response and the information provided, the Office is unable to substantiate a violation of the Open Meeting Law in connection with the above allegations. This matter is now considered closed.

This letter relates solely to the disposition of the aforementioned Open Meeting Law complaint; it is not a formal opinion of the Attorney General's Office and should not be cited as authority in other matters.

Katherine Jessen
Assistant Attorney General
Open Meeting Law Enforcement Team



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March 1, 2019

By Certified Mail, Return Receipt Requested

Douglas City Council
c/o Juan Flores, City Attorney
425 10th Street
Douglas, AZ 85607

Re: Open Meeting Law and the Douglas City Council

Council Members and Mr. Flores:

The Office of the Attorney General has received an Open Meeting Law complaint regarding the Douglas City Council (the "Council"). The Attorney General is authorized to investigate alleged violations of and enforce Arizona's Open Meeting Law. The complaint has been assigned to the Government Accountability Unit, and in particular the Open Meeting Law Enforcement Team (OMLET).

The complaint alleges that at the February 13, 2019 meeting, the Council engaged in discussion beyond the scope of the agenda. Specifically, the complaint alleges that Mayor Robert Uribe discussed the recall petition against him when this matter was not listed on the agenda.

Additionally, in the course of review, the Office noted that the minutes for Council meetings have not been posted since the January 17, 2019 meeting. Please state where the Council posts its minutes or audio/video recording of meetings as prescribed by A.R.S. § 38-431.01(E).

This letter's purpose is to request information from you regarding the aforementioned complaint so that we may better assess this matter. To that end, and pursuant to A.R.S. § 38-431.06(C), please provide a written response to the above allegations. Along with the response, please include a copy of the notice, agenda, and minutes or audio/video recording of the February 13, 2019 meeting.

Please forward the information requested within thirty (30) days of receiving this letter. Any objections to or reasons for not complying with this request should be filed with the Attorney General's Office no later than the same deadline. A failure to timely respond to this

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letter may result in the finding of a violation(s) and the imposition of appropriate remedies. If legal counsel will be representing you in connection with this inquiry, please have counsel notify me of such representation.

Sincerely,

A handwritten signature in blue ink that reads "Katherine Jessen". The signature is written in a cursive, flowing style.

Katherine Jessen
Assistant Attorney General
Open Meeting Law Enforcement Team