

**NOTICE OF PUBLIC MEETING
OF THE
MAYOR AND COUNCIL
CITY OF DOUGLAS**

Pursuant to A.R.S. Sec. §38-431 .02, notice is hereby given to the members of the City Council and to the general public that the **Mayor and Council will hold a SPECIAL MEETING at 5:00 p.m., and a REGULAR MEETING at 6:00 p.m., meetings are open to the public, on Thursday, NOVEMBER 12, 2020, at City Hall - Council Chamber, 425 Tenth Street, Douglas, AZ 85607.**

Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at local, state, and federal levels, this meeting will be conducted using measures to protect public health. The City of Douglas is conducting pilot in-person Council meetings in the Council Chamber. DUE TO COVID-19 and in order to have the proper six (6) foot distance or spacing between those attending the meeting to include the public, we encourage residents wanting to view the meeting in real time to view the live stream of the meeting as seating will be limited on a first come, first served basis with the option to reserve space for citizens that wish to speak on an agenda item. Once you have spoken on a particular item, you may concede your space to other members of the public who may wish to address Council.

If you would like to address the City Council regarding any item on the agenda, please contact the City Clerk at (520) 417-7301 or via email at alma.andrade@douglasaz.gov to complete your request to speak form. Members of the public attending are encouraged to wear face coverings or masks. You will need to be registered and can voluntarily have your temperatures taken. Consistent with the Attorney General's opinion, this meeting will still be held remotely through technological means. Specifically, a live stream of the meeting will be broadcast so that members of the public may view and listen to the meeting in real time by viewing the live stream of the meeting online at Link: <https://www.youtube.com/channel/UCvi0d8LEvZONXw98165igmA>

Members of the City of Douglas Council will attend either in person or by telephone.

If authorized by a majority vote of the Council of the City of Douglas, the Council may adjourn the meeting at any time and move into Executive Session for legal advice on any agenda item, pursuant to A.R.S. § 38-431.03. The Executive Session will be held immediately after the vote to go into Executive Session and will not be open to the public.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

AGENDA

A copy of the agenda for this meeting will be available at the office of the City Clerk at 425 Tenth Street, Douglas, Arizona at least twenty-four hours in advance of the meeting.

CONSENT AGENDA

ORDER, DEFERRAL AND ACCELERATION OF AGENDA ITEMS, MAY OCCUR, ALONG WITH VOTE WITHOUT DISCUSSION:

Information concerning the consent items has been forwarded to each Council Member prior to this meeting for study and is on file at the City Clerk's Office in City Hall. Unless some other member of the audience or Council Member has a question concerning an item and asks that it be withdrawn from the consent list, the items are to be considered ALONG WITH A VOTE WITHOUT DISCUSSION: AND MAY BE approved at one time by the City Council. The action taken by the Council in considering and approving consent items is set forth in the explanation of the individual items.

CALL TO THE PUBLIC

Despite the pilot meeting arrangement, in order to prevent a large or close gathering, and to promote social distancing, limited seating will be available in the Council Chamber. Members of the Public are encouraged to view the meeting in real time by viewing the meeting via the live stream broadcast and participating via telephone per the instructions provided.

DUE TO COVID19 and in order to have the proper six (6) foot distance between the public, we encourage the public to live stream the meeting.

MEMBERS OF THE PUBLIC can submit their questions for the Call to the Public section by email to alma.andrade@douglasaz.gov by Tuesday, NOVEMBER 10, 2020, by 5:00 p.m. in order to be read during meeting.

If a Call to the Public has been sent to the Acting City Clerk, please call at (520) 417-7720 at 6:00 p.m. and wait to be called upon to participate. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

PUBLIC NOTICE

Live Stream and Audio/Video recording may be in progress during all public portions of Council meetings held in these Chambers. If you are in Council Chambers during the Council meeting you are consenting to be recorded and live-streamed.

Dated this 6th day of November 2020.

AGENDA

**MAYOR AND COUNCIL
SPECIAL MEETING - NOVEMBER 12, 2020, AT 5:00 P.M.
CITY HALL - COUNCIL CHAMBER
425 10TH STREET, DOUGLAS, AZ 85607**

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL.**
4. **DISCUSSION/DECISION TO CALL FOR AN CONDUCT AN EXECUTIVE SESSION UNDER THE AUTHORITY OF ARS 38-431.03 (A1) PERTAINING TO AN EMPLOYMENT MATTER REGARDING THE CITY ATTORNEY.**
 - A. **DISCUSSION/DECISION ON POSSIBLE ACTION ON CITY ATTORNEY'S CONTRACT.**
5. **ADJOURNMENT.**

Posted at City Hall on Friday, November 6, 2020, @ 6:00 p.m. by



Alma Andrade, Acting City Clerk

Members of the City of Douglas Council will attend either in person or by telephone.

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY OF DOUGLAS DOES NOT, BY REASON OF A DISABILITY, EXCLUDE FROM PARTICIPATION IN OR DENY BENEFITS OF SERVICES, PROGRAMS OR ACTIVITIES OR DISCRIMINATE AGAINST ANY QUALIFIED PERSON WITH A DISABILITY. INQUIRIES REGARDING COMPLIANCE WITH ADA PROVISION, ACCESSIBILITY OR ACCOMMODATION CAN BE DIRECTED TO MIGUEL GUTIERREZ WITHIN 72 HOURS AT TELEPHONE NO. (520) 417-7311, PHONE/TDD/TTY NO. (520) 364-1582, FAX (520) 417-7174, 425 TENTH STREET, DOUGLAS, ARIZONA 85607.

COUNCIL MEETING DATE: November 12, 2020

SUBJECT: DISCUSSION/DECISION ON POSSIBLE ACTION ON CITY ATTORNEY'S CONTRACT.

SUBMITTED BY: Donald Huish, Mayor

MANAGEMENT TEAM REVIEW: Dawn Prince, Interim City Manager

Focus Area: Other / NA

Focus Area:

Other / NA

SUBJECT:

DISCUSSION/DECISION ON POSSIBLE ACTION ON CITY ATTORNEY'S CONTRACT.

EXECUTIVE SUMMARY:

At the request of five Council Members (attached), the City Attorney's contract is being brought forth for possible action.

BACKGROUND:

Mr. Juan Pablo Flores has been the City Attorney since May 19, 2008. His current contract was approved on October 9, 2019, with an effective date of December 1, 2019.

DISCUSSION:

These are the main provisions of the City Attorney's current contract (attached)

- Salary - \$107,812, with Cost of Living and CMR Adjustment provided to City employees.
- Vacation accrual up to 240 hours with a payout on balance upon separation.
 - Current payout cost for vacation leave would be \$13,295 including employee related expenses.
- Sick leave accrual as other employees (up to 480 hours); payout at 100% of balance upon separation on an hour per hour basis
 - Current payout cost for sick leave would be \$10,995 including employee related expenses.
- Term of contract is open-ended.
- Upon termination, City Attorney is entitled to severance pay equal to 6 months of salary
 - Severance pay cost would be \$57,610 including employee related expenses.
- Mayor and Council may issue a written 30-day notice to terminate contract at any point.
 - Current total cost to terminate contract would be \$81,900 from amounts above.
- Severance pay is not due only if City Attorney is terminated because of a conviction of a felony or loss of license to practice law in the State of Arizona.

Fiscal Impact

Fiscal Year:

Amount Requested:

Budgeted Y/N:

Account (s):

FISCAL IMPACT:

Fiscal impact is dependent upon action taken by Mayor and Council.

Attachments

Council signature request & City Attorney Contract
