

AGENDA WITH ACTIONS TAKEN

**MAYOR AND COUNCIL
 REGULAR MEETING - FEBRUARY 10, 2021, AT 6:00 P.M.
 CITY HALL, COUNCIL CHAMBER
 425 10TH STREET, DOUGLAS, AZ 85607**

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE: by Council.
3. INVOCATION: by Pastor Michelle Kelley from Grace United Methodist Church.
4. ROLL CALL.

	<u>PRESENT</u>	<u>ABSENT</u>
MAYOR, DONALD C. HUISH	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	
ACTING CITY ATTORNEY, DONNA AVERSA	X	
CITY CLERK, ALMA ANDRADE	X	

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

Not an action item, no action taken.

6. Reading of BLACK HISTORY MONTH Proclamation.

Not an action item, no action taken.

7. PRESENTATION OF AWARDS:

Not an action item, no action taken.

5 Years	10 Years	15 Years	30 Years
The New Grand Cafe	M.C. Fitness Center	Pizzarama II	Arizona Primary Eye Care
Maddskai Ink & Piercing		CATO #1148	Lai Lai Chinese Restaurant
			Mi Ranchito Meat Center

8. DISCUSSION/DECISION on APPROVAL of CONSENT agenda items:
- A. APPROVAL of EXPENDITURES for the months of DECEMBER 2020, totaling \$2,522,538.82, and JANUARY 2021, totaling \$3,440,501.60.
 - B. APPROVAL of MEETING MINUTES for DECEMBER 9, 2020, and JANUARY 6, 2021.

Motion PASSED by a vote of 7-0. 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. DISCUSSION/DECISION on APPROVAL of City Attorney/Legal Services CONTRACT AWARD.

Motion PASSED by a vote of 7-0. 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.

10. DISCUSSION/DECISION on APPROVAL of THIRD reading of Ordinance No. 20-1125, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the ACCEPTANCE of DONATED UNIMPROVED REAL PROPERTY from MT. DEVELOPMENT LLC., identified as Blocks 3 & 4 consisting of 82 lots in the La Perilla Estates in the City of Douglas, establishing severability of components of ordinance; and establishing an effective date thereof.

Motion PASSED by a vote of 7-0. 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.

11. DISCUSSION/DECISION on APPROVAL of THIRD reading of Ordinance No. 20-1126, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County Arizona, AMENDING TITLE 12 OF THE CITY OF DOUGLAS MUNICIPAL CODE RELATING TO LIGHT POLLUTION; BY AMENDING THE TABLE THAT APPEARS IN SECTION 12.32.100; establishing severability of components of the Ordinance; and establishing an effective date thereof.

Motion PASSED by a vote of 7-0. 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.

12. DISCUSSION/DECISION on APPROVAL of THIRD reading of Ordinance No 20-1127, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, PARTIALLY REASSIGNING DUTIES of the BOARD OF ADJUSTMENTS to the PLANNING AND ZONING COMMISSION by amending Ordinance No. 352, 659, 702, 04-862, and 14-1034 as to ARTICLE 11 of the ZONING REGULATIONS and amending Ordinance No. 700 and 35-881 as to ARTICLE 3 of the ZONING REGULATIONS; establishing severability of components of Ordinance; and establishing an effective date thereof.

Motion PASSED by a vote of 7-0. 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.

13. DISCUSSION/DECISION on APPROVAL of SECOND reading of Ordinance No. 21-1128, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the IMPLEMENTATION of PROPOSITION 207 Recreational Marijuana, and AMENDING ARTICLE 5 of the PLANNING AND ZONING CODE, relating to the REGULATION OF RECREATIONAL MARIJUANA; ESTABLISHING A PURPOSE; setting forth definitions; PROHIBITING MARIJUANA on PUBLIC PROPERTY; ESTABLISHING REGULATIONS for personal use at an individual's primary residence; AUTHORIZING RETAIL SALES from marijuana and marijuana products; IMPOSING LICENSE FEES; SETTING FORTH VIOLATIONS; and PROVIDING for ENFORCEMENT AND PENALTIES in the City of Douglas; establishing severability of components of Ordinance; and establishing an effective date thereof.

Motion PASSED by a vote of 7-0. 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.

14. DISCUSSION/DECISION on APPROVAL of FIRST READING of Ordinance No. 21-1129, an ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, MODIFYING TITLE 6 of the DOUGLAS MUNICIPAL CODE relating to ANIMALS by amending Ordinance 14-1038, pertaining to CREMATION SERVICE FEES under chapter 6.04, establishing severability of components of Ordinance; and establishing an effective date thereof.

Mayor Huish recused himself at 6:39 p.m. due to a conflict of interest as his son, Donnie Huish Jr., is the Facility's Manager for Lasting Paws.

Mayor Pro Tempore Margaret Morales proceeded with item #14.

Motion PASSED by a vote of 6-0 to approve the PLACEMENT of Ordinance 21-1129. Roll call: Voted in Favor: Mayor Pro Tempore, Margaret Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.

Motion PASSED by a vote of 6-0 to approve the FIRST reading of Ordinance 21-1129. Roll call: Voted in Favor: Mayor Pro Tempore, Margaret Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.

Mayor Huish reconvened at 6:45 p.m.

15. DISCUSSION/DECISION on APPROVAL of Resolution No. 21-1450, 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 a SUBGRANTEE AGREEMENT with the STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY for a REIMBURSABLE GRANT fund allocation in the amount of \$645,602 for PERSONNEL OVERTIME and MILEAGE COSTS under OPERATION STONEGARDEN Fiscal Year 2020 allocation grant program.

Council Member Acosta recused herself at 6:48 p.m. due to a conflict of interest as her husband is a Police Department Officer.

Motion PASSED by a vote of 6-0. Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.

16. DISCUSSION/DECISION on APPROVAL of Resolution No. 21-1451, 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 a SUBGRANTEE AGREEMENT with the STATE OF ARIZONA DEPARTMENT OF HOMELAND SECURITY for a REIMBURSABLE GRANT FUND allocation in the amount of \$13,148 for EQUIPMENT under OPERATION STONEGARDEN Fiscal Year 2020 allocation grant program.

Council Member Acosta recused herself at 6:50 p.m. due to a conflict of interest as her husband is a Police Department Officer.

Motion PASSED by a vote of 6-0. Roll call: Voted in Favor: Mayor Donald Huish, Council Members: Margaret Morales, Mitch Lindemann, Ray Shelton, Michael Baldenegro, and Jose Grijalva. Voted Against: None.

17. DISCUSSION/DECISION on APPROVAL of Resolution No. 21-1452, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the ENTRY INTO an INTERGOVERNMENTAL AGREEMENT with the CITY OF BISBEE to PROVIDE PUBLIC TRANSIT SERVICES through the established DOUGLAS TRANSIT PROGRAM; AUTHORIZING the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution.

Motion PASSED by a vote of 7-0. 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.

18. CITY MANAGER REPORTS.

Not an action item, no action taken.

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

Not an action item, no action taken.

20. ADJOURNMENT: 7:05 p.m.



Alma Andrade, City Clerk

Posted at City Hall on Thursday, February 11, 2021, @ 4:30 p.m. by:



Jesalen Luna, Deputy 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.