

ORDINANCES AND A RESOLUTION HAVING THE EFFECT OF AN ORDINANCE
APPROVED AT THE CITY OF DOUGLAS
REGULAR COUNCIL MEETING OF MARCH 13, 2019

ORDINANCE NO. 19-1101

PARTIALLY MODIFYING THE STRUCTURE OF THE PUBLIC WORKS DEPARTMENT BY ADDING A CONSTRUCTION INSPECTOR FOR THE BAY ACRES SEWER PROJECT AT A RANGE 20; establishing severability of components of ordinance; and DECLARING AN EMERGENCY.

ORDINANCE NO. 19-1102

AUTHORIZING THE SALE OF A SEMI-IMPROVED PARCEL OF LAND DESCRIBED AS THE EASTERLY 150 FEET OF PARCEL 409-17-049A TO SOUTHWEST GAS CORPORATION AND LOCATED ADJACENT TO THEIR LOCAL FACILITY, pursuant to terms entered into by the parties.

RESOLUTION NO. 19-1331

TO INITIATE AN ECONOMIC DEVELOPMENT PILOT PROGRAM GEARED TOWARD CONNECTING RESIDENTS AND VISITORS TO LOCAL SHOPPING, DINING AND HOSPITALITY AMENITIES IN THE CITY OF DOUGLAS.

FURTHER DETAILS ARE AVAILABLE AT THE CITY OF DOUGLAS ADMINISTRATIVE OFFICE, 425 10TH STREET, C/O BRENDA AGUILAR, CITY CLERK AND/OR ON THE CITY'S WEBPAGE: WWW.DOUGLASAZ.GOV.

ORDINANCE NO. 19-1101

AN ORDINANCE OF THE MAYOR AND COUNCIL OF
THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA,
PARTIALLY MODIFYING THE STRUCTURE OF THE
PUBLIC WORKS DEPARTMENT BY ADDING A
CONSTRUCTION INSPECTOR FOR THE BAY ACRES
SEWER PROJECT AT A RANGE 20; ESTABLISHING
SEVERABILITY OF COMPONENTS OF ORDINANCE;
AND DECLARING AN EMERGENCY.

WHEREAS, Article IV, Section 1(A) of the City Charter provides that the "Council, by ordinance not inconsistent with this Charter shall provide for the organization, conduct and operation of the several offices and departments of the City as established by this Charter, for the creation of additional departments, divisions, offices and agencies and for their consolidation, alteration or abolition"; and

WHEREAS, Article VII, Section 5(2) of the City Charter provides that the alteration of a City department shall be by ordinance; and

WHEREAS, the City of Douglas received a grant from USDA for \$6,883,056 as funds were obligated on November 9, 2018, for the construction of new sanitary sewer lines to the Bay Acres Colonia; and

WHEREAS, in order to comply with the above-noted grant requirements, the parties (City, USDA and CDM Smith) have agreed to allow City to combine the new position of Construction Inspector with that of the Resident Project Representative as part of the Bay Acres project; and

WHEREAS, the City Manager recommends that the new Construction Inspector position be created at a Range 20 for a period of one year; and

WHEREAS, the position created will be grant funded and will be limited 40 hours per week and upon finalization (anticipated to occur within 12 months),

WHEREAS, the combined position of Construction Inspector/Resident Project Representative job description is attached hereto as Exhibit "A"; and

WHEREAS, the Mayor and Council find that the creation of a new Construction Inspector position at a Range 20 for the PW Department promote the effective and efficient carrying out of the construction of new sanitary sewer lines to the Bay Acres Colonia.

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

Section 1. That previous Ordinance No. 631, Ordinance No. 673, Ordinance No. 728, Ordinance No. 848, Ordinance No. 04-871, Ordinance No. 09-954, Ordinance No. 13-1027 and Ordinance No. 18-1096 hereby amended and that the provisions of any and all ordinances in conflict with this ordinance are repealed at the time this ordinance becomes effective.

Section 2. The creation of a new Construction Inspector position under the Public Works Department at a Range 20.

1 **Section 3.** The Construction Inspector position at a Range 20 for the PW Department along with duties
2 and review criteria are set out in the new job description attached hereto as Exhibit "A".

3 **Section 4. Severability:** If any part or clause or sentence of this Ordinance is declared by any Court of
4 competent jurisdiction to be illegal or unconstitutional, then the remainder of this ordinance shall not be
5 deemed affected and shall continue in full force and effect after the deletion of the illegal or
6 unconstitutional provision.

7 **Section 5. Emergency Clause:** Whereas the immediate operation of this Ordinance is necessary to the
8 preservation of the public health, peace and welfare, an emergency is declared to exist and this
9 Ordinance shall come into full force and effect by its terms from and after its passage by six-sevenths
10 (6/7) of the Council and approval of the Mayor.

11 **PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona,** this 13th day
12 of March, 2019.

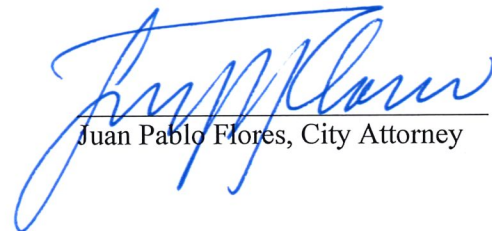
13 

14 Donald C. Huish, Mayor Pro Tempore

15 Attest:

16 Approved as to form:

17 
18 Brenda Aguilar, City Clerk

19 
20 Juan Pablo Flores, City Attorney

ORDINANCE NO. 19-1102

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE SALE OF A SEMI-IMPROVED PARCEL OF LAND DESCRIBED AS THE EASTERLY 150 FEET OF PARCEL 409-17-049A TO SOUTHWEST GAS CORPORATION AND LOCATED ADJACENT TO THEIR LOCAL FACILITY, PURSUANT TO TERMS ENTERED INTO BY THE PARTIES; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article I, Section 3 (A) of the City Charter empowers the City to acquire real property for any City purpose and to sell or otherwise dispose of real property in the manner, for such consideration and upon such conditions as may be determined by the City Council; and

WHEREAS, Article VII, Section 5 (12) of the City Charter provides that the acquisition, sale, lease or exchange of real property shall be by ordinance; and

WHEREAS, the Mayor and Council find that it is in the best interest of the City of Douglas to sell the easterly 150 feet of a semi-improved parcel of land numbered (409-17-049A) to Southwest Gas Corporation, as said parcel is located adjacent to their Douglas office on 9th Street and San Antonio Avenue, which is more fully described as:

The easterly 150 feet of Cochise County Assessor's parcel number 409-17-049A, consisting of approximately 22,050 square feet (+/- 150 feet x +/- 147 feet) of land currently utilized as a parking lot, and is a portion of Lot 1, Block 10, McCullar's First Addition, according to Filed Map 20, records of Cochise County, Arizona;

for a total purchase price of \$88,200 per the terms of the offer in Exhibit "A", which is attached and incorporated herein by reference; and

WHEREAS, the Mayor and Council find that the sale of the semi-improved real property is in the best interest of the City pursuant to the terms and conditions of the terms described in Exhibit "A" as entered into by the parties.

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

Section 1. The City is authorized to sell to Southwest Gas Corporation:

The easterly 150 feet of Cochise County Assessor's parcel number 409-17-049A, consisting of approximately 22,050 square feet (+/- 150 feet x +/- 147 feet) of land currently utilized as a parking lot, and is a portion of Lot 1, Block 10, McCullar's First Addition, according to Filed Map 20, records of Cochise County, Arizona;

for a total purchase price of \$88,200 per the terms of the accepted offer in Exhibit "A", plus any associated and related closing costs.

1 **Section 2.** Approving the terms of the accepted offer in Exhibit "A", attached hereto and incorporated
herein by reference.

2 **Section 3.** The City Manager and the City Clerk are authorized and directed to sign and execute all
3 documents necessary to consummate the sale of the property.

4 **Section 4. Effective Date:** This Ordinance shall be in full force and effect thirty (30) days from and after
its passage by the Mayor and Council.

5 **Section 5.** The provisions of this ordinance shall be effective on and after March 13, 2019.

6 **Section 6. Severability:** If any chapter, section, subsection, sentence, clause or phrase of this Ordinance
7 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 Ordinance and
8 this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional
provision.

9 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 13th day of
March, 2019.

10
11 

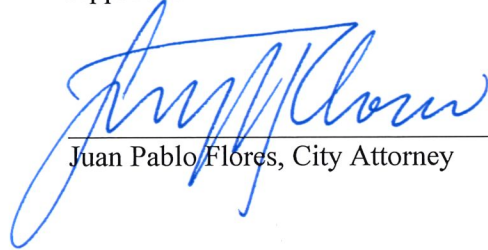
12 Donald C. Huish, Mayor Pro Tempore

13 Attest:

Approved as to form:

14
15 

16 Brenda Aguilar, City Clerk

17
18
19
20
21
22
23
24
25 

Juan Pablo Flores, City Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RESOLUTION NO. 19-1331

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY
OF DOUGLAS, COCHISE COUNTY, ARIZONA, TO INITIATE AN
ECONOMIC DEVELOPMENT PILOT PROGRAM GEARED
TOWARD CONNECTING RESIDENTS AND VISITORS TO
LOCAL SHOPPING, DINING AND HOSPITALITY AMENITIES IN
THE CITY OF DOUGLAS.**

WHEREAS, the City of Douglas desires to initiate a merchant brochure pilot program in an effort to promote economic development.

WHEREAS, the merchant brochure pilot program is geared toward connecting residents and visitors to local amenities in four major sectors: Shop, Dine, Explore, Stay.

WHEREAS, the brochure is to be designed in-house and to offset printing costs, and for the City to implement a \$25 fee to be paid by participating merchants; and

WHEREAS, it is in the best interest of the City of Douglas to initiate the noted pilot program for a period of 6 months, at the conclusion of which it will be reviewed to determine future viability of the program.

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

Section 1. The terms of the Pilot Program are in the best interest of the City of Douglas.

Section 2. The brochure shall be designed in-house and shall charge a \$25 fee to be paid by participating merchants.

Section 3. Administration shall formulate related applications and engagement documentation necessary to initiate the contemplated pilot program.

Section 3. Pursuant to City Charter provision under Article VII, Section 6, that this Resolution shall hereby have the effect of an Ordinance.

Section 4. If any chapter, section, subsection, sentence, clause or phrase of this Resolution having the effect of an Ordinance 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 Ordinance and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

Section 5. The provisions of Section 2 of this Resolution having the effect of an Ordinance shall be effective from the date of enactment.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 13th day of March, 2019.


Donald C. Huish, Mayor Pro Tempore

Attest:

Approved as to Form:


Brenda Aguilar, City Clerk


Juan Pablo Flores, City Attorney