

**DOUGLAS CITY COUNCIL
SPECIAL MEETING MINUTES
JANUARY 17, 2019**

The City of Douglas Mayor and Council met in a Special Meeting on Thursday, January 17, 2018, at 5:00 p.m. in the Council Chamber of City Hall – 425 Tenth Street. The Honorable Mayor Uribe called the meeting to order and Council Member Huish led the invocation after the Pledge of Allegiance.

4. ROLL CALL.

	PRESENT	ABSENT
MAYOR, ROBERT URIBE	X	
COUNCIL MEMBER MARGARET MORALES – WARD ONE	X	
COUNCIL MEMBER MITCH LINDEMANN – WARD TWO	X	
COUNCIL MEMBER DONALD HUIH - WARD THREE	X	
COUNCIL MEMBER RAY SHELTON - WARD FOUR	X	
COUNCIL MEMBER CESAR SOTO - WARD FIVE	X	
COUNCIL MEMBER JOSE GRIJALVA – WARD SIX	X	
CITY ATTORNEY - JUAN PABLO FLORES	X	
CITY TREASURER - LUIS PEDROZA	X	
CITY CLERK - BRENDA AGUILAR	X	

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

Alex Espinosa, local resident, commented on the following:

- In support of Jim Russell and criticism of Mayor Uribe.

Lawana Diffie, local resident, commented on the following:

- Concerns regarding Jim Russell’s contract.

6. DISCUSSION/DECISION TO CALL FOR AND CONDUCT AN EXECUTIVE SESSION UNDER THE AUTHORITY OF A.R.S. §38-431.03 (A-4) TO DISCUSS OR CONSULT WITH THE ATTORNEY OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY’S POSITION IN CONTEMPLATED LITIGATION ON A NOTICE OF HOSTILE WORK ENVIRONMENT FROM CITY CLERK, BRENDA AGUILAR AGAINST JIM RUSSELL AND THE CITY OF DOUGLAS SUBMITTED ON DECEMBER 10, 2018.

“Embracing our Heritage – Advancing our Future”

Motion by Council Member Lindemann, **second** by Council Member Grijalva to enter into executive session.

Roll call: All members voted in favor. **MOTION PASSED at 5:09 p.m.**

Motion by Council Member Shelton, **second** by Council Member Lindemann to adjourn executive session.

Roll call: All members voted in favor. **MOTION PASSED at 5:41 p.m.**

7. **INFORMATION/DIRECTION REGARDING DIRECTION FROM COUNCIL CONCERNING A NOTICE OF HOSTILE WORK ENVIRONMENT FROM CITY CLERK, BRENDA AGUILAR AGAINST JIM RUSSELL AND THE CITY OF DOUGLAS SUBMITTED ON DECEMBER 10, 2018.**

Juan Pablo Flores made the following statement:

“Council convened in executive session and gave direction to myself as city attorney, the direction is as follows: Council has directed me to engage the services of a private competent law office to do an independent report, study, and investigation on the Title VII Complaint and I will read basically an admonition, but basically what it comes down to is that before council can take action on any Title VII Civil Rights Complain there has to be an independent investigation. So until that is done, there will be no action relative that particular component.

“I hope that is clear, any Council Member have any question on that?”

“This is the admonition that I want the council and the public to hear. The hostile work environment notice should not be taken into consideration by the council when making decisions on any city matter as to any city employee or city official until the findings from the competent independent investigation of the Title VII Civil Rights Complaint are provided. This includes comments from council or the public as to any substantive factor in the notice of Hostile Work Environment or the persons mentioned therein in any portion of this public meeting.

“Thank you.”

8. **DISCUSSION/DECISION ON APPROVAL OF RESOLUTION NO. 19-1320, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, APPOINTING A CITY MANAGER AND AUTHORIZING THE EXECUTION OF A TWO (2) YEAR EMPLOYMENT CONTRACT BETWEEN THE CITY OF DOUGLAS AND JAMES RUSSELL TO PROVIDE MANAGERIAL SERVICES AS CITY MANAGER FOR THE CITY OF DOUGLAS.**

Juan Pablo Flores provided background information.

Ben La Forge, local resident, commented on the following:

- In support of Brenda Aguilar, city manager responsibilities/lack of performance, and departure of past city manager.

Motion by Council Member Huish, **second** by Council Member Morales to approve Resolution No. 19-1320 retroactive to July 10, 2017.

Council Member Grijalva made the following statement:

“First I would like to apologize to the residents of Douglas for this ordeal, this situation should have been handled better by everyone involved and every party involved is at fault for how this has played out, including the last minute political stunt that brought this meeting tonight, which could have been done months ago after October’s executive session if it was truly an urgent matter for those individuals personally as they proclaim in public in an upcoming re-election year.

“Our constituents want transparency, but we are in a position to be transparent only with information that is not sensitive to the matter and I hope you all understand that is why the majority of my colleagues and I have been silent on this. This meeting needed the permission of the individual discussed about in executive session to become a public discussion and to have maximum transparency on these issues and it was not given.

“While we hope everyone understands that we cannot share certain information, we must now vote on that information in mind to not help one individual nor group nor even our individual ward succeed, but Douglas and our community as a whole while we work to advance our community.”

Roll call: Voted in Favor: Council Members – Margaret Morales, Donald Huish, and Ray Shelton. Voted Against: Mayor Uribe, Council Members – Mitch Lindemann, Cesar Soto, and Jose Grijalva. All members voted in favor. **MOTION FAILED.**

9. DISCUSSION/DECISION IN CONSIDERATION OF APPOINTING AN INTERIM CITY MANAGER UNTIL A MANAGEMENT PROFESSIONAL CAN BE ENGAGED THROUGH THE LEAGUE OF CITIES COLLABORATOR INTERIM PUBLIC MANAGEMENT.

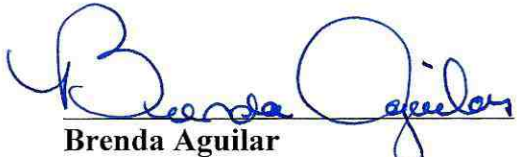
Motion by Council Mayor Uribe, **second** by Council Member Lindemann to table item.

Roll call: Voted in Favor: Mayor Uribe, Council Members - Mitch Lindemann, Cesar Soto, and Jose Grijalva. Voted Against: Council Members – Margaret Morales, Donald Huish, and Ray Shelton **MOTION PASSED.**

10. ADJOURNMENT.

Motion by Council Member Shelton, **second** by Council Member Grijalva to adjourn the meeting at 5:52 p.m. Members of the public disrupted the meeting and meeting was adjourned by Mayor Uribe based on a perceived majority.

Prepared by:


Brenda Aguilar
City Clerk