

---

## CITY COUNCIL REPORT

**DATE:** July 29, 2019  
**TO:** Mayor and Councilmembers  
**FROM:** Jerene Watson, Interim City Manager  
**CC:** Juan Flores, City Attorney, Brenda Aguilar, City Clerk, Department Directors  
**SUBJECT:** RESPONSE FROM ATTORNEY GENERAL'S (AG) OFFICE ON  
INQUIRIES FOR INVESTIGATION OF CITY MATTERS

---

This report provides an update on the three matters forwarded to the Attorney General's (AG) office in 2019.

**DISCUSSION:**

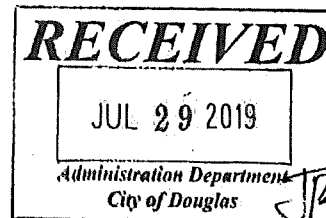
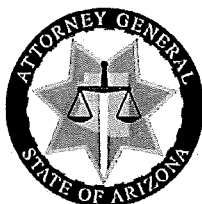
The attached letter dated 7/24/29 was received by our City Attorney today and forwarded to me today. The response to the City's formal request for review was generally dismissed by the Attorney General's office on the first two matters:

- 1) the matter of the former City Manager's contract and whether there was a City Charter violation when his contract was not voted upon but was allowed to expire;
- 2) the May 15, 2019 petition from citizen Tanya Duarte to the City of Douglas which was voted upon by the City Council on June 12, 2019 to be forwarded to the Attorney General's Office to be reviewed.

As to the third matter relating to confidential Title VII information leaked to the public which was recently submitted to the Attorney General's office by Chief Fullen, both the City Attorney and I got separate calls today from an Assistant AG Matt Eklund who is working with an investigator on the matter. The AG's Office requested preliminary information which we will be providing in cooperation with their investigation.

**RECOMMENDATION / CONCLUSION:**

This report is to provide the status of these three requests and is for information only.



MARK BRNOVICH  
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL  
APPEALS & CONSTITUTIONAL LITIGATION DIVISION

ANDREW G. PAPPAS  
DEPUTY SOLICITOR GENERAL  
DIRECT PHONE No.: (602) 542-4288  
ANDREW.PAPPAS@AZAG.GOV

July 24, 2019

By Certified Mail, Return Receipt Requested

Juan Pablo Flores  
Douglas City Attorney  
City of Douglas  
425 10th Street  
Douglas, AZ 85607

**Re: *Request for Legal Opinion R19-011 and Request for Review of Alleged Charter Violation***

Dear Mr. Flores:

I am writing in response to your letters dated June 24, 2019 and July 10, 2019, requesting review of a citizen petition and an alleged charter violation by the Douglas City Council.

Regarding your June 24, 2019 letter, this Office is not authorized to provide the opinion you have requested. Our authority to provide legal opinions is established by statute. Under A.R.S. § 41-193(A)(7), this Office issues legal opinions to legislators, state officers and county attorneys on questions of law relating to their duties. The Attorney General is generally prohibited from engaging in the private practice of law. A.R.S. § 41-191(B).

Further, regarding your July 10, 2019 letter, this Office is not authorized to investigate and provide formal findings on an alleged charter violation. This Office is aware of no such statute authorizing this Office to conduct such an investigation.

Sincerely,

Andrew G. Pappas  
Deputy Solicitor General