

CHARTER REVIEW COMMITTEE PUBLIC MEETING NOTICE REGULAR MEETING – JANUARY 13, 2022, AT 5:30 PM	
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Pursuant to A.R.S. Sec. §38-431.02, notice is hereby given to the members of the Charter Review Committee and to the general public that the Charter Review Committee will hold a **MEETING on THURSDAY, JANUARY 13, 2022, at 5:30 p.m.**, meeting is open to the public at City Hall – Human Resources Conference Room, 1st Floor, 425 Tenth Street, Douglas, AZ 85607.

Members of the Charter Review Committee will attend either in person or by telephone.

If authorized by a majority vote of the Charter Review Committee, the committee 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.

AGENDA - A copy of the agenda 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.

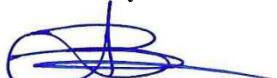
MEMBERS OF THE PUBLIC can submit their questions for the Call to the Public section by calling the City Clerk at (520) 417-7301 or via email at alma.andrade@douglasaz.gov by **Wednesday, JANUARY 12, 2022, by 5:00 p.m.** in order to be read during meeting. If a Call to the Public has been sent to the City Clerk, please call at (520) 417-7405 at 5:30 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.

Dated this 12th day of January, 2022.

AGENDA

1. Call to Order.
2. Roll Call.
3. Persons wishing to address the committee in writing or verbally on any item not on the agenda.
4. Discussion/Decision on approval of meeting minutes for December 16, 2021.
5. Discussion/Information and possible decision on charter sections identified by moderator that may require committee attention.
6. Scheduling and/or confirmation of next meeting date(s) if needed, and suggestions for future agenda items.
7. Adjournment.

Posted at City Hall on Wednesday, January 12, 2022, @ 2:30 p.m. by:


 Alma Andrade, City Clerk

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.

Minutes

The City of Douglas Charter Review Committee met on Thursday, December 16, 2021, at 5:32 p.m., in the Council Chamber of City Hall, 425 10th Street.

1. Call to Order: 5:32 p.m.

2. Roll Call.

	PRESENT	ABSENT
CHAIR, DIEGO GUERRERO	X	
MELISSA DYE		X (Excused)
SYLVIA HURTADO	X	
FERNANDO MORALES		X (Excused)
LINDA DODGE	X	
LETICIA ALVAREZ STRICKLEN	X	
FERNANDO BETANCOURT		X (Excused)
CITY MANAGER, ANA URQUIJO	X	
CITY ATTORNEY, TINA VANNUCCI	X	
CITY TREASURER, LUIS PEDROZA	X	
CITY CLERK, ALMA ANDRADE	X	

3. Persons wishing to address the committee in writing or verbally on any item not on the agenda.

No public participation.

4. Discussion/Decision on approval of meeting minutes for December 2, 2021.

Motion by Leticia Stricklen, second by Linda Dodge to approve the December 2, 2021 minutes as presented. Motion PASSED unanimously.

5. Discussion/Information and possible decision on the following charter sections:

a. Article II, Section 3, Elections

Ms. Urquijo mentioned that initially Article II, section 3 and Article IX, section 11 were grouped together. However, under legal guidance it is something that needs to be separated.

Moreover, Ms. Urquijo stated the city was trying to align local elections to state cycle and that both sections need to pass in order to be align with the state election cycle.

Ms. Tina Vannucci, city attorney agreed that both sections need to pass in order to be consistent.

Motion by Chair Guerrero, second by Linda Dodge to approve Article II, Section 3, Elections, as presented. Motion PASSED unanimously.

b. Article IX, Section 11, Time of holding primary elections

Motion by Chair Guerrero, second by Linda Dodge to approve Article IX, Section 11, Time of holding primary elections, as presented. Motion PASSED unanimously.

c. Article II, Section 9, Stipend of Mayor and Councilmen

Ms. Urquijo stated staff distributed information at the last Charter meeting in reference to the section for committee's review.

Motion by Chair Guerrero, **second** by Leticia Stricklen to approve Article II, Section 9, Stipend of Mayor and Councilmen as presented. Motion PASSED unanimously.

d. Article III, Section 9. A, Removal Procedure

Ms. Urquijo stated it was a modification that would bring clarity to how a city manager is removed and it was primarily the change that was added.

Chair Guerrero inquired if any manager can make up their own contract.

Ms. Urquijo agreed.

Chair Guerrero inquired on the section in which stated “shall continue his salary”.

Ms. Urquijo referred to the city attorney for clarification on the item for gender neutral.

Ms. Vannucci stated the committee would need to address each article at a time to change the gender.

Ms. Stricklen inquired if the “gender neutral” would fall under rules and regulations.

Ms. Urquijo responded it would not.

Ms. Andrade asked the city attorney for clarification in reference to gender neutrality and it council could approve as part of their charter amendments resolution.

In response, Ms. Vannucci stated council could but the issue would to add every section on the ballot.

Ms. Urquijo added the only way to change gender neutral would be by a vote.

Ms. Vannucci stated it would be an entire article to change the gender neutrality.

Mr. Pedroza added that Article XV addressed “gender”.

Ms. Vannucci mentioned that after the meeting, staff to go over every section in which “gender” is mentioned in order to change appropriately.

Motion by Chair Guerrero, **second** by Leticia Stricklen to change the word “his” and replace with City Manager. Motion PASSED unanimously.

Motion by Chair Guerrero, **second** by Linda Dodge to approve Article III, Section 9A, Removal Procedure with the amendments to remove the words “him” and “his” from this section and to replace them with “City Manager”. Motion PASSED unanimously.

e. Article IV, Section 6. B, Merit System to be established

Ms. Urquijo provided brief explanation on removing this section due that it mainly was to establish a board but it gives no authority.

Motion by Chair Guerrero, **second** by Leticia Stricklen to remove Article IV, Section 6B, and Section 6B1 for the Merit System to be established. Motion PASSED unanimously.

f. Article VII, Section 6. A & B, Reading and Passage of ordinances and resolutions; effective date

Ms. Urquijo mentioned that after further research staff came back with a final recommendation on ordinance readings from three to two to lessen time.

Motion by Chair Guerrero, **second** by Leticia Stricklen to approve Article VII, Section 6A & B, reading and passage of ordinances and resolutions; effective date. Motion PASSED unanimously.

g. Article VII, Section 10, Publication of ordinance and resolutions; effective date

Ms. Urquijo briefly explain that the section was for the number of publications and it was staff's recommendation to publish at least once in a newspaper of general circulation, and the emergency measure would continue to be twice in a newspaper of general circulation.

Ms. Urquijo asked the city attorney if the emergency measures were required twice by statute.

In response, Ms. Vannucci didn't see anything prohibiting on statewide concern.

Motion by Chair Guerrero, **second** by Linda Dodge to change the Emergency Measure to publish from twice in a newspaper to once. Motion PASSED unanimously.

Motion by Chair Guerrero, **second** by Leticia Stricklen to approve Article VII, Section 10, Publication of ordinances and resolutions; effective date with modifications as presented. Motion PASSED unanimously.

h. Article VIII, Section 1, Preparation

Ms. Urquijo stated that in reference to contacts the committee and staff would researched more information on the "designated agent" and found language which would complement well by leaving designated agent and adding the following paragraph which would allow council to come back by ordinance to execute designated agents and the purpose: The Council shall establish by ordinance for the execution of contracts and other instruments necessary for the proper and good government of the City. Such ordinance shall identify the officers or officials authorized to execute instruments on behalf of the City and set forth the scope and limits of said official's authority to execute instruments on behalf of the City.

Motion by Chair Guerrero, **second** by Leticia Stricklen to add the paragraph with detail on identifying the officers or officials authorized to execute instruments. Motion PASSED unanimously.

Motion by Chair Guerrero, **second** by Linda Dodge to approve Article VIII, Section 1, Preparation with modifications as presented. Motion PASSED unanimously.

i. Article VIII, Section 3. B, Transfer and sale or property

Ms. Urquijo explained the identification of changes to threshold that were currently held.

Ms. Dodge inquired on Article VIII, section 3b (2) which states "not less than five days prior to sale" and it would be hard to publish something twice not less than five days prior to sale with the newspaper situation the city currently has.

Mr. Pedroza clarified that the intent was not to publish within five days of the sale occurring, meaning that the city does not want to publish too fast in order to give people enough time/notice to prepare. Therefore, publication needs to be done twice before the five days.

Additionally, Mr. Pedroza mentioned that the city was trying to achieve by changing from \$500 to \$5,000 was to, at times there would be items greater than \$500 that would need to be sold, and instead of going through Mayor and Council on a formal process, the City Manager can with a one notice be able to sell to add for an online auction to have ability to do it. Moreover, Mr. Pedroza added that it needed to go through a formal process but with some flexibility.

Ms. Andrade asked the city attorney in reference to two items in the same article and inquired on Article VIII, Section 3B (1) and would need to be separated as well as 3B (2) on the ballot.

Ms. Vannucci agreed.

Motion by Chair Guerrero, **second** by Linda Dodge to approve Article VIII, Section 3 B1, and 3 B2, as presented. Motion PASSED unanimously.

j. Article VIII, Section 3. B 5, Transfer and sale of property

Ms. Urquijo added that one of the committee members made a few alternatives for consideration and one was for an online auction as an exception, therefore, staff added that the city would continue to exclude city employees, elected or appointed officials from bidding.

Chair Guerrero inquired if online auctions had been after the initial auction.

In response, Mr. Pedroza mentioned not necessarily as it was not a necessity to have live auctions and only conduct online auctions for specific items. Mr. Pedroza added that for vehicles live auctions would be done. Further, Mr. Pedroza stated it would be difficult for online auctions and to monitor how family or employees would bid on items as it would be difficult to make determination.

Ms. Urquijo added that one of the concepts behind it for an online auction was generally a contracted service, not employees involved, as a live auction would be employees and staff would have to organize and manage.

Ms. Vannucci stated it was standard in cities across the state with website such as www.dougdeals.com which was almost an ebay for government surplus, staff would send it to them, listed and would sell.

Chair Guerrero asked if the city would post online auctions.

Mr. Pedroza responded it did not, and that the city would use PublicServPlus.

Ms. Urquijo added that it was not specific that the city could not post online auctions, but it has been practiced for city to contact out.

Motion by Chair Guerrero, **second** by Linda Dodge to approve Article VIII, Section 3, B5, as presented. Motion PASSED unanimously as presented.

6. Discussion/Information and possible decision on charter sections identified by moderator that may require committee attention.

Ms. Urquijo mentioned that the only item to address was the gender neutrality change and anything outstanding beyond.

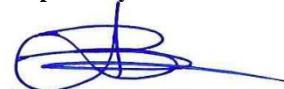
7. Scheduling and/or confirmation of next meeting date(s) if needed, and suggestions for future agenda items.

Charter Review Committee meeting tentative scheduled for January 6, 2022, or January 13, 2022, at 5:30 p.m.

8. Adjournment.

Motion to adjourn the meeting at 6:13 p.m. Motion unanimously PASSED by all committee members in attendance.

Prepared by:



Alma Andrade, City Clerk