

AGENDA

AGENDA OF THE SPECIAL SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, TO BE HELD ON TUESDAY, JULY 9, 2019 AT 5:30 PM AT THE CITY HALL BUILDING, 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY _____ AT _____.

ROLL CALL

COUNCIL

VACANT, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Bill Higgins, Ward I

Mayor David M. Smith

Councilmember Leslie Johns, Ward I

Councilmember Joan Hansen, Ward II

Councilmember Anna Cline, Ward III, Mayor Pro Tempore

STAFF

Stephen Pauken, Interim City Manager

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Joelle Landers, Personnel Director

Jesus Haro, Public Works Director

Albert Echave, Police Chief

George Castillo, Fire Chief

CITY ATTORNEY

Vacant

THE FOLLOWING ITEMS WILL BE DISCUSSED AND/OR CONSIDERED AT THIS MEETING:

1. Discussion and Possible Motion to go into Executive Session for the Consideration of Employment of Ms. Theresa Coleman as City Manager.

Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

David M. Smith, Mayor

2. Discussion and Possible Motion to go into Executive Session for Consideration of an Interim City Attorney.

Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

David M. Smith, Mayor

3. Discussion and Possible selection of an Interim City Attorney.

David M. Smith, Mayor

4. Discussion and Possible Approval of Amendment #3 to the Agreement between the City of Bisbee and the Friends of the Bisbee Animal Shelter for the Operation of an Animal Shelter in Bisbee.

David M. Smith, Mayor

ADJOURNMENT

Individuals with hearing disabilities can contact the City Clerk's Office (520) 432-6012 to request an Assisted Listening Device, at least 24 hours before the meeting.

Anyone needing special accommodation to attend this meeting should contact Ashlee Coronado at (520) 432-6012 at least twenty-four hours before the meeting.

Public documents referred to herein may be viewed during regular business hours at the City Clerk's Office at 1415 W. Melody Lane, Bldg. G., Bisbee.

Pursuant to A.R.S. § 38-431.03(A) (3), the Council may vote to enter executive session at any point during this meeting for discussion or consultation for legal advice with its attorney(s), who may appear telephonically.



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: **JULY 9, 2019**

Regular Special

DATE ACTION SUBMITTED: July 2, 2019

REGULAR CONSENT

TYPE OF ACTION:

RESOLUTION ORDINANCE FORMAL ACTION OTHER

SUBJECT: DISCUSSION AND POSSIBLE MOTION TO GO INTO EXECUTIVE SESSION FOR THE CONSIDERATION OF EMPLOYMENT OF MS. THERESA COLEMAN AS CITY MANAGER

Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

FROM: David M. Smith, Mayor

RECOMMENDATION: Approve the Motion

PROPOSED MOTION: I move to go into Executive Session pursuant to A.R.S. §38-431.03(a)(1) for consideration of the employment of Theresa Coleman as City Manager

DISCUSSION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by: Ashlee Coronado
Ashlee Coronado
City Clerk

Reviewed by: Stephen Pauken
Stephen Pauken
Interim City Manager



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: **JULY 9, 2019**

Regular Special

DATE ACTION SUBMITTED: July 2, 2019

REGULAR **CONSENT**

TYPE OF ACTION:

RESOLUTION **ORDINANCE** **FORMAL ACTION** **OTHER**

SUBJECT: DISCUSSION AND POSSIBLE MOTION TO GO INTO EXECUTIVE SESSION FOR THE CONSIDERATION OF AN INTERIM CITY ATTORNEY

Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

FROM: David M. Smith, Mayor

RECOMMENDATION: Approve the Motion

PROPOSED MOTION: I move to go into Executive Session pursuant to A.R.S. §38-431.03(a)(1) for consideration of an Interim City Attorney

DISCUSSION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by: Ashlee Coronado
Ashlee Coronado
City Clerk

Reviewed by: Stephen Pauken
Stephen Pauken
Interim City Manager



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: **JULY 9, 2019**

Regular Special

DATE ACTION SUBMITTED: July 2, 2019

REGULAR **CONSENT**

TYPE OF ACTION:

RESOLUTION **ORDINANCE** **FORMAL ACTION** **OTHER**

SUBJECT: DISCUSSION AND POSSIBLE SELECTION OF AN INTERIM CITY ATTORNEY

FROM: David M. Smith, Mayor

RECOMMENDATION: Approve the Motion

PROPOSED MOTION: I move that we select _____ as our preferred applicant for the Interim City Attorney position, subject to the finalization of negotiations.

DISCUSSION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by: Ashlee Coronado
Ashlee Coronado
City Clerk

Reviewed by: Stephen Pauken
Stephen Pauken
Interim City Manager



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: **JULY 9, 2019**

Regular Special

DATE ACTION SUBMITTED: July 2, 2019

REGULAR **CONSENT**

TYPE OF ACTION:

RESOLUTION **ORDINANCE** **FORMAL ACTION** **OTHER**

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF AMENDMENT #3 TO THE AGREEMENT BETWEEN THE CITY OF BISBEE AND THE FRIENDS OF THE BISBEE ANIMAL SHELTER FOR THE OPERATION OF AN ANIMAL SHELTER IN BISBEE.

FROM: **David M. Smith, Mayor**

RECOMMENDATION: **Approve Amendment #3**

PROPOSED MOTION: **I move to approve Amendment #3 to the Agreement between the City of Bisbee and the Friends of the Bisbee Animal Shelter for the Operation of an Animal Shelter in Bisbee.**

DISCUSSION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by: Ashlee Coronado
Ashlee Coronado
City Clerk

Reviewed by: Stephen Pauken
Stephen Pauken
Interim City Manager

AMENDMENT #3
to
AGREEMENT BETWEEN THE CITY OF BISBEE AND
THE FRIENDS OF THE BISBEE ANIMAL SHELTER,
A NONPROFIT CORPORATION,
FOR THE OPERATION OF AN ANIMAL SHELTER IN BISBEE

The City of Bisbee (“City”) and the Friends of Bisbee Animal Shelter (“Friends”), a nonprofit corporation organized under the laws of Arizona, hereby agree to amend paragraph 12 of the above stated agreement so that the expiration date is June 30, 2020.

The parties also agree to amend paragraphs 4 and 8 to read as follows:

4. Friends shall accept all of the dogs and cats that are delivered to the facility by City staff and residents unless prohibited by a licensed veterinarian. Friends further agrees to manage and dispose of all animals that are accepted at the Animal Shelter in accordance with all applicable laws, rules, and regulations of the City of Bisbee, the State of Arizona, and of the United States, and to operate this facility in accordance with all applicable laws, rules, and regulations including specifically the provisions of A.R.S. § 11- 1021 through § 11- 1029 and Article 6 of the City Code. It is understood and agreed that Friends shall be responsible for paying the costs of sterilizing, euthanizing, and disposing of any animals that are in the custody of the Animal Shelter. So long as Friends complies with the obligations set forth in this paragraph, to supplement its revenue Friends may take in animals from jurisdictions outside the City, including Cochise County.

8. In consideration of this Agreement, and the responsibilities and obligations assumed by Friends in operating the Animal Shelter, the City will pay Friends a total amount of \$80,000, payable in two (2) equal installments as follows: July 1, 2019 and January 1, 2020. In further consideration, Friends is entitled to collect and retain any adoption, impoundment, and any other fees that are paid directly to them. Friends shall maintain a record of all such payments and issue receipts for all such payments.

IN WITNESS WHEREOF, the Parties have authorized the designated officials indicated below to execute this agreement indicating their respective approval.

CITY OF BISBEE:

FRIENDS OF BISBEE ANIMAL SHELTER

DAVID SMITH Date
Mayor

KELLY GALLIGAN Date
President

ATTEST:

ASHLEE CORONADO
Clerk, City of Bisbee

APPROVED AS TO FORM:

BRITT HANSON
City Attorney, City of Bisbee