

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT THE MAYOR  
AND CITY COUNCIL OF THE CITY OF NOGALES  
WILL MEET IN REGULAR SESSION ON:

WEDNESDAY, MAY 6, 2009

AT 6:00 P.M.

IN THE CITY HALL COMPLEX COUNCIL CHAMBERS

**AMENDED AGENDA**

1. Call to Order.
2. Pledge of Allegiance.
3. Call to the Public.
4. Recognition to City Retirees.
5. Proclamation: declaring May 10 through May 16 Police Week.
6. Presentation: City of Nogales Columbarium.
7. Consideration of the recommendation for Special Event Liquor License application for Mr. John E. Kissinger for City of Nogales, 4<sup>th</sup> of July Celebration.
8. Consideration of the recommendation for Special Event Liquor License application for Ms. Alejandra R. Lopez for Sacred Heart Church, for a fund raiser June 19 & 20, 2009
9. Review and ratification of Demands Nos. 49368 to 49959.
10. Consideration of Order No. 2009-05-039:  
An Order of the Mayor and Council of the City of Nogales, Arizona adopting the policy for the nomination of secondary honorary names for streets.
11. Consideration of Order No. 2009-05-041:  
An Order of the Mayor and Council of the City of Nogales, Arizona, accepting a water line facility constructed by Acacia Land and Storage, L.L.C.
12. Consideration of Order No. 2009-05-042:  
An Order of the Mayor and Council of the City of Nogales, Arizona, approving an Intergovernmental Agreement between the City of Nogales and Multiple Government Entities regarding limiting government employees injured during joint operations to workers compensation claims.

13. Consideration of Order No. 2009-05-043:  
An Order of the Mayor and Council of the City of Nogales authorizing the City Manager to accept a grant from the Arizona Department of Transportation for the purpose of acquiring a Cutaway Van with lift for use in the city's transit services to the elderly and disabled.
14. Consideration of Order No. 2009-05-044:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing an Intergovernmental Service Agreement between the Arizona Criminal Justice Commission and the City of Nogales police Department regarding HIDTA 19 for reimbursement of Officer salaries and overtime.
15. Consideration of Order No. 2009-05-045:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing the Finance Director to purchase a color copier and printer.
16. Consideration of Order No. 2009-05-046:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing the City Manager to approve Change Order with K E & G Development, Inc., and Insituform Technologies, Inc. for additional work required to complete contracts for repairs to City sewer lines.
17. Consideration of Order No. 2009-05-047:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing Centennial Contractors Enterprises, Inc., to proceed with the installation of lighting system purchased by city from Qualite Sports Lighting, Inc. for Ron Turley Field.
18. Consideration of Order No. 2009-05-048:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing the City of Nogales to sponsor the Arizona Mexico Commission Plenary Session on June 4 & 5, 2009 for an amount not to exceed \$3,333.00.
19. Consideration of Order No. 2009-05-049:  
An Order of the Mayor and Council of the City of Nogales, Arizona authorizing the Nogales Police Department to purchase two (2) 2009 Police Ford Edge's through the City Capital Equipment Line Item and by means of the Koch Financial Master Lease Agreement of 08/09. The total cost of these two vehicles and emergency lighting/radio equipment is \$68,488.68.
20. Consideration of Resolution No. R2009-05-008:  
A Resolution of the Mayor and Council of the City of Nogales approving a revised attachment "A" to the second amendment to the Memorandum of Understanding with U. S. Section International Boundary and Water Commission.
21. Consideration of Order No. 2009-05-040:  
An Order of the Mayor and Council of the City of Nogales, Arizona, authorizing the City Manager to execute a Joint Development Agreement with Mariposa Community Health Center for construction of a replacement Women, Infants and Children building on city property and a Long-Term Ground Lease upon completion of construction.
22. Discussion and informational update regarding the County Schools Superintendant's past request for reimbursement of costs incurred for School plans that were to be located at Kramer Park

23. Discussion/Possible action regarding former Councilmember John Jackson request for payment of legal fees.  
Pursuant to A.R.S. §38-431.03(A)(3) The City Council may meet in executive session to receive legal advice regarding former Councilmember John Jackson's request.
24. EXECUTIVE SESSION  
Pursuant to A.R.S. §38-431.03(A)(3) and (4), the City Council will meet in executive session to receive legal advice regarding its legal position and options as it relates to Meridian Engineering Company v. City of Nogales, Santa Cruz County Cause No. CV 08-102.
25. EXECUTIVE SESSION  
Pursuant to A.R.S. §38-431.03(A)(3) and (4), the City Council will meet in executive session to receive legal advice regarding its legal position and options as it relates to Puchi Properties, Inc. et al. v. City of Nogales, U.S. District Court Cause No. CV 08-599 TUC CJK.
26. Mayor's and Council's report on current events.
27. City Manager's report on current events.
28. Future Agenda Items.
29. Adjournment.

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Octavio García-Von Borstel, Mayor

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Jaime M. Fontes, City Manager

Pursuant to A. R. S. §38-431.01 (G) the City Council may make an open call to the public during a public meeting. Individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter, or ask that a matter be put on a future agenda. Members of the City Council shall not discuss or take legal action on matters raised during an open call to the public unless the matters have been properly noticed on the agenda for discussion and legal action.

In order to speak during Call to the Public, please specify what you wish to discuss when completing the Call to the Public Form.

Upon a vote of the majority of the City Council, the council may enter into Executive Session pursuant to Arizona Revised Statutes §38-431.03 (3) (legal advice) to obtain legal advice on matters listed on the Agenda.

INDIVIDUALS WITH DISABILITIES: TO REQUEST AN ACCOMMODATION OR INFORMATION ABOUT PHYSICAL ACCESSIBILITY, CONTACT LETICIA AT (520) 287-6571.