

MINUTES OF A SPECIAL MEETING
OF THE
TOWN OF GUADALUPE COUNCIL

A public meeting of the Mayor and Council of the Town of Guadalupe was held on **THURSDAY, OCTOBER 13, 2011, AT 6:00 P.M.**, 9241 South Avenida del Yaqui, Guadalupe, Arizona in the Council Chambers. The following members of Council were present.

Mayor Alma Yolanda Solarez
Vice Mayor Laura Valencia
Councilmember Gloria Cota
Councilmember Angie Perez
Councilmember Andrew Sanchez
Councilmember Joe Sanchez

Absent: Councilmember Saturnino Flores

Staff:

Town Manager, Bill Hernandez
Town Attorney, David Ledyard
Town Clerk, Rose Mary Arellano
Comm Dev Coord., Gino Turrubiarres

The following matters were discussed, considered, and decided upon at the meeting:

- A. The meeting was CALLED TO ORDER by Mayor A. Yolanda Solarez..
- B. ROLL CALL taken and noted above.
- C. CALL TO THE PUBLIC. An opportunity is provided to the public to address the Council on items that are not on the agenda or included on the consent agenda. Citizens are requested not to exceed a three minute time period for their comments. A total of **5** minutes will be provided for the Call to the Audience agenda item, unless the Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Mr. Chuck Artigue, KUPD, addressed council stating when council approved his business to continue to pay 2% in sales tax instead of the 3% imposed by the town he was not aware it was for a period of three (3) years. Effective January 1, 2004 ending January 2007. He believes he was not notified possibly due to the many changes of administrators and elected officials. He said he would loose advertisers if he is required to pay the higher sales tax and may have to relocate to another municipality; possibly Phoenix who's sales tax is .5 %. He said he has contributed approximately \$500,000 to \$700,000 in sales tax for advertisement to the town including monetary donations to community events. He said the Department of Revenue audited KUPD and as of 2007 KUPD owes the town approximately \$200,000 in sales tax. Mr Artigue is requesting council allow him to continue paying 2% sales tax as of 2007.

D. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. Boys & Girls Club Soccer Field proposal.

Mr. Ramon Elias, President/CEO, of the Boys & Girls Club of the East Valley, presented a proposal for a joint venture to construct a soccer field on town property. The project will cost approximately \$620,000 and will consist of a full soccer field, a basket ball court, shaded playground, lighting, fence all around, paved parking, and landscaping. The soccer field may also be used for flag football. Ramon said his friend is an architect and has provided the site plans / conceptual. East Valley B & G Club will raise the funds to cover the cost of the project and the town will maintain the field and amenities. The club will manage the park including scheduling use of the soccer field. The town will remain owner of the property.

2. Sprint Communications Company L.P.

Bill Hernandez stated that in 1988 council established a one time permit fee of \$30,000 for 25 years telecommunications encroachment permit for US Sprint. Sprint Communications is proposing renewal of the license for a period of five (5) years from November 10, 2011 through November 9, 2016, at \$2.00 per linear foot annually, totaling \$60,000. Mr. Hernandez stated cables and other related equipment are already installed in identified right-of-ways.

3. EXECUTIVE SESSION: ARS 38-431.03 (A.3.) Discussion or consultation for legal advise concerning sales tax issues.

MOVED by Mayor A. Yolanda Solarez to go into executive session.

SECONDED by Vice Mayor Laura Valencia.

MOTION CARRIED UNANIMOUSLY.

Mayor and Council reconvened.

E. ADJOURNMENT.

MOVED by Mayor A. Yolanda Solarez to adjourn.

SECONDED by Vice Mayor Laura Valencia.

MEETING ADJOURNED.