



## LEGAL ACTION SUMMARY

**\*\*\*DUE TO TOWN HALL CONSTRUCTION, SEATING CAPACITY IS LIMITED TO NO MORE THAN 10 ATTENDEES\*\*\***

**\*\*\*MEETING STREAMED LIVE ON TOWN OF GUADALUPE FACEBOOK PAGE\*\*\***

### NOTICE OF REGULAR MEETING OF THE GUADALUPE TOWN COUNCIL

**THURSDAY, DECEMBER 8, 2022  
6:00 P.M.**

**GUADALUPE TOWN HALL  
9241 SOUTH AVENIDA DEL YAQUI, MUSEUM ROOM  
GUADALUPE, ARIZONA**

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Guadalupe Town Council and to the public that the Guadalupe Town Council will hold a meeting, open to the public, on Thursday, December 8, 2022, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

## AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. INVOCATION/PLEDGE OF ALLEGIANCE
- D. APPROVAL OF MINUTES
  - 1. Approval of the October 27, 2022, Town Council Regular Meeting Minutes.
  - 2. Approval of the November 10, 2022, Town Council Regular Meeting Minutes.
  - 3. Approval of the November 10, 2022, Town Council Special Meeting Minutes.

**APPROVED**

E. 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. A total of 3 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.

F. MAYOR and COUNCIL PRESENTATIONS: None.

Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Esteban F. V. Fuerte  
Councilmember

Elvira Osuna  
Councilmember

Joe Sánchez  
Councilmember

Anita Cota Soto  
Councilmember

Agendas/Minutes:  
[www.guadalupeaz.org](http://www.guadalupeaz.org)

Town Council Chambers  
9241 S. Avenida del Yaqui  
Guadalupe, AZ 85283  
Phone: (480) 730-3080  
Fax: (480)-505-5368

G. DISCUSSION AND POSSIBLE ACTION ITEMS:



Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

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Councilmember

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**1. PUBLIC HEARING – REZONING REQUEST FOR 9022 SOUTH AVENIDA DEL YAQUI (RZ2022-07):** Hold a public hearing for a rezoning request for the property located at 9022 South Avenida del Yaqui. The request is to rezone the property from C-1 Neighborhood Commercial to C-2 General Commercial so that the current uses of the property would comply with allowable land uses, per the Guadalupe Town Code, Section 154.067(C) (3 & 4) for the C-2 zoning designation. The existing property use is the sale of automobile tires and minor auto repair including oil changes and brake repair. The current use of the property is not in compliance with C-1 zoning. The Applicant is Edward Cota Jr., Maricopa County Assessor Parcel #APN 301-12-112Q. Council may provide direction to the Town Manager / Clerk. *(related to G2)*

**HELD A PUBLIC HEARING**

**2. REZONING REQUEST – 9022 SOUTH AVENIDA DEL YAQUI (RZ2022-07):** Council will consider and may take action to approve or deny a rezoning request for 9022 South Avenida del Yaqui from C-1 Neighborhood Commercial to C-2 General Commercial which aligns with the current uses of the property per the Guadalupe Town Code, Section 154.067(C) (3 & 4) for the C-2 General Commercial zoning designation. The existing uses of the property is the sale of automobile tires and minor auto repair including oil changes and brake repair. The Applicant is Edward Cota Jr., Maricopa County Assessor Parcel #APN 301-12-112Q. Council may provide direction to the Town Manager / Clerk. *(related to G1)*

**APPROVED**

**3. REMOVED/DELETED AT THE REQUEST OF STAFF: PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST FOR 9022 SOUTH AVENIDA DEL YAQUI (CU2022-04):** Hold a public hearing for a Conditional Use Permit request for the property located at 9022 South Avenida del Yaqui which would to continuer per the Guadalupe Town Code, Section 154.067(C) (3E & 4) for the C-2 zoning designation to sell tires, change oil, and repair brakes, pending a request to rezone the property to C-2 General Commercial. The property is currently zoned C-1 Neighborhood Commercial (agenda items G1 & G2). The existing use of the property is for selling tires. The Applicant is Edward Cota Jr., Maricopa County Assessor Parcel #APN 301-12-112Q. *(There is no material for this agenda item)*

**ITEM REMOVED/DELETED FROM THE AGENDA**

**4. REMOVED/DELETED AT THE REQUEST OF STAFF: CONDITIONAL USE PERMIT REQUEST FOR 9022 SOUTH AVENIDA DEL YAQUI (CU2022-04):** Council will consider and may take action to approve or deny a Conditional Use Permit request for the property located at 9022 South Avenida del Yaqui to continue to conduct auto mechanic work and auto painting, pending a request to rezone the property to C-2 General Commercial (agenda items G1 & G2). The property is currently zoned C-1 Neighborhood Commercial. The existing use of the property is for auto repair, paint shop, and auto mechanic work. The Applicant is Edward Cota Jr., Maricopa County Assessor Parcel #APN 301-12-112Q. *(There is no material for this agenda item)*

**ITEM REMOVED/DELETED FROM THE AGENDA**

**5. INTERGOVERNMENTAL AGREEMENT – REGIONAL PHOENIX METROPOLITAN FIRE SERVICE AUTOMATIC AID (RESOLUTION NO. R2022.29):** Council will consider and may take action to adopt Resolution No. R2022.29 authorizing the Mayor, or designee, to execute an intergovernmental agreement (IGA) (C2022-49) for the Regional Phoenix Metropolitan Fire Service



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Ricardo Vital  
Vice Mayor

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Automatic Aid between area cities, towns, fire districts, governmental jurisdictions, and the Town of Guadalupe for the purpose of providing automatic aid assistance for fires and other types of emergency incidents as described under the terms of the Agreement (the "Automatic Aid System"). This IGA is for a ten-year term from December 19, 2022, through December 19, 2032, at no direct cost to the Town. Adoption of the resolution authorizes the Mayor, or designee to sign all necessary documents in furtherance of this agreement. Council may provide direction to the Town Manager / Clerk.

**ADOPTED**

**6. FEDERAL TRANSIT ADMINISTRATION TITLE VI IMPLEMENTATION PLAN, SENIOR BUS TRANSIT PROGRAM – (RESOLUTION NO. 2022.30):** Council will consider and may take action to adopt a resolution authorizing the Mayor, or designee, to execute the Town of Guadalupe Federal Transit Administration Title VI Program for the Senior Bus Transit Program (C2022-50). This transit program plan is for a three-year term from March 1, 2023, through February 28, 2026, at no direct cost to the Town. The current plan expires on February 28, 2023. Council may provide direction to the Town Manager / Clerk.

**ADOPTED**

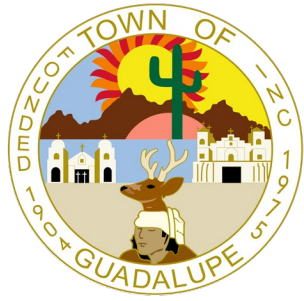
**7. EXTENSION OF WIRED TELECOMMUNICATIONS LICENSE AND RIGHT-OF-WAY USE AGREEMENT:** Council will consider and may take action to award an extension of wired telecommunications license and right-of-way use agreement (C2021-59) to the SPRINT COMMUNICATIONS COMPANY L.P., to construct, install, operate, maintain, and upgrade the system then in place, a Fiber Optics Communication System in, along, under, over and across certain streets and public ways within the Town. This license extension and agreement is for a five-year term from November 10, 2021, through November 9, 2026, where the Town will receive \$12,532.27 annually in General Fund revenues. The Council approved the original license agreement on November 17, 2016, for a five-year term. Council may provide direction to the Town Manager / Clerk.

**APPROVED**

**8. AMENDED AND RESTATED BILLBOARD LICENSE AGREEMENT:** Council will consider and may take action to approve an amended and restated License Agreement (C2022-51), in substantially the form of, with CLEAR CHANNEL OUTDOOR, LLC, a Delaware limited liability company, to allow the use of Town owned land in the Town of Guadalupe for the the purpose of erecting, maintaining, operating (whether physically on-premise or via remotely changeable off-premise technology), improving, supplementing, posting, painting, illuminating, repairing, repositioning and/or removing outdoor advertising structures (whether traditional static, digital or other technology displays), including, without limitation, wireless communications equipment, fixture connections, electrical supply and connections, panels, signs, copy and any equipment and accessories.. This amended and restated License is for a term of 25 years commencing on January 1, 2024, through December 31, 2049, where the Town will receive \$6,695,155.23 in General Fund revenues through the term of this license agreement. This amended and restated license agreement extends and combines two 20-year original agreements adopted in May 2003 and December 2003 respectively. Council may provide direction to the Town Manager / Clerk.

**APPROVED**

**9. REQUEST FOR PROPOSALS – TOWN-OWNED LAND:** Councilmembers will consider authorizing staff to issue a Request for Proposals (RFP) to solicit interest in the lease and/or sale and development of four Town-owned parcels. Locations of the parcels are: the northeast and northwest corners of Avenida del Yaqui and Guadalupe Road, 9050 S. Avenida del Yaqui; and The Mercado, 9241 S. Avenida del Yaqui. If approved, the RFP would be published and available on December 9,



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2022, with a response due date of January 25, 2023. Council may provide direction to the Town Manager / Clerk.

**APPROVED**

**10. TOWN MANAGER / CLERK EMPLOYMENT CONTRACT AMENDMENT:** Town Council will consider and may take action to approve an amendment to the employment contract (C2021-66A) between the Town of Guadalupe and the appointed Town Manager / Clerk, Jeff Kulaga. The proposed contract amendment is to add a one-time 120 personal time off leave hours to the employee leave balance for the Town Manager / Clerk. The employment contract was originally approved by Council on October 28, 2021 with an expiration date of October 30, 2023. Council may provide direction to the Town Manager / Clerk.

**APPROVED**

**11. 2023 JANUARY– DECEMBER COUNCIL MEETING SCHEDULE:** Councilmembers will consider and may take action to approve the Town Council Regular Meeting Schedule for January through December 2023. Staff is recommending cancelling the November 23, 2023, and the December 28, 2023, Council Meetings because it conflicts with Thanksgiving and Christmas Holidays, respectively. Council may also wish to schedule a Council Retreat. Council may provide direction to the Town Manager / Clerk.

**APPROVED AS AMENDED TO CANCEL THE DECEMBER 28<sup>TH</sup> MEETING AND CHANGE DATES LISTED AS TOWN HALL BEING CLOSED DECEMBER 22<sup>ND</sup> AND DECEMBER 25<sup>TH</sup>**

**12. CANCEL DECEMBER 22, 2022 COUNCIL MEETING:** Councilmembers will consider cancelling the Thursday December 22, 2022 Regular Council Meeting due to the Christmas Holiday. Council may provide direction to the Town Manager / Clerk. *(There is no material for this agenda item.)*

**APPROVED**

H. TOWN MANAGER/CLERK'S COMMENTS

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT