

Minutes Town Council Regular Meeting February 11, 2021

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

Anita Cota Soto
Councilmember

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

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, February 11, 2021, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

A. Mayor Molina called the meeting to order at 6:05 p.m.

B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina. The following councilmembers participated via video conference: Vice Mayor Ricardo Vital, Councilmember Mary Bravo, Councilmember Elvira Osuna, and Councilmember Joe Sánchez

Councilmembers Absent: Councilmember Gloria Cota and Councilmember Anita Cota Soto

Staff Present: Jeff Kulaga – Town Manager / Clerk and Jennifer Drury – Assistant to the Town Manager; Cachi Castorena, MCSO Deputy, and, David Ledyard – Town Attorney via video conference.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Bravo provided the invocation. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

1. Approval of the January 28, 2021, Town Council Regular Meeting Minutes.

**Motion by Vice Mayor Vital to approve agenda item D1; second by Councilmember Bravo.
Motion passed unanimously on a voice vote 5-0.**

1. Approved the January 28, 2021, Town Council Regular Meeting Minutes.

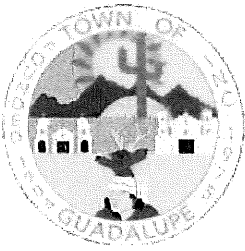
E. CALL TO THE PUBLIC:

Lindsey Wilcox, Crisis Response Network (CRN) representative, stated that she serves as a Community Impact Liaison for the CRN. CRN is a grant funded organization that provides services free of charge. CRN is assisting the Guadalupe community by providing on-site resources for various community benefits such as food stamps, medical services, fresh produce.

Mayor Molina announced that Town Hall is open during Council meetings and invited community members to participate in the Call to the Public.

F. MAYOR and COUNCIL PRESENTATIONS:

Mayor Molina read a Proclamation declaring February 11, 2021 Maria Munoz Day in the Town of Guadalupe, Arizona.



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G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. INTERNAL AUDIT REPORT

Jeff Kulaga, Town Manager / Clerk, introduced from Matt Bingham of Colby & Powell, PLC, (Colby & Powell) Certified Public Accountants, who provided a presentation of the Town of Guadalupe audit report.

Mr. Bingham stated that the fiscal year for the Town audit report under consideration is from July 1, 2019 to June 30, 2020. This is the timeframe that the Town financial statements were audited. The auditor's opinion relates to whether or not the data in the financial statements and disclosures are materially correct, accurate, and complete. Colby & Powell follows federal government auditing standards for all entities that receive federal funding. Colby & Powell conducts a risk based approach to assess processes and internal controls; and, is required to report weaknesses found regarding internal processes and controls. No significant deficiencies or material weaknesses were found during this audit period.

Mr. Bingham noted that contributions to the Arizona State Retirement System (ASRS) have risen approximately \$80,000 compared to the last fiscal year. Of concern is the unfunded Arizona Public Safety Personnel Retirement System (PSPRS) pension fund, which will need to be paid in future years.

Mr. Bingham reviewed the Town's restricted and unrestricted net position – cash/receivables that must be spent on certain items versus cash/receivables that can be spent more flexibly. There is a downward trend in business activities, which should preferably be trending up to address future infrastructure repairs and replacements.

In response to a question regarding the difference in fund balances between the last fiscal year and this fiscal year's budget for the Solid Waste, Sewer, and Mercado, Mr. Kulaga noted that the rates for solid waste collection were raised to address funding shortfalls; funding was needed for urgent sewer repairs which impacted the fund balance. The Mercado fund is suffering due to lack of events held at this venue, business revenue shortfalls due to COVID-19, and businesses leaving or that are delinquent in rent. The Mercado is aging and will require future repairs.

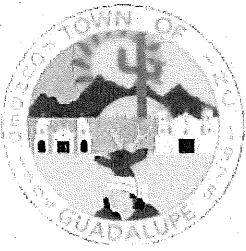
2. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk, provided an update regarding current Town of Guadalupe COVID-19 positive case rates, scheduled testing events, vaccination information, and steps taken to safe guard public health and safety in response to the Coronavirus. On Saturday, February 13, 2021, the Pascua Yaqui Tribe will be offering free flu shots and free COVID-19 tests for Guadalupe residents. Vaccinations will not be available at this event.

Mr. Kulaga reviewed that statistics regarding the number of vaccinations that have been allocated statewide, with specifics regarding the number of vaccinations to date in Maricopa and Pima counties. He then reviewed the phases and categories of individuals that are eligible to receive a vaccine. There is additional information on the Arizona Department of Health Services website related to instructions on how to book vaccinations. The Town Promotoras are available via telephone to assist community members in scheduling vaccinations.

Mr. Kulaga reviewed the weekly positive case rates in Guadalupe and credited the positive downward trend on Guadalupe case rates on the efforts of the Towns' community partners.

In response to a question, Vice Mayor Vital stated that the number of people being tested for COVID-19 is decreasing. The Pascua Yaqui Tribe is working with Native Health and the Arizona Department of Health Services to provide homebound vaccinations.



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Councilmembers noted that the Town is not issuing party permits and cautioned everyone about large gatherings during Lent. Residents are encouraged to get vaccinated and to continue wearing masks. Homebound vaccinations are available to anyone that is registered with Native Health. Mr. Kulaga noted that the Town is not tracking the number of deaths in Guadalupe that are attributed to COVID-19.

3. SOLID WASTE COLLECTION SERVICE PROPOSED RATE INCREASE INTRODUCTION

Jeff Kulaga, Town Manager / Clerk, provided a solid waste services financial status report and rate analysis including current financials, five year projected revenues and expenditures, and proposed solid waste service rate increase options for Council consideration.

Mr. Kulaga discussed the Solid Waste Fund balance from 2005 – 2021; and, reviewed the 2019 Request for Proposals process to solicit bids from solid waste collection providers. It is important to retain a fund balance in order to address needed capital repairs. Mr. Kulaga then reviewed what problems have been solved as a result of selecting a new solid waste provider, including upcoming challenges.

Staff is recommending the following:

1. Discontinue quarterly bulk service.
2. To continue quarterly bulk service, a \$3.00 monthly fee increase would be needed, in addition to rate options.
3. Select a rate increase.

Mr. Kulaga reviewed five rate options for Council consideration and reviewed solid waste utility rate comparisons with the rates of surrounding cities and towns. The rate increase options do not include potential increases in fuel, labor, or landfill tipping fees.

The purpose of this discussion is to introduce rate options. Mr. Kulaga provided a timeline of events should a rate increase ultimately be proposed:

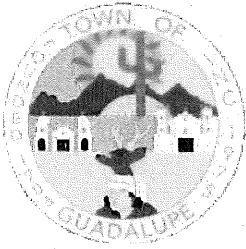
February 11	Introduce rate options
March 11	Clarify information
March 23 – April 21	Solicit public input: website, Facebook, survey, and water bill Water bill insert due to printer March 8
April 22	Council rate decision – with FY2021/2022 proposed budget introduction
April 23	Publish proposed rate / 60 day public notice (A.R.S. 9-449.15)
June 24	Council considers FY2021/2022 budget and solid waste rate fee
July 1	Rate effective

Councilmembers voiced concern about illegal dumping if the quarterly bulk service is eliminated; the importance of not having a negative fund balance by increasing the rate by a minimum of 10%; only a limited amount of residents are able to participate in the quarterly bulk rate pick up due to demand; and, that the Town provides four roll off dumpsters, weekly, at the Town maintenance yard.

Councilmembers asked staff to follow up with providing data on how many solid waste accounts are delinquent and additional information related to the rate increases that the City of Tempe proposing. Mr. Kulaga stated that he will provide additional information at the March 11, 2021, Council meeting.

4. RIGHT AWAY DISPOSAL (RAD) CONTRACT RENEWAL – AMENDMENT NO. 1

Jeff Kulaga, Town Manager / Clerk, stated the Town Council initially approved the RAD contract on January 9, 2020. Amendment No. 1 implements an annual rate increase of 1.17% for solid waste services. This amendment complies with the terms of the original contract where annual rate increases shall be in an amount not to exceed the twelve (12) month change in the Consumer Price Index as



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published by the United States Department of Labor, Bureau of Labor Statistics, or 5% greater than the current monthly fee, whichever is less. The impact of the 1.17% rate increase would increase one bin service from \$20.14 to \$20.38, monthly.

**Motion by Vice Mayor Vital to approve agenda item G4; second by Councilmember Osuna.
Motion passed unanimously on a voice vote 5-0.**

Councilmembers approved Amendment No. 1, (C2020-01A) to a contract with Right Away Disposal (RAD) for solid waste collection services.

5. REQUEST FOR PROPOSALS – TOWN-OWNED LAND

Jeff Kulaga, Town Manager / Clerk, stated that in 2019 staff issued a Request for Proposals (RFP) to solicit interest in the lease and/or sale and development of Town-owned parcels. At that time, there was little interest in the RFP. At the recent direction of Council, staff has updated the RFP to include the same five town-owned parcels. The locations of the parcels are: 5603 East Calle Iglesia, 5604 East Calle Mexico, northeast and northwest corners of Avenida del Yaqui and Guadalupe Road; 9050 South Avenida del Yaqui, and 9241 South Avenida del Yaqui. Council determine how to proceed with any responses to the RFP. If approved, the RFP will be issued on February 22, 2021, with a response due date of March 31, 2021.

A Councilmember noted that the RFP was originally issued two years ago due to the need to generate revenue for the Town. Guadalupe does not have a property tax. The action being requested is to solicit RFP's from interested parties. In 2019, Mr. Kulaga noted that there was one response to the RFP.

**Motion by Vice Mayor Vital to approve agenda item G5; second by Councilmember Bravo.
Motion passed unanimously on a voice vote 5-0.**

Councilmembers authorized staff to issue a Request for Proposals (RFP) to solicit interest in the lease and/or sale and development of Town-owned parcels.

6. CONSULTANT ENGINEERING INCORPORATED (CEI) CONTRACT – AMENDMENT NO. 2

Jeff Kulaga, Town Manager / Clerk, stated that last month Council approved contract Amendment No. 1 with Consultant Engineering Incorporated. Amendment No. 2 is in the amount of \$32,708. Staff recommends approval of contract Amendment No. 2.

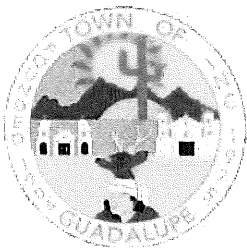
**Motion by Vice Mayor Vital to approve agenda item G6; second by Councilmember Bravo.
Motion passed unanimously on a voice vote 5-0.**

Councilmembers awarded contract Amendment No. 2 (C2020-02B) for additional services to establish temporary construction easements on private property necessary to complete the \$5 million federally funded Avenida del Yaqui street improvement project to Consultant Engineering Incorporated in the amount of \$32,708. Right-of-way acquisition expenses are not eligible for federal funds. Amendment No. 2 is funded through the approved fiscal year 2020/2021 Town Highway User Revenue Fund (HURF) budget where \$186,806 has been allocated for the Avenida del Yaqui project and related right-of-way expenses.

7. RIGHT OF WAY WARRANTY DEED

Jeff Kulaga, Town Manager / Clerk, stated that Consultant Engineering Incorporated is transitioning 83 square feet of Town-owned land and converting it to right-of-way property to provide for street improvements.

**Motion by Vice Mayor Vital to approve agenda item G7; second by Councilmember Osuna.
Motion passed unanimously on a voice vote 5-0.**



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Councilmembers approved a Warranty Deed (C2021-12) to dedicate 83 square feet of Town-owned property located at 8413 South Avenida del Yaqui, where the Fire Station is located, to the Town as public right of way for sidewalk improvements as part of the federally funded \$5 million Avenida del Yaqui street improvement project. Approval of this Warranty Deed transitions Town-owned property to Town right of way.

8. AVENIDA DEL YAQUI – SCHOOL DISTRICT SIDEWALK EASEMENT

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is similar to agenda item G7. 205 square feet of land is needed to provide for a sidewalk on the north side of the Magdalena/Avenida del Yaqui intersection. This land is currently owned by the Tempe School District (School District). In the spirit of partnership, the School District has agreed to offer the property to the Town as an easement in the amount of \$10, versus the Town having to pay the fair market value of approximately \$2,500.

Motion by Vice Mayor Vital to approve agenda item G8; second by Councilmember Osuna. Motion passed unanimously on a voice vote 5-0.

Councilmembers approved a Sidewalk Easement (C2021-13) from Tempe School District No. 3 (Tempe Elementary) to allow legal access for the right of ingress and egress for the purpose of installations, maintenance and replacement over, under, and across. This easement allows for construction and on-going maintenance of a sidewalk as part of the Avenida del Yaqui street improvement project. The 205 square foot easement would be located at the immediate northeast corner of Calle Magdalena and Avenida del Yaqui.

9. HIGHLINE CANAL PATH LIGHTING DESIGN PROJECT

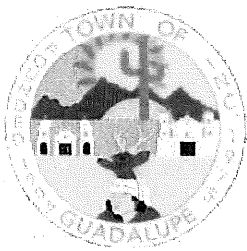
Jeff Kulaga, Town Manager / Clerk, stated that the lighting along the Highline Canal pathway has been a target of vandalism and theft. Currently, there is no lighting along the pathway. In 2016, the multi-use path beautification project lighting was installed utilizing Salt River Project (SRP) aesthetic funds. Solar panels provide the lighting. Each unit requires three batteries at a cost of \$250 each, all of which have been stolen. Dibble Engineering would like to provide plans for electrical lighting units which will increase security and be less likely to be a target of theft and vandalism. The \$77,981 will cover the cost of the redesign and preparation of final construction plans for the system. The estimated cost of construction is approximately \$350,000. Once the final construction plans have been completed, staff will be positioned to apply for gaming grant funds and Maricopa County Community Block Grant funding. Staff recommends approval of this contract. SRP does not typically allocate aesthetic funds for repair and replacement projects.

In response to a question, Mr. Kulaga stated that he will provide Council with additional information on how much it has cost the Town for battery replacements over the past two years. He noted that the existing lighting system was selected by a prior Council.

Councilmembers expressed frustration at having to spend additional money on this project; the proposed contract amount will tie into the lighting on the main street; and, that the cost of lighting the pathway is paid for by the Town. It was unclear what the difference in the price for electrical versus solar lighting will be. If the equipment is replaced, replacement costs for batteries and copper wiring will no longer exist.

A Councilmember expressed a desire to make the lights taller. Mr. Kulaga noted that staff will work with the Town engineer to make the lights and fixtures as free of vandalism and theft as possible. Vince Gibbons, Dibble Engineering representative, stated that the lighting poles will be higher to improve light distribution and to mitigate vandalism and theft.

Motion by Councilmember Bravo to approve agenda item G9; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 5-0.



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Councilmembers awarded a contract (C2021-14) to the Town Engineer, Dibble Engineering for design, bid process, construction administration, and inspection services for the conversion of Highline Canal pathway lighting from a battery powered solar lighting system to an electric powered system in the amount of \$77,981. The purpose of this project is to resolve the ongoing theft, vandalism, and maintenance problems to provide a safe, efficient, improved, and cost effective pedestrian path lighting system. Funding for this contract is through the approved fiscal year 2020/2021 Town Highway User Revenue Fund (HURF) and General Fund Capital Outlay budgets.

10. DIBBLE ENGINEERING CONTRACT

Jeff Kulaga, Town Manager / Clerk, stated that Dibble Engineering was initially awarded the Town Engineer contract by Council on January 28, 2016, with a term expiring February 1, 2021. Mr. Kulaga outlined the various projects where Dibble Engineering has provided engineering services for the Town and noted that Dibble Engineering also serves as the Town's Building Inspector. Award of this contract complies with Town Code requirements. Dibble Engineering is also offering their 2019 hourly rates, rather than their 2021 rates.

**Motion by Vice Mayor Vital to approve agenda item G10; second by Councilmember Sánchez.
Motion passed unanimously on a voice vote 5-0.**

Councilmembers awarded a five-year contract (C2021-15) for Town Engineer services to Dibble Engineering to provide ongoing engineering related services to the Town. The contract term is February 1, 2021, to February 1, 2026. This contract is funded annually through the Highway User Revenue Fund (HURF).

11. ARIZONA RESTAURANT SUPPLY INCORPORATED CONTRACT

Jeff Kulaga, Town Manager / Clerk, stated that the Town received grant funding from the Area Agency on Aging that covers the cost of the purchase and installation of a walk-in refrigerator for the Senior Center. Staff solicited three bids and is recommending that the award of bid go to Arizona Restaurant Supply because Arizona Restaurant Supply offered the best warranty and will ensure that all of the plumbing and electrical needs for the walk-in refrigerator are met.

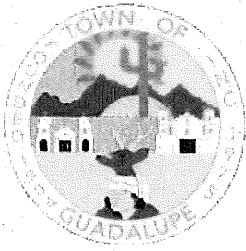
In response to questions, Mr. Kulaga stated that the existing walk-in refrigerator is approximately the same size as the proposed walk-in refrigerator; and, because the Community Action Program office area would require additional construction to add a walk-in refrigerator to the space, it is more cost effective to address the current need to replace the Senior Center walk-in refrigerator.

**Motion by Vice Mayor Vital to approve agenda item G11; second by Councilmember Sánchez.
Motion passed unanimously on a voice vote 5-0.**

Councilmembers awarded a contract (C2021-16) for the purchase, installation, and warranty of a walk-in refrigerator for the Senior Center, to Arizona Restaurant Supply, Inc., in the amount of \$39,557.96. The existing walk-in refrigerator has exceeded its serviceable life expectancy and requires on-going repair. Funding for replacing the walk-in refrigerator is through a grant from the Area Agency on Aging. Staff received three bids and recommends awarding the contract to Arizona Restaurant Supply, Inc., because Arizona Restaurant Supply, Inc., provided the lowest bid for the product, installation, and warranty.

12. TOWN FINANCIAL SESSIONS CALENDAR

Jeff Kulaga, Town Manager / Clerk, presented the schedule of upcoming Council meetings where fiscal review, budget review and adoption, and solid waste rate review agenda items will be scheduled for upcoming presentations to Council as follows:



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February 25, 2021	FY 2020/21 Mid-year budget status report
March 11, 2021	Solid Waste Rate Information
March 25, 2021	FY 2021/22 Gaming grant proposals
April 22, 2021	Five year forecast; Introduce FY 2021/22 budget & propose Solid Waste Rates
May 13, 2021	Review Proposed FY 2021/22 Tentative budget
May 27, 2021	Adopt FY 2021/22 Tentative budget
June 24, 2021	Adopt FY 2021/22 Final budget

13. CLAIMS

Approval of the check register for January 2021, totaling \$488,088.96.

Motion by Vice Mayor Vital to approve agenda item G13; second by Councilmember Bravo. Motion passed unanimously on a voice vote 5-0.

Councilmembers approved the check register for January 2021, totaling \$488,088.96.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Homelessness in the Town of Guadalupe has spiked recently. Staff has partnered with The Crisis Network and the Maricopa County Sheriff's Office to assist those in need.

I. COUNCILMEMBERS' COMMENTS

Vice Mayor Vital

- Urged everyone to take precautions during Cuaresma and to practice social distancing.

Councilmember Osuna

- Thanked community members for wearing masks, staying safe, and caring for elders.

Councilmember Bravo

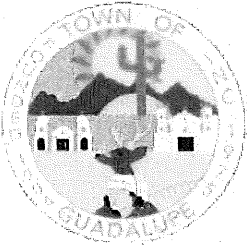
- Thanked community members for wearing masks and social distancing.

Councilmember Sánchez

- Thanked his colleagues for their work.

Mayor Molina


- February 25, 2021 – Live FaceBook meeting with Maricopa County Sheriff, Paul Penzone. Community members may submit questions in advance. Topics of discussion will include fighting drug activity in the community and ensuring that the community is safe and protected. Information is available on the Town's FaceBook webpage and on the Town marquee.
- The Town is not issuing party permits. There should be no bands, amplified music, bands, or large gatherings during Cuaresma.



J. ADJOURNMENT

Motion by Vice Mayor Vital to adjourn the Regular Council Meeting; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 5-0.

The meeting was adjourned at 7:59 p.m.


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ATTEST:


Jeff Kulaga, Town Manager / Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the February 11, 2021, Town of Guadalupe, Town Council Regular Meeting. I further certify the meeting was duly called and held, and that a quorum was present.


Jeff Kulaga, Town Manager / Town Clerk