



Minutes Town Council Regular Meeting August 12, 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, August 12, 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 6:06 p.m.

B. ROLL CALL

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

Councilmember Absent: Councilmember Anita Cota Soto

Staff Present: Jeff Kulaga – Town Manager / Clerk, Jennifer Drury – Assistant to the Town Manager, Cachi Castorena, MCSO Deputy and, (via video conference) Wayne Clement, Fire Chief and David Ledyard – Town Attorney

C. INVOCATION/PLEDGE OF ALLEGIANCE:

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

D. APPROVAL OF MINUTES

1. Approval of the May 20, 2021, Town Council/Pascua Yaqui Tribe Joint Meeting Minutes.
2. Approval of the July 14, 2021, Town Council Regular Meeting Minutes.

Motion by Vice Mayor Vital to approve agenda items D1 and D2; second by Councilmember Osuna. Motion passed unanimously on a voice vote 6-0.

1. Councilmembers approved the May 20, 2021, Town Council/Pascua Yaqui Tribe Joint Meeting Minutes.
2. Councilmembers approved the July 14, 2021, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: No one spoke. Mayor Molina announced that Town Hall is open and that the public is welcome to address the Council in person or via e-mail.

F. MAYOR and COUNCIL PRESENTATIONS

Mayor Molina read a proclamation declaring August 2021 as Child Support Awareness Month in the Town of Guadalupe.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. GANG PREVENTION OFFICER INTERGOVERNMENTAL AGREEMENT (RESOLUTION NO. R2021.20)

Mayor Molina stated that this agenda item is to consider authorizing the Mayor, or designee, to enter into an intergovernmental agreement (IGA – C2021-53) with the Tempe Elementary School District, Tempe Union High School District, to jointly fund a Gang Prevention Officer position to mentor at-risk



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youth that live in Guadalupe. The term for this position will be five-years with Guadalupe providing funding not to exceed \$30,000 annually.

Jeff Kulaga, Town Manager / Clerk, stated that this is an intergovernmental agreement (IGA) between two school districts and the Town of Guadalupe to jointly fund a Gang Prevention Officer (Officer) position for a five-year period. The Officer would serve the schools as well as the Town of Guadalupe students. The final version of the IGA is pending. Staff is recommending that this agenda item be continued to a future meeting.

In response to a question, Mayor Molina stated that the Pascua Yaqui Tribe is not included in the IGA partnership. The Town and each of the school districts will fund the Officer's salary. There may be upcoming opportunities to partner with the Pascua Yaqui Tribe who may be able to provide funding for special programs related to gang prevention. The school districts may also apply for gaming grant funding from the Pascua Yaqui Tribe.

In response to a question regarding whether the Maricopa County Sheriff's Office is providing data on gang activity that supports the IGA, Mayor Molina stated that the Maricopa County Sheriff's Office has indicated that they would like to be included in the process. Mayor Molina stated that she has contacted various community members that may have an interest in applying for the Gang Prevention Officer position or know someone who might be a good fit for this opportunity.

Mr. Kulaga stated that staff could share the final draft of the IGA with the Pascua Yaqui Tribe and will follow up with MCSO on gang violence data.

Motion by Councilmember Bravo to continue agenda item G1 to a future meeting date; second by Councilmember Cota. Motion passed unanimously on a voice vote 6-0.

Councilmembers continued consideration of adopting Resolution No. R2021.20 to a future Regular Council Meeting date.

2. PUBLIC HEARING – BUSINESS LICENSE TAX ORDINANCE AMENDMENT RELATED TO BAR AND LIQUOR STORE APPLICATION, ISSUANCE, AND ANNUAL FEES (ORDINANCE NO. O2021.02)

Mayor Molina stated that this agenda item is to hold a public hearing to receive public input to amend the Town Code of Ordinances, Chapter 111 Business License Tax, Section § 111.08 Fees, Subsection (B) Liquor by adding Series 06 Bar liquor license and Series 09 Liquor Store license. The proposed ordinance would also add application, issuance, and annual fees for the Series 06 Bar and 09 Liquor Store licenses and add the liquor license series number to existing liquor licenses in Section § 111.08 Fees, Subsection (B) Liquor in the Town Code of Ordinances.

Jeff Kulaga, Town Manager / Clerk, stated that the public hearing is to receive public input regarding amending the Town Code to add a Series 06 Bar and Series 09 Liquor Store license types and application, issuance, and annual fees. This is a refinement of the existing Town Code requirements. No public input has been received on this agenda item.

Motion by Councilmember Bravo to open the public hearing; second by Councilmember Osuna. Motion passed unanimously on a voice vote 6-0.

Mayor Molina opened the public hearing. No one spoke.

Motion by Councilmember Bravo to close the public hearing; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 6-0.

Mayor Molina closed the public hearing.



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Held a public hearing to receive public input to amend the Town Code of Ordinances, Chapter 111 Business License Tax, Section § 111.08 Fees, Subsection (B) Liquor by adding Series 06 Bar liquor license and Series 09 Liquor Store license. The proposed ordinance would also add application, issuance, and annual fees for the Series 06 Bar and 09 Liquor Store licenses and add the liquor license series number to existing liquor licenses in Section § 111.08 Fees, Subsection (B) Liquor in the Town Code of Ordinances.

3. BUSINESS LICENSE TAX ORDINANCE AMENDMENT RELATED TO BAR AND LIQUOR STORE LICENSE TYPES AND FEES (ORDINANCE NO. O2021.02)

Mayor Molina stated that this agenda item is to consider adoption of Ordinance No. O2021.02 amending the Town Code of Ordinances, Chapter 111 Business License Tax, Section § 111.08 Fees, Subsection (B) Liquor by adding Series 06 Bar liquor license and Series 09 Liquor Store license. The proposed ordinance would also add application, issuance, and annual fees for the Bar and Liquor Store licenses and add the liquor license series number to existing liquor licenses in Section § 111.08 Fees Subsection (B) Liquor in the Town Code of Ordinances.

Jeff Kulaga, Town Manager / Clerk, stated that this is a refinement of the existing Town Code requirements as it relates to Series 06 Bar and Series 09 Liquor Store license types and fees.

Motion by Councilmember Bravo to approve agenda item G3; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 6-0.

Councilmembers adopted **ORDINANCE NO. O2021.02** amending the Town Code of Ordinances, Chapter 111 Business License Tax, Section § 111.08 Fees, Subsection (B) Liquor by adding Series 06 Bar liquor license and Series 09 Liquor Store license. The proposed ordinance would also add application, issuance, and annual fees for the Bar and Liquor Store licenses and add the liquor license series number to existing liquor licenses in Section § 111.08 Fees Subsection (B) Liquor in the Town Code of Ordinances.

4. COVID-19 ACTION UPDATE

Mayor Molina stated that this agenda item is for staff to provide an update regarding current Town of Guadalupe COVID-19 positive case rates, scheduled testing, vaccination information, Town service and steps taken to safeguard public health and safety in response to the Coronavirus.

Jeff Kulaga, Town Manager / Clerk, stated that the July 24, 2021 COVID-19 Vaccination/Back to School event was a success and well attended. 128 people received a vaccination.

The Town's COVID-19 vaccination rate is at 38%. The goal is to have 70% of the Towns' population vaccinated. There is an upcoming vaccination clinic on Saturday, August 14, at the Pascua Yaqui Tribe administration building. The clinic will offer vaccinations, dental screenings, and sports physicals.

There were 17 COVID-19 positive cases in Town last week and 12 this week. Mr. Kulaga reviewed COVID-19 positive case rates in Guadalupe compared to the County positive case rates. He concluded by thanking the Towns' community partners for their ongoing support.

Mayor Molina thanked Tempe School District No. 3 Superintendent Dr. James Driscoll, and Frank Elementary School Principal Jacobo Smith for allowing the Town the use of the Frank Elementary School gymnasium for the Back to School/COVID-19 vaccination event. She then thanked Vice Mayor Vital and the Pascua Yaqui Tribe for coordinating the event.

In response to a question regarding if COVID-19 testing could be added to Saturday's COVID-19 vaccination clinic, Vice Mayor Vital stated that COVID-19 testing will be offered at events later in September. COVID-19 testing requires approval from the County Health Department. It is anticipated



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that towards the end of September, children 5 years and older will be approved to receive vaccinations. Vaccinations, testing, and flu shot events will be offered in October.

COVID-19 testing for Town residents is available from the Pascua Yaqui Tribe (PYT). PYT is testing approximately 20 people a day for COVID-19. It is unclear if vaccinations will be available at the Spooktacular event. Councilmembers encouraged everyone to get vaccinated and voiced concern about the low vaccination rate in Guadalupe.

5. TOWN-OWNED EXCESS RIGHT-OF-WAY LAND SALE (RESOLUTION NO. R2021.17)

Mayor Molina stated that this agenda item is to consider adoption of a resolution authorizing the sale of Town-owned excess right-of-way. The right-of-way measures 50 feet by 25 feet and operates as a driveway for the adjacent property located at 9000 South Avenida del Yaqui. If approved, the adjacent property owner at 9000 South Avenida del Yaqui would pay the Town of Guadalupe \$9,375 to take ownership of the property, as stated in the Right of Way Agreement (C2021-52). The sale would comply with Arizona Revised Statutes sections §28-7205 and §28-7208 declaring the property to be excess, approving the abandonment, and that compensation be paid to the Town.

Jeff Kulaga, Town Manager / Clerk, stated that the Town has an opportunity to sell excess right-of-way (ROW). He displayed an aerial view of the ROW, which is of no use to the Town, but does have value to the adjacent property owner to the west. The adjacent property owner is interested in purchasing the ROW for \$9,375. Additional documentation is needed before Council will be able to take action on this agenda item.

Motion by Councilmember Sánchez to continue agenda item G5 to a future Regular Council Meeting; second by Councilmembers Bravo. Motion passed unanimously on a voice vote 6-0.

Councilmembers voted unanimously to *continue to a future Regular Council Meeting* consideration of a resolution authorizing the sale of Town-owned excess right-of-way. The right-of-way measures 50 feet by 25 feet and operates as a driveway for the adjacent property located at 9000 South Avenida del Yaqui. If approved, the adjacent property owner at 9000 South Avenida del Yaqui would pay the Town of Guadalupe \$9,375 to take ownership of the property, as stated in the Right of Way Agreement (C2021-52). The sale would comply with Arizona Revised Statutes sections §28-7205 and §28-7208 declaring the property to be excess, approving the abandonment, and that compensation be paid to the Town.

6. CITY OF PHOENIX INTERGOVERNMENTAL AGREEMENT (RESOLUTION NO. R2021.18)

Mayor Molina stated that this agenda item is to consider adoption of a resolution authorizing the Mayor, or designee, to enter into an intergovernmental agreement with the City of Phoenix, on and behalf of the Phoenix Fire Department. The purpose of this agreement (C2021-51) is to authorize the Phoenix Fire Department to provide Town of Guadalupe Fire Department personnel fire service training. The term of the agreement shall be for five-years, until August 12, 2026, or until terminated by formal act of the parties.

Jeff Kulaga, Town Manager / Clerk, stated that this intergovernmental agreement (IGA) is for a new program for the Phoenix Fire Department to provide a variety of fire personnel training services to local jurisdictions.

Wayne Clement, Fire Chief, stated that the IGA was initiated by the City of Phoenix and is being offered to all municipalities in the Valley. The IGA is a standard agreement that outlines costs, requirements, and training options.

In response to questions, Mr. Clement stated that Guadalupe does not have any formal training agreements with any other local jurisdictions. Staff anticipates pursuing IGA's for fire training services with the cities of Chandler, Tempe, Mesa, and Gilbert, all of which have regional training facilities. Fees



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are only incurred when training services are provided by Phoenix. The Guadalupe Fire Department employees participate in monthly on-line training and in-person training sessions. Guadalupe firefighters will benefit from training with its surrounding jurisdictional partners to ensure a standardized approach in providing services. This IGA differs from the Automatic Aide Agreement, which allows participating municipalities, including the Guadalupe Fire Department, to provide fire public safety services to neighboring jurisdictions.

Motion by Councilmember Bravo to approve agenda item G6; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 6-0.

Councilmembers adopted **RESOLUTION NO. R2021.18** authorizing the Mayor, or designee, to enter into an intergovernmental agreement with the City of Phoenix, on and behalf of the Phoenix Fire Department. The purpose of this agreement (C2021-51) is to authorize the Phoenix Fire Department to provide Town of Guadalupe Fire Department personnel fire service training. The term of the agreement shall be for five-years, until August 12, 2026, or until terminated by formal act of the parties.

7. TOWN EMPLOYEE PAID HOLIDAYS (RESOLUTION NO. R2021.19)

Mayor Molina stated that this agenda item is to consider adoption of a resolution authorizing staff to amend the Town of Guadalupe Personnel Rules and Policies Manual to add four paid Town employee holidays as follows: New Year's Eve Day, the Monday following Easter, Juneteenth (June 19), and Christmas Eve Day; and, that Town Hall shall be closed for business on all Town holidays.

Jeff Kulaga, Town Manager / Clerk, stated that staff is recommending amending the Personnel Rules and Policies Manual to add four additional Town paid employee holidays. The four holidays are:

- Monday following Easter
- Juneteenth (June 19)
- Christmas Eve Day
- New Year's Eve Day

If approved, the Town would have 17 paid employee holidays. Per the League of Arizona Cities and Towns, Guadalupe would have a higher amount of paid holidays compared to other cities and towns in Arizona. However, Guadalupe's pay scale is significantly lower than other cities and towns in Arizona.

A Councilmember voiced support of approving the four additional holidays and acknowledged the low employee pay scale.

Motion by Vice Mayor Vital to approve agenda item G7; second by Councilmember Osuna. Motion passed unanimously on a voice vote 6-0.

Councilmembers adopted **RESOLUTION NO. R2021.19** authorizing staff to amend the Town of Guadalupe Personnel Rules and Policies Manual to add four paid Town employee holidays as follows: New Year's Eve Day, the Monday following Easter, Juneteenth (June 19), and Christmas Eve Day; and, that Town Hall shall be closed for business on all Town holidays.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Road barricading in Town is due to sewer line repairs. The project is 20% complete.
- Native Health sent the Town a thank you letter for its COVID-19 efforts.
- At a recent Arizona City Manager's Conference, he presented the Town's COVID-19 experiences, efforts, and partnerships to provide community resources. It was noted at the conference that this presentation was the first ever provided by the Town of Guadalupe.
- The Avenida del Yaqui Street Improvement Project will begin no sooner than October 1, 2021.



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The Arizona Department of Transportation is soliciting construction bids. Once a contractor has been selected staff will have a better understanding of the project schedule. A future update will be provided to Council.

I. COUNCILMEMBERS' COMMENTS

Councilmember Sanchez

- Urged everyone to get vaccinated.
- Thanked everyone for their work.

Councilmember Bravo

- Urged everyone to get vaccinated.
- Thanked everyone for their work.

Councilmember Cota

- Urged everyone to get vaccinated.

Councilmember Osuna

- Thanked community members and everyone involved in coordinating the vaccination clinics, which have been successful.
- Urged everyone to get vaccinated. Infection rates are rising. There is misinformation about the virus. Verify information with the Centers for Disease Control.

Vice Mayor Vital

- Saturday, August 14, 2021 – Vaccination clinic.
- Saturday, August 14, 2021 – Pascua Yaqui Tribe event for tribal members.
- Urged everyone to get vaccinated, even if they have had COVID-19.

Mayor Molina

- School has started. The Maricopa County Sheriff's Office has an increased presence at school bus stops.
- Monday, August 16, 2021 – Tempe Union High School Districts will be hosting open houses next week.
- Marcos de Niza High School library is open in the evenings for the community to use. Additional information is available on the Marcos de Niza website and the Tempe Union High School Native American Facebook page.



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J. ADJOURNMENT

Motion by Councilmember Sánchez to adjourn the meeting; second by Councilmember Osuna. Motion passed unanimously on a voice vote 6-0.

The meeting was adjourned at 6:59 p.m.


Valerie Molina, Mayor

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 August 12, 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