



Minutes Town Council Regular Meeting September 9, 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, September 9, 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. The following councilmembers participated via video conference: Vice Mayor Ricardo Vital, Councilmember Mary Bravo, Councilmember Gloria Cota, Councilmember Elvira Osuna Councilmember Joe Sánchez, and Councilmember Anita Cota Soto

Staff Present: Jeff Kulaga – Town Manager / Clerk, 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 Soto provided the invocation. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

1. Approval of the August 26, 2021, Town Council Regular Meeting Minutes.

Motion by Councilmember Soto to approve agenda item D1; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 7-0.

1. Councilmembers approved the August 26, 2021, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: No one spoke.

F. MAYOR and COUNCIL PRESENTATIONS:

1. Mayor Molina invited Enrique Ruiz, Tempe Elementary School District Native American Program Coordinator to introduce himself, via Zoom. Mr. Ruiz provided an overview of his career and discussed his future career aspirations.

Councilmembers welcomed Mr. Ruiz in his new role and thanked him for the contributions he has made to the community.

2. League of Arizona Cities and Towns Certificate of Recognition 12-Year Service Award in Local Government presentation.

Mayor Molina presented Councilmember Gloria Cota and Councilmember Joe Sánchez with their 12-year service award for their service in local government. This award is provided by the League of Arizona Cities and Towns.



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Councilmembers congratulated and thanked Councilmember Cota and Councilmember Sánchez for their contributions to the community and for providing guidance and mentoring to their colleagues.

Councilmember Cota voiced her appreciation for the opportunity to serve the community. Councilmember Sánchez thanked his colleagues and voiced his appreciation for serving alongside of his colleagues.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. 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 Guadalupe rate of vaccinated residents is at 40.6%, which is the lowest vaccination rate among cities and towns in Maricopa County. The goal is to increase the vaccination rate in Town. There is a vaccination clinic in Town on Saturday, September 11, 2021. Mr. Kulaga concluded by reminding everyone to continue wearing a mask, washing hands, maintaining social distancing, and emphasized the importance of getting vaccinated.

Mayor Molina announced that agenda item G8 will be taken out of order and discussed next.

A Councilmember noted that flu shots and the third Pfizer vaccine will be available in October.

8. COVID-19 TOWN FACILITY CLOSURES AND PERMITTING EVENTS *(item taken out of order)*

Mayor Molina stated that this agenda item is for Council to consider suspending the permitting of private parties, public and private events at the Mercado, and processing park reservations.

Jeff Kulaga, Town Manager / Clerk, stated that Covid-19 conditions are changing, making it challenging to plan for future events. Mr. Kulaga reviewed the various meeting dates where Council considered Town facility closures/reopening and permitting events depending upon current Covid-19 conditions.

Mr. Kulaga noted that Town Hall has been reopened. The phone in the reception area has been removed and the water fountain is no longer in use. Restrooms are available for the public and face masks are required of everyone in Town Hall.

The Community Action Program offices have been reopened. The Senior Center remains closed until renovations are completed. The Fire Department continues to maintain its Covid-19 protocols. The Maricopa County Sheriff's Office follows Covid-19 protocols set forth by their agency. Public Works personnel are also following Covid-19 protocols and continue to staff the Saturday morning bulk trash drop off at the Town yard.

Staff continues to partner with various organizations on its Covid-19 mitigation efforts. The Library is offering curbside service along with limited library services. The Headstart Program is offering services. The Department of Economic Services is not currently operating in Town Hall.

Staff is currently issuing permits for parties in private homes and issuing permits for private parties at the Mercado. The Mercado is booked on most weekends through the remainder of the year.

Staff is recommending that events be permitted where attendance is expected to be under 200 people. There would be no enforcement of this stipulation.



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Council meetings are limited to less than 10 people in the room at one time. These meetings are streamed live on Facebook and a majority of Councilmembers attend the meeting remotely.

Mr. Kulaga reviewed various events that have been cancelled and noted that staff is recommending the following:

- Continue to permit residential / home parties
- Limit Mercado private and or public event permits to less than 200 attendees
- Limit Biehn Park events to less than 200 participants and attendees
- Día de los Muertos: plan for event
- Light Parade and Tree lighting: plan for parade, cancel tree lighting event
- Navidad en Guadalupe: plan for drive through event

Mr. Kulaga noted that the November 26, 2021, parade may be impacted by construction activity on Avenida del Yaqui.

In response to a question, Vice Mayor Vital stated that the Spooktacular event will be a drive through event at the Pascua Yaqui tribal building.

A Councilmember voiced concern that allowing a maximum of 200 people is too high and would prefer that the maximum number of people be decreased to 150 people.

In response to a question, Mr. Kulaga stated that he will contact the American Legion representatives to determine if they are planning to host a parade.

A Councilmember suggested that staff grandfather existing facility reservations and to not permit future bookings, until further notice. Staff could contact community members that have reserved Town facilities and encourage them to have smaller gatherings. Currently, the booked events have indicated that they are expecting less than 200 people.

Councilmembers discussed the importance of taking personal responsibility as it relates to Covid-19. Frustration regarding the low vaccination rate among Town residents was discussed.

Mr. Kulaga noted that it might be helpful for Council to consider three data points: the infection rate comparative to the County; the number of positive cases per week; and, the vaccination rate. A Councilmember stated that it would be helpful to establish criteria for when it will be safe to allow staff to process reservations for Town facilities. Mr. Kulaga stated that this will assist the community in understanding expectations.

Councilmember Osuna left the meeting at 6:40 p.m..

Councilmembers discussed the challenges of maintaining social distancing in the Mercado multi-purpose room versus outdoor events.

In response to a question, Mr. Kulaga stated that the Promotoras will provide personal protective equipment for attendees at the grandfathered events.

Mr. Kulaga stated that it may be helpful for Council to consider whether to continue permitting events for the following: Mercado, Biehn Park, private party permits, the light parade, and the Navidad en Guadalupe.

In response to a question, Mr. Kulaga stated that private party permits are based on the number of anticipated attendees, amplified music, and notification to the Maricopa County Sheriff's Office.



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A Councilmember suggested that the little league teams might consider scaling back the number of days the teams play in a tournament.

Motion by Councilmember Bravo to limit the amount of event attendees to 150 at the Mercado; grandfather in existing events; allow the Town the discretion to cancel events if infection rates rise; and, to suspend future reservations at the Mercado until further notice. Second by Vice Mayor Vital. Motion passed unanimously 6-0.

Motion by Councilmember Bravo to limit the amount of event attendees to 150 at Biehn Park events; grandfather in existing events at Biehn Park; allow the Town the discretion to cancel events if infection rates rise; and, to suspend future reservations at Biehn Park until further notice. Second by Vice Mayor Vital. Motion passed unanimously 6-0.

2. AMENDMENT NO. 1 TO A MEMORANDUM OF AGREEMENT BETWEEN THE PASCUA YAQUI TRIBE AND THE TOWN OF GUADALUPE TO PROVIDE MUTUAL COOPERATION IN RECOVERY FROM THE CORONAVIRUS (COVID-19) OUTBREAK WITHIN THE TOWN OF GUADALUPE

Mayor Molina stated that this agenda item is for Council to consider authorizing the Mayor, or designee, to sign Amendment No. 1 to a Memorandum of Agreement (C2020-25A) with the Pascua Yaqui Tribe. The initial agreement term began on August 13, 2020, for the provision of joint responsibilities of the Pascua Yaqui Tribe and the Town of Guadalupe to combat COVID-19. The contract term for Amendment No. 1 is from on or about August 27, 2021, through December 5, 2026, with the Pascua Yaqui Tribe providing \$3,074,500 of Coronavirus State and Local Fiscal Recovery Funds (CSFRF/CLFRF) established by the American Rescue Plan Act of 2021 to the Town to support public programs and services to recover from the harmful impacts of COVID-19, continue to combat COVID-19, and to improve the health and wellness of Town of Guadalupe residents. Approval of Amendment No. 1 authorizes the Mayor, or designee, to sign all necessary documents in furtherance of Amendment No. 1.

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item relates to the partnership between the Pascua Yaqui Tribe (PYT) and the Town that was established in May, 2020 at which time the PYT provided approximately \$2 million in Covid-19 relief funds. Those funds were focused on response to Covid-19. Funding for this year is focused on recovering from the pandemic. On August 25, the PYT Council approved allocating approximately \$3 million to the Town for 15 programs, services, and projects. Staff recommends approval of Amendment No. 1, which would authorize the Town to accept the funds.

Councilmember Soto left the meeting at 7:00 p.m..

Mr. Kulaga reviewed the various programs and services the funding would be used for.

Motion by Vice Mayor Vital to approve agenda item G2; second by Councilmember Bravo. Motion passed unanimously on a voice vote 5-0.

Councilmembers voted to authorize the Mayor, or designee, to sign Amendment No. 1 to a Memorandum of Agreement (C2020-25A) with the Pascua Yaqui Tribe. The initial agreement term began on August 13, 2020, for the provision of joint responsibilities of the Pascua Yaqui Tribe and the Town of Guadalupe to combat COVID-19. The contract term for Amendment No. 1 is from on or about August 27, 2021, through December 5, 2026, with the Pascua Yaqui Tribe providing \$3,074,500 of Coronavirus State and Local Fiscal Recovery Funds (CSFRF/CLFRF) established by the American Rescue Plan Act of 2021 to the Town to support public programs and services to recover from the harmful impacts of COVID-19, continue to combat COVID-19, and to improve the health and wellness of Town of Guadalupe residents. Approval of Amendment No. 1 authorizes the Mayor, or designee, to sign all necessary documents in furtherance of Amendment No. 1.



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3. AWARD OF CONTRACT – COMMUNITY ACTION PROGRAM DIRECTOR

Mayor Molina stated that this agenda item is for Council to consider and may take action to authorize the Town Manager / Clerk to enter into a contract with Interim Public Management, LLC, (IPM) to provide interim Community Action Program Director administration and oversight services. The contract term is September 10, 2021 through March 10, 2022, with an option to extend the contract for an additional 6 months with the concurrence of IPM. The contract amount is \$3,995 per week, plus associated business mileage reimbursement. Funding for this contract is available through the approved fiscal year 2020/2021 Community Action Program and COVID-19 Relief funds. Council may provide direction to the Town Manager / Clerk. Approval of this contract authorizes the Town Manager / Clerk to execute all documents in furtherance of this agreement.

Jeff Kulaga, Town Manager / Clerk, stated that staff is working with Interim Public Management (IPM) to secure the services of a Community Action Program Director (CAP). This contract is to hire a CAP director. Staff recommends approval of the contract.

A Councilmember thanked the interim CAP director for her work.

In response to a question, the current interim CAP director will continue to serve as a Case Manager.

Motion by Councilmember Bravo award the contract for a Community Action Program Director, C2021-49A with Interim Public Management LLC.

Mr. Kulaga stated that with the receipt of federal Covid-19 funds, there is a requirement that language regarding the Civil Rights Act of 1964 be included in the contract. This language prohibits discrimination. He requested that Councilmember Bravo amend her motion to include this language.

Motion by Councilmember Bravo award the contract for a Community Action Program Director, C2021-49A with Interim Public Management LLC, in accordance with the provisions of the Civil Rights Act of 1964; second by Vice Mayor Vital. Motion carried unanimously 5-0.

In response to a question, Mr. Kulaga stated that staff is working with the Pascua Yaqui Tribe to determine if this language needs to be added to the agreement that was approved under agenda item G2.

Councilmembers authorized the Town Manager / Clerk to enter into a contract (C2021-49A) with Interim Public Management, LLC, (IPM) to provide interim Community Action Program Director administration and oversight services. The contract term is September 10, 2021 through March 10, 2022, with an option to extend the contract for an additional 6 months with the concurrence of IPM. The contract amount is \$3,995 per week, plus associated business mileage reimbursement. Funding for this contract is available through the approved fiscal year 2020/2021 Community Action Program and COVID-19 Relief funds. Council may provide direction to the Town Manager / Clerk. Approval of this contract authorizes the Town Manager / Clerk to execute all documents in furtherance of this agreement.

4. AWARD OF CONTRACT – COVID-19 PROJECT MANAGER CONSULTANT SERVICES

Mayor Molina stated that this agenda item is for Council to consider authorizing the Town Manager / Clerk to enter into Exhibit B of a contract with Interim Public Management, LLC, (IPM) to provide interim Covid-19 Relief Project Manager administration and oversight services. The contract term is September 14, 2021 through March 10, 2022, with an option to extend the contract for an additional 6 months with the concurrence of IPM. The contract amount is \$2,100 per week, plus associated business mileage reimbursement. Approval of this contract authorizes the Town Manager / Clerk to execute all documents in furtherance of this agreement. The agreement has been amended to include a provision for Title 6 of the Civil Rights Act of 1964, per federal guidelines.



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Jeff Kulaga, Town Manager / Clerk, stated that staff is recommending hiring the Covid-19 project manager that provided program oversight in 2020. The Covid-19 funding provided to the Town must be expended by December 20, 2026. Staff recommends approval of this contract.

Motion by Councilmember Bravo to award a contract for the Covid-19 Project Manager consultant services in accordance with the Civil Rights Act of 1964, C2021-54A with Interim Public Management LLC with a term of September 14, 2021 through March 10, 2022 with an option to extend. Second by Vice Mayor Vital. Motion passed unanimously on a voice vote 5-0.

Councilmembers authorized the Town Manager / Clerk to enter into Exhibit B of contract (C2021-54A) with Interim Public Management, LLC, (IPM) to provide interim Covid-19 Relief Project Manager administration and oversight services. The contract term is September 14, 2021 through March 10, 2022, with an option to extend the contract for an additional 6 months with the concurrence of IPM. The contract amount is \$2,100 per week, plus associated business mileage reimbursement. Approval of this contract authorizes the Town Manager / Clerk to execute all documents in furtherance of this agreement.

5. AWARD OF CONTRACT – CALLE VAOU NAWI SIDEWALK DESIGN AND CONSTRUCTION PROJECT

Mayor Molina stated that this agenda item is for Council to consider and may take action to award a contract in the amount of \$70,626 to the Town Engineer, Dibble Engineering, for design, bid process, construction administration, and inspection services for the installation of approximately 400' of a new curb, gutter, and sidewalk and streetlight on the east side of Calle Vaou Nawi south from Calle Guadalupe. The purpose of this project is to improve pedestrian safety. Funding for this contract is through the approved fiscal year 2020/2021 Town Highway User Revenue Fund and General Fund Capital Outlay budgets.

Jeff Kulaga, Town Manager / Clerk, discussed improvements made to the property adjacent to the location along the east side of Calle Vaou Nawi where the Town would like to install a sidewalk, curb, and gutter to provide a safer pedestrian experience. This scope of work includes the design, utility coordination, construction documents, contract bid and award process, construction management, quality control, and inspection services. Aesthetic funds will be used to relocate and underground a power pole. The contract totals \$70,626, which does not include construction or right-of-way costs.

In response to a question regarding agenda item G6, to purchase the right-of-way associated with agenda item G5, Mayor Molina announced that the Council will be delaying taking action on G6 until Council takes action on agenda item G6.

6. ACQUISITION AND PURCHASE OF PROPERTY FOR PEDESTRIAN IMPROVEMENTS AND RIGHT OF WAY– RESOLUTION NO. R2021.21

Mayor Molina stated that this agenda item is for Council to consider and may take action to adopt Resolution No. R2021.21 authorizing the Mayor, or designee, to sign any and all documents necessary for the acquisition and purchase of 4,229 square feet of private property for the purpose of establishing public right of way and installing sidewalk, curb, gutter and a streetlight, located at 5911 East Calle Guadalupe, APN 301-44-002B; 9215 South Calle Vaou Nawi, APN 301-44-001 and APN 301-44-004, from Ebbie LLC and Jordan Land LLC for \$27,000. Funding for this contract is through the approved fiscal year 2020/2021 Town Highway User Revenue Fund and General Fund Capital Outlay budgets.

Jeff Kulaga, Town Manager / Clerk, displayed an aerial illustration of the property that staff is recommending that the Town purchase. If approved, the land would allow the Town to construct a sidewalk, curb, and gutter. The appraised value of the property is \$27,000.



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

Councilmembers adopted **RESOLUTION NO. R2021.21** authorizing the Mayor, or designee, to sign any and all documents necessary for the acquisition and purchase of 4,229 square feet of private property for the purpose of establishing public right of way and installing sidewalk, curb, gutter and a streetlight, located at 5911 East Calle Guadalupe, APN 301-44-002B; 9215 South Calle Vaou Nawi, APN 301-44-001 and APN 301-44-004, from Ebbie LLC and Jordan Land LLC for \$27,000. Funding for this contract is through the approved fiscal year 2020/2021 Town Highway User Revenue Fund and General Fund Capital Outlay budgets.

5. AWARD OF CONTRACT – CALLE VAOU NAWI SIDEWALK DESIGN AND CONSTRUCTION PROJECT

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

Councilmembers awarded a contract (C2021-56) in the amount of \$70,626 to the Town Engineer, Dibble Engineering, for design, bid process, construction administration, and inspection services for the installation of approximately 400' of a new curb, gutter, and sidewalk and streetlight on the east side of Calle Vaou Nawi south from Calle Guadalupe. The purpose of this project is to improve pedestrian safety. Funding for this contract is through the approved fiscal year 2020/2021 Town Highway User Revenue Fund and General Fund Capital Outlay budgets.

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

Mayor Molina stated that this agenda item is for Council to consider adopting 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 8836 South Avenida del Yaqui. If approved, the adjacent property owner, (Elite Wash & Detail LLC), at 8836 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 Abandonment Agreement. 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, displayed an aerial illustration of the Town-owned property for sale. This is an excess portion of right-of-way that has no value to the Town. This right-of-way does have value to the adjacent property owner. The sales price for the property is \$9,375.

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

Councilmembers adopted **RESOLUTION NO. R2021.17** 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 8836 South Avenida del Yaqui. If approved, the adjacent property owner, (Elite Wash & Detail LLC), at 8836 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 Abandonment 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.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Sara Farrar will be serving as the Covid-19 Project Manager.
- On Friday, September 10, 2021, Dr. Annette Padilla will begin serving in her new role as the Community Action Program Director.
- Amanda Nelson has begun serving as a project manager for special projects.



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- The Gila Indian Community has awarded the Town a gaming grant in the amount of \$60,000 for the replacement of Public Works equipment.

I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- Thanked the Town's partners for assisting in increasing the vaccination rate in Town.
- Thanked staff for their work and oversight of Covid-19 fund expenditures.

Vice Mayor Vital

- Thanked the Pascua Yaqui Tribe for their support of and dedication to the community, and for providing Covid-19 relief funding to the Town.
- Thanked CAP staff for their work.
- The vaccination rate needs to improve.
- Welcomed the new staff to Guadalupe.

Councilmember Sánchez

- Thanked the Pascua Yaqui Tribe for their support.
- Emphasized the importance of getting vaccinated.

Councilmember Cota

- Emphasized the importance of getting vaccinated.

Mayor Molina

- Welcomed Amanda Nelson and Dr. Padilla to Guadalupe.
- Thanked the Gila Indian Community for their support.
- Thanked the Pascua Yaqui Tribe for their support.
- Thanked Theresa Alvarez, Interim CAP director for her work.
- Thanked Natti Valenzuela for her work.
- Wished the youth well that are participating in sports.

J. ADJOURNMENT

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

The meeting was adjourned at 7:51 p.m.

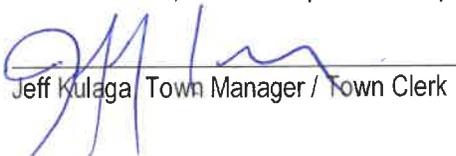

Valerie Molina, Mayor

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 September 9, 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