



Minutes Town Council Regular Meeting October 28, 2021

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

Anita Cota Soto
Councilmember

Agendas/Minutes:

www.guadalupeaz.org

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, October 28, 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 6:09 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 Joe Sánchez, and Councilmember Anita Cota Soto (*arrived at 6:37 p.m.*)

Councilmember Absent: Councilmember Elvira Osuna

Staff Present: Jeff Kulaga – Town Manager / Clerk, Jennifer Drury – Assistant to the Town Manager, and Barry Aylstock – Town Attorney and Vince Gibbons, Town Engineer (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 October 14, 2021, Town Council Regular Meeting Minutes.

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

1. Councilmembers approved the October 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: None.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. TOWN OF GUADALUPE CEMETERY – HISTORICAL LANDMARK DESIGNATION REQUEST

Jeff Kulaga, Town Manager / Clerk, introduced Karl Hoerig, Pascua Yaqui Tribal Historic Preservation Officer, as the presenter. Mr. Hoerig provided a presentation and request from the Guadalupe Historical Society to nominate the Guadalupe Cemetery, located 4649 South Beck Avenue, Tempe, AZ., to be added to the National Register of Historic Places and to the City of Tempe Historic Property Register.

Mr. Hoerig outlined the benefits of being included in the national and City of Tempe registers. He emphasized that being included on the historic registers would have no impact on the availability of the cemetery for future burials.



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Mr. Hoerig then discussed the nomination process, the various entities that would need to participate in the nomination process, and the steps involved. Nominating the Town cemetery for both registers would require the approval of the Town Council.

In response to a question, Mr. Hoerig stated that the process could take up to one year. A nomination proposal was drafted in the 1980's, but never moved forward.

In response to a question regarding how long it would take to nominate the church property as a historical site, Mr. Hoerig stated that the process is similar. The property is owned by several entities, all of which would have to be in agreement regarding the nomination. Additional research on this process would be needed. Mr. Hoerig noted that there are existing Pascua Yaqui Tribe religious sites on the historic registry.

In response to a question regarding how a historical designation impacts general maintenance and upkeep of a site, Mr. Hoerig stated that that general maintenance and upkeep of the property would not be impacted. The historic value aspects of the property would be detailed in the application.

Should Council approve the historic site nomination of the cemetery, the application is then reviewed by the City of Tempe. There are no fees for this process.

Councilmembers agreed to move forward with the process and to consult with the Town Attorney on next steps.

2. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk, provided an update from Town staff 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.

At the October 23, vaccination clinic in Town, 89 COVID-19 vaccinations were administered. Guadalupe's vaccination rate is now at 45%.

Cemetery hours for Dia de los Muertos on November 1 and 2 are 5:00 a.m., to 10:00 p.m.. There will be no vendors participating in the event. Participants are encouraged to wear face masks and to practice social distancing.

The Town of Guadalupe Response Team (Team) was recently awarded the Arizona State University (ASU) President's Medal for Social Embeddedness. The Team is a collaborative effort between the Town, Arizona State University, the Maricopa County Department of Public Health, the Pascua Yaqui Tribe, Native Health, and the ASU School of Human Evolution and Social Change.

Mr. Kulaga closed by announcing upcoming vaccination clinics on November 13, December 4, and December 18, 2021.

A Councilmember commended the Team on their contributions to combatting COVID-19.

Councilmember Cota Soto joined the meeting at 6:37 p.m..

3. PROPOSED GUADALUPE COMMUNITY DEVELOPMENT CORPORATION COVID-19 HOME IMPROVEMENT PROGRAM MEMORANDUM OF UNDERSTANDING

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is for Council to consider authorizing the Mayor, or designee, to enter into a Memorandum of Understanding between the Guadalupe Community Development Corporation (GCDC) and the Town of Guadalupe that would authorize the GCDC to oversee a COVID-19 Housing Rehabilitation Program (Program).



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Jeff Kulaga, Town Manager / Clerk, stated that the objective of the program is to improve the housing conditions of eligible Guadalupe families. He then outlined the program goals, program eligibility and preferences, and eligible home improvements. Mr. Kulaga noted that the housing improvements would be specifically targeted to safeguard against COVID-19 exposure and to improve livability conditions. The proposed budget is \$346,100. Staff anticipates spending approximately \$15,000 per home, which would assist approximately 17 homeowners.

In response to a question on whether program representatives could extend their assistance to the Pascua Yaqui Tribe (PYT), Steve Langstaff, Executive Director, Guadalupe Community Development Corporation (GCDC), stated that he would be happy to collaborate with PYT on their housing rehabilitation program.

In response to a question regarding whether grant funding could be used to assist homeowners with delinquent utility bills, Mr. Kulaga stated that staff is in the process of researching if the funding could be used for that purpose.

A Councilmember voiced concern that some homes will not qualify for the program due to the condition of the home. Identifying additional funding to assist those homeowners could help in improving sanitary living conditions. Program criteria limits spending COVID-19 funds for home rehabilitation on plumbing, HVAC, air quality, clean water, and proper sewer systems. Currently there are no local, county, state, or federal funds for home rehabilitation. The General Fund is an option, but is not recommended as the General Fund is needed to provide services to the Town. A construction superintendent will assess and maximize the types of improvements needed, given the limited resources available.

A Councilmember emphasized the importance of notifying homeowners that this is not a loan process and that the funding would not need to be repaid. Mr. Langstaff stated that the GCDC will include that information in the application packet. This program only applies to owner-occupied properties.

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

Councilmembers voted to authorize the Mayor, or designee, to enter into a Memorandum of Understanding (C2021-63) between the Guadalupe Community Development Corporation (GCDC) and the Town of Guadalupe that would authorize the GCDC to oversee a COVID-19 Housing Rehabilitation Program (Program). Residents that meet the Program criteria may be eligible to participate in the Program, which will offer homeowners funding options for the rehabilitation or modification of their home.

4. HOMELESSNESS SERVICES REQUEST FOR PROPOSAL

Mayor Molina called upon Jeff Kulaga, Town Manager / Clerk, to provide a status report of the homelessness services request for proposals (RFP). This RFP is seeking strategies and approaches to address the homelessness challenges facing the Town of Guadalupe.

Mr. Kulaga stated that \$325,000 of COVID-19 funding provided by the Pascua Yaqui Tribe (PYT) has been allocated to provide homelessness services. Two organizations have responded to the RFP. Staff anticipates presenting a contract to Council at the November 18, 2021, Regular Council Meeting. Mr. Kulaga discussed the elements of the RFP that address what qualifications and access to various services and resources that each of the agencies has, all of which should be included in the RFP responses. The contract term would be for twelve months.



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Homelessness in Guadalupe has been increasing. The agency selected would provide assistance to those in need.

A Councilmember noted that homelessness is a regional problem. Arizona is the fastest growing state in homelessness populations. Addressing the problems will require creativity. The Maricopa Association of Governments has indicated that they are supportive and aware of the homelessness challenges. Over the past year, the Crisis Response Network (CRN) has tried to engage the homelessness population in Guadalupe and a majority of homeless individuals have refused CRN services.

A Councilmember noted that there are homeless individuals that have mental health and substance abuse issues. Mr. Kulaga stated that there will be services available for these individuals. The agency selected will need to conduct an assessment and tailor their services to address those needs.

A Councilmember discussed homelessness ages and locations where they tend to stay, if not living with a friend or relative. Some of the homeless are engaged in activities that would require the involvement of the Maricopa County Sheriff's Office.

5. 12% REVENUE SHARING / GAMING GRANT SUPPORT LETTER PROCESS

Mayor Molina called upon Jeff Kulaga, Town Manager / Clerk, to provide a presentation regarding a proposed process when requests are received by various organizations that are seeking a letter of support from the Town to include with the organization's 12% revenue sharing grant application(s) to tribal entities.

Jeff Kulaga, Town Manager / Clerk, discussed the annual tribal gaming revenue sharing application process, including the types of entities that are allowed to apply for grant funds. All non-governmental entities require a letter of support from their local government. The Town has historically submitted grant applications to five tribal entities that have application deadlines that vary. Should Council wish to approve a letter of support process, staff is recommending that the request be submitted to the Town a minimum of 30 days prior to the tribal application deadline. This timeline allows staff adequate time to schedule the request for a council meeting for Council consideration. Staff has prepared an application for this process. The objectives of the process are to provide information to Council so that an informed decision can be made; provide lead time for staff to properly include on a meeting agenda; and, to lend support to grant proposals that will benefit the Town.

Councilmembers directed Mr. Kulaga to move forward with the grant support letter process as presented.

6. CITY OF CHANDLER INTERGOVERNMENTAL AGREEMENT (RESOLUTION NO. R2021.24)

Mayor Molina stated that this agenda item is for Council to consider adoption of a resolution authorizing the Mayor, or designee, to enter into an intergovernmental agreement (IGA) with the City of Chandler. The purpose of this IGA is to authorize the Chandler Fire Department to provide fire service training to Town of Guadalupe Fire Department personnel. Training services are \$400 per sworn firefighter, annually. The IGA shall automatically renew for ten (10) additional (1) year terms unless terminated by formal act of the parties. Adoption of the resolution authorizes the Mayor, or designee, to execute any documents in furtherance of the IGA.

Jeff Kulaga, Town Manager / Clerk, stated that the Town of Guadalupe recently entered into an intergovernmental agreement with the City of Phoenix for the provision of fire training services from the City of Phoenix to the Guadalupe Fire Department. This agreement is with the City of Chandler for the provision of fire training services at a cost of \$400 annually per firefighter. Funding is available in the current budget.



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In response to a question regarding how the training will differ from Phoenix to Chandler, Wayne Clement, Fire Chief, stated that Phoenix offers technical rescue and new recruit training. Chandler offers all inclusive training on a monthly, quarterly, and annual basis. The Chandler training facility is one of four regional training facilities. Chandler is offering the same agreement to various other jurisdictions. Twelve firefighter positions would need funding for training.

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

Councilmembers adopted **RESOLUTION NO. R2021.24** authorizing the Mayor, or designee, to enter into an intergovernmental agreement (IGA) with the City of Chandler. The purpose of this IGA (C2021-64) is to authorize the Chandler Fire Department to provide fire service training to Town of Guadalupe Fire Department personnel. Training services are \$400 per sworn firefighter, annually. The IGA shall automatically renew for ten (10) additional (1) year terms unless terminated by formal act of the parties. Adoption of the resolution authorizes the Mayor, or designee, to execute any documents in furtherance of the IGA.

7. ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS AGREEMENT

Mayor Molina stated that this agenda item is for Council to consider authorizing the Mayor, or designee, to enter into the One Arizona Distribution of Opioid Settlement Funds Agreement (Agreement) (C2020-52A). This Agreement amends the One Arizona Opioid Agreement (C2020-52) as approved by the Town Council on December 10, 2020. The proposed Agreement authorizes the Town's participation and inclusion in a state-wide settlement with the opioid industry. All 15 Arizona counties have approved the MOU. Arizona cities and towns have also been offered the opportunity to be part of the settlement. The signed Agreement submittal deadline to the State of Arizona Attorney General is November 10, 2021. Approval of the Agreement authorizes the Mayor, or designee, to execute any documents in furtherance of the Agreement.

Jeff Kulaga, Town Manager / Clerk, stated that approximately one year ago, the Town Council approved entering into the One Arizona Opioid Agreement. This agreement would authorize cities and towns in Arizona to potentially receive a financial settlement from various drug manufacturers should a lawsuit come to fruition. The proposed amendment would officially register the Town with the Arizona Attorney General's Office by November 10, 2021, to be eligible to receive any funds that may be paid out in a lawsuit.

Motion by Councilmember Bravo to approve agenda item G7; second by Councilmember Cota. Motion passed unanimously on a voice vote 6-0.

Councilmembers voted to authorize the Mayor, or designee, to enter into the One Arizona Distribution of Opioid Settlement Funds Agreement (Agreement) amendment (C2020-52A). This Agreement amends the One Arizona Opioid Agreement (C2020-52) as approved by the Town Council on December 10, 2020. The proposed Agreement authorizes the Town's participation and inclusion in a state-wide settlement with the opioid industry. All 15 Arizona counties have approved the MOU. Arizona cities and towns have also been offered the opportunity to be part of the settlement. The signed Agreement submittal deadline to the State of Arizona Attorney General is November 10, 2021. Approval of the Agreement authorizes the Mayor, or designee, to execute any documents in furtherance of the Agreement.

8. CENSUS 2020 REPORT

Mayor Molina called upon Jeff Kulaga, Town Manager / Clerk to provide a report on the Town of Guadalupe 2020 Census results, how the results compare to other municipalities within Arizona and the impact on state shared revenues allocations.



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Mr. Kulaga provided a slide presentation on census population data from 2010 to 2020 among various Arizona jurisdictions. Queen Creek and Buckeye experienced the largest increases in population. Conversely, the Town of Guadalupe's population declined by 201 residents, a 3.6% decline. Because of the decline in Guadalupe's population, Guadalupe's portion of state shared revenues will decline by \$450,574 annually, beginning this fiscal year.

State shared revenue is comprised of vehicle license tax, highway user revenue funds, transaction privilege sales tax, and urban revenue sharing (income tax). Mr. Kulaga discussed how other Arizona jurisdictions are impacted by the census data.

Mr. Kulaga discussed how the recurring loss in revenue will impact the Town's General Fund and noted that state shared revenue equals approximately 30% of the Town's annual General Fund revenue. Over the past few years, the General Fund balance has increased. Local sales tax comprises 43% of the General Fund. The loss of state shared revenues will need to be recovered or the loss of revenue will have a direct impact on the levels of Town service delivery. He also noted that Guadalupe is a landlocked community. As surrounding jurisdictions continue to grow in population, Guadalupe will continue to experience reductions in state shared revenues.

Councilmembers discussed challenges the community faces regarding lack of interest in development. Mr. Kulaga stated that the Pascua Yaqui Tribe and the Guadalupe Community Development Corporation (GCDC) have expressed an interest in development projects in Guadalupe. GCDC is interested in building houses in Town, which will not increase revenues. 78% of local sales tax revenues are generated from businesses north of Stottlemeyer Park. Staff could explore ways to increase revenue for those area businesses.

Councilmembers and Mr. Kulaga discussed the option of challenging the Census 2020 population count in Guadalupe. Mr. Kulaga stated that since various other communities are growing at such fast rates, challenging Guadalupe's census numbers would not have a substantial impact on improving the Town's percentage of state shared revenues. Guadalupe is the smallest populated Town in Maricopa County.

9. AWARD OF CONTRACT – SIDEWALK REPAIR AND REPLACEMENT

Mayor Molina stated that this agenda item is to authorize the payment in the amount of \$26,420 to the City of Tempe for the repair and replacement of sidewalks in 23 locations within the Town of Guadalupe totaling 84 square yards of sidewalk replacement. Funding for this payment is available in the Fiscal year 2022 Highway Users Revenue Fund fund.

Jeff Kulaga, Town Manager / Clerk, stated that staff pursued bids from a minimum of three firms. No firms responded to the bid. The City of Tempe has expressed an interest in assisting the Town to complete the repair and replacement of 23 areas of sidewalk in Town. The sidewalks that need repair or replacement represent a safety hazard.

Motion by Councilmember Bravo to approve agenda item G9; second by Councilmember Cota. Motion passed unanimously on a voice vote 6-0.

Councilmembers authorized the payment in the amount of \$26,420 to the City of Tempe (C2021-65) for the repair and replacement of sidewalks in 23 locations within the Town of Guadalupe totaling 84 square yards of sidewalk replacement. Funding for this payment is available in the Fiscal year 2022 Highway Users Revenue Fund fund.

10. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT UPDATE

Jeff Kulaga, Town Manager / Clerk, provided an initial report on the construction schedule for the \$6.1 million Avenida del Yaqui Street Improvement Project (Project). This Project includes complete roadway repaving and complete reconstruction of the concrete curb, gutter, driveways, and sidewalk along both sides of the corridor. New pavement markings, traffic calming, enhanced pedestrian



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crossings, bike lanes and Safe Routes to School improvements are also included. This Project is managed by the Arizona Department of Transportation and will begin the week of October 25, 2021, with anticipated completion in October 2022.

Project constraints include the increase in the project cost. Staff will be submitting an application to the Maricopa Association of Governments to seek close out funding that could be allocated to the increase in project costs.

The Arizona Department of Transportation (ADOT) serves as the construction manager, Banicki Construction is the contractor, and the Town is the customer. Staff have recently participated in several project oversight meetings. The construction was extended from 9 months to one year. There will be delays, disruptions, and inconveniences throughout this project. The first part of the project will be to remove and replace sidewalks. All concrete work will occur first. There will be no access to driveways for 5-7 days. Alternative parking will be available in the Town Hall parking lot, including overnight security personnel. Staff will be hand delivering informational notices to impacted residences. Project information is available on the Town's website, Facebook page, and on the marquee.

11. TOWN MANAGER / CLERK EMPLOYMENT CONTRACT

Mayor Molina stated that this agenda item is for Council to consider approving the employment contract between the Town of Guadalupe and the appointed Town Manager / Clerk, Jeff Kulaga. The two-year contract, if approved, would be effective October 28, 2021, with an expiration date of October 30, 2023. The contract includes an annual salary of \$130,000 and a nine-month severance provision. The current contract term expires on November 12, 2021.

Councilmembers thanked Mr. Kulaga for his service to the Town of Guadalupe.

Motion by Vice Mayor Vital to approve agenda item G11; second by Councilmember Cota Soto. Motion passed unanimously on a voice vote 6-0.

Councilmembers approved the employment contract (C2021-66) between the Town of Guadalupe and the appointed Town Manager / Clerk, Jeff Kulaga, effective October 28, 2021, with an expiration date of October 30, 2023. The contract includes an annual salary of \$130,000 and a nine-month severance provision. The current contract term expires on November 12, 2021.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Thanked Councilmembers for approving his employment contract and acknowledged the work of Town staff.
- Saturday, November 6, 2021 – Veteran's Day Parade.
- Saturday, November 27, 2021 – Holiday Light Parade.
- Saturday, December 18, 2021 – Navidad en Guadalupe.
- Senior Center freezer installation is completed. The Area Agency on Aging funded this project.
- Ak-Chin Indian Community provided the Town with a \$100,000 gaming grant for self-contained breathing apparatuses for the Fire Department.
- Gila River Indian Community provided the Town with an \$80,000 gaming grant for renovation of the Senior Center craft room floor and patio renovation.
- The Arizona Diamondbacks provided \$4,000 in grant funding for a new pitcher's mound and infield dirt for Stottlemire Park.



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I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- o Encouraged everyone to participate in the COVID-19 vaccination clinics and get flu shots.
- o Thanked staff for their work.
- o Thanked residents and asked for their patience during construction on Avenida del Yaqui.

Councilmember Cota

- o Thanked Mr. Kulaga for his work.

Councilmember Sánchez

- o Thanked Mr. Kulaga for his work.
- o Thanked staff for their work at the cemetery and Stottlemeyer Park.
- o Urged the community to watch for Trick or Treater's.

Councilmember Bravo

- o Thanked staff for cleaning up the alley behind her home.

Councilmember Cota Soto

- o Thanked Mr. Kulaga and staff for their work.
- o There will be a Halloween event at the Mercado on Saturday.

Vice Mayor Vital

- o Thanked Mr. Kulaga and staff for their work.
- o Acknowledged the recent award the Town received from Arizona State University.
- o Moderna booster shots will be available next week at the Pascua Yaqui Tribe tribal building.

Mayor Molina

- o Friday, October 29, 2021 – Senior Center burrito sale.
- o Thanked the Ak-Chin and Gila River Indian Communities for their funding grants.
- o Jobs for Arizona Graduates is interested in starting a program in Guadalupe.
- o Thanked staff for cleaning up an area near her home.

J. ADJOURNMENT

Motion by Councilmember Bravo to adjourn the Regular Council Meeting; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 6-0.

The meeting was adjourned at 8:04 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 October 28, 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