



## Minutes Town Council Regular Meeting February 10, 2022

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](http://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, February 10, 2022, 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 and Councilmember Joe Sánchez. The following councilmembers participated via video conference: Vice Mayor Ricardo Vital, Councilmember Gloria Cota, Councilmember Mary Bravo, and Councilmember Elvira Osuna

Councilmember Absent: Councilmember Anita Cota Soto

Staff Present: Jeff Kulaga – Town Manager / Clerk and Jennifer Drury – Assistant to the Town Manager; 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 January 13, 2022, Town Council Regular Meeting Minutes.
2. Approval of the January 27, 2022, Town Council Regular Meeting Minutes.

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

1. Councilmembers approved the January 13, 2022, Town Council Regular Meeting Minutes.
2. Councilmembers approved the January 27, 2022, 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.



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## G. DISCUSSION AND POSSIBLE ACTION ITEMS:

### 1. PUBLIC HEARING – MEDICAL AND RECREATIONAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2022.01) *continued from the January 27, 2022 Regular Council Meeting*

Mayor Molina stated that this agenda item is to hold a public hearing to receive public input regarding amending the Town of Guadalupe Zoning Code sections § 154.082 Operation Requirements and § 154.093 Marijuana Establishment Prohibited; Exemptions to extend hours of operation for medical and recreational marijuana dispensaries from not earlier than 8:00 AM and not later than 10:00 PM, to not earlier than 8:00 AM and no later than 12:00 midnight. *(related to G2)*

Jeff Kulaga, Town Manager / Clerk, stated that the purpose of the public hearing is to receive public input regarding amending the Town of Guadalupe Zoning Code to extend hours of operation for medical and recreational dispensaries to operate from not earlier than 8:00 AM and not later than 10:00 PM, to not earlier than 8:00 AM and no later than 12:00 midnight. Mr. Kulaga noted that the public hearing for this agenda item was originally opened and continued from the January 27, 2022 Council meeting.

Mayor Molina called upon Raul Molina to address the Council. Mr. Molina thanked Councilmembers for considering this agenda item.

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

Mayor Molina closed the public hearing.

Councilmembers held a public hearing to receive public input regarding amending the Town of Guadalupe Zoning Code sections § 154.082 Operation Requirements and § 154.093 Marijuana Establishment Prohibited; Exemptions to extend hours of operation for medical and recreational marijuana dispensaries from not earlier than 8:00 AM and not later than 10:00 PM, to not earlier than 8:00 AM and no later than 12:00 midnight. *(related to G2)*

### 2. MEDICAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2022.01) *continued from the January 27, 2022 Regular Council Meeting*

Mayor Molina stated that this agenda item is for Council to consider adoption of Ordinance No. O2022.01 to amend the Town of Guadalupe Zoning Code sections § 154.082 Operation Requirements and § 154.093 Marijuana Establishment Prohibited; Exemptions to extend hours of operation for medical and recreational marijuana dispensaries to operate from not earlier than 8:00 AM to no later than 10:00 PM, to not earlier than 8:00 AM to no later than 12:00 midnight. *(related to G1)*

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is for Council to consider extending the hours of operation for medical/recreational marijuana dispensaries (dispensaries) from a closing time of 10:00 PM to 12:00 midnight. Adoption of the ordinance will strengthen the Town's financial stability and is recommended by staff. Local sales tax revenues have been increasing while hotel bed tax revenue has declined by 81% compared to the prior fiscal year. Due to the Town's low census count, a 6% decrease in state shared revenue will result. Revenues are now exceeding expenditures, however, there is not enough revenue to address long-term capital projects.

A Councilmember voiced support of extending the hours of operation for dispensaries, as proposed.

In response to a question, extending the hours of operation would apply to all dispensaries in Town.

A Councilmember noted that there are hotels in Town that have closed, which resulted in a loss of revenue. Revenue is needed to address infrastructure needs.



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**Motion by Vice Mayor Vital to approved agenda item G2; second by Councilmember Osuna.  
Motion passed unanimously on a roll call vote 6-0.**

Councilmembers adopted **ORDINANCE NO. O2022.01** amending the Town of Guadalupe Zoning Code sections § 154.082 Operation Requirements and § 154.093 Marijuana Establishment Prohibited; Exemptions to extend hours of operation for medical and recreational marijuana dispensaries to operate not earlier than 8:00 AM to no later than 10:00 PM, to not earlier than 8:00 AM to no later than 12:00 midnight. *(related to G1)*

### **3. GUADALUPE COMMUNITY DEVELOPMENT CORPORATION COVID-19 HOME IMPROVEMENT PROGRAM REVISED MEMORANDUM OF UNDERSTANDING**

Mayor Molina stated that this agenda item is for Council to consider authorizing the Mayor, or designee, to enter into a revised Memorandum of Understanding (C2021- 63A) between the Guadalupe Community Development Corporation (GCDC) and the Town of Guadalupe authorizing the GCDC to expand the scope of rehabilitation activities in the COVID-19 Housing Rehabilitation Program (Program). Residents meeting Program criteria may be eligible for home rehabilitation repairs and associated funding.

Jeff Kulaga, Town Manager / Clerk, stated that the revised Memorandum of Understanding (MOU) authorizes the Guadalupe Community Development Corporation to expand the scope of services offered for housing rehabilitation projects.

Steve Langstaff, Guadalupe Community Development Corporation (GCDC) representative, stated that GCDC has received 12 applications requesting housing rehabilitation assistance through this Program. GCDC has installed 4 HVAC systems. The revised MOU will expand the scope of services to address ADA requirements, and electrical and roof repairs.

In response to a question, Mr. Langstaff stated that there are applications for the Program in the lobby of Town Hall and in the Community Action Program office. The Program is also promoted in meetings with members of the community. Mr. Kulaga added that the Program will also be promoted on the Town website and Facebook page.

In response to a question, Mr. Langstaff stated that the original MOU was to allow approximately \$15,000 per home. The revised MOU would allow up to \$20,000 per home. GCDC may be able to accommodate up to 8 additional applications. Mr. Langstaff then provided staff contact information.

In response to questions, Mr. Langstaff stated that out of the 12 applications received, one family was ineligible because their income was over the required median income outlined in the Program criteria. Funding for this program is from a grant from the Pascua Yaqui Tribe.

A Councilmember read the Program criteria into the record. Mr. Kulaga noted that the Program criteria is posted on the Town's website.

**Motion by Vice Mayor Vital to approve agenda item G3; second by Councilmember Osuna.  
Motion passed unanimously on a voice vote 6-0.**

Councilmembers voted to authorize the Mayor, or designee, to enter into a revised Memorandum of Understanding (C2021- 63A) between the Guadalupe Community Development Corporation (GCDC) and the Town of Guadalupe authorizing the GCDC to expand the scope of rehabilitation activities in the COVID-19 Housing Rehabilitation Program (Program). Residents meeting Program criteria may be eligible for home rehabilitation repairs and associated funding.



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#### 4. SALT RIVER PROJECT FACILITY RELCATION AGREEMENT

Mayor Molina stated that this agenda item is for Council to consider authorizing the Mayor, or designee, to enter into a Facility Relocation Agreement (C2022-07) between Salt River Project Agricultural Improvement and Power District (SRP) and the Town of Guadalupe that would authorize SRP to relocate power facilities funded through SRP neighborhood aesthetic funds allocated to the Town of Guadalupe. The facility requiring relocation is a transformer located approximately 125 feet south of Guadalupe Road on the east side of Calle Vaou Nawi. Through this approval the transformer will be relocated to the existing utility pole located on the immediate southwest corner of Calle Vaou Nawi and Guadalupe Road, within existing Town right of way.

Jeff Kulaga, Town Manager / Clerk, stated that this Facility Relocation Agreement (Agreement) with the Salt River Project Agricultural Improvement and Power District (SRP) would authorize SRP to relocate a power facility located along Calle Vaou Nawi in order for the Town to build a sidewalk. This project would be funded with SRP neighborhood aesthetic funds.

In response to questions, Mr. Kulaga stated that there will be minimal impacts to traffic. While the relocation of the SRP power facility will be paid for with SRP aesthetic funds, building the sidewalk will be paid for with Town funds.

**Motion by Vice Mayor Vital to approve agenda item G4; second by Councilmember Bravo.  
Motion passed unanimously on a voice vote 6-0.**

Councilmembers voted to authorize the Mayor, or designee, to enter into a Facility Relocation Agreement (C2022-07) between Salt River Project Agricultural Improvement and Power District (SRP) and the Town of Guadalupe that would authorize SRP to relocate power facilities funded through SRP neighborhood aesthetic funds allocated to the Town of Guadalupe. The facility requiring relocation is a transformer located approximately 125 feet south of Guadalupe Road on the east side of Calle Vaou Nawi. Through this approval the transformer will be relocated to the existing utility pole located on the immediate southwest corner of Calle Vaou Nawi and Guadalupe Road, within existing Town right of way.

#### 5. COVID-19 ACTION UPDATE

Mayor Molina called upon Jeff Kulaga, Town Manager / Clerk to provide an update regarding current Town of Guadalupe COVID-19 positive case rates, scheduled testing, vaccinations and boosters, Town services and steps taken to safeguard public health and safety in response to the Coronavirus.

Mr. Kulaga stated that the messaging related to COVID-19 has been updated to focus on encouraging everyone to get vaccinated. Guadalupe's vaccination rate is 47.2%. Guadalupe is the only municipality in Maricopa County with a vaccination rate below 50%. The Town continues to partner with Native Health and the Pascua Yaqui Tribe to host vaccination clinics. Upcoming vaccination clinics are scheduled for Saturday, February 12, and February 26. Mr. Kulaga then reviewed COVID-19 positive cases from May 2021 – January, 2022.

In response to a question, Mr. Kulaga stated that individuals that use home testing kits for COVID-19, positive cases may not be reported to the County.

#### 6. CLAIMS

Mayor Molina stated that this agenda item is for Council to consider approving the check register for January 2022, totaling \$585,180.93.

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





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Councilmembers approved the check register for January 2022, totaling \$585,180.93.

#### H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- The Town received a \$550,000 grant from Maricopa County for sewer line repairs. With this grant, the Town will have completed approximately 70% of the needed sewer line repairs.

#### I. COUNCILMEMBERS' COMMENTS

Vice Mayor Vital

- Thanked viewers for watching the Council meeting on Facebook.
- Saturday, February 12, 2022 – Vaccination/flu shot clinic.
- Thanked staff for their work.

Councilmember Osuna

- Thanked staff for their work and for keeping the community safe.
- Thanked City of Tempe staff for their work.

Councilmember Bravo

- Encouraged everyone to get vaccinated.
- Thanked her colleagues and staff for their work.

Mayor Molina

- Thanked staff for their work on obtaining a grant to pay for sewer line repairs.
- South Mountain College is providing a free GED Program; and, offers various construction education programs.

#### J. ADJOURNMENT

**Motion by Councilmember Cota to adjourn the Town Council Regular Meeting; second by Councilmember Osuna. Motion passed unanimously on a voice vote 6-0.**

The meeting was adjourned at 6:50 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 February 10, 2022, 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