



Minutes Town Council Regular Meeting September 8, 2022

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
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, September 8, 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 6:03 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 Joe Sánchez, and Councilmember Anita Cota Soto

Councilmember Absent: Councilmember Elvira Osuna

Staff Present: Jeff Kulaga – Town Manager / Clerk, Jennifer Drury – Assistant to the Town Manager, David Ledyard – Town Attorney, and Vince Gibbons, Town Engineer (Dibble Engineering)

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Molina called for a moment of silence in remembrance of Councilmember Gloria Cota. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

1. Approval of the August 25, 2022, 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. Councilmembers approved the August 25, 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:

1. Introduction Melinda Vazquez, Jobs for Arizona Graduates (JAG)

Mayor Molina called upon Melinda Vazquez to address the Council. Ms Vazquez stated that she is the Program Manager for Jobs for Arizona Graduates (JAG). Ms. Vazquez outlined the services provided by JAG for youth in Guadalupe. JAG also partners with schools to promote JAG program and services.



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2. In Memoriam Councilwoman Gloria Cota

Mayor Molina announced the passing of Councilmember Gloria Cota and noted that the Town Council has decided not to fill Councilmember Cota's seat on the Council. Councilmember Cota served 12 years on the Town Council. Councilmembers expressed their condolences, followed by a video in remembrance of Councilmember Gloria Cota.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. PUBLIC HEARING – MEDICAL AND RECREATIONAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2022.03)

Mayor Molina stated that this is public hearing to receive public input to amend Town of Guadalupe Code of Ordinances, Title XV: Land Usage, Chapter 154, Zoning, Medical Marijuana, Section 154.082 Operation Requirements, Subsection (E):

From: The medical marijuana dispensary is limited to the hours of operation not earlier than 8:00 a.m. and not later than 12:00 midnight unless otherwise revised by the Arizona Revised Statutes;

To: An allowed medical marijuana dispensary may be open to the public for business 24 hours per day, seven days per week;

And; adding language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance.

And; to amend Town of Guadalupe Code of Ordinances, Title XV: Land Usage, Chapter 154, Zoning, Recreational Marijuana, Section 154.093 Marijuana Establishment Prohibited; Exemptions; Subsection (B) (1):

From: An allowed marijuana establishment shall: Be open to the public for business no earlier than 8:00 a.m. and no later than 12:00 midnight; and

To: An allowed recreational marijuana dispensary may be open to the public for business 24 hours per day, seven days per week;

And, adding language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance. (related to G2)

Jeff Kulaga, Town Manager / Clerk, stated that agenda items G1 and G2 are related to the Town pursuing recurring revenue generating opportunities. This is a public hearing to extend the hours of operation for medical/recreational marijuana dispensaries, currently allowed to operate from 8:00 AM to Midnight, to allowing dispensaries to operate 24 hours a day, 7 days a week. Item G2 is an action item related to this public hearing for Council consideration to change the existing policy.

Motion by Councilmember Bravo to open the public hearing; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 5-0.

Mr. Kulaga noted that a member of the public would like to address the Council on this item. Mayor Molina called upon Raul Molina to address the Council. Mr. Molina thanked the Town Council for consideration of extending the hours of operation for medical/recreational dispensaries.

Motion by Councilmember Bravo to close the public hearing; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 5-0.



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Mayor Molina closed the public hearing.

2. MEDICAL AND RECREATIONAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2022.03):

Mayor Molina announced that this agenda item is for Council to consider adopting Ordinance No. O2022.03 that amends the Town of Guadalupe Code of Ordinances, Title XV: Land Usage, Chapter 154, Zoning, Medical Marijuana, Section 154.082 Operation Requirements, Subsection (E):

From: The medical marijuana dispensary is limited to the hours of operation not earlier than 8:00 a.m. and not later than 12:00 midnight unless otherwise revised by the Arizona Revised Statutes;

To: An allowed medical marijuana dispensary may be open to the public for business 24 hours per day, seven days per week;

And, adding language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance.

And, to amend Town of Guadalupe Code of Ordinances, Title XV: Land Usage, Chapter 154, Zoning, Recreational Marijuana, Section 154.093 Marijuana Establishment Prohibited; Exemptions; Subsection (B) (1):

From: An allowed marijuana establishment shall: Be open to the public for business no earlier than 8:00 a.m. and no later than 12:00 midnight; and

To: An allowed recreational marijuana dispensary may be open to the public for business 24 hours per day, seven days per week;

And, adding language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance. *(related to G1)*

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is a policy decision for Council related to extending medical/recreational dispensary hours of operation from 8:00 AM to midnight to 24 hours a day, 7 days a week. At the August 11, 2022, Regular Council Meeting, staff presented this as a revenue generating opportunity. Mr. Kulaga outlined the proposed ordinance amendments.

Motion by Vice Mayor Vital to approve agenda item G2; second by Councilmember Bravo. Motion passed on a voice vote 4-1 with Councilmember Soto voting no.

Councilmembers adopted **ORDINANCE NO. O2022.03** to amend the Town of Guadalupe Code of Ordinances, Title XV: Land Usage, Chapter 154, Zoning, Medical Marijuana, Section 154.082 Operation Requirements, Subsection (E):

From: The medical marijuana dispensary is limited to the hours of operation not earlier than 8:00 a.m. and not later than 12:00 midnight unless otherwise revised by the Arizona Revised Statutes;

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And, to add language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance.



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From: An allowed marijuana establishment shall: Be open to the public for business no earlier than 8:00 a.m. and no later than 12:00 midnight; and

To: An allowed recreational marijuana dispensary may be open to the public for business 24 hours per day, seven days per week;

And, to add language to comply with new or revised administrative rules by the State of Arizona Department of Health; and, adding an effective date of 30 days after adoption of the ordinance. *(related to G1)*

3. APPROVAL OF CONTRACT - HIGHLINE CANAL PATH LIGHTING DESIGN

Mayor Molina stated that this agenda item is for Council to consider awarding a contract to the Town Engineer, Dibble Engineering (Dibble), in the amount of \$59,424, to provide engineering, design, and project management services to prepare final construction and clearance documents for the Highline Canal Recreational Path Lighting Project. This project that will be advertised and administered by the Arizona Department of Transportation (ADOT). The purpose of this project is to provide a safe, efficient, improved, and cost-effective pedestrian path lighting system. Funding for this contract is available through the approved fiscal year 2022/2023 Grant Fund budget.

Jeff Kulaga, Town Manager / Clerk, stated that this contract is the first step in the Highline Canal Path Lighting Design Project. Through Congressman's Gallego's office, the Town was awarded \$501,000 to relamp the Highline Canal Path. Because these are federal funds, the Town is required to work with the Arizona Department of Transportation to complete the project.

Motion by Vice Mayor Vital to approve agenda item G3; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 5-0.

Councilmembers awarded a contract (C2021-14A) to the Town Engineer, Dibble Engineering (Dibble), in the amount of \$59,424, to provide engineering, design, and project management services to prepare final construction and clearance documents for the Highline Canal Recreational Path Lighting Project. This project that will be advertised and administered by the Arizona Department of Transportation (ADOT). The purpose of this project is to provide a safe, efficient, improved, and cost-effective pedestrian path lighting system. Funding for this contract is available through the approved fiscal year 2022/2023 Grant Fund budget.

4. MAYORAL TERM OF OFFICE - PROPOSED ORDINANCE AMENDMENT

Mayor Molina stated that at the August 11, 2022, Regular Council Meeting, staff was asked to present a proposed amendment to the Town Code of Ordinances related to the term of office for the Mayor. The proposed amendment would extend the current term of office for the Mayor from a two-year term to a four-year term, beginning with the 2024 Primary Election cycle for the Town of Guadalupe.

Jeff Kulaga, Town Manager / Clerk, stated that the Mayor's term of office in Guadalupe is a two-year term of office, per the Town Code of Ordinances, as adopted by Council in 2008. Councilmembers terms of office is for a four-year term.

Prior to 2008, the Mayor's term of office was a four-year term of office. Of the 91 incorporated cities and towns in Arizona, 54% have four-year Mayor/Council terms of office; 42% have a two-year Mayor term of office and a four-year Council term of office. Mr. Kulaga discussed the pros and cons regarding a two-year term versus a four-year term for Mayor, and provided the number of petition signatures required in the event of a recall election. Should the Council wish to amend the ordinance, two sections



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of the Town Code would be impacted. If the ordinance is adopted, the effective date for the Mayoral term would be the 2024 Primary Election, and would not impact the current Mayoral term, as approved by the voters in 2022.

Councilmembers voiced support for extending the Mayor's term of office from a two-year term to a four-year term.

Mayor Molina requested that staff add the ordinance amendment to an upcoming Council meeting agenda.

Councilmember Bravo left the meeting at 6:45 p.m..

5. GENERAL ELECTION UPDATE

Mayor Molina called upon Jeff Kulaga, Town Manager / Clerk, to provide an update regarding deadlines and voting options for the November 8, 2022, General Election. Mr. Kulaga provided various deadlines related to early voting for the November 8, 2022, General Election. The Mercado Multi-purpose Room will serve as an early voting center and ballot drop off site, as well as a voting site on election day. Mr. Kulaga noted that town Council candidates were voted in by Guadalupe voters at the Primary Election.

6. APPROVAL OF CONTRACT – SENIOR CENTER & LIBRARY RENOVATION

Mayor Molina stated that this agenda item is for Council to consider awarding a contract to Econosmart Property Services, LLC, dba Signature Projects, in the amount of \$383,073.77, to construct renovations to the Senior Center craft room, patio, kitchen, restrooms, and interior lighting; to the library entry way, exterior walls, exterior planter, restrooms, and painting the library interior and to the Town Hall restrooms. Funding for this contract is available through the adopted Fiscal Year 2023 Budget Tohono O'odham Grant Fund and COVID-19 Pascua Yaqui Tribe Relief Funds.

Jeff Kulaga, Town Manager / Clerk, outlined the proposed improvements to be made to the Senior Center, Library, and Town Hall that are included in the proposed contract. Staff received two bids for this project. Staff and the Town Engineer recommend approval of the contract.

Motion by Vice Mayor Vital to approve agenda item G6; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 4-0.

Councilmembers awarded contract (C2022-41) to Econosmart Property Services, LLC, dba Signature Projects, in the amount of \$383,073.77, to construct renovations to the Senior Center craft room, patio, kitchen, restrooms, and interior lighting; to the library entry way, exterior walls, exterior planter, restrooms, and painting the library interior and to the Town Hall restrooms. Funding for this contract is available through the adopted Fiscal Year 2023 Budget Tohono O'odham Grant Fund and COVID-19 Pascua Yaqui Tribe Relief Funds.

H. TOWN MANAGER/CLERK'S COMMENTS

Jeff Kulaga, Town Manager / Clerk

- September 30 – October 3, 2022 – Guadalupe Road bridge will be closed over Interstate 10. Notification will be added to the Town marquee.
- Congratulated Senior Center staff who received a \$5,000 grant from the Area Agency on Aging to offset operational costs.
- Barricades on Avenida del Yaqui will be removed at the end of September.

I. COUNCILMEMBERS' COMMENTS

Vice Mayor Vital

- Thanked staff for their work.
- September 28, 2022 – vaccination clinic.



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Councilmember Soto

- o Thanked staff for their work.
- o Encouraged families to participate in youth activities.
- o Encouraged community members to volunteer.

Mayor Molina

- o October 15, 2022 - Coffee with a Cop, Itom Hiapsi Building.
- o Encouraged families to participate in youth activities.
- o Thanked staff for their work.

Councilmember Sánchez

- o Thanked staff and his colleagues for their work.
- o Encouraged everyone to stay safe.

J. ADJOURNMENT

Motion by Vice Mayor Vital to adjourn the Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously on a voice vote 4-0.

The meeting was adjourned at 6:55 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 8, 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