



## NOTICE OF SPECIAL MEETING OF THE GUADALUPE TOWN COUNCIL

THURSDAY, MARCH 14, 2024

IMMEDIATELY FOLLOWING THE REGULAR COUNCIL MEETING WHICH BEGINS AT 6:00 PM

GUADALUPE TOWN HALL  
9241 SOUTH AVENIDA DEL YAQUI, COUNCIL CHAMBERS  
GUADALUPE, ARIZONA

Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Esteban F. V. Fuerte  
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

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Guadalupe Town Council and to the public that the Guadalupe Town Council will hold a Special Meeting, open to the public, on Thursday, March 14, 2024, immediately following the Regular Council Meeting which begins at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona. Meetings are streamed live on the Town of Guadalupe Facebook page at <https://www.facebook.com/guadalupeaz.org>.

### AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. INVOCATION/PLEDGE OF ALLEGIANCE
- D. APPROVAL OF MINUTES: None.
- E. CALL TO THE PUBLIC: An opportunity is provided to the public to address the Council on items that are not on the agenda. A total of 3 minutes will be provided for the Call to the Audience agenda item unless the Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.
- F. MAYOR AND COUNCIL PRESENTATIONS: None.
- G. DISCUSSION AND POSSIBLE ACTION ITEMS:
  1. **PUBLIC HEARING – ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE) ELECTION, JULY 30, 2024** : Hold the second of two public hearings to solicit public input to determine whether or not the Town Council of Guadalupe shall place a ballot question on the July 30, 2024, Primary Election to extend the alternative expenditure limitation. Arizona Revised State Statutes require an alternative expenditure limitation vote every four years. Guadalupe voters recently approved this measure in August 2020, November 2016, and originally in 1981.
  2. **ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE) ELECTION, JULY 30, 2024 (RESOLUTION NO. R2024.05)**: Council will consider and may take action to adopt Resolution R2024.05 to place a ballot measure on the July 30, 2024, Primary Election regarding the option of whether or not to continue Home Rule in the Town of Guadalupe. Council may provide direction to the Town Manager / Clerk.
- H. TOWN MANAGER/CLERK'S COMMENTS
- I. COUNCILMEMBERS' COMMENTS
- J. ADJOURNMENT



**March 8, 2024**

To: The Honorable Mayor and Town Council

From: Jeff Kulaga, Town Manager / Clerk

**RE: March 14, 2024, Town Council Special Meeting Alternative Expenditure Limitation Information Report**

The purpose of this report is to provide brief information regarding the Special Meeting's agenda items.

**Agenda Items:**

**G1. and G2. PUBLIC HEARING AND ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE) ELECTION (RESOLUTION NO. R2024.05) (PAGES 4 – 6):** Public hearing to solicit public input to determine whether or not the Town Council of Guadalupe shall place a ballot question on the July 30, 2024 Primary Election to extend the alternative expenditure limitation recently approved by Guadalupe voters in August 2020 and November, 2016, and originally approved by Guadalupe voters in 1981.

If the Council adopts attached Resolution No. R2024.05, the attached ballot language would be forwarded to the Maricopa County Elections Department for inclusion on the August 4, 2020, Primary Election ballot; and, staff would begin preparation of a sample ballot that would be mailed to each household that contains a registered voter.

This ballot language is virtually identical to 2016 and 2020 Home Rule ballot language for the Town of Guadalupe.

The Alternative Expenditure Limitation (Home Rule) allows Town Councils the ability to set expenditure limitation on expected revenues for the current budget year, rather than State-imposed expenditure limitations based by adjusting the actual amounts of local revenue payments from FY1980 and population and cost of living changes.

Per the League of Arizona Cities and Towns:

**ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION**

Any city or town can adopt an Alternative Expenditure Limitation, commonly referred to as the Home Rule Option, that is free from any ties to the State-imposed limitation (Article IX, Section 20, subsection 9, Arizona State Constitution). The typical Home Rule Option allows the council to set the expenditure limitation based on expected revenues for the budget year. There are no limitations on the form of an Alternative Expenditure Limitation – Home Rule Option.

A Home Rule Option may be referred to the city/town voters by an affirmative vote of two-thirds of the members of the city/town council. Qualified electors of the city/town may also offer a Home Rule Option through the initiative process. Home Rule is adopted if a majority of the qualified electors vote in favor of the issue at a regular city/town primary or general election. The question can also be placed on the State general election ballot.

If the Alternative Expenditure Limitation is approved by a majority of the qualified electors voting at the election, it will be in effect for the four succeeding fiscal years. During the fourth fiscal year, the voters may be asked to extend the Alternative Expenditure Limitation for four more years. This process must occur every four years to retain the Home Rule Option. If the alternative limitation is defeated by a majority of the qualified electors voting at the election, the city/town will be subject to the State-imposed expenditure limitation, and a new Alternative Expenditure Limitation cannot be submitted to the voters for at least two consecutive fiscal years (Article IX, Section 20, subsection 9, Arizona State Constitution).

If the city/town chooses not to ask voters to extend the Alternative Expenditure Limitation, then the State-imposed expenditure limitation will apply to the city/town beginning the next fiscal year.

**SAMPLE BALLOT FORMAT: HOME RULE**

**OPTION**

**Proposition # 485**

Proposal submitted by Town Council of Guadalupe

Official Title

A resolution proposing an extension of the alternative expenditure limitation for the Town of Guadalupe.

Descriptive Title

Pursuant to the Arizona State Constitution, this proposal establishes an alternative expenditure limitation for the Town of Guadalupe for the next four years. Annually, the Town Council will determine the amount of the alternative expenditure limitation for the fiscal year after at least one public hearing. This alternative expenditure limitation replaces the state-imposed expenditure limitation.

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A "YES" vote shall have the effect of extending the alternative expenditure limitation for the Town of Guadalupe.

**Proposition # 485**

**Yes**

A "NO" vote shall have the effect of not extending the Town of Guadalupe alternative expenditure limitation and to require expenditures of the Town to be limited by the state-imposed expenditure limit.

**Proposition # 485**

**No**

**RESOLUTION NO. R2024.05**

**A RESOLUTION OF THE TOWN OF GUADALUPE, ARIZONA PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION.**

**WHEREAS**, THE ARIZONA STATE CONSTITUTION PERMITS THE SUBMISSION TO THE VOTERS OF A CITY OR TOWN OF AN ALTERNATIVE EXPENDITURE LIMITATION; AND

**WHEREAS**, THE VOTERS OF THE TOWN OF GUADALUPE IN 2016 AND 2020 ADOPTED AN ALTERNATIVE EXPENDITURE LIMITATION; AND

**WHEREAS**, THE TOWN COUNCIL OF GUADALUPE AFTER TWO PUBLIC HEARINGS HAS DETERMINED THAT AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION IS NECESSARY FOR THE TOWN OF GUADALUPE.

**NOW, THEREFORE, BE IT RESOLVED** BY THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, THAT THE FOLLOWING ALTERNATIVE EXPENDITURE LIMITATION BE SUBMITTED TO THE VOTERS OF THE TOWN OF GUADALUPE:

SHALL THE FOLLOWING BE ADOPTED BY THE TOWN OF GUADALUPE AS AN ALTERNATIVE EXPENDITURE LIMITATION:

"THE MAYOR AND COMMON COUNCIL OF THE TOWN OF GUADALUPE SHALL ANNUALLY, AS PART OF THE ANNUAL BUDGET ADOPTION PROCESS, ADOPT AN ALTERNATIVE EXPENDITURE LIMITATION EQUAL TO THE TOTAL AMOUNT OF BUDGETED EXPENDITURES/EXPENSES AS IT APPEARS ON THE ANNUAL BUDGET AS ADOPTED BY THE COUNCIL TO APPLY TO THE TOWN OF GUADALUPE FOR EACH OF THE FOUR FISCAL YEARS IMMEDIATELY FOLLOWING ADOPTION OF THE ALTERNATIVE EXPENDITURE LIMITATION. THE ALTERNATIVE EXPENDITURE LIMITATION SHALL BE ADOPTED EACH YEAR AFTER A PUBLIC HEARING AT WHICH THE CITIZENS OF THE TOWN OF GUADALUPE MAY COMMENT ON THE PROPOSED ALTERNATIVE EXPENDITURE LIMITATION. NO EXPENDITURES MAY BE MADE IN VIOLATION OF SUCH ALTERNATIVE EXPENDITURE LIMITATION, NOR MAY ANY PROPOSED EXPENDITURES BE IN EXCESS OF ESTIMATED AVAILABLE REVENUES, EXCEPT THAT THE MAYOR AND THE COMMON COUNCIL MAY, BY THREE-FOURTHS VOTE, DECLARE AN EMERGENCY AND SUSPEND THE ALTERNATIVE EXPENDITURE LIMITATION. THE SUSPENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION SHALL BE IN EFFECT FOR ONLY ONE FISCAL YEAR AT A TIME."

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA, THIS 14<sup>th</sup> DAY OF MARCH 2024.

\_\_\_\_\_  
Valerie Molina, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Jeff Kulaga  
Town Manager/Clerk

\_\_\_\_\_  
David E. Ledyard, Esq.  
FAITH, LEDYARD & FAITH, PLC  
Town Attorneys

**RESOLUCIÓN NO. R2024.05****UNA RESOLUCIÓN DEL PUEBLO DE GUADALUPE, ARIZONA  
PROPONIENDO UNA EXTENSIÓN DE LA LIMITACIÓN ALTERNATIVA DE  
GASTOS.**

**CONSIDERANDO QUE**, LA CONSTITUCIÓN DEL ESTADO DE ARIZONA PERMITE LA PRESENTACIÓN A LOS VOTANTES DE UNA CIUDAD O PUEBLO DE UNA LIMITACIÓN ALTERNATIVA DE GASTOS; Y

**CONSIDERANDO QUE**, LOS VOTANTES DEL PUEBLO DE GUADALUPE EN 2016 Y 2020 ADOPTARON UNA LIMITACIÓN ALTERNATIVA DE GASTOS; Y

**CONSIDERANDO QUE**, EL CONCEJO MUNICIPAL DE GUADALUPE DESPUÉS DE DOS AUDIENCIAS PÚBLICAS HA DETERMINADO QUE ES NECESARIA UNA EXTENSIÓN DE LA LIMITACIÓN ALTERNATIVA DE GASTOS PARA EL PUEBLO DE GUADALUPE.

**AHORA, POR LO TANTO, SE RESUELVE** POR EL CONCEJO MUNICIPAL DEL PUEBLO DE GUADALUPE, QUE LA SIGUIENTE LIMITACIÓN ALTERNATIVA DE GASTOS SEA PRESENTADA A LOS VOTANTES DEL PUEBLO DE GUADALUPE:

DEBERÁ LO SIGUIENTE SER ADOPTADO POR EL PUEBLO DE GUADALUPE COMO UNA LIMITACIÓN ALTERNATIVA DE GASTOS:

"EL ALCALDE Y EL CONCEJO COMÚN DEL PUEBLO DE GUADALUPE DEBERÁN ANUALMENTE, COMO PARTE DEL PROCESO DE ADOPCIÓN DEL PRESUPUESTO ANUAL, ADOPTAR UNA LIMITACIÓN ALTERNATIVA DE GASTOS IGUAL AL MONTO TOTAL DE LOS GASTOS PRESUPUESTADOS/EXTRAORDINARIOS QUE APAREZCAN EN EL PRESUPUESTO ANUAL, SEGÚN LO ADOPTADO POR EL CONCEJO, PARA APLICARSE AL PUEBLO DE GUADALUPE PARA CADA UNO DE LOS CUATRO AÑOS FISCALES INMEDIATAMENTE SIGUIENTES A LA ADOPCIÓN DE LA LIMITACIÓN ALTERNATIVA DE GASTOS. LA LIMITACIÓN ALTERNATIVA DE GASTOS DEBERÁ SER ADOPTADA CADA AÑO DESPUÉS DE UNA AUDIENCIA PÚBLICA EN LA QUE LOS CIUDADANOS DEL PUEBLO DE GUADALUPE PUEDAN COMENTAR SOBRE LA LIMITACIÓN ALTERNATIVA DE GASTOS PROPUESTA. NO SE PODRÁN REALIZAR GASTOS EN VIOLACIÓN DE DICHA LIMITACIÓN ALTERNATIVA DE GASTOS, NI PODRÁN REALIZARSE GASTOS PROPUESTOS EN EXCESO DE LOS INGRESOS DISPONIBLES ESTIMADOS, EXCEPTO QUE EL ALCALDE Y EL CONCEJO COMÚN PUEDAN, POR VOTO DE TRES CUARTOS, DECLARAR UNA EMERGENCIA Y SUSPENDER LA LIMITACIÓN ALTERNATIVA DE GASTOS. LA SUSPENSIÓN DE LA LIMITACIÓN ALTERNATIVA DE GASTOS ESTARÁ EN VIGOR POR SOLO UN AÑO FISCAL A LA VEZ."

APROBADO Y ADOPTADO POR EL CONCEJO MUNICIPAL DEL PUEBLO DE GUADALUPE, ARIZONA, ESTE 14 DE MARZO DE 2024.

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Valerie Molina, Alcaldesa

ATTESTACIÓN:

Aprobado en cuanto a la Forma:

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Jeff Kulaga  
Gerente Municipal/Secretario del Pueblo

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David E. Ledyard, Esq.  
FAITH, LEDYARD & FAITH, PLC  
Abogado del Municipal

# THE RECORD REPORTER

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ROCIO RUIZ  
TOWN OF GUADALUPE  
9241 S AVENIDA DEL YAQUI  
GUADALUPE, AZ 85283

RR# 3785147

PUBLIC NOTICE OF HEARINGS The Guadalupe Town Council of the Town of Guadalupe will hold two public hearings in Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers Guadalupe, AZ 85283, on the proposed alternative expenditure limitation - home rule option as follows: Thursday, February 22, 2024, 6:00 P.M. Thursday, March 14, 2024, 6:00 P.M. By order of the Town Council of the Town of Guadalupe. Signed: /s/ Jeff Kulaga, Town Manager / Clerk Publish on Wednesday, February 21 2024, and March 13, 2024.  
2/21, 3/13/24

RR-3785147#

## COPY OF NOTICE

(Not an Affidavit of Publication. Do not file.)

Reference #

Notice Type: MCHRG NOTICE OF HEARING

Ad Description

ALTERNATIVE EXPENDITURE LIMITATION

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