



**\*\*\*DUE TO COVID-19, SEATING CAPACITY IS LIMITED TO NO MORE THAN 10 ATTENDEES\*\*\***

**\*\*\*MEETING BROADCAST LIVE ON TOWN OF GUADALUPE FACEBOOK PAGE\*\*\***

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

## NOTICE OF REGULAR MEETING OF THE GUADALUPE TOWN COUNCIL

THURSDAY, MARCH 25, 2021  
6:00 P.M.

GUADALUPE TOWN HALL  
9241 SOUTH AVENIDA DEL YAQUI, MUSEUM ROOM  
GUADALUPE, ARIZONA

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Town of Guadalupe Council and to the general public that the Guadalupe Town Council will hold a meeting, open to the public, on Thursday, March 25, 2021, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

## AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. INVOCATION/PLEDGE OF ALLEGIANCE
- D. APPROVAL OF MINUTES
  1. Approval of the March 11, 2021, Town Council Regular Meeting Minutes.
  2. Approval of the March 17, 2021, Town Council Special Meeting Minutes.
- E. CALL TO THE PUBLIC: An opportunity is provided to the public to address the Council on items that are not on the agenda or included on the consent 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: Week of the Young Child Proclamation
- G. DISCUSSION AND POSSIBLE ACTION ITEMS:
  1. **MARICOPA COUNTY ANIMAL CARE AND CONTROL:** Council will receive an update from Maricopa County Animal Care and Control representatives regarding animal care and control activities in the Town of Guadalupe. Council may provide direction to the Town Manager / Clerk.
  2. **PUBLIC HEARING – REZONING REQUEST FOR 9438 SOUTH CALLE BELLA VISTA:** Hold a public hearing for a rezoning request from R1-6 to a Planned Area Development district to allow for the outdoor storage of materials, vehicles, equipment, or similar items. The outdoor storage shall be screened with a solid/wall fence or combination wall/fence and landscaping. The 27,878 square foot property is located at 9438 South Calle Bella Vista, APN 301-42-001D and is presently zoned R1-6. The Applicant for this rezoning request is William E. Lally – Tiffany & Bosco, P.A., on behalf of Mavlife1, LLC. Council may provide direction to the Town Manager / Clerk. *(related to item G3)*



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**3. REZONING REQUEST – 9438 SOUTH CALLE BELLA VISTA:** Council will consider and may take action to approve or deny a rezoning request for 9438 South Calle Bella Vista. The request is to rezone the 27,878 square foot property presently zoned R1-6, APN 301-42-001D, to a Planned Area Development district for outdoor storage of materials, vehicles, equipment, or similar items; and, for the installation of a solid/wall fence or combination wall/fence and landscaping. Council may provide direction to the Town Manager / Clerk. *(related to item G2)*

**4. TOWN-OWNED RIGHT-OF-WAY LAND SALE:** Council will consider providing direction to staff on whether to authorize the sale of 3,930 square feet of Town-owned right-of-way located adjacent to 9438 South Calle Bella Vista. The sale would comply with Arizona Revised Statute 9-402: Sale and disposition of property; advertising for bids; publication; donation; easements. Council may provide direction to the Town Manager / Clerk. *(related to items G2 & G3)*

**5. THE APPLICANT IS REQUESTING A CONTINUANCE TO THE THURSDAY, APRIL 22, 2021 REGULAR COUNCIL MEETING FOR THE FOLLOWING ITEM: PUBLIC HEARING – VARIANCE REQUEST FOR 5300 SOUTH PRIEST DRIVE:** Hold a public hearing to receive public input regarding a variance request of the Town of Guadalupe Zoning Code of Ordinances to increase allowable density from C-2 standards to 43.5 dwelling units per acre. The property is located at 5300 South Priest Drive, Guadalupe, AZ, APN 301-10-011Q, where a hotel is presently operating. The Applicant, Harc Holdings LLC., is requesting a continuance of the variance request to April 22, 2021 Regular Town Council Meeting. Council may provide direction to the Town Manager / Clerk. *(related to item G6)*

**6. THE APPLICANT IS REQUESTING A CONTINUANCE TO THE THURSDAY, APRIL 22, 2021 REGULAR COUNCIL MEETING FOR THE FOLLOWING ITEM: VARIANCE REQUEST FOR 5300 SOUTH PRIEST DRIVE:** Council will consider and may take action to approve or deny a variance request to increase allowable density from C-2 standards to 43.5 dwelling units per acre for the property located at 5300 South Priest Drive, Guadalupe, AZ, APN 301-10-011Q, where a hotel is presently operating. The Applicant, Harc Holdings LLC., is requesting a continuance of the variance request to the April 22, 2021 Regular Town Council Meeting. Council may provide direction to the Town Manager / Clerk. *(related to item G5)*

**7. CONTRACT – INSITUFORM TECHNOLOGIES, LLC:** Council will consider and may take action to approve a contract (C2021-29) in the amount of \$233,446 with Insituform Technologies, LLC, to provide contracted services for the Wastewater Collection System Project, CDBG20GD. The scope of work for sanitary sewer line renovation includes removal and replacement of 12 linear feet of 12-inch diameter sanitary sewer pipe, installation of 1,826 linear feet of 8-inch Cured-In-Place-Pipe (CIPP) liner, epoxy coat seven (7) sanitary sewer access manholes, and adjust six (6) sanitary sewer access manhole frame and covers. Funding for this project is from Maricopa County Community Block Grant funds, as approved by the Council on July 23, 2020. Council may provide direction to the Town Manager / Clerk.

**8. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT UPDATE:** Council will receive an update regarding the Avenida del Yaqui Street Improvement Project (Project). The Project will resurface the roadway pavement, install new curbs and gutters, sidewalks, driveways, and striped bicycle facilities (designated bicycle lanes), new traffic control signs, and enhanced pedestrian crosswalks. The project cost is estimated at \$5.6 million with \$5.3 million funded through Federal transportation dollars and \$319,000 funded by the Town of Guadalupe, as the required 5.7% local funding responsibility. Construction is anticipated to begin in September 2021. Council may provide direction to the Town Manager / Clerk. *Material for this agenda item will be provided at the meeting.*



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**9. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT – ARIZONA DEPARTMENT OF TRANSPORTATION PAYMENT:** Council will consider and may take action to approve a payment in the amount of \$287,082 to the Arizona Department of Transportation for the Avenida del Yaqui Street Improvement Project. The estimated total project cost is \$5,601,520; of which Federal funds total \$5,282,233; and the Town is responsible for 5.7% (\$319,287) of the project cost. This payment fulfills 90% of the Town's responsibility. Approval of the payment authorizes the Mayor, or designee, to sign all necessary documents in furtherance of this project. Council may provide direction to the Town Manager / Clerk.

**10. COVID-19 ACTION UPDATE:** Council will receive 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. Council may provide direction to the Town Manager / Clerk. *Material for this agenda item will be provided at the meeting.*

H. TOWN MANAGERS' COMMENTS

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT



March 19, 2021

To: The Honorable Mayor and Town Council

From: Jeff Kulaga, Town Manager / Clerk

RE: **March 25, 2021, Town Council Regular Meeting Information Report**

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

**Agenda Items:**

**D1. MARCH 11, 2021, REGULAR COUNCIL MEETING MINUTES. (PAGES 7 – 11)**

**D2. MARCH 17, 2021, SPECIAL MEETING MINUTES. (PAGES 12 – 13)**

**WEEK OF THE YOUNG CHILD, APRIL 10 – 16, 2021 – PROCLAMATION (PAGE 14)**

**G1. MARICOPA COUNTY ANIMAL CARE AND CONTROL (PAGES 15 – 16):** Representatives from Maricopa County Animal Care and Control will provide an update on current animal control enforcement within the Town of Guadalupe.

**G2. PUBLIC HEARING & G3. REZONING REQUEST FOR 9438 SOUTH CALLE BELLA VISTA (PAGES 17 – 40):** The rezoning request is to convert 9438 South Calle Bella Vista (Property), currently zoned R1-6, parcel 301-42-021, to a Planned Area Development (PAD) district for outdoor storage of materials, vehicles, equipment or similar items. The Town Attorney and Town Manager/Clerk have reviewed the rezoning application packet for completeness and conformance with the Town Code of Ordinances. The Property has been properly posted and a notification of the rezoning request and public hearing has been mailed to property owners located within 150' of the Property. The Applicant, William E. Lally – Tiffany & Bosco, P.A., on behalf of property owner Mavlife1, LLC, has paid all applicable fees. To date, the Town has received one comment from a neighbor of this property stating, "would not oppose the rezoning request".

The Town of Guadalupe Code of Ordinances provides for the following PAD zoning and procedures. In general, this is a two-step process: first, the Applicant submits a proposal for use and development of the parcel and the Town Council may consider the rezoning request. Second, should this be approved, the applicant is responsible to submit to the Town, within one-year, complete plans that comply with the Town Council approved PAD. The Applicant has fulfilled the first step of this process.

**154.068 PLANNED AREA DEVELOPMENT (PAD).**

(A) Intent. The PAD District is intended and designed to: provide a means for development on a unit basis, ensuring orderly and thorough planning that will result in high quality urban design; encourage variety in architectural design through techniques, including, but not limited to, variations in building style, lot arrangements, and site planning; establish procedures that would reduce inequities occurring when strict application of zoning regulations pertaining primarily to small lots are applied to large lots; encourage innovative site planning, including, but not limited to, the preservation of natural character of the land and economy in construction and maintenance of streets and utilities; permit flexibility in design such that development would produce maximum choice in the type of

environment, living units, commercial installations, and facilities available to the public; and produce an efficient, aesthetic, and desirable use of open space.

(B) Procedure.

(1) The owner or owners of any tract of land may submit to the Town Manager/Clerk, be accompanied by five copies of a development plan, which shall consist of a complete set of drawings and specifications for the proposed use and development of the entire tract of land. It shall be reviewed for conformity with the comprehensive plan, and with recognized principles of architectural design, land use planning, and landscape architecture. The Council may approve or disapprove the plan as submitted or may require that the applicant amend the plan as it deems necessary to effectuate the intent and purpose of this chapter.

(2) (a) If the Council approves the preliminary plan and request for rezoning, the applicant shall submit within one year, five copies of the final development plan for not less than one of the proposed development. The final development plan shall then be reviewed for compliance with the PAD standards and substantial compliance with the preliminary plan. The Council shall review the final development plan for its compliance with the standards of this chapter and its substantial compliance with the preliminary development plan.

(b) The final development plan and final plat shall be approved by the Council and the final plat duly recorded before any building permit is issued.

**G4. TOWN-OWNED RIGHT-OF-WAY LAND SALE (PAGES 41 – 42):** Staff has been approached by an interested party to purchase 3,930 square feet of Town-owned right-of-way located immediately adjacent to private property located at 9438 South Calle Bella Vista. If approved, the Arizona Revised Statutes require that there be an invitation for bids process, posting notices in three or more public places within the Town, and newspaper publication requirements. The right-of-way is approximately 131 feet by 30 feet and can be considered right-of-way for a half street that was never finished or further planned. From a practical standpoint, it appears and operates as a driveway for adjacent private properties. Town staff is seeking direction on whether or not to sell the land.

**G5 & G6. THE APPLICANT IS REQUESTING A CONTINUANCE TO THE THURSDAY, APRIL 22, 2021 REGULAR COUNCIL MEETING FOR THE FOLLOWING ITEMS: G5. PUBLIC HEARING – G6. VARIANCE REQUEST – 5300 SOUTH PRIEST DRIVE (PAGES 43 – 52):** Per Town Code of Ordinances, a variance request requires a public hearing.

The variance request is to increase allowable density from C-2 standards to 43.5 dwelling units per acre for the property located at 5300 South Priest Drive, Guadalupe, AZ, APN 301-10-011Q. Presently, this property operates as a hotel. The applicant is seeking to convert the property to multi-family studio and one-bedroom apartments. Current Town C-2 zoning would allow for 93 units on this property. The Applicant seeks to increase the number of units to 113. However, the Applicant, Harc Holdings LLC., is requesting a continuance of the variance request to the April 22, 2021 Regular Town Council Meeting. Town staff supports and concurs with the continuance request. *(related to item G5).*

The public hearing for this variance request has been properly posted on site and published in a newspaper of general circulation; and, 11 properties within a 150 foot radius of the applicant's property were also notified via postal mail, as required by the Town of Guadalupe Zoning Ordinance. The Applicant has paid all applicable fees. To date, no public input has been received by the Town administration.

**7. CONTRACT – INSTITUFORM TECHNOLOGIES, LLC (PAGES 53 – 61):** This contract authorizes Insituform Technologies, LLC, to provide contracted services for the Wastewater Collection System Project, CDBG20GD. The scope of work includes removal and replacement of 12 linear feet of 12-inch diameter sanitary sewer pipe, installation of 1,826 linear feet of 8-inch Cured-In-Place-Pipe (CIPP) liner, epoxy coat seven (7) sanitary sewer access manholes, and adjust six (6) sanitary sewer access manhole frame and covers. The contract amount is \$233,446. Four bids were received with Insituform Technologies, LLC being the lowest bidder.

<b>Bid Tabulation</b>	<b>Contract Amount</b>
Hunter Contracting	\$362,626
Insituform	\$233,446
RedPoint Contracting	\$595,296
Standard Construction Co., Inc.	\$318,794

Background: The Town sewer lines are approximately 40 years old, with several segments in need of repair. This project is year two renovations of a five-year program as identified in the November 2019 Wastewater Collection System Assessment Report. The project is funded through the awarded \$517,828 in Community Development Block Grant (CDBG) funds from Maricopa County Housing and Community Development. The acceptance of these CDBG funds was approved by the Town Council at the July 23, 2020, Regular Council Meeting.

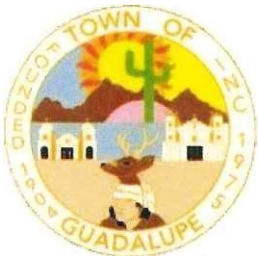
**8. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT UPDATE (MATERIAL WILL BE PROVIDED AT THE MEETING):** Staff will provide an update of the Avenida del Yaqui Street Improvement Project (Project). On May 30, 2019, Council adopted Resolution No. R2019.07 and approved an intergovernmental agreement (C2019-12) with the State of Arizona, acting through its Department of Transportation (ADOT) for the purpose of revising Project costs for the design and construction of sidewalks and bike lanes on Avenida del Yaqui, northbound and southbound, between Highland Canal and Calle Carmen. The Project includes mill and overlay of the full roadway cross section of existing pavement and complete reconstruction of the concrete curb, gutter and sidewalk along both sides of the corridor, new pavement markings and enhanced pedestrian crossings. The Project cost is estimated at \$5.6 million with \$5.3 million funded through Federal transportation dollars and the remaining \$319,000 funded by the Town of Guadalupe. Construction is anticipated to begin in September 2021. Public meetings about the project were held on Friday, February 26, 2021, and on Friday, March 12, 2021. *A PowerPoint presentation will be provided at the meeting.*

**9. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT – ARIZONA DEPARTMENT OF TRANSPORTATION PAYMENT (PAGES 62 – 68):** The payment in the amount of \$287,082 to the Arizona Department of Transportation (ADOT) for the Avenida del Yaqui Street Improvement Project (Project) is a portion of the Town's total Project cost of \$319,287, with the remaining Project cost of \$5,282,233 coming from the Federal government.

Background: The Town of Guadalupe has been working to secure funds to improve Avenida del Yaqui since 2014. Most recently, on May 20, 2019, the Council adopted Resolution No. R2019.07, initially approving the Project, Contract #C2019-12, with Project costs as follows: Estimated total Project cost: \$3,533,715; of which Federal funds total \$3,332,294; and, Town funds total \$201,421.

On February 25, 2021, the Council approved Amendment No. 1 Contract #C2019-12A to an intergovernmental agreement 19-0007278-I with the State of Arizona, acting through its Department of Transportation (ADOT) for the purpose of revising Project costs because the Town of Guadalupe received an additional \$2,269,226 in Federal funding for the Project. The revised Project costs are as follows: Estimated total Project cost: \$5,601,520; of which Federal funds total \$5,282,233; and Town funds total \$319,287. This payment of \$287,082 is 90% of the Town's responsibility for the Project costs.

**10. COVID-19 UPDATE (MATERIAL WILL BE PROVIDED AT THE MEETING):** Staff will provide an update from Town staff regarding current steps taken to safeguard public health and safety in response to the Coronavirus and its impact to Town services. *A PowerPoint presentation will be provided at the meeting.*



# Minutes Town Council Regular Meeting March 11, 2021

Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Gloria Cota  
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Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, March 11, 2021, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

A. Vice Mayor Vital called the meeting to order at 6:02 p.m.

**B. ROLL CALL**

Councilmembers Present: Vice Mayor Ricardo Vital. The following councilmembers participated via video conference: Councilmember Mary Bravo, Councilmember Joe Sánchez, and Councilmember Anita Cota Soto

Councilmembers Absent: Mayor Valerie Molina, Councilmember Gloria Cota, and Councilmember Elvira Osuna

Staff Present: Jeff Kulaga – Town Manager / Clerk and 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. Vice Mayor Vital then led the Pledge of Allegiance.

**D. APPROVAL OF MINUTES**

- 1. Approval of the February 25, 2021, Town Council Regular Meeting Minutes.

**Motion by Councilmember Soto to approve agenda item D1; second by Councilmember Bravo. Motion passed unanimously on a voice vote 4-0.**

- 1. Councilmembers approved the February 25, 2021, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: No one spoke.

F. MAYOR and COUNCIL PRESENTATIONS: None.

**G. DISCUSSION AND POSSIBLE ACTION ITEMS:**

**1. COVID-19 ACTION UPDATE**

Jeff Kulaga, Town Manager / Clerk, provided an update from Town staff regarding current steps taken to safeguard public health and safety in response to the Coronavirus and its impact to Town services. Mr. Kulaga noted that the Arizona State Department of Health and Maricopa County provide on-line vaccination scheduling information. With the assistance of community partners, on March 4, 2021, 104 Town residents were vaccinated. The virus positive case rates have declined.

With the passage of the \$1.9 trillion American Relief Plan, Arizona cities and towns will receive \$1.2 billion, collectively. The Town's share of this funding is \$1,582,256. Funding will be dispersed to cities and towns at 50% over the next two fiscal years. Mr. Kulaga outlined funding options for future consideration, and prohibited expenditures as outlined by the Federal government. Funding options will be explored further during upcoming budget discussions. The League of Arizona Cities and Towns is working through the legislative details and funding requirements. American Relief Plan funds cannot be used to cut taxes or to pay pension obligations.



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In response to a question, disbursement of American Relief Plan funds is based on population and includes counties in Arizona as well as the State of Arizona.

## 2. PROPOSED 2021 GAMING GRANT APPLICATIONS

Jeff Kulaga, Town Manager / Clerk, presented the proposed 2021 gaming grant applications which include twelve individual grant applications for Town services, programs, equipment, and infrastructure needs totaling \$751,000. Mr. Kulaga then reviewed 2018 – 2020 gaming grants that have been awarded to the Town, totaling \$674,000.

In response to a question regarding how items would be funded if the gaming grants are not awarded, Mr. Kulaga stated that funding would likely be coming from the Town's General Fund, and some of the items may not be pursued due to lack of funding.

## 3. AK-CHIN INDIAN COMMUNITY GAMING GRANT (RESOLUTION NO. R2021.02)

Jeff Kulaga, Town Manager / Clerk, stated that the next five agenda items are resolutions for gaming grant applications.

**Motion by Councilmember Bravo to adopt Resolution No. R2021.02, Ak-Chin Indian Community; Resolution No. R2021.03, Fort McDowell Yavapai Nation; Resoution No. R2021.04, Gila River Indian Community; Resolution No. R2021.05, Pascua Yaqui Tribe; and, Resolution No. R2021.06, Tohono O'odham Nation – agenda items G3 – G7; second by Councilmember Sanchez. Motion passed unanimously on a voice vote 4-0.**

Councilmembers adopted **RESOLUTION NO. R2021.02** authorizing the submittal of an application for a grant of \$130,000 from the Ak-Chin Indian Community for Fire Department First Responder Self Contained Breathing Apparatus equipment and a Small Business Development and Assistance program; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

## 4. FORT MCDOWELL YAVAPAI NATION GAMING GRANT (RESOLUTION NO. R2021.03)

Councilmembers adopted **RESOLUTION NO. R2021.03** authorizing the submittal of an application for a grant of \$155,000 from the Fort McDowell Yavapai Nation for a Fire Department replacement Command/Community Response vehicle for public safety purposes and a Senior Center Meal Program; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

## 5. GILA RIVER INDIAN COMMUNITY GAMING GRANT (RESOLUTION NO. R2021.04)

Councilmembers adopted **RESOLUTION NO. R2021.04** authorizing the submittal of an application for a grant of \$151,000 from the Gila River Indian Community for Cultural Heritage Events Programming, Community Action Program Family Assistance Resources, and Public Works utility equipment replacement; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

## 6. PASCUA YAQUI TRIBE GAMING GRANT (RESOLUTION NO. R2021.05)

Councilmembers adopted **RESOLUTION NO. R2021.05** authorizing the submittal of an application for a grant of \$170,000 from the Pascua Yaqui Tribe for the Community Action Program Food Distribution Program and associated supplies, Fire Department Self Contained Breathing Apparatus equipment, and Cultural Event public safety services; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

## 7. TOHONO O'ODHAM NATION GAMING GRANT (RESOLUTION NO. R2021.06)

Councilmembers adopted **RESOLUTION NO. R2021.06** authorizing the submittal of an application for a grant of \$145,000 from the Tohono O'odham Nation for Senior Center Elder Activity Programming and a Fire Truck payment; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.





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## 8. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT UPDATE

Jeff Kulaga, Town Manager / Clerk, provided an update of the Avenida del Yaqui Street Improvement Project (Project). The Project will resurface the roadway pavement, install new curbs and gutters, sidewalks, driveways and striped bicycle facilities (designated bicycle lanes), new traffic control signs and enhanced pedestrian crosswalks. The Project improvements will comply with the Adults with Disabilities Act requirements.

Project constraints include funding, private property, street width/lighting, utility poles and bus stops, and the project schedule. The project is within the existing Town rights-of-way, with a minimal need to acquire private property. Staff has been in meetings with property owners and acquiring Temporary Construction Easements and rights-of-way as needed.

In 2019, the Federal government allocated \$3.3 million for this Project, with a Town match of \$201,000; and, in 2021, the Federal governmental increased its Project allocation to \$5.2 million with a Town match of \$319,000.

Mr. Kulaga provided a project timeline, beginning with a Road Safety Assessment in 2014. At that time, it was determined that Avenida del Yaqui was deteriorating. Staff subsequently applied for several grants, originally a federal TIGER grant. In 2016, this TIGER grant was not awarded. Consequently, the Town applied for a federal Congestion Mitigation Air Quality through the Maricopa Association of Governments process. This grant was approved and awarded in 2018. from funds. The Arizona Department of Transportation serves as the Project manager. Public outreach efforts began in 2018 and were delayed in 2020 due to COVID-19. Federal funding has fluctuated over time. A public meeting is scheduled for March 12, 2021 to discuss project details and receive public comments. Construction is anticipated to begin in the Fall and is anticipated to be completed by next summer.

Some residents have indicated a desire to move forward with the project without the bicycle lanes, however bicycle lanes are a Project requirement. Funding for this Project nearly equals the total amount of the Town's General Fund annual expenditures. Should the Council only desire to repave and restripe Avenida del Yaqui, it would cost the Town approximately \$2.2 million.

Dibble Engineering has indicated that there is not enough right-of-way along the Project roadway to allow for on-street parking. Mr. Kulaga read the Town Code related to the prohibition of parking vehicles on sidewalks or public right-of-way. The Town has not enforced this Code, making the policy and practice out of alignment.

The project balance includes resident preferences, intent within the right-of-way, compliance, funding and land, and existing conditions. Mr. Kulaga then reviewed next steps, Project timeline, and Project contact information.

A Councilmember commended staff for their work to date on this Project and for their diligence to try to accommodate the parking needs of residents. The lack of right-of-way in some areas will not allow for on-street parking.

In response to a question regarding the financial impact if the Town were to make street improvements outside of the proposed Project, Mr. Kulaga stated that it would cost approximately \$2.2 million for pavement only. The deterioration of Avenida del Yaqui was identified in 2014 and continues to deteriorate. With the continued deferral of roadway repair and maintenance, the cost to repair the street only increases.

A Councilmember discussed how cities and towns apply for grant funding for various projects that they would otherwise not be able to afford. The Project is to improve the infrastructure, which residents have been requesting for years; and emphasized that the Project affects all Town residents.

In response to a question regarding on-going maintenance of potholes, Vince Gibbons, Dibble



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Engineering representative, stated that on-going pothole repairs would be the responsibility of the Town. The surface life of the road is anticipated to be 20 years.

Councilmembers discussed how this Project will have a positive impact on future generations. The Town does not have the funding to conduct basic road repairs. The Town is hosting a public meeting at the Mercado on March 12, 2021, regarding this Project.

#### 9. SOLID WASTE COLLECTION SERVICE PROPOSED RATE INCREASE REVIEW

Jeff Kulaga, Town Manager / Clerk, provided a review of solid waste services including current financials, five-year projected revenues and expenditures, rate analysis, and proposed solid waste service rate increase options. In 2019, staff identified that expenditures for solid waste services were exceeding revenues in upcoming years. Fee increases were postponed until the Town secured a contract with a new solid waste services provider who began providing services to the Town last year. The most recent increase in solid waste fees was in 2009. Within the next fiscal year, staff anticipates that expenditures will exceed revenues in the Solid Waste Fund.

Mr. Kulaga outlined upcoming challenges and discussed the following staff recommendations for Council consideration:

- Discontinue quarterly bulk service.
- To continue quarterly bulk service a \$3/month fee would be needed. In addition to rate options.
- Select a rate increase.

Mr. Kulaga outlined various rate increase options. A water bill insert is being mailed to residents asking for their feedback on rate increases. There will be a website survey and residents are welcome to contact staff to convey their feedback.

Should a rate increase ultimately be proposed, to comply with Arizona Revised Statutes, a public notice would be required on April 23, 2021, which is 60 days prior to the fiscal year 2021/2022 final budget adoption that is scheduled for June 24, 2021.

#### 10. CLAIMS

Approval of the check register for February 2021, totaling \$455,448.49.

**Motion by Councilmember Soto to approve agenda item G10; second by Councilmember Bravo. Motion passed unanimously on a voice vote 4-0.**

Councilmembers approved the check register for February 2021, totaling \$455,448.49.

#### H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Thanked the Diamondbacks and the Arizona Public Service Company for paying for the purchase and installation of a new Little League scoreboard at Stottlemire Park.
- Thanked Public Works staff for clearing the property on Calle Batoua, as approved by Council on February 25, 2021. Neighbors have expressed their gratitude to the Town for clearing the property.

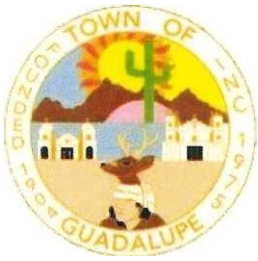
#### I. COUNCILMEMBERS' COMMENTS

Councilmember Sánchez

- Thanked Public Works staff for clearing the property on Calle Batoua.
- Urged everyone to stay safe and healthy.

Councilmember Bravo

- Thanked staff and residents for the decreasing COVID-19 infection rates; stay safe; get vaccinated; and wash hands.
- A resident thanked the Town for clearing the property on Calle Batoua.



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

Councilmember Soto

- Thanked staff for their commitment to residents.
- Transparency is important to the Council. Invited residents to contact Councilmembers with any questions they may have.
- Public meetings are advertised.
- The town budget is on-line.
- Urged residents to continue on their path to wellness.

Vice Mayor Vital

- Thanked Native Health and the Pascua Yaqui Tribe on their vaccination efforts. 305 community members were recently vaccinated. There will be an upcoming vaccination event in April.
- There is a mask mandate for public areas and businesses in Town.
- March 12, 2021, 3:00 P.M., Avenida del Yaqui Street Improvement Project public meeting.
- Urged residents to read the water bill inserts to stay informed.
- Thanked staff and residents for allowing Councilmember to serve them.

J. ADJOURNMENT

**Motion by Councilmember Soto to adjourn the Regular Council Meeting; second by Councilmember Bravo. Motion passed unanimously on a voice vote 4-0.**

The meeting was adjourned at 7:12 p.m.

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

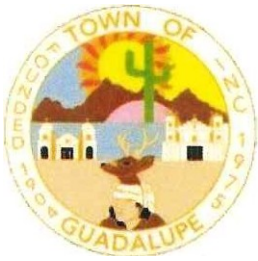
ATTEST:

\_\_\_\_\_  
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 March 11, 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



# Minutes Town Council Special Meeting March 17, 2021

Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Gloria Cota  
Councilmember

Elvira Osuna  
Councilmember

Joe Sánchez  
Councilmember

Anita Cota Soto  
Councilmember

Online agendas and  
results available at  
[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 Special Meeting held on Wednesday, March 17, 2021, 3:00 p.m., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

## A. CALL TO ORDER

Mayor Molin called the meeting to order at 3:06 p.m.

## B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina, Vice Mayor Ricardo Vital, Councilmember Mary Bravo, Councilmember Gloria Cota, Councilmember Elvira Osuna, and Councilmember Anita Cota Soto

Councilmember Absent: Councilmember Joe Sánchez

Staff Present: Jeff Kulaga – Town Manager / Clerk, David Ledyard – Town Attorney, and Kay Savard – Deputy Town Clerk

## C. DISCUSSION AND POSSIBLE ACTION ITEMS:

### 1. EXECUTIVE SESSION:

**Motion by Vice Mayor Vital to convene into Executive Session; second by Councilmember Osuna. Motion passed unanimously on a voice vote 4-0.**

Councilmembers voted to convene into an Executive Session, closed to the public, as allowed by ARS 38-431.03 (A) (2) (3) (4) (6) and (7) concerning the use, rental, and possible disposition of certain real estate owned or controlled by the Town of Guadalupe and any confidential records related thereto; and, legal advice concerning the following topics:

- a. Notice of Claim, October 2, 2020
- b. Guad Building Lease: #C2018-09, 8419 South Avenida del Yaqui
- c. Mercado Tenant Lease – 9201 South Avenida del Yaqui: Guadalupe Boxing Gym
- d. Mercado Building Condition – 9201 South Avenida del Yaqui
- e. Cemetery Ordinance
- f. Town Right of Way, 9215 South Calle Vaou Nawi
- g. Town-owned property, 5933 East Calle Milagros
- h. Tempe Inn at the Mall property, 5300 South Priest, Variance Request
- i. Rezoning Request, 9438 South Calle Bella Vista (Parcel 301-42-001D)
- j. Town-owned property, 9438 South Calle Bella Vista
- k. Avenida del Yaqui Street Improvement Project



D. ADJOURNMENT

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

The meeting was adjourned at 3:07 p.m.

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

Valerie Molina  
Mayor

ATTEST:

Ricardo Vital  
Vice Mayor

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

Mary Bravo  
Councilmember

CERTIFICATION

Gloria Cota  
Councilmember

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the March 17, 2021, Town of Guadalupe, Town Council Special Meeting. I further certify the meeting was duly called and held, and that a quorum was present.

Elvira Osuna  
Councilmember

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

Joe Sánchez  
Councilmember

Anita Cota Soto  
Councilmember

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Town Council Chambers  
9241 S. Avenida del Yaqui  
Guadalupe, AZ 85283  
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# PROCLAMATION



## FIRST THINGS FIRST

*Ready for School. Set for Life.*

**WHEREAS**, All young children deserve quality early learning environments that support them as capable and competent lifelong learners; and

**WHEREAS**, Nurturing parenting, quality and accessible childcare, and early education programs build strong brains during the critical years from birth to age 5; and

**WHEREAS**, Investments in babies and young children has profound impacts on creating a strong and vibrant community; and

**WHEREAS**, First Things First, Arizona Association for the Education of Young Children and other community organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the 50th anniversary of the Week of the Young Child; and

**WHEREAS**, These organizations are working to improve equitable early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in the Town of Guadalupe; and

**WHEREAS**, Early childhood educators and others who make a difference in the lives of young children deserve thanks and recognition; and

**WHEREAS**, Public policies that support early learning for all young children are crucial to the future of Arizona's young children, families, and communities.

**NOW, THEREFORE**, I, Mayor Valerie Molina do hereby proclaim April 10-16, 2021 as the Week of the Young Child in the Town of Guadalupe, Arizona and encourage all citizens to support and invest in early childhood education in our community.

### **Week of the Young Child**

in the Town of Guadalupe of the State of Arizona.

Signed this 25<sup>th</sup> day of March, 2021

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Valerie Molina, Mayor  
Town of Guadalupe, Arizona

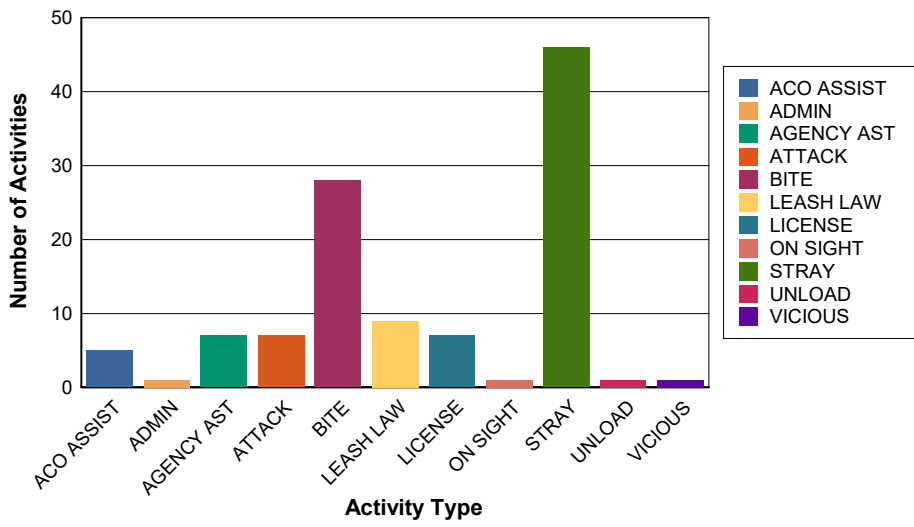
**Activities for GUADALUPE  
From 7/1/2019 to 6/30/2020**

<b>ACO ASSIST</b>	<b>8</b>	
	<b>2ND SNARE DATA</b>	<b>5</b>
		<b>3</b>
<b>ADMIN</b>	<b>1</b>	
	<b>PICK UP</b>	<b>1</b>
<b>AGENCY AST</b>	<b>8</b>	
	<b>POLICE</b>	<b>8</b>
<b>ATTACK</b>	<b>13</b>	
	<b>A-FATALITY</b>	<b>2</b>
	<b>A-INJURY</b>	<b>8</b>
	<b>A-NO INJ</b>	<b>1</b>
	<b>H-INJURY</b>	<b>1</b>
	<b>H-NO INJ</b>	<b>1</b>
<b>BITE</b>	<b>134</b>	
	<b>FOLLOW UP</b>	<b>52</b>
	<b>HEALTHCHK</b>	<b>26</b>
	<b>INITIAL</b>	<b>55</b>
	<b>RTO</b>	<b>1</b>
<b>LEASH LAW</b>	<b>57</b>	
	<b>INITIAL</b>	<b>8</b>
	<b>REPEAT OFF</b>	<b>49</b>
<b>LICENSE</b>	<b>8</b>	
	<b>CHECK</b>	<b>6</b>
	<b>FOLLOW UP</b>	<b>2</b>
<b>ON SIGHT</b>	<b>2</b>	
	<b>AT LARGE</b>	<b>2</b>
<b>STRAY</b>	<b>56</b>	
	<b>AREA CHECK</b>	<b>19</b>
	<b>CONFINED</b>	<b>6</b>
	<b>INJURED</b>	<b>4</b>
	<b>PATROL</b>	<b>10</b>
	<b>WILL SHOW</b>	<b>17</b>
<b>UNLOAD</b>	<b>1</b>	
	<b>EAC</b>	<b>1</b>
<b>VICIOUS</b>	<b>4</b>	
	<b>COURT</b>	<b>1</b>
	<b>FOLLOW UP</b>	<b>3</b>

# Activities for GUADALUPE From 7/1/2019 to 6/30/2020

Total Activities for GUADALUPE

292





# Northwest Corner of Calle Bella Vista & Carmen St. Planned Area Development Rezoning Request



**Town of Guadalupe  
Planned Area Development Second Submittal  
March 16, 2021**

Developer:  
Representative:  
Address:

Mavlife1, LLC  
William E. Lally -- Tiffany & Bosco, P.A.  
2525 E. Camelback Rd., Phoenix, AZ 85016



## Planned Area Development

### Mavlife1, LLC -- NWC Calle Bella Vista & Carmen St.

#### PLANNED AREA DEVELOPMENT DISCLAIMER

*A Planned Area Development (PAD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PAD are governed by the zoning ordinance. A PAD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PAD only modifies zoning ordinance regulations and does not modify other City Codes or requirements.*

#### Background

This Planned Area Development (“PAD”) application pertains to two distinct properties. The larger property is owned by Mavlife1, LLC (the “Applicant”) and consists of approximately .64 acres generally located at the northwest corner of Calle Bella Vista and Carmen St., and is identified by the Maricopa County Assessor’s Office as APN: 301-42-001D. *See Exhibit 1.* The smaller property is owned by the Town of Guadalupe (the “Town”), consists of approximately 3,930 square feet, and is located directly south of the larger property. *See Exhibit 2.* The smaller property acts as the driveway for the larger property and APN: 301-42-021. The Town may consider whether to sell the smaller property to the Applicant. *See Exhibit 3.* If the Town decides to sell the smaller property to the Applicant, the smaller property will have the same zoning as APN: 301-42-001D. The two properties will be referred to collectively as the “Property”.

The Applicant intends to rezone the Property to Planned Area Development (“PAD”) in order to allow outdoor storage uses. The Applicant is dedicated to working with the neighbors to ensure the proposed use beautifies the Property. The Applicant welcomes this opportunity to work with the Town and is eager to begin the review process.

#### Description of Property

The Property has remained vacant for more than twenty years and is currently zoned R1-6: Single Family Residential (“R1-6”). *See Exhibit 4 & 5.* The parcel located directly west of the Property is owned by the Applicant, is zoned C-MIX: Commercial (“C-MIX”), and houses a commercial office building. The parcel south of the Property is located in the City of Tempe, is zoned General Industrial District, allows screened outdoor storage, and houses a large industrial warehouse. The parcels to the north of the Property are vacant and are zoned C-MIX; C-MIX allows outdoor storage. Single family residences are adjacent to the Property’s eastern boundary.

The Property is the southeastern most parcel on a triangular shaped block spanning from Calle Guadalupe to Carmen St. north-south and from Calle Bella Vista to Interstate-10 east-west. Of the triangular shaped block’s thirteen parcels, the Property is the only one zoned R1-6; all others are zoned C-MIX; C-MIX allows outdoor storage.

## Planned Area Development

### Mavlife1, LLC -- NWC Calle Bella Vista & Carmen St.

The Property is well suited for outdoor storage uses due to its immediate proximity to multiple properties to the north, south, and west which currently permit outdoor storage. In addition, all Tempe properties one-half mile south of Carmen Street, west of Priest, and east of the I-10 are zoned for outside storage uses. Furthermore, the Property is an outlier as all other properties north of Carmen Street, west of Calle Belle Vista and south of Calle Guadalupe allow for outside storage uses. Here, the proposed use will help beautify and increase the safety of the vacant lot while blending seamlessly into the neighboring residential uses. The proposed use will beautify the vacant lot because a well-manicured and landscaped screening wall will be constructed. Further, the Property is frequently loitered on and the proposed use will eliminate the loitering, therefore increasing the area's safety.

#### Description of Request

The purpose of this request is to rezone the Property from R1-6 into a narrowly tailored PAD district to allow for outdoor storage.

#### Permitted Uses

- Outdoor Storage
  - Outdoor Storage of materials (excluding hazardous materials), vehicles (excluding garbage trucks, semi-trucks, and tractor trailers), equipment, and other similar items
  - Outdoor Storage shall be screened with a solid/wall fence or combination wall/fence and landscaping
  - All outdoor storage areas for materials, vehicles (excluding garbage trucks, semi-trucks, and tractor trailers), equipment or other similar items will have an 8' painted and landscaped block wall sufficient in height to screen such storage areas from view. The painted and landscaped block wall will be materially similar to the rendering depicted in **Exhibit 6**

#### Prohibited Uses

- Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration, or noise, or may impose a health or safety hazard including the use or storage of hazardous materials
- Storage of gasoline, pesticides or other substances that may impose a health hazard
- Servicing of vehicles or auto body work
- Manufacturing

## Planned Area Development

### Mavlife1, LLC -- NWC Calle Bella Vista & Carmen St.

- The development of new buildings or structures
- The development of any and all new ingress/egress points along the eastern boundary of the Property

#### Use Requirements

*Should the Applicant fail to adhere to the use requirements delineated below, the Town will notify the Applicant of their failure and if the Applicant does not materially remedy the failure within 30 calendar days, the Applicant will be subject to fines and penalties in a reasonable amount to be determined by the Town.*

- The landscaped block wall must be maintained so that the vegetation does not brown as a result of the owner's negligence
- The landscaped block wall must be free and clear of any and all graffiti or other unsightly wall art
- Pending Town approval, a speedbump must be installed near the intersection of Calle Carmen and Calle Sahuaro
  - Should the Town deny the installation of the speedbump for their own reasons, this requirement is no longer in effect
- Water from the Property cannot run onto the Street

#### Development Standards

Zoning District	Minimum Wall* Setbacks			Max-Height
	Front	Side	Rear	
PAD	10'	0'	0'	8'

\*Wall: A device for screening purposes forming a physical barrier, which is so constructed that 100% of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane. This shall be constructed of concrete or concrete block,

#### PAD Justification

A PAD is necessary to provide a mutually beneficial outcome for both the Applicant and the surrounding neighborhood. The Town's commercial zoning districts are too broad and include uses that are incompatible with the neighborhood. The intent of this PAD request is to limit the uses on the Property so the Property acts as a sound and visibility buffer between the neighborhood and the business activity occurring east of the Property.

## **Planned Area Development**

### **Mavlife1, LLC -- NWC Calle Bella Vista & Carmen St.**

In short, the PAD is necessary to allow limited outdoor storage and achieve the sound and visibility buffer.

Further, the Property will be shielded from the adjacent residential district by an 8' screening wall. The screening wall will be designed and landscaped so that the adjacent residential district is not impacted by the screening wall's existence. The PAD will not negatively impact the surrounding area because the proposed use is minimally intrusive. Moreover, the proposed use will secure the vacant lot and will prevent loiters from lingering on the Property. Further, the screening wall will be landscaped and will help beautify the vacant the lot.

The proposed setbacks are justified because the setbacks mirror the fencing of the property immediately north of the Property.

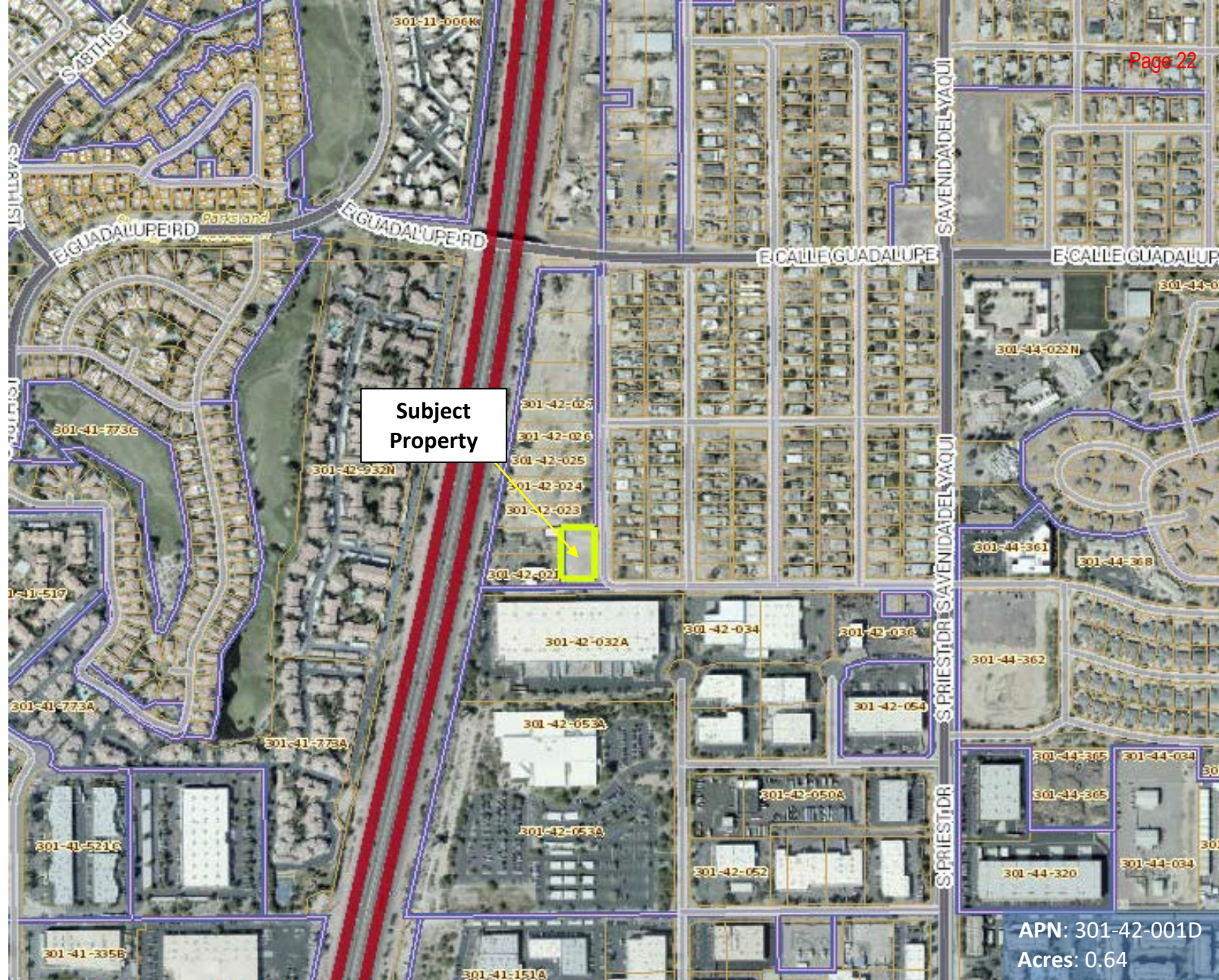
### Grading and Drainage

Grading and drainage will be calculated so that all storm water is properly retained. Further, the Applicant will take steps to ensure storm water does not run off the Property in a noxious fashion.

### Conclusion

To conclude, the proposed PAD provides the Property the necessary flexibility from the Town's Zoning Ordinance and allows outdoor storage uses and the construction of a wall to sufficiently screen the outdoor storage. The wall and any outdoor storage uses will comply with the aforementioned development standards.

Should you have any questions or need any additional information, please do not hesitate to contact William E. Lally at [wel@tblaw.com](mailto:wel@tblaw.com) and (602) 452-2716 or John T. Oliver at [joliver@tblaw.com](mailto:joliver@tblaw.com) and (602) 452-2733.



**Exhibit 1 -- Regional Context Aerial Map**  
NWC Calle Bella Vista & Carmen St.



Subject Property

APN: 301-42-001D  
Acres: 0.64

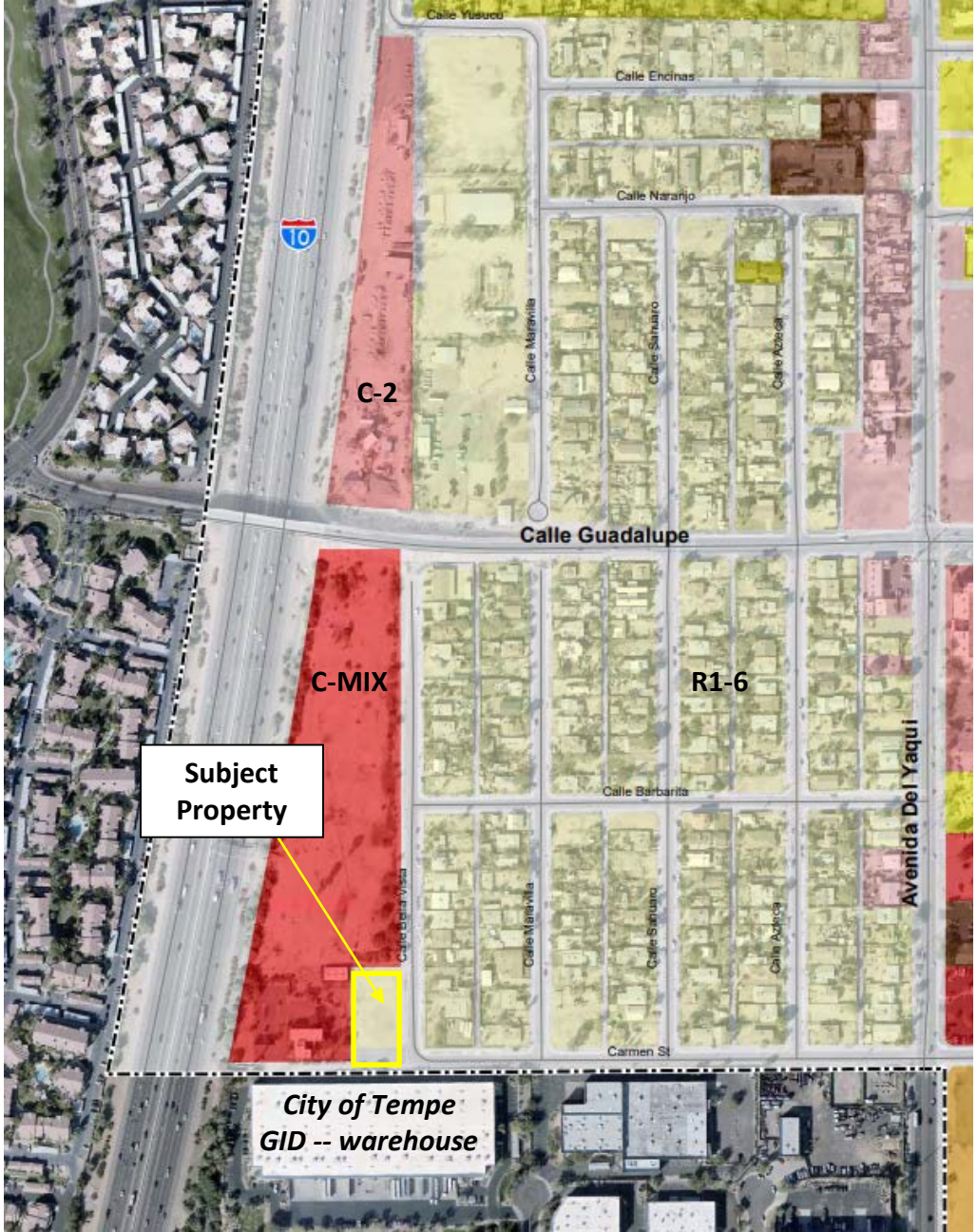
Exhibit 2 -- Parcel Context Aerial Map  
NWC Calle Bella Vista & Carmen St.



**Exhibit 3 -- Parcel Context Aerial of Town Property**  
NWC Calle Bella Vista & Carmen St.



# Town of Guadalupe Zoning Map



- Zoning**
- C-1: Commercial
  - C-2: Commercial
  - C-MIX: Commercial
  - OS: Open Space
  - PF: Public Facility
  - R1-6: Single Family Residential
  - R1-9 Single Family Residential
  - R-2 Single Family Residential
  - R-3 Multi Family Residential
  - R-3 and 4 Multi Family Residential

**Subject Property**

Current Zoning: R1-6  
Proposed Zone: PAD

**Exhibit 4 -- Town of Guadalupe Zoning Map**  
NWC Calle Bella Vista & Carmen St.



- ▶  2006 Jan - 2006 Feb
- ▶  2004 Nov - 2004 Dec
- ▶  2003 Dec - 2004 Jan
- ▶  2002 Dec - 2002 Dec
- ▶  2002 Jan - 2002 Dec
- ▶  2001 Dec - 2002 Feb
- ▶  2001 Jan - 2001 Dec
- ▶  2000 Jan - 2000 Apr
- ▶  2000 Dec - 2001 Mar
- ▶  1998 Dec - 1999 Oct
- ▶  1998 Jan - 1998 Mar
- ▶  1996 Dec - 1997 Feb
- ▶  1993 Jan - 1993 Feb
- ▶  1991 Nov - 1991 Nov
- ▶  1991 Jun - 1991 Dec
- ▶  1990 Oct - 1990 Oct
- ▶  1986 Jan - 1986 Dec
- ▶  1982 Jan - 1982 Dec

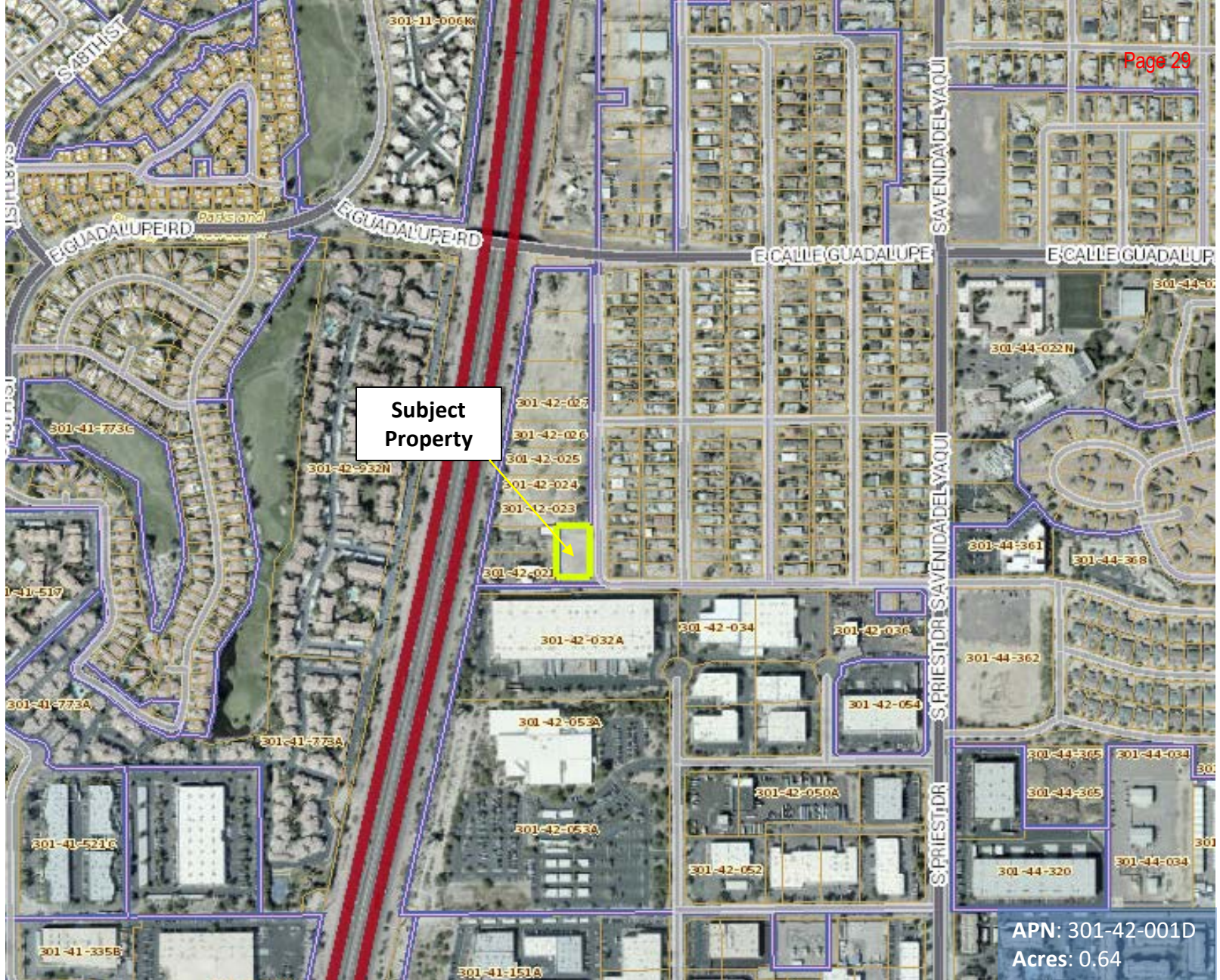
**Exhibit 5 -- Historical Context Aerial Map**  
NWC Calle Bella Vista & Carmen St.



**Exhibit 6 -- Proposed Wall Rendering**  
NWC Calle Bella Vista & Carmen St.

Town of Guadalupe  
Town Council Meeting  
March 25, 2021

**PAD Rezoning Request for  
9438 S. Calle Bella Vista  
Guadalupe, Arizona 85283**



Subject Property

APN: 301-42-001D  
Acres: 0.64

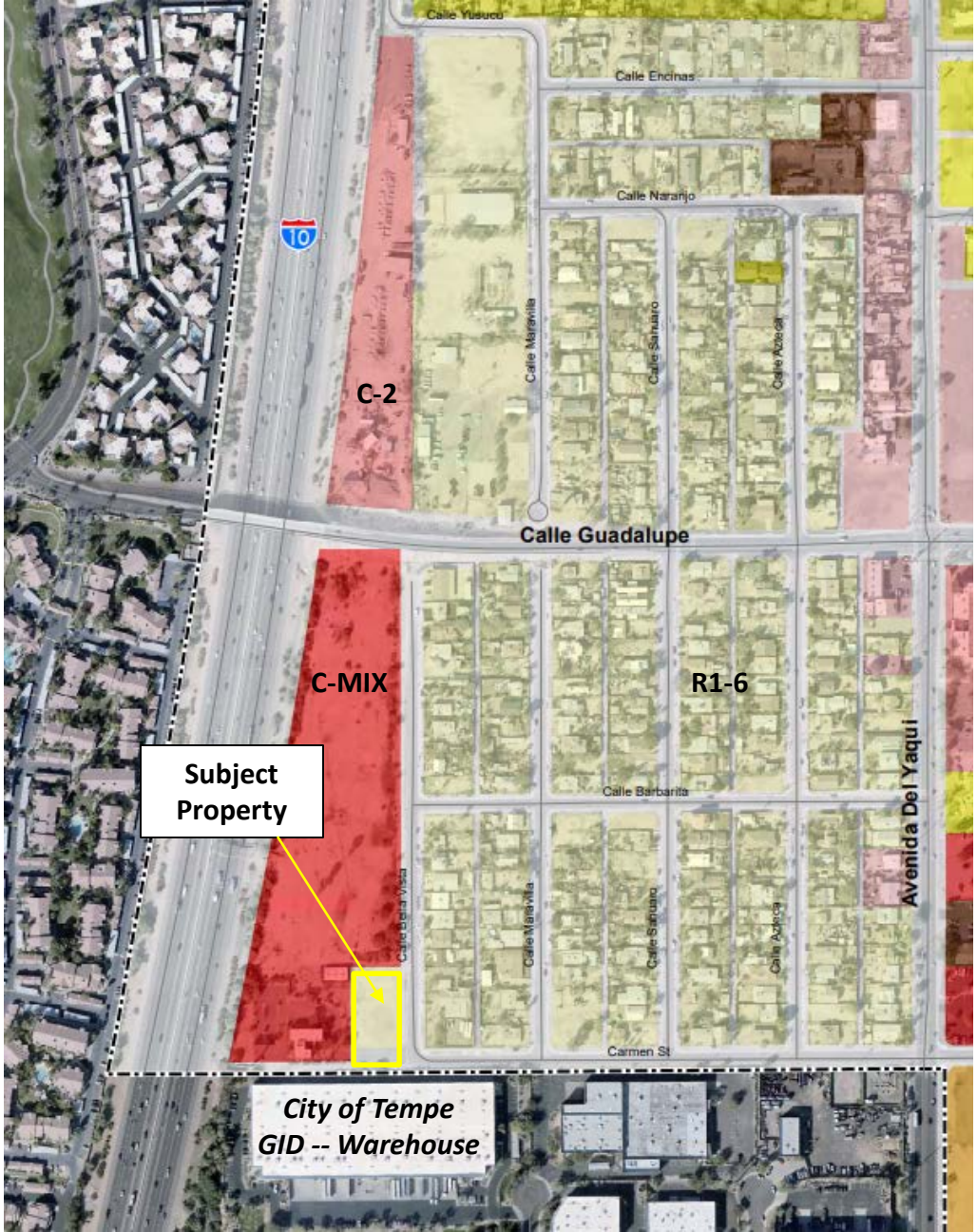


**Subject Property**

Page 30

APN: 301-42-001D  
Acres: 0.64

# Town of Guadalupe Zoning Map



**Zoning**

- C-1: Commercial
- C-2: Commercial
- C-MIX: Commercial
- OS: Open Space
- PF: Public Facility
- R1-6: Single Family Residential
- R1-9 Single Family Residential
- R-2 Single Family Residential
- R-3 Multi Family Residential
- R-3 and 4 Multi Family Residential

**Subject Property**

Current Zoning: R1-6  
Proposed Zoning: PAD

City of Tempe  
GID -- Warehouse



- ▶  2006 Jan - 2006 Feb
- ▶  2004 Nov - 2004 Dec
- ▶  2003 Dec - 2004 Jan
- ▶  2002 Dec - 2002 Dec
- ▶  2002 Jan - 2002 Dec
- ▶  2001 Dec - 2002 Feb
- ▶  2001 Jan - 2001 Dec
- ▶  2000 Jan - 2000 Apr
- ▶  2000 Dec - 2001 Mar
- ▶  1998 Dec - 1999 Oct
- ▶  1998 Jan - 1998 Mar
- ▶  1996 Dec - 1997 Feb
- ▶  1993 Jan - 1993 Feb
- ▶  1991 Nov - 1991 Nov
- ▶  1991 Jun - 1991 Dec
- ▶  1990 Oct - 1990 Oct
- ▶  1986 Jan - 1986 Dec
- ▶  1982 Jan - 1982 Dec





## PAD Standards

- Permitted Uses
  - Outdoor Storage of materials, vehicles, equipment, and other like items
- Prohibited Uses
  - Storage of gasoline, pesticides, or other hazardous materials
  - Manufacturing
  - Vehicle Servicing
  - Any use resulting in the emission of noxious conditions
- Development Standards
  - Setback: 10 feet
  - Maximum Height: 8 feet

## Use Requirements

- Wall must be maintained so that vegetation does not brown
- Wall must be free of all graffiti
- Speedbump must be installed near Calle Carmen and Calle Sahuaro
  - Installation of speedbump will be at Town's discretion
- Storm Water cannot unreasonably run onto or pool in the Street
- *If the Applicant fails to adhere to the use requirements and fails remedy the failure within 30 days, the Applicant will be subject to fines as determined by the Town*

## PAD Benefits

- Will **beautify** a vacant lot
- Will **secure** a vacant lot and prevent loitering
- Will provide ample **vegetation**
- Will **increase commercial activity** located in the Town
- Will **shield** residential uses from neighboring commercial uses





Town of Guadalupe  
Town Council Meeting  
March 25, 2021

**PAD Rezoning Request for  
9438 S. Calle Bella Vista  
Guadalupe, Arizona 85283**

# THE RECORD REPORTER

~SINCE 1914~

Mailing Address : 2025 N THIRD ST #155, PHOENIX, AZ 85004-1425  
Telephone (602) 417-9900 / Fax (602) 417-9910  
Visit us @ www.RecordReporter.com

KAY SAVARD  
TOWN OF GUADALUPE  
9241 S AVENIDA DEL YAQUI  
GUADALUPE, AZ 85283

RR# 3447512

## COPY OF NOTICE

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

Reference #

Notice Type: MCHRG NOTICE OF HEARING

Ad Description

RZ 2021-01 Request for rezoning from R 1-6 to a Planned Area Development

To the right is a copy of the notice you sent to us for publication in THE RECORD REPORTER. Please read this notice carefully and fax or e-mail (record\_reporter@dailyjournal.com) any corrections. The Affidavit will be filed, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

03/05/2021

TOWN OF GUADALUPE NOTICE OF PUBLIC HEARING REZONING The Town Council of Guadalupe shall hold a meeting, open to the public, on March 25, 2021, at 6:00 p.m. at the Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona, to hold a public hearing to consider the following rezoning request: RZ 2021-01 Request for rezoning from R 1-6 to a Planned Area Development district to allow for outdoor storage and for the installation of a screening wall at 9438 South Calle Bella Vista. 1. Application by William E. Lally – Tiffany & Bosco, P.A., on behalf of Mavlife1, LLC, Developer, for a change of zoning from R 1-6 to a Planned Area Development district to allow for outdoor storage and for the installation of a screening wall. This request is for the property located at 9438 South Calle Bella Vista. The property is further described by the Maricopa County Assessor as parcel 301-42-001D. Written comments or objections may be filed at the Guadalupe Town Hall prior to, or at the hearing. Copies of the application and zoning requirements are available for review at the Town Hall. Publish: Friday, March 5, 2021 3/5/21

RR-3447512#

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$2.80
Arizona Sales Tax	\$0.01
Total	\$2.81

Your Legal Publishing



\* A 0 0 0 0 0 5 6 5 7 4 3 5 \*



**Feature Information**  
(1 of 1) Clear ?

**301-42-001D**

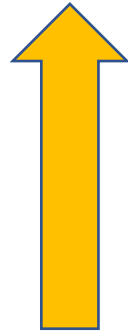
**Owner Information**  
Owner Name: MAVLIFE1 LLC  
Property: 9438 S CALLE BELLA VISTA GUADALUPE  
Address: 85283  
Mailing: 7302 E HELM DR STE 2002 SCOTTSDALE  
Address: AZ 85260  
Deed Number: 201063909  
Sale Date:  
Sale Price: \$

**Property Information**  
Lat/Long: 33.360401, -111.967807  
S/T/R: 8 15 4E  
Jurisdiction: GUADALUPE  
Zoning: R1-6  
PUC: 1074  
Lot Size (sq ft): 27,878  
MCR #:  
Subdivision:  
Lot #:  
Floor: 1  
Construction Year:  
Living Space (sq ft):

**Valuation Information**  
Tax Year: 2022 2021  
FCV: \$63,000 \$63,000  
LPV: \$34,953 \$33,289  
Legal Class: M M

Zoom to ...

The aerial map shows a grid of lots along Calle Bella Vista and E Carmen St. Parcel 301-42-001D is highlighted in blue. A red shaded area indicates the right-of-way for the property at 9438 Calle Bella Vista. The map includes various lot numbers, street names, and a large building at the bottom.



9438 Calle Bella Vista Right of Way Sale

## ARIZONA REVISED STATUTES

### 9-402. Sale and disposition of property; advertising for bids; publication; donation; easements

- A. A city or town may sell and convey all or any part of its real or personal property, whether or not the property is devoted exclusively to public use.
- B. The sale shall not be made until an invitation for bids for the purchase of the property has been published as provided by section 39-204 and notice has been posted in three or more public places within the city or town.
- C. If no newspaper is published within the city or town, then the invitation for bids shall be published as provided by section 39-204, and by posting notices for bidders in three or more public places within the city or town.
- D. A city or town may donate lost and found or unclaimed personal property in its custody for at least ninety days to nonprofit charitable organizations.
- E. Notwithstanding subsections A and B of this section, a city or town may convey to the appropriate property owner without receiving payment an easement that the city or town no longer needs.

### 39-204. Publication of notice; time; place

- A. When publication of a notice in a newspaper is directed or authorized by law, it shall be in a newspaper of general circulation printed in English.
- B. If the number of times the notice is to be published is not specified, publication shall be:
1. If in a weekly newspaper, once each week for two consecutive weeks.
  2. If in a daily newspaper, four consecutive times.
- C. If the place of publication of the notice is not specified, publication shall be:
1. If by a state officer, board, or commission, in a newspaper printed and published within the county where the state capital is located.
  2. If by a county officer, board, or commission, or by any person in a county, in a newspaper printed and published within such county. If no such newspaper is printed and published within the county, publication may be made in a newspaper of general circulation in the county which is printed in an adjoining county.
  3. If by a district, city or town officer, board, or commission, or by any person in a district, city or town, in a newspaper printed and published within the territorial limits thereof. If no such newspaper is printed and published within the limits thereof, publication may be made in a newspaper printed and published in the county in which the district, city or town is located.

CASE NO. V 2021-02

TOWN OF GUADALUPE  
9241 SOUTH AVENIDA DEL YAQUI  
GUADALUPE, ARIZONA 85283  
480-730-3080

APPLICATION FOR:

- Variance
- Conditional Use
- Zoning Change

Zoning District: \_\_\_\_\_  
 Check # 2746 Fee: 50.00 pd  
 Receipt #: \_\_\_\_\_

THE REASON FOR THE REQUEST IS : A variance for allowable density increase from Guadalupe's R-4 standards. Request is for City of Phoenix R-5 standards, 43.5 dwelling units per acre. This will allow for a commercial development on parcel 301-10-011S for the benefit of the residents and the Guadalupe community at large.

THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS : Please see attached

Parcel 301-10-011Q

AND ITS GENERAL LOCATION IS: N S E  SIDE OF CALLE Avenida del Yaqui  
223 FEET N  E W OF CALLE W Baseline Rd AND 500 FEET  
 BY 223 FEET TOTALING 123,754 SQ. FEET.

IF REQUESTING REZONING, INDICATE CHANGE : FROM \_\_\_\_\_ TO \_\_\_\_\_

APPLICANT : HARC HOLDINGS LLC PHONE NO : 617-899-4373  
 ADDRESS : 2120 Encanto Dr SE, Phoenix AZ 85007

PROPERTY OWNER : Gurkipa Hotel Group LLC PHONE NO 480-820-7500  
 ADDRESS : 5300 S Priest Dr Guadalupe AZ 85283

<u><i>Jan Mathis</i></u>	<u>1/12/2021</u>	<u><i>[Signature]</i></u>	<u>1/10/21</u>
APPLICANT'S SIGNATURE	Date	*OWNER'S SIGNATURE	Date

\*The property owner must sign above or submit a letter by owner authorizing the applicant to make the request.

Office Use Only:

PROCESSED BY : \_\_\_\_\_ DATE PROCESSED: \_\_\_\_\_

DATE OF COUNCIL MEETING: \_\_\_\_\_  APPROVED  DISSAPPROVED

COMMENTS : \_\_\_\_\_

KONTEXTURE

architecture | interiors | urban planning

**DATE:** January 12, 2021

**TO:** Town of Guadalupe  
9241 South Avenida del Yaqui  
Guadalupe, Arizona 5283  
T: 480-730-3080

**RE: BEST WESTERN PLUSE  
TEMPE BY THE MALL**  
5300 S Priest Dr  
Guadalupe, Arizona 85283

**Letter of Explanation**

This letter is to describe the intent of our client to utilize the existing four-story building at the property of 5300 South Priest Drive. The parcel 301-10-011S to the south of the property that is not currently in use as part of the existing development. The existing zoning of C2 allows for our use to be R-4 standards. This request for a density increases to 43.5 dwelling units per acre that would reflect an R-5 zoning in order to allow for commercial development.

Please do not hesitate to contact our office with any questions or comments on this project.

Thank you,



Jorge Toscano, AIA assoc  
Principal/Design Director

**BEST WESTERN PLUS  
TEMPE BY THE MALL**

5300 S Priest Dr  
Guadalupe, Arizona 85283

**EXHIBIT "A"  
Legal Description**

That part of FARM UNIT 'A', or that part of the Northeast quarter of the Northeast quarter, or that part of Lot 1, Section 5, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Northeast corner of said Section 5;

THENCE West along the North line of said Section 5, a distance of 542.05 feet;

THENCE South 00 degrees 12 minutes 00 seconds West, 651.9 feet to the Northerly line of the right-of-way of the North Branch of the Highline Canal;

THENCE South 63 degrees 56 minutes 00 seconds East along said North right-of-way line, 307.29 feet;

THENCE South 60 degrees 18 minutes 00 seconds East along said North right-of-way line, 305.1 feet East line of said Section 5;

THENCE North 00 degrees 12 minutes 00 seconds East along said East Section line, 938.00 feet of the POINT OF BEGINNING;

EXCEPT the East 40.00 feet; and

EXCEPT that part lying North of the following described line;

COMMENCING at the Northeast corner of said Section 5;

THENCE South 00 degrees 12 minutes 00 seconds West along the East line of said Section 5, a distance of 205.14 feet;

THENCE North 89 degrees 48 minutes 00 second West, a distance of 40.00 feet to the Westerly right-of-way line of 56<sup>th</sup> Street;

THENCE South 00 degrees 12 minutes 00 seconds West along said Westerly right-of-way line, a distance of 277.78 feet to the true POINT OF BEGINNING of the herein described line;

THENCE West, a distance of 502.91 feet to a point on the West line of the above described parcel which is the POINT OF TERMINUS of the herein described line.

**BEST WESTERN PLUSE  
TEMPE BY THE MALL**

5300 S Priest Dr  
Guadalupe, Arizona 85283

**EXHIBIT "A"  
Legal Description**

That part of FARM UNIT 'A', or that part of the Northeast quarter of the Northeast quarter, or that part of Lot 1, Section 5, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

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THENCE South 00 degrees 12 minutes 00 seconds West along said Westerly right-of-way line, a distance of 277.78 feet to the true POINT OF BEGINNING of the herein described line;

THENCE West, a distance of 502.91 feet to a point on the West line of the above described parcel which is the POINT OF TERMINUS of the herein described line.

GURKIRPA HOTEL GROUP, LLC  
2633 E INDIAN SCHOOL RD STE  
120  
PHOENIX AZ 85016

ENC PRIEST LLC  
43700 WOODWARD AVE NO. 210  
BLOOMFIELD MI 48302

RENEWAL VENTURES LLC  
6129 S WHITE PLACE  
CHANDLER AZ 85249

ROSEN JULIE W TR/LINDSAY A  
WESTON ETAL  
1148 ALPINE RD NO 100  
WALNUT CREEK CA 94596

MCRT TEMPE 1 LLC  
152 W 57<sup>TH</sup> ST.  
NEW YORK NY 10019

CIRCLE K STORES INC  
PO BOX 52085  
PHOENIX AZ 85072-2085

TEMPE PHOENIX AIRORT RESORT LLC  
1730 E NORTHERN AVE STE 122  
PHOENIX AZ 85020

GUADALUPE TOWN OF  
9241 SOUTH AVENIDA DEL YAQUI  
GUADALUPE AZ 85283

GURKIRPA HOTEL GROUP, LLC  
2633 E INDIAN SCHOOL RD STE  
120  
PHOENIX AZ 85016

GUADALUPE TOWN OF  
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9241 SOUTH AVENIDA DEL YAQUI  
GUADALUPE AZ 85283

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GUADALUPE AZ 85283

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PHOENIX AZ 85016

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9241 SOUTH AVENIDA DEL YAQUI  
GUADALUPE AZ 85283

MCRT TEMPE 1 LLC  
152 W 57<sup>TH</sup> ST.  
NEW YORK NY 10019



**BEST WESTERN PLUSE  
TEMPE BY THE MALL**

5300 S Priest Dr  
Guadalupe, Arizona 85283

**Ownership list****1.Parcel#:301-10-011T**

Owner: GURKIRPA HOTEL GROUP LLC

Property Address: 7845 S POINTE PKWY E GUADALUPE 85283

Mailing Address: 2633 E INDIAN SCHOOL RD STE 120 PHOENIX AZ 85016

**2.Parcel#:301-10-011T**

Owner: GURKIRPA HOTEL GROUP LLC

Property Address: 7845 S POINTE PKWY E GUADALUPE 85283

Mailing Address: 2633 E INDIAN SCHOOL RD STE 120 PHOENIX AZ 85016

**3.Parcel#: 301-10-011N**

Owner: ENC PRIEST LLC

Property Address: 5210 S PRIEST DR. GUADALUPE 85283

Mailing Address: 43700 WOODWARD AVE NO. 210 BLOOMFIELD MI 48302

**4.Parcel#: 301-07-005A**

Owner: RENEWAL VENTURES LLC

Property Address: 7841 S AVENIDA DEL YAQUI GUADALUPE 85283

Mailing Address: 6129 S WHITE PLACE CHANDLER AZ 85249

**5.Parcel#: 301-07-005M**

Owner: ROSEN JULIE W TR/LINDSAY A WESTON ETAL

Property Address: 5333 S PRIEST FR. TEMPE 85283

Mailing Address: 1148 ALPINE RD NO 100 WALNUT CREEK CA 94596

**6.Parcel#: 301-07-326**

Owner: MCRT TEMPE 1 LLC

Property Address: 5223 S PRIEST DR. TEMPE 85283

Mailing Address: 152 W 57<sup>TH</sup> ST. NEW YORK NY 10019

**7.Parcel#:301-07-325**

Owner: MCRT TEMPE 1 LLC

Property Address: 5223 S PRIEST DR. TEMPE 85283

Mailing Address: 152 W 57<sup>TH</sup> ST. NEW YORK NY 10019

**8.Parcel#:301-07-005T**

Owner: CIRCLE K STORES INC

Property Address: 1435 W BASELINE RD. TEMPE 85283

Mailing Address: PO BOX 52085 PHOENIX AZ 85072-2085

KONTEXTURE

architecture | interiors | urban planning

9.Parcel#: 301-10-175

Owner: TEMPE PHOENIX AIRPORT RESORT LLC

Property Address: 1651 W BASELINE RD GUADALUPE 85283

Mailing Address: 1730 E NORTHERN AVE STE 122 PHOENIX AZ 85020

10.Parcel#:301-10-008M

Owner: GUADALUPE TOWN OF

Property Address: 5426 E CALLE CERRITOS GUADALUPE 85283

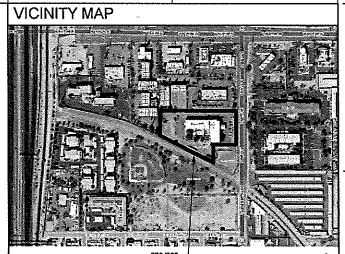
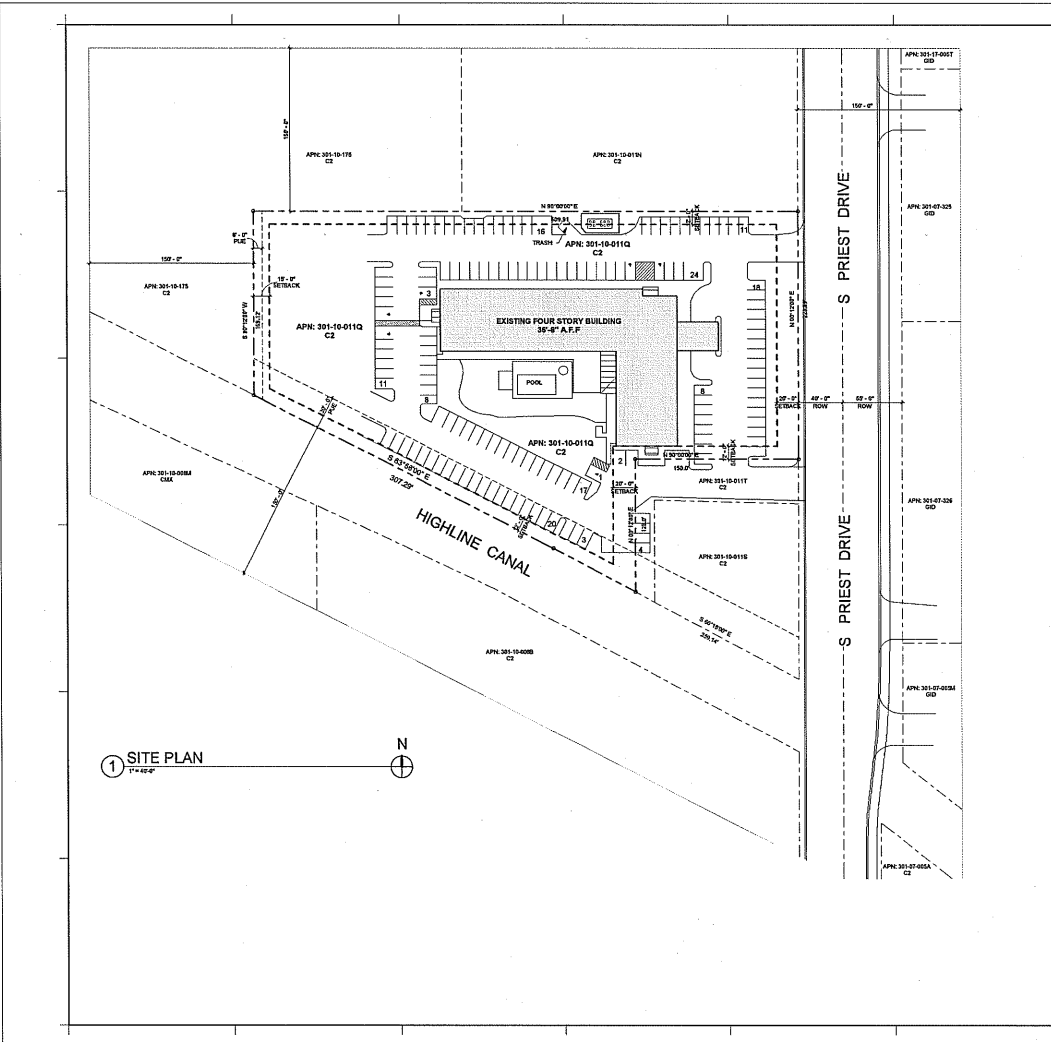
Mailing Address: 9241 SOUTH AVENIDA DEL YAQUI GUADALUPE AZ 85283

11.Parcel#: 301-10-008B

Owner: GUADALUPE TOWN OF

Property Address: 5426 E CALLE CERRITOS GUADALUPE 85283

Mailing Address: 9241 SOUTH AVENIDA DEL YAQUI GUADALUPE AZ 85283



**PROJECT INFO**

PROJECT DESCRIPTION: EXISTING FOUR STORY HOTEL BUILDING FOR ADAPTIVE REUSE FOR MULTI-FAMILY.

APPLICANT/OWNER: JORGE TOSSCANO/KNEXTURE.COM

PROFESSIONAL: JORGE TOSSCANO

OWNER (APPLICANT): KNEXTURE, LLC

ADDRESS: 334 N 20th STREET, PHOENIX, AZ 85016

PHONE: (480) 978-5757

FAX: (480) 978-5779

**OWNERSHIP MAP-LIST**

Parcel#	Owner	Address	County
Parcel# 301-10-011T	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2023	County: MARICOPA
Parcel# 301-10-011Q	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2021	County: MARICOPA
Parcel# 301-10-011R	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2019	County: MARICOPA
Parcel# 301-10-011S	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2017	County: MARICOPA
Parcel# 301-10-011T	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2023	County: MARICOPA
Parcel# 301-10-011Q	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2021	County: MARICOPA
Parcel# 301-10-011R	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2019	County: MARICOPA
Parcel# 301-10-011S	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2017	County: MARICOPA
Parcel# 301-10-011T	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2023	County: MARICOPA
Parcel# 301-10-011Q	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2021	County: MARICOPA
Parcel# 301-10-011R	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2019	County: MARICOPA
Parcel# 301-10-011S	Owner: GURPORA HOTEL GROUP LLC	Property Address: 764 S PIONEER AVENUE GUADALUPE #2017	County: MARICOPA

**PARKING CALCULATIONS**

TOTAL EXISTING PARKING PROVIDED	= 144
---------------------------------	-------

**HARC Holdings LLC**  
12345 Main St, Phoenix AZ 85001

**KNEXTURE**  
12345 Main St, Phoenix AZ 85001

KNEXTURE, LLC  
12345 Main St  
PHOENIX, AZ 85016  
P: (480) 978-5757  
F: (480) 978-5779

REVISION	REV	DATE

**KNEXTURE**

12345 Main St  
PHOENIX, AZ 85001

DATE PLOTTED: 25-001

**A0.2**

# THE RECORD REPORTER

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KAY SAVARD  
TOWN OF GUADALUPE  
9241 S AVENIDA DEL YAQUI  
GUADALUPE, AZ 85283

RR# 3447500

## COPY OF NOTICE

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

Reference #

Notice Type: MCHRG NOTICE OF HEARING

Ad Description

Variance Request Application #V2021-02

NOTICE OF PUBLIC HEARING  
VARIANCE REQUEST  
APPLICATION The Guadalupe Town Council shall hold a public hearing on Thursday, March 25, 2021, 6:00 PM, at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona, for the following purposes: Variance Request Application #V2021-02: Harc Holdings LLC, Applicant, 5300 South Priest Drive, Guadalupe, AZ. The Applicant is requesting a variance to the Town of Guadalupe Zoning Code of Ordinances to increase density from C-2 standards to 43.5 dwelling units per acre. Written comments or objections may be filed at Town Hall prior to, or at the hearing. Copies of the Application and subdivision plat are available for review at Guadalupe Town Hall. Publish: March 5, 2021  
3/5/21

RR-3447500#

To the right is a copy of the notice you sent to us for publication in THE RECORD REPORTER. Please read this notice carefully and fax or e-mail (record\_reporter@dailyjournal.com) any corrections. The Affidavit will be filed, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

03/05/2021

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$1.90
Arizona Sales Tax	\$0.01
Total	\$1.91

Your Legal Publishing



\* A 0 0 0 0 0 5 6 5 7 4 3 8 \*

C2021-29

**V. CONTRACT AGREEMENT**

**THIS AGREEMENT made as of the 25<sup>th</sup> day of March in the year of Two Thousand Twenty-One, between:**

**the OWNER:** **Town of Guadalupe  
9241 South Avenida Del Yaqui  
Guadalupe, Arizona 85283**

**the CONTRACTOR:** **Insituform Technologies, LLC  
17988 Edison Avenue  
Chesterfield, MO 63005**

**the PROJECT (name and number):** **Town of Guadalupe  
Wastewater Collection System Rehabilitation –  
CDBG 2020-2021  
Project Number CDBG20DG**

**the CONSULTANT:** **Dibble  
7878 North 16<sup>th</sup> Street, Suite 300  
Phoenix, Arizona 85020**

**the OWNER and the CONTRACTOR agree as set forth below.**

**A. THE CONTRACT DOCUMENTS**

The Contract Documents consist of this AGREEMENT, the project Drawings, the Specifications, all Addenda issued prior to and all Modifications issued after execution of the AGREEMENT. These form the Contract, and all are as fully a part of the Contract as if attached to this AGREEMENT or repeated herein and except for modifications after execution of this AGREEMENT are as follows:

- |                                   |  |
|-----------------------------------|--|
| Invitation to Bid                 | Project Drawings   |
| Instructions to Bidders           | Technical Special Provisions   |
| General Contract Conditions       | Statutory Performance Bond   |
| Contract Agreements               | List of Subcontractors   |
| Statutory Payment Bond            | Contract Change Order  |
| Affidavit of Settlement of Claims | Affidavit of No Collusion  |
| Bidding Schedule                  | Federal Provisions for Town of Guadalupe<br>Community Development Block Grant Projects |

## **B. THE WORK**

The **CONTRACTOR** shall perform all the Work specified or indicated in the Contract Documents. Work shall consist of the removal and replacement of 12 linear feet of 12-inch diameter sanitary sewer pipe, installation of 1,826 linear feet of 8-inch Cured-In-Place-Pipe (CIPP) liner, epoxy coat seven (7) sanitary sewer access manholes, and adjust six (6) sanitary sewer access manhole frame and covers as indicated in the Construction Documents.

## **C. TIME OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

1. The Work to be performed under this contract shall be commenced in accordance with "3" below.
2. Subject to authorized adjustments, Substantial Completion shall be achieved not later than the date indicated on the "Notice to Proceed".
3. It is hereby understood and mutually agreed, by and between the **CONTRACTOR** and the **OWNER**, that the date of beginning, rate of process, and the time for completion of the Work to be done hereunder, are ESSENTIAL CONDITIONS of this Contract, and it is further mutually understood and agreed that the Work embraced in this Contract shall be commenced on the date of "NOTICE TO PROCEED". The **CONTRACTOR** agrees that said Work shall be prosecuted regularly, diligently, and uninterruptedly at such rate of progress as will insure full completion thereof within the CONTRACT TIME stated in the Invitation to Bid. He also shall consider that the OWNER needs the complete use of these facilities as quickly as possible.
4. In the event that the **CONTRACTOR** shall neglect, fail or refuse to complete the Work within the time specified, then the **CONTRACTOR** does hereby agree, as part consideration for the awarding of this Contract, to pay to the **OWNER** Four Hundred (\$400.00) dollars and no cents per day, not as a penalty, but as liquidated damages for such breach of contract as hereinafter set forth for each and every calendar day that the **CONTRACTOR** shall be in default after the time stipulated in the Contract for completing the Work. The said amount is fixed and agreed upon by and between the **CONTRACTOR** and the **OWNER** because of the impracticability and extreme difficulty in fixing and ascertaining the actual damages the **OWNER** would in such event sustain.

## **D. CONTRACT SUM**

The OWNER shall pay the **CONTRACTOR** based on additions and deductions by Change Order as provided in the Contract Documents, the contract sum of **\$233,446.00**.

The Contract sum is determined by the **CONTRACTOR's** accepted sealed bid amount.

## **E. PROGRESS PAYMENTS**

Based upon applications for Payment submitted to the Consultant by the **CONTRACTOR** and Certificates for Payment issued by the Consultant, the **OWNER** shall make progress payments on the Contract Sum to the **CONTRACTOR** less retention from each payment in accordance with the latest revision of the Arizona State Statutory requirements. These Progress Payments will be for labor, materials and equipment incorporated in the Work and/or material and equipment suitably stored for use on the project as approved by the Consultant.

## **F. FINAL PAYMENT**

Final payment, constituting the entire unpaid balance of the Contract Sum, shall be paid by the **OWNER** to the **CONTRACTOR** when the Work has been completed, the Contract fully performed, a final Certificate for Payment has been issued, and the **CONTRACTOR's** Affidavit regarding Settlement of Claims is completed.

## **G. MISCELLANEOUS PROVISIONS**

1. **CONTRACTOR** has familiarized himself with the nature and extent of the Contract Documents, Work, locality, and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.
2. **CONTRACTOR** has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the Work which were relied upon by the Consultant in the preparation of the Drawings and Specifications and which have been identified in the Supplementary Conditions.
3. **CONTRACTOR** has made or caused to be made, examinations, investigations and tests and studies of such reports and related data in addition to those referred to in Article I as he deems necessary for the performance of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required by **CONTRACTOR** for such purposes.
4. **CONTRACTOR** has correlated the results of all such observations, examinations, investigations, tests, reports and data with the terms and conditions of the Contract Documents.
5. **CONTRACTOR** has given Consultant written notice of all Conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by the Consultant is acceptable to **CONTRACTOR**.
6. Terms used in the AGREEMENT which are defined in the General Conditions shall have the meanings indicated in the General Conditions.
7. No assignment by a party hereto of any rights under or interest in the Contract Documents will be binding on another party hereto without the written consent of the other party to this Contract (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment. No assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
8. **OWNER** and **CONTRACTOR** each binds himself, his partners, successors, assignees and legal representatives to the other party hereto, in respect to all covenants, agreements, and obligations contained in the Contract Documents.

9. Termination, Postponement or Abandonment. The right is reserved by the **OWNER** to terminate, indefinitely postpone Work or abandon the project. This Contract may be terminated by giving written notice to the **CONTRACTOR** at least twenty-four (24) hours prior to the effective date of termination. In the event of such termination, the **OWNER** shall be liable to the **CONTRACTOR** only to the extent as provided by this Contract for materials supplied and Work completed prior to the effective date of termination. The **OWNER** will comply with the latest revisions of the Arizona State Statutory requirements for negotiation of the contract termination.
10. Retention of Records. The **CONTRACTOR** agrees that the Department of Housing and Urban Development, the Comptroller General of the United States, Town of Guadalupe, or any of their duly authorized representatives, may have access to any accounting records, books, documents, papers or records of the **CONTRACTOR** which are directly pertinent to this contract for the purpose of audit, examination, excerpts, and transcripts for a period of three (3) years from the date of acceptance of certificate of completion. (In the event litigation, a claim or audit is begun before the expiration of the three-year period, said records shall be retained until all such actions or audit findings involving the records have been resolved.)
11. Equal Employment Opportunity. In the performance of this Contract, the **CONTRACTOR** agrees not to discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age or handicap. The **CONTRACTOR** further agrees to insert this provision in all subcontracts hereunder.
12. Indemnification. To the fullest extent permitted by law, the **CONTRACTOR** shall defend, indemnify, and hold harmless the **TOWN OF GUADALUPE**, its agents, representatives, officers, directors, officials, and employees from and against all claims, damages, losses and expenses, including but not limited to attorney fees, court costs, expert witness fees, and the cost of appellate proceedings, relating to, arising out of, or alleged to have resulted from the acts, errors, omissions or mistakes relating to the performance of this Contract. **CONTRACTOR'S** duty to defend, indemnify and hold harmless the **TOWN OF GUADALUPE**, its agents, representatives, officers, directors, officials, and employees shall arise in connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property, including loss of use resulting there from, caused by any acts, errors, omissions or mistakes in the performance of this Contract including any person for whose acts, errors, omissions or mistakes, the **CONTRACTOR** may be legally liable.

The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

**Abrogation of Arizona Revised Statutes Section 34-226:** In the event that A.R.S. § 34-226 shall be repealed or held unconstitutional or otherwise invalid by a court of competent jurisdiction, then to the fullest extent permitted by law, the **CONTRACTOR** shall defend, indemnify and hold harmless the **TOWN OF GUADALUPE**, its agents, representatives, officers, directors, officials and employees from and against all claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), relating to, arising out of, or resulting from **CONTRACTOR'S** work or services. **CONTRACTOR'S** duty to defend, indemnify and hold harmless, the **TOWN OF GUADALUPE**, its agents, representatives, officers, directors, officials and employees shall arise in connection with any claim, damage, loss



or expense that is attributable to bodily injury, sickness, disease, death, injury to, impairment or destruction of property including loss of use resulting there from, caused in whole or in part by any act or omission of the **CONTRACTOR**, anyone **CONTRACTOR** directly or indirectly employs or anyone for whose acts **CONTRACTOR** may be liable, regardless of whether it is caused in part by a party indemnified hereunder, including the **TOWN OF GUADALUPE**.

The amount and type of insurance coverage requirements set forth below will in no way be construed as limiting the scope of the indemnity in this paragraph. The scope of this indemnification does not extend to the sole negligence of the **TOWN OF GUADALUPE**.

13. **CONTRACTOR**, at **CONTRACTOR'S** own expense, shall purchase and maintain the herein stipulated minimum insurance with companies duly licensed, possessing a current A.M. Best, Inc. minimum rating of A-. All insurance required herein shall be maintained in full force and effect until all work or service required to be performed under the terms of the Contract is satisfactorily completed and formally accepted. Failure to do so may, at the sole discretion of the **TOWN OF GUADALUPE**, constitute a material breach of this Contract.

The **CONTRACTOR'S** insurance shall be primary insurance as respects the **TOWN OF GUADALUPE**, and any insurance or self-insurance maintained by the **TOWN OF GUADALUPE** shall not contribute to it.

Any failure to comply with the claim reporting provisions of the insurance policies or any breach of an insurance policy warranty shall not affect coverage afforded under the insurance policies to protect the **TOWN OF GUADALUPE**.

The insurance policies may provide coverage which contains deductibles or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to the **TOWN OF GUADALUPE** under such policies. The **CONTRACTOR** shall be solely responsible for the deductible and/or self-insured retention and the **TOWN OF GUADALUPE**, at its option, may require the **CONTRACTOR** to secure payment of such deductibles or self-insured retentions by a surety bond or an irrevocable and unconditional letter of credit.

The **TOWN OF GUADALUPE** reserves the right to request and to receive, within 10 working days, certified copies of any or all of the herein required insurance policies and/or endorsements. The **TOWN OF GUADALUPE** shall not be obligated, however, to review such policies and/or endorsements or to advise **CONTRACTOR** of any deficiencies in such policies and endorsements, and such receipt shall not relieve **CONTRACTOR** from, or be deemed a waiver of the **TOWN OF GUADALUPE'S** right to insist on strict fulfillment of **CONTRACTOR'S** obligations under this Contract.

The insurance policies required by this Contract, except Workers' Compensation, shall name the **TOWN OF GUADALUPE**, its agents, representatives, officers, directors, officials and employees as Additional Insureds.

The policies required hereunder, except Workers' Compensation, shall contain a waiver of transfer of rights of recovery (subrogation) against the **TOWN OF GUADALUPE**, its

agents, representatives, officers, directors, officials and employees for any claims arising out of **CONTRACTOR'S** work or service.

- a. Commercial General Liability. **CONTRACTOR** shall maintain Commercial General Liability insurance with a limit of not less than \$1,000,000 for each occurrence with a \$2,000,000 Products/Completed Operations Aggregate and a \$2,000,000 General Aggregate Limit. The policy shall include coverage for bodily injury, broad form property damage, personal injury, products and completed operations and blanket contractual coverage including, but not limited to, the liability assumed under the indemnification provisions of this Contract which coverage will be at least as broad as Insurance Service Office, Inc. Policy Form CG 00 01 10 93 or any replacements thereof. The coverage shall include X, C, U.

The policy shall contain a severability of interest provision and shall not contain a sunset provision or commutation clause, or any provision which would serve to limit third party action over claims.

The Commercial General Liability additional insured endorsement shall be at least as broad as the Insurance Service Office, Inc.'s Additional Insured, Form CG 20 10 11 85, and shall include coverage for **CONTRACTOR'S** operations and products and completed operations.

If the **CONTRACTOR** subcontracts any part of the work, services or operations awarded to the **CONTRACTOR**, he shall purchase and maintain, at all times during prosecution of the work, services or operations under this Contract, an Owner's and **CONTRACTOR'S** Protective Liability insurance policy for bodily injury and property damage, including death, which may arise in the prosecution of the **CONTRACTOR'S** work, service or operations under this Contract. Coverage shall be on an occurrence basis with a limit not less than \$1,000,000 per occurrence, and the policy shall be issued by the same insurance company that issues the **CONTRACTOR'S** Commercial General Liability insurance.

- b. Automobile Liability. **CONTRACTOR** shall maintain Automobile Liability insurance with an individual single limit for bodily injury and property damage of no less than \$1,000,000, each occurrence, with respect to **CONTRACTOR'S** vehicles (whether owned, hired, non-owned), assigned to or used in the performance of this Contract.
- c. Workers' Compensation. The **CONTRACTOR** shall carry Workers' Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of **CONTRACTOR'S** employees engaged in the performance of the work or services, as well as Employer's Liability insurance of not less than \$1,000,000 for each accident, \$1,000,000 disease for each employee, and \$1,000,000 disease policy limit. In case any work is subcontracted, the **CONTRACTOR** will require the Subcontractor to provide Workers' Compensation and Employer's Liability insurance to at least the same extent as required of the **CONTRACTOR**.
- d. Builders' Risk (Property) Insurance. The **CONTRACTOR** shall purchase and maintain, on a replacement cost basis, Builders' Risk insurance in the amount of the initial Contract amount as well as subsequent modifications thereto for the entire work at the site. Such Builders' Risk insurance shall be maintained until final payment has been made or until no person or entity other than the **TOWN OF GUADALUPE** has

an insurable interest in the property required to be covered, whichever is earlier. This insurance shall include interests of the **TOWN OF GUADALUPE**, the **CONTRACTOR**, and all subcontractors and sub-subcontractors in the work during the life of the Contract and course of construction and shall continue until the work is completed and accepted by the **TOWN OF GUADALUPE**. For new construction projects, the **CONTRACTOR** agrees to assume full responsibility for loss or damage to the work being performed and to the structures under construction. For renovation construction projects, the **CONTRACTOR** agrees to assume responsibility for loss or damage to the work being performed at least up to the full Contract amount, unless otherwise required by the Contract documents or amendments thereto.

Builders' Risk insurance shall be on an all-risk policy form and shall also cover false work and temporary buildings and shall insure against risk of direct physical loss or damage from external causes including debris removal, demolition occasioned by enforcement of any applicable legal requirements, and shall cover reasonable compensation for architect's service and expenses required as a result of such insured loss and other "soft costs" as required by the Contract.

Builders' Risk insurance must provide coverage from the time any covered property comes under **CONTRACTOR'S** control and/or responsibility, and continue without interruption during construction, renovation, or installation, including any time during which the covered property is being transported to the construction installation site, and while on the construction or installation site awaiting installation. The policy will provide coverage while the covered premises or any part thereof are occupied. Builders' Risk insurance shall be primary and not contributory.

If the Contract requires testing of equipment or other similar operations, at the option of the **TOWN OF GUADALUPE**, the **CONTRACTOR** will be responsible for providing property insurance for these exposures under a Boiler Machinery insurance policy.

Required coverages may be modified by an amendment to the Contract documents.

- e. Certificates Of Insurance. Prior to commencing work or services under this Contract, **CONTRACTOR** shall furnish the **TOWN OF GUADALUPE** with Certificates of Insurance, or formal endorsements as required by the Contract, issued by **CONTRACTOR'S** insurer(s), as evidence that policies providing the required coverages, conditions and limits required by this Contract are in full force and effect. Such certificates shall identify this contract number and title.

In the event any insurance policy(ies) required by this contract is(are) written on a "claims made" basis, coverage shall extend for two years past completion and acceptance of the **CONTRACTOR'S** work or services and as evidenced by annual Certificates of Insurance.

If a policy does expire during the life of the Contract, a renewal certificate must be sent to the **TOWN OF GUADALUPE** fifteen (15) days prior to the expiration date.

- f. Cancellation And Expiration Notice. Insurance required herein shall not expire, be canceled, or materially changed without thirty (30) days prior written notice to the TOWN OF GUADALUPE.

**Building Permit Fees (\$6,108) will be waived as an in-kind contribution by the Town of Guadalupe.**

**IN WITNESS WHEREOF** the parties hereto have executed this CONTRACT in duplicate as of the day and year first herein written.

**CONTRACTOR**

**TOWN OF GUADALUPE**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**TITLE: Valerie Molina, Mayor**

\_\_\_\_\_  
**DATE**

**March 25, 2021**  
**DATE**

**TOWN OF GUADALUPE, ARIZONA  
 BID OPENING 03/04/2021**



**Project Name: Wastewater Collection System Rehabilitation - CDBG 2020-2021**  
**Project Number: CDBG20DG**

COMPANY	PRE-BID	ADDENDUM 1	BID BOND	LIST OF SUB- CONTRACTORS	FEDERAL BIDDERS INFORMATION FORM	BASE BID
Standard Construction Co., Inc	X	X	X	X	X	\$ 318,794.00
Insituform	X	X	X	X	X	\$ 233,446.00
RedPoint Contracting	X	X	X	X	X	\$ 595,296.00
Hunter Contracting	X	X	X	X	X	\$ 362,626.00



DTALA2021000079DT0038

Remit to:  
 ARIZONA DEPARTMENT OF TRANSPORTATION  
 Local Agency  
 206 S 17TH AVE  
 MAILDROP 203B  
 PHOENIX AZ 85007

Bill to:  
 Guadalupe, Town Of  
 9241 S Avenida Del Yaqui  
 Guadalupe AZ 85283

Customer Name Guadalupe, Town Of		<b>INVOICE</b>
Customer Number DT0038	Invoice Number LA2021000079	
	ARDept/BPRO	Due Date 04-04-21
	DTA:LA010	
	Amount Due \$287,082.00	Amount Enclosed

Payment Method: Check  Money Order

Please check if address has changed. Write correct address on back of stub and attach with payment

Please write Invoice No on front of check or Money Order.  
DO NOT MAIL CASH

----- Please detach the above stub and return with your remittance. -----

ADOT
<i>ORIGINAL</i>

Customer Number DT0038	Original Invoice Date 03-05-21	Original Due Date 04-04-21
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Customer Name Guadalupe, Town Of	Invoice Number LA2021000079	Invoice Date 03-05-21
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**Invoice Charges**

Ref Line No.	Description	Billing Date	No. Of Units	Unit of Measure	Unit Price	Charges/Credits
1	IGA 19-7278: Town of Guadalupe's 5.7% match for Scoping/ Design/ PDA cost for T021203D	03-05-21				\$1,995.00
2	IGA 19-7278: Town of Guadalupe's 5.7% match for construction cost for T021201C	03-05-21				\$285,087.00
<b>Total Invoice Charges</b>						\$287,082.00

**Other Charges**

Description	Date	Charges
<b>Total Other Charges</b>		

<b>Credit Payments Applied</b>	\$0.00
<b>Total Amount Due</b>	\$287,082.00

**Additional Notes:**

**Instructions**

Please contact our office for payment and billing questions.

Contact: LA - AR	(602) 712-7534	accountsreceivable@azdot.gov
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ADOT File No.: IGA 19-0007278-I  
 Amendment No. One: 20-0008068-I  
 AG Contract No.: P001 2019 001146  
 Project Location/Name: Avenida Del  
 Yaqui; Baseline Rd – Calle Carmen  
 Type of Work: Pedestrian and Bike Lane  
 Improvements  
 Federal-aid No.: GUA-0(205)T  
 ADOT Project No.: T0212 01D/03D/01C  
 TIP/STIP No.: GDL21-803C/  
 GDL21-805C/GDL19-805D  
 CFDA No.: 20.205 - Highway Planning and  
 Construction  
 Budget Source Item No.: N/A

C2019-12A  
**AMENDMENT NO. ONE  
 TO  
 INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
 THE STATE OF ARIZONA  
 AND  
 THE TOWN OF GUADALUPE

**THIS AMENDMENT NO. ONE to INTERGOVERNMENTAL AGREEMENT (the “Amendment No. One”)**, is entered into this date **March 1, 2021**, pursuant to Arizona Revised Statutes (“A.R.S.”) §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the “State” or “ADOT”) and the TOWN OF GUADALUPE, acting by and through its MAYOR and TOWN COUNCIL (the “Town”). The State and the Town are collectively referred to as the “Parties.”

**WHEREAS**, the INTERGOVERNMENTAL AGREEMENT, IGA 19-0007278-I, A.G. Contract No. P001 2019 001146, was executed on June 4, 2019 (the “Original Agreement”);

**WHEREAS**, the State is empowered by A.R.S. § 28-401 to enter into this Amendment No. One and has delegated to the undersigned the authority to execute this Amendment No. One on behalf of the State;

**WHEREAS**, the Town is empowered by A.R.S. § 9-240 to enter into this Amendment No. One and has by resolution, a copy of which is attached and made a part of, resolved to enter into this Amendment No. One and has authorized the undersigned to execute this Amendment No. One on behalf of the Town; and

**NOW THEREFORE**, in consideration of the mutual terms expressed herein, the purpose of this Amendment No. One is to revise Project costs; Exhibit A is revised and replaced accordingly. The Parties desire to amend the Original Agreement, as follows:

**Consistent with the Original Agreement, the Town has been invoiced and paid \$32,205.00 and will pay the remaining \$1,995.00 for the Town’s share of Project Development Administration (PDA) and design costs within 30 days of receipt of an invoice.**

IGA: 19-0007278-I  
Amendment No. One: 20-0008068-I

**I. RECITALS**

**(NO CHANGES)**

**II. SCOPE OF WORK**

**Section II, Paragraph 2.e. is revised, as follows:**

2. The State will:
  - e. After completion of design and prior to bid advertisement, invoice the Town for the actual PDA costs, as applicable, and the Town's share of the Project construction costs, estimated at \$285,087.00. After the Project costs for construction are finalized, the State will either invoice or reimburse the Town for the difference between estimated and actual costs. De-obligate or otherwise release any remaining federal funds from the design phase of the Project.

**Section II, Paragraph 3.d. is revised, as follows:**

3. The Town will:
  - d. After completion of design, within 30 days of receipt of an invoice from the State and prior to bid advertisement, pay to the State, any outstanding PDA costs and the Town's share of the Project construction costs, estimated at \$285,087.00. Be responsible for and pay the difference between the estimated and actual construction costs of the Project, within 30 days of receipt of an invoice.

**III. MISCELLANEOUS PROVISIONS**

**Section III, Paragraph 20. is revised, as follows:**

20. The Parties shall ensure that all contractors comply with the applicable requirements of A.R.S. §35-393.01.

**EXCEPT AS AMENDED, ALL OTHER** terms and conditions of the Original remain in full force and effect.

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**THIS AMENDMENT NO. One** shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

**IN ACCORDANCE WITH A.R.S. § 11-952 (D)** attached and incorporated in this Amendment No. One is the written determination of each Party's legal counsel that the Parties are authorized under the




IGA: 19-0007278-I  
Amendment No. One: 20-0008068-I

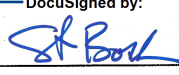
laws of this State to enter into this Amendment No. One and that the Amendment No. One is in proper form.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment No. One the day and year first above written.

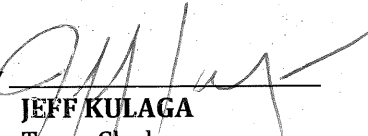
**TOWN OF GUADALUPE**

By   
**VALERIE MOLINA**  
Mayor

**STATE OF ARIZONA**  
Department of Transportation

DocuSigned by:  
By   
**STEVE BOSCHEN, PE**  
Division Director

ATTEST:

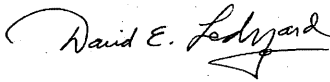
By   
**JEFF KULAGA**  
Town Clerk

IGA: 19-0007278-I  
Amendment No. One: 20-0008068-I

**ATTORNEY APPROVAL FORM FOR THE TOWN OF GUADALUPE**

I have reviewed the above referenced Amendment No. One to the Original Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the TOWN OF GUADALUPE, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Amendment No. One to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Amendment No. One.



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David E. Ledyard  
Town Attorney

February 25, 2021  
Date

**EXHIBIT A**

**IGA 19-0007278-I  
Amendment No. One: 20-0008068-I  
Cost Estimate**

**T0212 01D/03D/01C**

The federal funds will be used for the ADOT Project Development Administration (PDA), scoping/design, and construction of the Project, including the construction engineering (CE) and administration cost. The estimated Project costs are as follows:

**PDA/ Scoping/Design:**

Federal-aid funds @ 94.3%	\$ 565,800.00
Town's match @ 5.7%	\$ 34,200.00
<b>Subtotal - PDA/Scoping/Design</b>	<b>\$ 600,000.00</b>

**Construction:**

Federal-aid funds @ 94.3%	\$ 4,716,433.00
Town's match @ 5.7%	\$ 285,087.00
<b>Subtotal - Construction*</b>	<b>\$ 5,001,520.00</b>

<b>Estimated TOTAL Project Cost</b>	<b>\$ 5,601,520.00</b>
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<b>Total Federal Funds</b>	<b>\$ 5,282,233.00</b>
<b>Total Estimated Town Funds</b>	<b>\$ 319,287.00</b>

\* (Includes 15% CE (this percentage is subject to change, any change will require concurrence from the Town) and 5% Project contingencies)



**MARK BRNOVICH**  
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL  
STATE GOVERNMENT DIVISION /  
TRANSPORTATION SECTION

**DAWN NORTHUP**  
DIVISION CHIEF COUNSEL  
**SUSAN E. DAVIS**  
ASSISTANT ATTORNEY GENERAL  
DIRECT LINE: 602-542-8855  
E-MAIL: SUSAN.DAVIS@AZAG.GOV


**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. P0012019001146 (**ADOT IGA/JPA 19-0007278-I Amendment No. One: 20-0008068-I**), an Agreement between public agencies, the State of Arizona and the Town of Guadalupe, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and 28-401, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: March 1, 2021

**MARK BRNOVICH**  
Attorney General

  
\_\_\_\_\_  
**SUSAN E. DAVIS**  
Assistant Attorney General  
Transportation Section

SED/sp/9327644