



*****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

Anita Cota Soto
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
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, NOVEMBER 12, 2020
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, November 12, 2020, 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 September 24, 2020, Town Council Regular Meeting Minutes.
 2. Approval of the October 8, 2020, Town Council Regular 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: None.
- G. DISCUSSION AND POSSIBLE ACTION ITEMS:
 1. TOWN COUNCIL SWEARING: The newly elected Mayor Valerie A. Molina, Vice Mayor Ricardo Cota Vital, and Councilmembers Anita L. Cota Soto, and Elvira Osuna will be sworn into office by the Town Manager / Clerk. *There is no material for this agenda item.*
 2. VICE MAYOR SELECTION: Council may choose to nominate and vote for a Councilmember to serve as Vice Mayor for a two year term, ending November, 2022. Council may provide direction to the Town Manager / Clerk. *There is no material for this agenda item.*



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Vice Mayor

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3. **COVID-19 ACTION UPDATE:** Mayor and Council will receive an update from Town staff regarding current steps taken to safe guard public health and safety in response to the Coronavirus and its impact to Town services. Council may provide direction to the Town Manager / Clerk. *Material for this agenda item will be provided at the meeting.*

4. **COUNCIL MEETING SCHEDULE, JANUARY 2021 – DECEMBER, 2021:** Councilmembers will review the Town Council Regular Meeting Schedule for January through December, 2021. Staff is recommending cancelling the November 11, 2021 and November 25, 2021 Regular Council Meetings as they conflict with Veteran's Day and Thanksgiving holidays, respectively; and, adding a Council Meeting on Thursday, November 18, 2021. Council may provide direction to the Town Manager / Clerk.

5. **FISCAL YEAR 2019/20 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2020.32):** Council will consider and may take action to adopt Resolution No. R2020.32 authorizing a budget adjustment within the Fiscal Year (FY) 2019/20 General Fund by transferring \$19,000 from the Administration cost center to address cost overruns that were unforeseen at the time the FY 2019/20 budget was adopted. Transfers include \$4,000 to Building Maintenance and \$15,000 to Parks. Council may provide direction to the Town Manager / Clerk.

6. **FISCAL YEAR 2020/21 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2020.33):** Council will consider and may take action to adopt Resolution No. R2020.33 authorizing a budget adjustment within the Fiscal Year 2020/21 General Fund by transferring \$761,282 from the General Fund to the State Cares Act Fund. Council may provide direction to the Town Manager / Clerk.

7. **TOWN MANAGER / CLERK EMPLOYMENT CONTRACT RENEWAL:** Town Council will review the employment contract (Contract) (C2018-28B) between the Town and the appointed Town Manager / Clerk and may vote to renew the Contract with Jeff Kulaga. The Contract term expires on November 12, 2021, unless otherwise mutually agreed by both parties to renew the contract. If approved, the effective date would be November 14, 2020. Council may provide direction to the Town Manager / Clerk.

H. TOWN MANAGERS' COMMENTS

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT



November 6, 2020

To: The Honorable Mayor and Town Council
 From: Jeff Kulaga, Town Manager / Clerk
 RE: November 12, 2020, 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. SEPTEMBER 24, 2020 REGULAR COUNCIL MEETING MINUTES – PAGES 5-9
 D2. OCTOBER 10, 2020 REGULAR COUNCIL MEETING MIMUITES – PAGES 10-15

G1. **MAYOR AND COUNCIL SWEARING IN CEREMONY – THERE IS NO MATERIAL FOR THIS AGENDA ITEM:** The newly elected Mayor, Valerie A. Molina, and Councilmembers Elvira Osuna, Anita L. Cota Soto, and Ricardo Cota Vital will be sworn in. The Mayor's term of office expires in November 2022 and the Councilmembers' terms of office expire November 2024. The Town Manager / Clerk will perform a swearing in ceremony.

G2. **SELECTION OF VICE MAYOR – THERE IS NO MATERIAL FOR THIS AGENDA ITEM:** Vice Mayor terms of office are typically two years. Vice Mayor Ricardo Vital has served as the Vice Mayor since 2018. Council may vote to elect a new Vice Mayor, or retain Vice Mayor Vital to continue serving as the Vice Mayor.

G3. **COVID-19 UPDATE – MATERIAL TO BE PROVIDED AT THE MEETING:** Staff will provide an update of current Town of Guadalupe COVID-19 conditions, as provided by Maricopa County Health Services, presented via a PowerPoint presentation at the meeting.

G4. **COUNCIL MEETING SCHEDULE JANUARY – DECEMBER 2021 – PAGES 17-28:** Per the Guadalupe Town Code of Ordinances, Regular Council Meetings are held on the second and fourth Thursday's of each month. Staff is seeking direction on the Council meeting schedule as provided in the meeting materials, and on the following Council meeting dates and recommendations:

- November 11, 2021 Veteran's Day – **MEETING CANCELLED** *Town Hall closed*
- November 18, 2021 – **MEETING ADDED**
- November 25, 2021 Thanksgiving Day – **MEETING CANCELLED** *Town Hall closed*

G5. **FISCAL YEAR 2019/20 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2020.32) – PAGE 29:** Adoption of Resolution No. R2019.21 would reconcile cost centers with in the General Fund transferring \$19,000 from the Administration cost center to two General Fund operating departments with cost overruns that were unforeseen at the time the FY 2019/20 budget was adopted. Transfers include \$4,000 to Building Maintenance and \$15,000 to Parks.

G6. FISCAL YEAR 2020/21 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2020.33) – PAGE 30: Resolution No. R2020.33 authorizes a budget adjustment within the Fiscal Year 2020/21 General Fund by transferring \$761,282 from the General Fund to the State Cares Act Fund. This transfer allows for focused fund accounting of Cares Act Federal Funds.

G7. TOWN MANAGER / CLERK EMPLOYMENT CONTRACT RENEWAL – PAGES 31-32: Council may consider amending the employment contract with Jeff Kulaga to serve as Town Manager / Clerk for a one-year period. Terms and conditions of the 2019 contract are generally similar to the initial contract that was originally approved on September 28, 2017; and, subsequently renewed on October 22, 2018, and October 10, 2019. If approved, this would be a third renewal, expiring on November 12, 2021, and the annual salary would be increased from \$90,000 to \$110,000. If approved, the effective date of the contract amendment would be November 14, 2020.



Minutes Town Council Regular Meeting September 24, 2020

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, September 24, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

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A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:08 p.m.

B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina. The following councilmembers participated via video conference: Councilmember Mary Bravo, Councilmember Gloria Cota, Councilmember Joe Sánchez and Councilmember Anita Cota Soto

Councilmembers Absent: Vice Mayor Ricardo Vital and Councilmember Elvira Osuna

Staff Present: Jeff Kulaga – Town Manager / Clerk and Jennifer Drury – Assistant to the Town Manager; and David Ledyard – Town Attorney via video conference.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Molina called for a moment of silence in honor of the passing of the late Honorable Supreme Court Justice Ruth Bader Ginsburg. Mayor Molina then led the Pledge of Allegiance.

A. APPROVAL OF MINUTES: None.

B. CALL TO THE PUBLIC: No one spoke. Mayor Molina announced that Council meetings are open to the public; and, welcomed the public to attend Council meetings and address the Council.

F. MAYOR and COUNCIL PRESENTATIONS:

Mayor Molina read a Proclamation declaring October, 2020, as Domestic Violence Awareness Month in the Town of Guadalupe.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk provided a slide presentation outlining the current steps taken to safe guard public health and safety in response to the Coronavirus and its impact to Town services. Last week there were two free COVID-19 testing and free flu shot events in Town. Two additional events are scheduled for next week.

Salt River Project is administering a utility bill assistance program. The Maricopa County Community Block Grant Fund Program also provides rental and utility assistance. Maricopa County is also administering an HVAC heating and air conditioning repair and replacement program; and, financial funeral assistance for individuals that have passed away due to COVID-19. Program information is available on the Town’s website and social media websites.



Mr. Kulaga reviewed the progress the Promotoras are making in providing services and making contact with community members. There was a 72% increase in the demand for Community Action Program (CAP) food boxes this year compared to September 2019. The CAP staff have assisted 100 families in providing rental and/or utility assistance, totaling approximately \$114,000.

Statistics for individuals participating in the recent COVID-19 testing/flu shot events were reviewed. Test results are pending.

DATE	Flu only	Covid Only	Flu/Covid	Total
17-Sep	95	10	23	128
20-Sep	90	17	N/A	107
Total	185	27	23	235

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Over the past four weeks, Maricopa County Public Health – Disease Control, has reported no new positive cases or hospitalizations related to COVID-19 for Town residents. Guadalupe’s positive case rate is over 2 times the rest of the County’s positive case rate, which is an improvement. Mr. Kulaga encouraged everyone to continue to wash their hands, wear a face mask, and to continue to practice social distancing from others.

Mr. Kulaga discussed a newspaper article in the Arizona Republic titled “How Guadalupe slashed its COVID-19 case rate”. He commended staff and the Towns’ community partners on their contributions and prevention efforts to combat COVID-19. Throughout the pandemic, staff has continued to provide services to the community.

A Councilmember commended staff and the community partners for their efforts; and, stated that the County has indicated that they may be able to provide rental assistance for the Towns’ at risk senior population that live in apartments.

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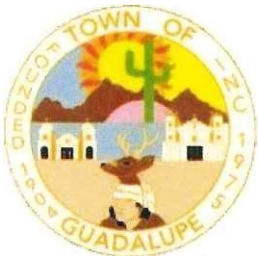
2. FISCAL YEAR 2019/20 TOWN BUDGET YEAR END REVIEW

Jeff Kulaga, Town Manager / Clerk, presented an overview of the Fiscal Year (FY) 2019/20 (July 1, 2019 – June 30, 2020) budget performance. The budget numbers are unaudited, and may change after the audit has been completed. The cost to operate the Town during the previous fiscal year was approximately \$6.8 million. Of the \$6.8 million, the General Fund accounts for \$4.5 million in expenditures. Expenditures for FY 2017, compared to the expenditures FY 2020 have been reduced by approximately \$900,000. The Maricopa County Sheriff’s Office and Fire Department account for approximately 66% of General Fund expenditures, with the remainder of expenditures coming out of the remaining departments.

Mr. Kulaga discussed the various sources of revenue and noted that the local sales taxes collected were unexpectedly higher than forecasted. Since revenues exceeded expenditures, no General Fund monies were needed to balance the budget. Local sales taxes comprise 41% of the General Fund. It is important to ensure that there are sustainable, recurring revenue sources in order for the Town to continue to serve the community.

Mr. Kulaga then discussed various areas where savings occurred. \$90,000 was saved by transitioning municipal court services to the City of Tempe. Savings was realized by deferring the bond payment to the next fiscal year; no contingency funds were spent; and, the Fire Department savings was 14% of their budget. \$874,358 of savings was realized for FY 2019/2020. Mr. Kulaga reviewed revenues, expenditures, and end of year fund balances for FY 2016/2017 through FY 2019/2020.

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Of caution to note, Mr. Kulaga provided the following:

- Reliable, stable, and a recurring local sales tax base remains a challenge.
- Town buildings, parks, cemetery, streets, signs, assets are all in need of repair and/or replacement.
- No salary increases for Town employees for three consecutive years.

Last year staff prepared a five-year forecast. Because of COVID-19, Mr. Kulaga stated that staff will not be preparing a five-year forecast due to the many unknowns.

In response to a question, Mr. Kulaga stated that he is aware of two businesses going out of business; however, it is unclear what the cause of going out of business is/was.

Mayor Molina invited community members to e-mail staff if they have questions about the Town budget. Mr. Kulaga noted that the information presented is available on the Town's website.

3. FISCAL YEAR 2019/20 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2020.29)

Jeff Kulaga, Town Manager / Clerk, stated that the General Fund supports various programs that the Council approves annually. The transfer of the funds from the General Fund to various cost centers is an annual process. Staff recommends approval of agenda item G3.

Motion by Councilmember Soto to approve agenda item G3; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 5-0.

Councilmembers adopted RESOLUTION NO. R2020.29 authorizing the transfer of \$87,034 to the Senior Center, \$52,320 to the Community Action Program, \$18,701 to the Municipal Property Corporation, and \$20,641 to the Local Transportation Assistance Fund, all totaling \$178,696 from the General Fund.

4. AZ CARES COVID-19 RELIEF FUND AGREEMENT (RESOLUTION NO. R2020.30)

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is related to the COVID-19 Relief Fund and has been incorporated into the Town's budget. This Council action is required before the funds can be properly spent. Staff recommends approval of agenda item G4.

Motion by Councilmember Bravo to approve agenda item G4; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 5-0.

Councilmembers adopted RESOLUTION NO. R2020.30 authorizing the Mayor, or designee, to enter into an Agreement (C2020-28) with the State of Arizona, acting through the Governor's Office, to provide the Town of Guadalupe with grant funding in the amount of \$761,282 to combat the COVID-19 outbreak within the Town of Guadalupe. The term of the agreement is March 1, 2020 – December 30, 2020.

5. WASTEWATER COLLECTION SYSTEM REPAIR AND REHABILITATION DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES CONTRACT

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is the first step in rehabilitating the Town's sewer line pipes. Maricopa County has provided \$517,000 in Community Block Grant Funding, \$93,000 of which will be used for this contract, if approved. This contract provides for the design and bidding of the project. Dibble Engineering will be conducting the work. Staff recommends approval of agenda item G5.

Motion by Councilmember Bravo to approve agenda item G5; second by Councilmember Soto. Motion passed unanimously on a roll call vote 5-0.



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Councilmembers awarded a contract (C2020-29) to the Town Engineer, Dibble Engineering, for design and construction administration services for the replacement of 2,185 linear feet of sanitary sewer pipes and the rehabilitation of seven manhole frames and covers within the Town of Guadalupe's wastewater collection system. The contract amount is \$93,000. This contract is funded through Community Development Block Grant funding of \$517,828 as approved by the Town Council at their July 23, 2020 Regular Council meeting.

6. PUBLIC SAFETY, SERVICE, OPERATIONS AND FACILITY NEEDS, TOWN HALL FRONT SERVICE DESK COVID-19 SAFETY FORTIFICATION CONTRACT

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item is the result of receiving \$2 million from the Pascua Yaqui Tribe to be utilized for COVID-19 related items and programs. Staff is proposing that the front desk reception area, the Town Hall lobby, and the Community Action Program offices be renovated to provide a safe and sanitary environment. Dibble Engineering will design the areas in Town Hall and seek bids so that construction can begin. This project must be completed by December 30, 2020. Staff recommends approval of agenda item G6.

In response to a question, Mr. Kulaga stated that Town Hall will continue to remain open for limited hours on Tuesday's and Wednesday's. The goal is to improve safety and sanitation in preparation for re-opening Town Hall in January.

A Councilmember suggested that touchless hand dryers be considered in the bathroom remodels.

Motion by Councilmember Bravo to approve agenda item G6; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 5-0.

Council awarded a contract (C2020-30) to the Town Engineer, Dibble Engineering, for the design of COVID-19 safety and public health improvements and renovation to Town Hall and Community Action Program (CAP) offices including sanitary upgrades to Town Hall lobby restrooms, front desk and general area and CAP office interior offices and foodbank areas. In this contract Dibble Engineering will provide design coordination, construction administration, and retention of architectural and mechanical engineering sub consultants. The contract amount is \$89,282. This contract is funded through the COVID-19 Relief Funds of \$2 million received from the Pascua Yaqui Tribe, as approved by Town Council at their August 13, 2020 meeting.

7. AVENIDA DEL YAQUI STREET IMPROVEMENT PROJECT RIGHT OF WAY CONTRACT AMENDMENT NO. 1

Jeff Kulaga, Town Manager / Clerk, stated that CEI construction is providing services for temporary construction easements and right-of-way acquisitions needed for the Avenida del Yaqui Street Improvement Project. The project is costing more than initially anticipated. An additional \$32,850 is needed to complete this portion of this federally funded project. Staff recommends approval of agenda item G7.

In response to a question, land appraisals will be included in this process. The Town of Guadalupe owns two of the parcels of land that are involved with this process.

Motion by Councilmember Bravo to approve agenda item G7; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 5-0.

Councilmembers approved a contract amendment (C2020-02A) in the amount of \$32,850 to Consulting Engineering, Inc., (CEI) to provide additional services to acquire right-of-way for 5 parcels necessary to complete the \$3.5 million federally funded Avenida del Yaqui street improvement project. Right-of-way acquisition expenses are not eligible for federal funds. Amendment No. 1 is funded through the approved FY 2020/2021 Highway User Revenue Fund (HURF) budget, where \$186,806 has been allocated for the Avenida del Yaqui project and related right-of-way expenses.



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8. CLAIMS

Motion by Councilmember Soto to approve agenda item G8; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 5-0.

Councilmembers approved the check register for August 2020, totaling \$541,001.15.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- o Congratulated the Community Action Program staff for passing a recent audit from St. Mary's Food Bank Alliance.
- o Amber Carter is serving as the acting Senior Center Director; and, Lydia Montiel is serving as the acting Senior Center Program Manager through January 1. The goal is to reopen the Senior Center on January 1, 2021, depending on the status of COVID-19.

I. COUNCILMEMBERS' COMMENTS

Councilmember Sánchez

- o Stay home and stay safe.

Councilmember Bravo

- o Thanked community members and Town staff for being diligent in combatting COVID-19.

Councilmember Cota Soto

- o Thanked her Council colleagues and Town staff in keeping the community safe. Stay safe and be smart. Do not put families at risk.
- o Commended the Community Action Program staff for providing excellent service and being respectful to community members.

Councilmember Cota

- o Thanked Jeff Kulaga, Town Manager / Clerk, and Town staff for their work.

Mayor Molina

- o Halloween will be discussed at the October 8, 2020 Council Meeting.
- o Continue to refrain from gatherings, wear a mask, and do not host large parties. These are temporary measures and are not meant to take away anyone's liberties. Remain diligent.
- o The County Health Department reported that there were 50 positive cases of COVID-19 that came from a recent funeral.

J. ADJOURNMENT

Motion by Councilmember Soto to adjourn the Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 5-0.

The meeting was adjourned at 6:58 p.m.

Valerie Molina, Mayor

ATTEST:

Jeff Kulaga, Town Manager / Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the September 24, 2020, 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 Regular Meeting October 8, 2020

Valerie Molina
Mayor

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Vice Mayor

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Councilmember

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Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, October 8, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

A. Mayor Molina called the meeting to order at 6:01 p.m.

B. ROLL CALL

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

Staff Present: Jeff Kulaga – Town Manager / Clerk and Jennifer Drury – Assistant to the Town Manager; and David Ledyard – Town Attorney via video conference.

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Soto provided the invocation. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

Motion by Councilmember Bravo to approve agenda item D1 and D2; second by Vice Mayor Vital. Motion passed unanimously on a voice vote 7-0.

1. Approved the August 27, 2020, Town Council Regular Meeting Minutes.
2. Approved the September 10, 2020, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC

John Hernandez discussed concerns regarding vehicular speeding, and an excessive number of cars parking on the streets. Mr. Hernandez then discussed the need to clean up and improve the community.

Mayor Molina thanked Mr. Hernandez for his comments and noted that the Town Manager will be in contact with Mr. Hernandez.

F. MAYOR and COUNCIL PRESENTATIONS: None.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. CITY OF TEMPE WATER/WASTEWATER RATE STUDY

Jeff Kulaga, Town Manager / Clerk, introduced City of Tempe representatives, Terry Piekarz, Municipal Utilities Director, and Tara Ford, Municipal Utilities Deputy Director, regarding the status of a City of Tempe water/wastewater rate study and proposed rate increases.



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Mr. Piekarz stated that the City of Tempe conducts municipal water and wastewater rate studies every two years. Stantec Consulting conducted the most recent rate study. The rate study was developed utilizing principles and methodologies established by the American Water Works Association. The Town of Guadalupe receives water and wastewater services from the City of Tempe. Rate adjustments will impact the Town of Guadalupe.

This presentation was provided to the Tempe City Council in September, at which time the City Council requested that additional public feedback be sought prior to policy approval. At that time, the City Council also indicated a desire to continue water conservation and water efficiency efforts.

During the last rate study, the Tempe City Council adopted a 50% cost recovery rate structure for flood irrigation customers. The same approach applied to the current rate study. Mr. Piekarz explained the four steps of the study: 1) revenue requirement analysis; 2) proportional allocation of costs; 3) rate design; and, 4) communication. Ms. Ford discussed the various outreach and community engagement efforts throughout this process.

Mr. Piekarz discussed a chart outlining peak hour water demand during the 2019 calendar year. Peak demand is a significant factor in cost calculations and cost recovery among various classifications of water users. Monthly service charges are based on meter size and include a fixed monthly service charge. The meter size measures the volume of water and wastewater being utilized and the fixed monthly service charge covers the cost of administration.

City of Tempe staff rate study recommendations are as follows:

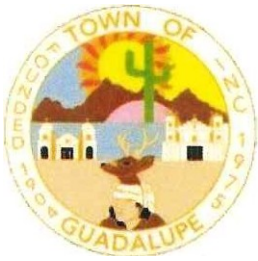
- The water utility requires 5.5% revenue increases, annually, over the next 10 years.
 - A single revenue increase will be recommended to the Tempe City Council for adoption.
 - Revenue requirements will be reviewed annually.
- The wastewater utility does not require a revenue increase at this time.
- Adjust proportional cost recovery for each customer classification.
- Adjust monthly service charge to increase fixed cost recovery.
- 9.7% flood irrigation revenue increase.
 - Required to maintain 50% cost recovery.

Mr. Piekarz discussed the impact of delaying water rate revenue increases while ensuring a minimum reserve fund balance. Delaying a rate increase will result in higher rate increases in the future. The Tempe City Council invites feedback from the Guadalupe Town Council on the recommended 5.5% rate increase, effective January 4, 2021, as recommended. There is also a survey on the City of Tempe website that invites community feedback on the proposed water/wastewater rate increases.

In response to questions on what the impact would be to postpone a rate increase, Mr. Piekarz stated that the fund balance would be drawn down more rapidly; and, that future rate increases would be higher. If a rate increase of 6% were to become effective on July 1, it would require an intentional spend down of the City's fund balance.

In response to a question, Mr. Kulaga stated that Council could either discuss the proposed rate increase further, or Council could revisit the issue on October 29, and provide direction to staff. The Tempe City Council will consider adoption of the proposed rate increase on December 3, 2020.

In response to questions, Mr. Piekarz stated that any rate increases would apply to Town of Guadalupe water and wastewater users. Mr. Piekarz then outlined the various methods of community engagement.



Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Anita Cota Soto
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

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A Councilmember noted that she had not seen any notifications of the proposed rate increase. Mr. Kulaga stated that staff will update the Town website, social media pages, and the Town marquee to inform residents of the proposed rate increase and encourage community participation in the online survey. Mr. Piekarz stated that if Guadalupe residents include their home address when they fill out the survey, Tempe will forward the comments and feedback to the Guadalupe Town Manager.

In response to a question regarding what type of billing classification would apply to Town parks, Mr. Piekarz stated that parks would typically fall under the landscaping classification that has a current rate of \$3.51 per 1,000 gallons, with a recommended rate increase to \$3.96 per 1,000 gallons.

2. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk provided an update from Town staff regarding current COVID-19 cases in Guadalupe, actions taken to safe guard public health and safety in response to the Coronavirus and its impact to Town services.

Mr. Kulaga stated that Salt River Project (SRP) is offering financial utility assistance to residents. Staff continues to inform residents of various types of aid that is available from numerous organizations. Maricopa County (County) and the Town's Community Action Program are offering rental and utility assistance. The County is offering emergency heating and cooling repair and replacement assistance. Funeral cost assistance is also available.

Approximately 450 community members received free flu shots and COVID-19 testing over the past few weeks. These free events were coordinated by Native Health, Pascua Yaqui Tribe, Maricopa County Health Department, Arizona State University, and Town staff. Saturday, November 21, is the next tentative date to offer an additional free flu shot and COVID-19 testing event.

No new positive cases of COVID-19 and no new hospitalizations were reported this past week by the County Health Department to Town staff. Mr. Kulaga urged everyone to continue to wear a mask, wash their hands, and to socially distance.

A Councilmember noted that the number of positive cases seemed to spike around Labor Day and voiced concern about Halloween and Dia de los Muertos.

3. RECOMMENDED COVID-19 HALLOWEEN and DIA DE MUERTOS GUIDELINES

Jeff Kulaga, Town Manager / Clerk, stated that social gatherings, lack of social distancing, and not wearing masks contribute to spikes in COVID-19. The Centers for Disease Control and Prevention (CDC) has provided comprehensive recommendations identifying high risk, moderate risk, and low risk activities. In March, the Mayor declared a state of emergency and in June, the Mayor signed a Proclamation requiring the wearing of face coverings or masks in public; both of these conditions are still in effect.

At the July 23 and August 13 Council meetings, the following Council direction was provided (subject to change based on conditions):

1. Spooktacular October 22, cancel unless conditions dramatically change
2. Dia de los Muertos Prohibit vendors at Cemetery
3. Parade and Tree Lighting November 28, cancel unless conditions dramatically change
4. Navidad en Guadalupe December 19, create a drive through event

Mr. Kulaga stated that the Promotoras have been promoting the following messages to community members since May:

1. Social distancing of at least six feet.
2. Small social gatherings of less than 10 and preferred only of the same household.
3. Wash your hands.
4. Wear a mask.



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To continue to improve the health of community members, personal responsibility and the use of good judgment is important.

Community members have provided the following comments regarding Halloween and Dia de los Muertos:

1. Families should celebrate at home.
2. If candy is distributed it should be done in individually wrapped bags.
3. Offer a raffle with a basket of essential items to families who celebrate at home.
4. Extend morning hours at the cemetery, while shortening evening hours.
5. Host a community meeting with Church leaders to discuss recommended precautions for the Mesitas and the cemetery.
6. Create a public service announcement of teens stating recommendations.

Staff has prepared Halloween and Dia de los Muertos recommended guidelines to be followed by the community to improve public health and safety during COVID-19. A Councilmember suggested the flyer with the guidelines be distributed to the Pascua Yaqui Tribe and voiced support of modifying the cemetery hours during Dia de Muertos, 5:00 AM – 10:00 PM.

A Councilmember urged families to limit celebrating Mesitas with only their family members; taking personal responsibility; consideration of closing the cemetery earlier than 10:00 PM; and, limiting the number of people that are allowed inside the cemetery at one time.

In response to limiting the number of people allowed inside the cemetery at one time, Dave Ledyard, Town Attorney, stated that the cemetery is town-owned property. There is currently no ordinance that controls the amount of people allowed to be at the cemetery.

Mr. Kulaga noted that the normal cemetery hours are 7:00 AM – 4:00 PM. A Councilmember inquired as to what the impact is to the surrounding neighborhood during Dia de los Muertos. Shortening the hours that the cemetery is open will keep families safer during the pandemic. Wearing masks and taking personal responsibility is also important.

Mr. Kulaga stated that closing the cemetery at 8:00 PM, as discussed by Council, may place staff and the Maricopa County Sheriff's Office in a challenging position. From a staff perspective, the closing time of 10:00 PM is a fair, reasonable, and safe closing time. Once Council provides direction to staff, posters will be created to alert the community of the cemetery hours.

A Councilmember discussed how there were 15 positive cases of COVID-19 as a result of a recent funeral in Town. With the delay in getting test results, more positive cases may exist in the community. A lot of time and money has been spent on decreasing the number of positive COVID-19 cases in the community.

A Councilmember suggested that hand washing stations, hand sanitizer, and masks be available at the cemetery. Masks could also be handed out to community members that are celebrating Mesitas.

Councilmembers concurred with Mr. Kulaga's recap of the discussion as follows: celebrations at home; include a raffle event; distribute information via social media and the Town website; create a public service announcement with teens to get the messages out to the community; develop a flyer that is specific to the cemetery guidelines with hours being 5:00 AM – 10:00 PM. A Councilmember noted that the flyers for each of the events will be included on the Town's website and social media pages.

Councilmember Osuna left the meeting at 7:00 PM



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4. COMMUNITY ACTION PROGRAM (CAP) VEHICLE PURCHASE

Jeff Kulaga, Town Manager / Clerk, stated that due to increased food distribution needs, the Community Action Program is in need of a van to address this demand. The proposed vehicle purchase is under the state contract. The new vehicle would replace a 2003 pickup truck and provide a more reliable vehicle. Staff recommends approval of the vehicle purchase.

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

Councilmembers approved the purchase of a 2020 Transit Connect 6 Passenger Van for use by the CAP program for increased food distribution services to the community as a result of COVID19. The purchase price, utilizing a state contract, is \$29,509.86. This purchase is funded through the COVID-19 Relief Funds of \$2 million received from the Pascua Yaqui Tribe, as approved by Town Council at their August 13, 2020 meeting.

5. FIRE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARD REAPPOINTMENTS

Jeff Kulaga, Town Manager / Clerk, stated that state statute requires that local jurisdictions have a Fire Public Safety Personnel Retirement System Board (Board). The Board is required to meet twice a year. Terms of service are staggered. Lory Cota and Dennis Dominguez' terms of service expire on October 31, 2020. If reappointed, their new terms of service would expire October 31, 2024.

Motion by Councilmember Bravo to reappoint Lory Cota and Dennis Dominguez to the Fire Public Safety Personnel Retirement System Board; second by Councilmember Soto. Motion passed unanimously 6-0.

Councilmembers reappointed Lory Cota, citizen representative, and Dennis Dominguez, Fire Department elected representative to the Guadalupe Fire Public Safety Personnel Retirement System Board pursuant to A.R.S. § 38-847. The terms of office expiration dates for both positions is October 31, 2024. Lory Cota and Dennis Dominguez were initially appointed by the Council in October, 2018 to an initial term of two years. *There is no material for this agenda item.*

The following roster includes updates terms of office for Ms. Cota and Mr. Dominguez:

Board Member Name	Position	Term Expires
Jeff Kulaga (Chair)	Mayor's designee	10/31/2022
Lory Cota	Citizen representative	10/31/2024
Mary Uriarte	Citizen representative	10/31/2022
Dennis Dominguez	Fire Department representative (elected)	10/31/2024
Alan Romania	Fire Department representative (elected)	10/31/2022

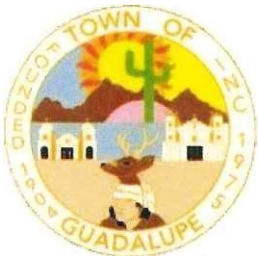
6. GENERAL ELECTION UPDATE

Jeff Kulaga, Town Manager / Clerk provided an update on activities and deadlines related to the November 3, 2020, General Election. The Multi-purpose Room in the Mercado will serve as an in-person, early voting site for the upcoming election October 22 – 24; and October 26 – November 3. Early mail in ballots may be dropped off at this location. The voting site is staffed by the Maricopa County Elections Department. Additional election information is available on the Town's website. The last day to request a ballot in the mail from the Maricopa County Election Department is October 23, 2020.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- o Congratulated Senior Center staff on passing a recent kitchen inspection from the Maricopa County Health Department.



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- o Congratulated the Guadalupe Fire Department for assisting in delivering a baby during a recent emergency call for service.

I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- o Thanked community members, Town staff, Pascua Yaqui Tribe, and the Maricopa County Sheriff's Office, for working well together during these challenging times.

Councilmember Sánchez

- o Condolences to a staff member on the passing of a loved one.
- o Encouraged everyone to wear a mask.
- o Thanked everyone.

Councilmember Cota

- o Thanked everyone.

Councilmember Soto

- o Thanked everyone, and specifically the Mayor and Vice Mayor for their efforts on keeping the community safe; and, for their continued partnerships with various agencies.
- o Thanked the Community Action Program staff and volunteers for their food distribution efforts.
- o Guadalupeans are proud of who we are and where we live; and, will take personal responsibility and keep virus numbers low.

Vice Mayor Vital

- o Thanked staff, community members, and community partners, regarding their work on COVID-19 efforts. Be safe.
- o The 2020 Census deadline has been extended. Census assistance will be offered to community members at the Pascua Yaqui tribal building on Saturday.

Mayor Molina

- o Congratulated the Guadalupe Fire Department for being awarded \$70,000 in revenue grant funding from the Gila River Indian Community.
- o Thanked staff for their work.

I. ADJOURNMENT

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

The meeting was adjourned at 7:32 p.m.

Valerie Molina, Mayor

ATTEST:

Jeff Kulaga, Town Manager / Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the October 8, 2020, 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



GUADALUPE TOWN COUNCIL MEETING SCHEDULE AND NOTICE

JANUARY 2021 THROUGH DECEMBER 2021

Pursuant to Arizona Revised Statutes §38-431.02, notice is hereby given to the members of the Guadalupe Town City Council and to the general public that the Guadalupe Town Council will hold meetings open to the public on the dates and times outlined below.

Pursuant to Town Resolution 2017-01, the regularly scheduled Town Council meetings shall be held at 6:00 p.m. on the second and fourth Thursdays of the month in the Council Chambers, Guadalupe Town Hall, 9241 S. Avenida del Yaqui, Guadalupe, Arizona unless the meetings fall on a holiday, or are otherwise posted for a different time or place. Special meetings of the Town Council may be scheduled for various dates, times, or locations.

The notice and agenda for any meeting shall be posted at least 24-hours in advance in accordance with the Arizona Revised Statutes, A.R.S. §38-431.02 at the following locations:

- (a) The Town of Guadalupe website: www.guadalupeaz.org; and
- (b) Outside the entrance to Town Hall, on a public notice posting board.

In addition, meeting notices and agendas will be available at the reception desk at Guadalupe Town Hall, Monday through Friday from 8:00 a.m. – 5:00 p.m. For questions or further information, please contact the Town Clerk's Office at (480) 730-3080 or email clerk@guadalupeaz.org.

Month	2nd Thursday Date:	4th Thursday Date:	Meetings Added Date:
January	14	28	
February	11	25	
March	11	25	
April	8	22	
May	13	27	
June	10	24	
July	8	22	
August	12	26	
September	9	23	
October	14	28	
November	11 – MEETING CANCELLED Veteran's Day	25 - MEETING CANCELLED Thanksgiving Holiday	18
December	9	23	

JANUARY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Town Hall Closed New Year's Day	2
3	4 KESD, TESD, TUHSD classes begin	5	6	7	8	9
10	11 ASU classes begin	12	13	14 Council Meeting, 6 PM	15	16
17	18 Town Hall Closed M L King Day	19	20	21	22	23
24	25	26	27	28 Council Meeting, 6 PM	29	30
31						

FEBRUARY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11 Council Meeting, 6 PM	12	13 <i>Dia de Guadalupe Tentative</i>
14 <i>Valentine's Day</i>	15 <i>Town Hall Closed Presidents' Day</i>	16	17	18	19	20
21	22	23	24	25 Council Meeting, 6 PM	26	27
28						

MARCH 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8 Spring Break	9 Spring Break	10 Spring Break	11 Spring Break Council Meeting, 6 PM	12 Spring Break	13
14	15	16	17 St. Patricks Day	18	19	20
21	22	23	24	25 Council Meeting, 6 PM	26	27
28 Palm Sunday Holy Week	29 Holy Week	30 Holy Week	31 Holy Week			

APRIL 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Holy Week	2 Town Hall Closed Good Friday Holy Week	3 Holy Week
4 Easter Sunday	5 Town Hall Closed Easter	6	7	8 Council Meeting, 6 PM	9	10
11	12	13	14	15	16	17
18	19 Town Hall Closed Cesar Chavez Recognition Day	20	21	22 Council Meeting, 6 PM	23	24
25	26	27	28	29	30	

MAY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9 Mother's Day	10 ASU Graduation	11	12	13 Council Meeting, 6 PM	14	15
16	17	18	19 TUHSD last day of school	20 TUHSD Graduation	21	22
23	24	25	26	27 Council Meeting, 6 PM	28 TESD last day of school	29
30	31 Town Hall Closed Memorial Day					

JUNE 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8 KESD last day of school	9	10 Council Meeting, 6 PM	11	12
13	14	15	16	17	18	19
20 Father's Day	21	22	23	24 Council Meeting, 6 PM	25	26
27	28	29	30			

JULY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 Independence Day	5 Town Hall Closed Independence Day Holiday	6	7	8 Council Meeting, 6 PM	9	10
11	12	13	14	15	16	17
18	19	20	21	22 Council Meeting, 6 PM	23	24
25	26	27	28	29 KESD classes begin	30	31

AUGUST 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 TESD, TUHSD classes begin	3	4	5	6	7
8	9	10	11	12 Council Meeting, 6 PM	13	14
15	16	17	18	19 ASU classes begin	20	21
22	23	24	25	26 Council Meeting, 6 PM	27	28
29	30	31				

SEPTEMBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Town Hall Closed Labor Day	7	8	9 Council Meeting, 6 PM	10	11
12	13	14	15	16	17	18
19	20	21	22	23 Council Meeting, 6 PM	24	25
26	27	28	29	30		

OCTOBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 KESD, TESD, TUHSD Fall Break	5 KESD, TESD, TUHSD Fall Break	6 KESD, TESD, TUHSD Fall Break	7 KESD, TESD, TUHSD Fall Break	8 KESD, TESD, TUHSD Fall Break	9
10	11 Indigenous Persons Day	12 ASU Fall Break	13	14 Council Meeting, 6 PM	15	16
17	18	19	20	21	22	23
24	25	26	27	28 Council Meeting, 6 PM	29	30
31 Halloween						

NOVEMBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11 Town Hall Closed Veterans Day Council Meeting CANCELLED	12	13
14	15	16	17	18 Council Meeting 6 PM	19	20
21	22	23	24	25 Town Hall Closed Thanksgiving Day Council Meeting CANCELLED	26	27
28	29	30				

DECEMBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9 Council Meeting, 6 PM	10	11
12	13 ASU Graduation	14	15	16	17	18
19	20 KESD, TESD, TUHSD Winter Break	21 KESD, TESD, TUHSD Winter Break	22 KESD, TESD, TUHSD Winter Break	23 KESD, TESD, TUHSD Winter Break Council Meeting, 6 PM	24 ASU, KESD, TESD, TUHSD Winter Break Town Hall closed Christmas Eve	25 Christmas Day
26	27 ASU, KESD, TESD, TUHSD Winter Break	28 KESD, TESD, TUHSD Winter Break	29 KESD, TESD, TUHSD Winter Break	30 KESD, TESD, TUHSD Winter Break	31 Town Hall closed New Year's Eve	

RESOLUTION NO. R2020.32

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA, AUTHORIZING A BUDGET ADJUSTMENT WITHIN THE FISCAL YEAR (FY) 2019/20 GENERAL FUND BY TRANSFERRING \$19,000 FROM THE ADMINISTRATION COST CENTER TO GENERAL FUND OPERATING DEPARTMENTS: BUILDING MAINTENANCE AND PARKS WITH COST OVERRUNS THAT WERE UNFORESEEN AT THE TIME THE FY 2019/20 BUDGET WAS ADOPTED.

BE IT RESOLVED by the Town Council of the Town of Guadalupe, Arizona, as follows:

SECTION 1. The transfers of funds from the FY 2019/20 General Fund, Administration Department to the General Fund operating departments of: Town Manager, Community Development, Town Attorney and Fire Department in the amounts herein below specified is hereby authorized:

Fiscal Year 2019-2020

<u>Transfer From:</u>	<u>Transfer To:</u>	<u>Amount</u>
General Fund-Administration Department	General Fund-Building Maintenance	\$4,000
General Fund-Administration Department	General Fund-Parks	\$15,000
		Total: \$19,000

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA THIS 12th DAY OF NOVEMBER, 2020.

Valerie Molina, Mayor

ATTEST:

Jeff Kulaga, Town Manager / Clerk

APPROVED AS TO FORM:

David E. Ledyard, Town Attorney

RESOLUTION NO. R2020.33

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA, AUTHORIZING THE TRANSFER OF \$761,282 TO THE FISCAL YEAR (FY) 2020/21 STATE CARES ACT FUND, FROM THE GENERAL FUND.

BE IT RESOLVED by the Town Council of the Town of Guadalupe, Arizona, as follows:

SECTION 1. The transfer of funds from the FY 2020/21 General Fund to the FY2020/21 State Cares Act Fund. The transfer amount herein as specified below is hereby authorized:

Fiscal Year 2019-2020

<u>Transfer From:</u>	<u>Transfer To:</u>	<u>Amount</u>
General Fund	State Cares Act Fund	\$761,282

General Fund Total: \$761,282

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Guadalupe do hereby authorize the transfer \$761,282 from the General Fund to the following fund:

<u>Transfer To:</u>	<u>Amount</u>
State Cares Act Fund	\$761,282

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA, THIS 12th DAY OF NOVEMBER, 2020.

Valerie Molina
Mayor

ATTEST:

Jeff Kulaga
Town Manager / Clerk

APPROVED AS TO FORM:

David E. Ledyard
Town Attorney

C2018-28B
TOWN OF GUADALUPE

EMPLOYMENT AGREEMENT AMENDMENT
TOWNMANAGER/CLERK

THIS AGREEMENT AMENDMENT (this "Agreement") is executed by and between the Town of Guadalupe, an Arizona municipal corporation, (the "Town") and Mr. Jeff Kulaga ("Kulaga") as of November 12, 2020.

1. The Town wishes to reappoint Kulaga as Town Manager/Town Clerk and Kulaga is willing to accept continued employment in this combined position and perform such duties as are required.
2. The Town shall extend the employment opportunity to Kulaga and offer the following salary, and other terms as follows:
 - (a) Salary – Increase the annual salary amount of \$90,000 as approved on September 28, 2017, to \$110,000 annually to be paid in biweekly increments in accordance with the Towns normal payroll practices.
 - (b) This position is an exempt management position and Kulaga will use his best efforts to fulfill the duties of the Town Manager and Clerk.
 - (c) Kulaga will receive all of the normal benefits and opportunities afforded to a Guadalupe management level exempt employee.
 - (d) The term of this agreement began October 10, 2019, terminating on October 9, 2021. The amended contract termination date is November 12, 2021. However, the term may be extended upon mutual agreement of the parties.
 - (e) The Council is aware that Kulaga occasionally is a guest lecturer, student mentor and/or speaker and may need to leave early, or extend a lunch hour. Such activities are permitted so long as they do not unnecessarily interfere with his duties at the Town.
 - (f) The Council is aware that Kulaga does attend twice annually the Arizona City Managers Association conferences and annually the Arizona Municipal Clerks' Association conference for professional development and training purposes at his own costs.
 - (g) In the event the Council should terminate this contract without cause, Kulaga shall be entitled to severance pay equal to his base pay for six months, accrued PTO time, deferred compensation, and paid holidays accrued during the six-month severance period and the Town shall pay the cost to continue health insurance for Kulaga and all dependents and life insurance during the six-month severance period.
 - (h) Council may terminate this contract at any time for cause including willful misconduct, fraud, corruption, moral turpitude, or refusal or failure to perform in breach of this agreement. In the event this agreement is terminated involuntarily for cause or Kulaga resigns, the Town will not have to pay a severance package.
 - (i) In the event Kulaga wishes to resign, he will give the Town not less than thirty (30) days' notice.

This agreement serves as the formal employment agreement between the Town and Kulaga and is the full and complete agreement of the parties and will be treated as such.

3. A.R.S. §38-511 concerning conflict of interest applies to this agreement.
4. The parties agree to work together in good faith in the performance of this agreement.

5. In the event of a breach of this agreement, the nonbreaching party is entitled to their reasonable attorney fees and costs resulting from the breach.

DATED this 12th day of November 2020.

TOWN OF GUADALUPE

Valerie Molina, Mayor

Attest:

Jeff Kulaga
Town Manager / Clerk

Approved as to form:

David E. Ledyard, Faith Ledyard & Faith, PLC
Town Attorney