

Minutes Town Council Regular Meeting January 9, 2020

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, January 9, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

Valerie Molina
Mayor

A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:02 p.m.

Ricardo Vital
Vice Mayor

B. ROLL CALL

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

Mary Bravo
Councilmember

Anita Cota
Councilmember

Gloria Cota
Councilmember

Staff Present: Jeff Kulaga – Town Manager / Clerk, Wayne Clement – Fire Chief, Jennifer Drury – Assistant to the Town Manager, Robert Thaxton – Finance Director, David Ledyard – Town Attorney, and Kay Savard, Deputy Town Clerk

Elvira Osuna
Councilmember

C. INVOCATION/PLEDGE OF ALLEGIANCE

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

Joe Sánchez
Councilmember

D. APPROVAL OF MINUTES

Motion by Vice Mayor Vital to approve the December 9, 2019, Town Council Regular Meeting Minutes; second by Councilmember Bravo. Motion passed unanimously 7-0.

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1. Approved the December 9, 2019, Town Council Regular Meeting Minutes.

E. ALL TO THE PUBLIC: No one spoke.

F. MAYOR and COUNCIL PRESENTATION

Mary Hoskin, Technical Clinical Manager, introduced her colleagues and stated that the purpose of the Tribal Turning Point Program presentation is to provide information to the Town Council related to a healthy lifestyle research project that is focused on American Indian youth.

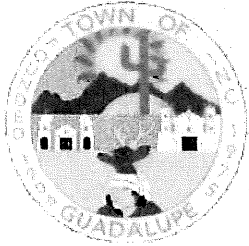
Madhumita Sinha, Associate Research Physician, stated that the Tribal Turning Point Study "Study" is a collaborative effort with the University of Colorado. Ms. Sinha discussed the high childhood obesity rate and associated illnesses found in the American Indian youth population. The Study is a lifestyle intervention program for youth 7-10 years of age. Ms. Sinha discussed program eligibility and program elements. Ms. Hoskin emphasized that this is a community based Study.

Councilmembers and Ms. Hoskin discussed having the Tribal Turning Point Program assisting in community food box distribution efforts; and, having a presence at community events.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. **PUBLIC HEARING – ESTABLISHING AND ADOPTING APPLICATION FEES AND ANNUAL RATES FOR WIRELESS FACILITIES IN TOWN RIGHT-OF-WAY (RESOLUTION NO. R2020.01)**

Town Council Chambers
9241 S. Avenida del Yaqui
Guadalupe, AZ 85283
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Fax: (480)-505-5368



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Motion by Councilmember Anita Cota to open the public hearing; second by Councilmember Osuna; motion passed unanimously 7-0.

Mayor Molina opened the public hearing. No community members spoke.

Jeff Kulaga, Town Manager / Clerk, stated agenda items G1 and G2 are related. These agenda items are to establish application fees and annual rates for wireless facilities within Town right-of-way. The telecommunications industry is progressing. Cable is now considered video services, while other telecomm service providers are defined as small cells and micro cells. The proposed resolution regulates various service providers that utilize public right-of-way regardless of type of service. The goal of these agenda items is to set a baseline of fees for all types of providers to utilize Town rights-of-way. The fees are in alignment with other Arizona cities and towns; and protect Town right-of-way. The same applies for agenda items G3 and G4. Staff has complied with the 60-day public notification requirements.

Motion by Councilmember Anita Cota to close the public hearing; second by Councilmember Osuna; motion passed unanimously 7-0.

The public hearing was closed.

Held a public hearing to authorize the Town of Guadalupe to establish application fees and annual rates for wireless facilities in Town right-of-way; providing for repeal of conflicting resolutions; and, providing for severability. *(related to G2)*

2. ESTABLISHING AND ADOPTING APPLICATION FEES AND ANNUAL RATES FOR WIRELESS FACILITIES IN TOWN RIGHT-OF-WAY (RESOLUTION NO. R2020.01)

Motion by Councilmember Bravo to approve agenda item G2; second by Vice Mayor Vital. Motion passed unanimously 7-0.

Councilmembers adopted **RESOLUTION NO. R2020.01**, authorizing the Town of Guadalupe to establish application fees and annual rates for wireless facilities in Town right-of-way; providing for repeal of conflicting resolutions; and, providing for severability. *(related to G1)*

3. PUBLIC HEARING - ESTABLISHING AND ADOPTING FEES FOR VIDEO SERVICE PROVIDERS (RESOLUTION NO. R2020.02)

Motion by Councilmember Anita Cota to open the public hearing; second by Councilmember Sánchez; motion passed unanimously 7-0.

Mayor Molina opened the public hearing. No community members spoke.

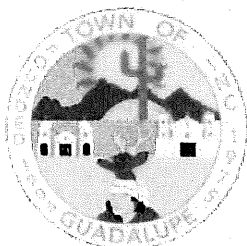
Motion by Councilmember Anita Cota to close the public hearing; second by Councilmember Osuna; motion passed unanimously 7-0.

The public hearing was closed.

Held a public hearing to authorize the Town of Guadalupe to implement a fee of five percent of gross revenues for Video Service providers; providing for repeal of conflicting resolutions; and, providing for severability. *(related to G4)*

4. ESTABLISHING AND ADOPTING FEES FOR VIDEO SERVICE PROVIDERS (RESOLUTION NO. R2020.02)

Motion by Councilmember Bravo to approve agenda item G4; second by Councilmember Osuna. Motion passed unanimously 7-0.



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Councilmembers adopted **RESOLUTION NO. R2020.02**, authorizing the Town of Guadalupe to implement a fee of five percent of gross revenues for Video Service providers; providing for repeal of conflicting resolutions; and, providing for severability. *(related to G3)*

5. EQUAL RIGHTS FOR MEN AND WOMEN (RESOLUTION NO. R2020.03)

Jeff Kulaga, Town Manager / Clerk, stated that there are 37 states that have ratified an equal rights for men and women amendment, to add that language to the Constitution of the United States. A minimum of 38 states is needed to ratify the United States Constitution. The resolution urges the Arizona State Legislature to become the 38th state needed for ratification of the Equal Rights Amendment. The process is moving from local, to state, to the federal government.

In response to a question, if approved, the Town of Guadalupe would be the 20th town in Arizona to adopt such a resolution.

Motion by Councilmember Bravo to approve agenda item G5; second by Vice Mayor Vital. Motion passed unanimously 7-0.

Councilmembers adopted **RESOLUTION NO. R2020.03**, supporting an amendment to the United States Constitution relative to equal rights of men and women; and, urges the Arizona Legislature to hear and ratify the same so that Arizona may become the 38th and final state needed for ratification of the Equal Rights Amendment to the Constitution of the United States.

6. PUBLIC HEARING – LA LOMITA USE PERMIT (ORDINANCE NO. O2020.01)

Motion by Councilmember Anita Cota to open the public hearing; second by Councilmember Sánchez. Motion passed unanimously 7-0.

Mayor Molina opened the public hearing. No community members spoke.

Jeff Kulaga, Town Manager / Clerk, stated that the proposed use permit for use of the La Lomita is in response to extended use of the La Lomita related to urban camping in public parks; and, takes into consideration the Ninth District Court ruling related to urban camping and public parks. The proposed resolution allows for use of La Lomita for reflective and spiritual activities; and, provides for regulating long term stays on La Lomita. Staff is requesting that agenda item G7 be continued to allow staff additional time to make minor edits to the ordinance citations.

David Ledyard, Town Attorney, stated that Councilmembers have the option to either close the public at this time, or leave the public hearing open until the next Council meeting. Staff is requesting that agenda item G7 be continued to an upcoming meeting.

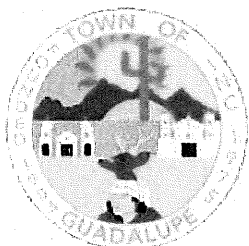
Motion by Councilmember Anita Cota to close the public hearing; second by Councilmember Sánchez. Motion passed unanimously 7-0.

Introduced and held a public hearing to adopt an ordinance establishing reasonable regulations and permitted uses for the Town-owned property known as La Lomita. *(related to G7)*

7. LA LOMITA USE PERMIT (ORDINANCE NO. O2020.01)

Motion by Vice Mayor Vital to continue agenda item G7 to the January 23, 2020, Regular Council Meeting; second by Councilmember Bravo. Motion passed unanimously 7-0.

Councilmembers *continued agenda item G7 to the January 23, 2020, Regular Council Meeting*, to adopt an ordinance related to park permitting requirements that includes establishing hours of use; permitted uses; length of time for use; prohibited activities; and, enforcement authority. La Lomita park permit applications must be submitted a minimum of 10 days prior to an event; and, there is no fee to process a La Lomita park permit application. *(related to G6)*



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8. AWARD OF CONTRACT – SOLID WASTE COLLECTION SERVICES

Jeff Kulaga, Town Manager / Clerk, stated that the cost of standard solid waste collection services for residents would be \$20.14 monthly; however, staff is proposing to keep the existing rate of \$20.75. Services would include two solid waste curbside pick up's per week. Recycling is voluntary, with recycling bins provided at the Town maintenance yard, which would be available to the public on Saturday mornings. Should Council wish to implement a residential curbside recycling option, it would cost each customer approximately \$3 more per month. Out of 1,200 accounts, there are approximately 275 accounts that have multiple solid waste cans. Under the current contract (Waste Management), each solid waste bin costs customers an additional \$20.75; and, under the new contract with Right Away Disposal Service (RAD), additional solid waste cans will cost customers an additional \$12 per month, each, resulting in a cost savings to customers. Replacement of lost, missing, or vandalized solid waste bins will cost customers \$65.

RAD will manage the inventory of bins and will offer a variety of bin sizes for bulk trash pickup. Residents also have the option to drop off their solid waste directly at the solid waste drop off station at a cost of \$40/ton.

Councilmembers discussed the possibility bins being stolen; and, of including property address information on each solid waste bin. Bart Powell stated that RAD conducts quarterly inventories of their bins.

Councilmembers discussed yellow bins that some residents have; and, if those will be emptied by RAD. Mr. Powell stated that RAD will only be collecting solid waste from their RAD own bins. Mr. Kulaga stated that currently, the Town is paying the tipping fee for the yellow bins, which will stop when RAD begins picking up solid waste.

Mr. Kulaga stated that staff is working with RAD and City of Tempe representatives on the public communication portion of this process. Materials will be in English and Spanish. RAD is planning on delivering their trash bins and a customer welcome packet one week in advance of the first scheduled pick-up service. Trash pick-up, town-wide, will be on Tuesday/Friday. RAD has four holidays that they do not pick up trash: New Year's Day, Christmas Day, Independence Day, and Thanksgiving Day. There will be an information table about this process at the upcoming Dia de Guadalupe event.

Mr. Kulaga noted that the City of Tempe administers the billing process at no charge to the Town; and, that the Town will receive 8% back on fees collected, which could be earmarked to repair potholes and conduct alley cleanup. Staff will return to Council at the January 23, 2020, Regular Council Meeting to provide an update.

Councilmembers discussed homes that people may be living with that do not have water service; and, that property owners should be responsible for paying for trash pickup services.

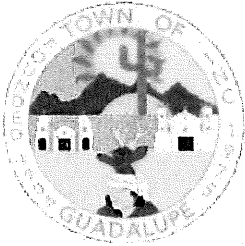
Motion by Councilmember Bravo to approve agenda item G8; second by Vice Mayor Vital. Motion passed unanimously 7-0.

Councilmembers awarded an eight-year contract (C2020-01), with two consecutive one-year renewal options, to RAD Right Away Disposal Service, to provide solid waste disposal and recycling services. The new service is scheduled to begin on March 1, 2020.

9. CLAIMS

Motion by Vice Mayor Vital to approve agenda item G9; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers approved the check register for November 2019, totaling \$526,695.72.



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10. SPECIAL EVENT UPDATE – DIA DE GUADALUPE

Jeff Kulaga, Town Manager / Clerk, provided an update on the upcoming Dia de Guadalupe community event scheduled for Saturday, February 8, 2020. Mr. Kulaga stated that the event is scheduled from 5:00 P.M. – 11:00 P.M.; and, there will be live music and vendors to celebrate the 45th anniversary of the Towns' incorporation.

Councilmembers discussed the event hours being 4:00 P.M. – 11:00 P.M.; incorporating youth activities such as yard games at the Boys and Girls Club; seeking the assistance of the Key Club; tribal recognitions; including inflatables; and, ensuring there are restroom facilities available during the event. Food vendors should have a food handler's license and offer food products that differ from nearby restaurants.

Mr. Kulaga recapped that the event hours will be from 4:00 P.M. – 11:00 P.M., and youth activities will be incorporated into the event.

11. COMMUNITY SERVICE AWARDS

Councilmembers discussed presenting a community volunteer award at the February 8, 2020, Dia de Guadalupe event to individuals who exemplify true humanitarianism, commitment to Guadalupe, and have made a significant impact through volunteer efforts impacting community members in Guadalupe. Councilmembers agreed that each Councilmember will have an opportunity to nominate a person or organization for such award; Town residency is not a requirement; and, that the names of nominees will be reviewed at the January 23, 2020, Regular Council Meeting.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Thanked staff and volunteers for their work on holiday events. Overall, the cost of holiday events totaled \$20,000. Events costs were paid for with a \$15,000 gaming grant and \$10,000 in event sponsorship funding.
- Thanked staff for their work on cleaning up Calle Monte Villa.
- Sewer line notification letters will be mailed on Friday, January 10, 2020. Staff will provide Councilmembers with a list of the 24 impacted properties.
- Staff is seeking \$500,000 in Community Development Block Grant (CDBG) funding for the first phase of pipe line repairs on Town-owned property. Available CDBG funding totals \$1.8 million; and, could be increased if there are unused funds from the previous funding cycle.
- Pascua Yaqui Tribe approved a \$5,000 gaming grant for public safety services during special events.
- Mayor Molina mailed thank you letters to Christmas event sponsors.
- Discussed a partnership with the Town of Gilbert for a shared intern, Esteban Fuerte, who will be assisting the Town with projects such as the Census.
- Dia de Guadalupe event will include an information table regarding the Census.

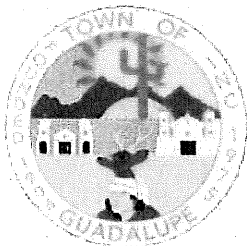
I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- Thanked staff for their cleanup efforts.
- Community involvement is increasing; and, the community is more trusting of Council.
- Thanked audience members for attending the meeting.

Councilmember Anita Cota

- Discussed a complaint about the Maricopa County Sheriff's Office (MCSO) not addressing a tribal housing complaint. Suggested cultural sensitivity training for MCSO staff.
- Navidad en Guadalupe events were a success.
- Thanked audience members for attending the meeting.



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Joe Sánchez
Councilmember

Councilmember Joe Sánchez

- o Discussed two potholes that are need of repair.
- o Discussed the problem of dogs not on leashes.
- o New Year's Eve went well.

Vice Mayor Vital

- o Thanked staff for the Christmas party clean-up efforts.
- o Monday, January 20, 2020 – Martin Luther King Day event at the Annex.
- o Thanked audience members for attending the meeting.

Councilmember Gloria Cota

- o Thanked audience members for attending the meeting.

Councilmember Elvira Osuna

- o Announced it is Law Enforcement Day; commended law enforcement staff.
- o Discussed an incident whereby Salt River Project personnel encountered two vicious dogs at a vacant property. Animal Control wanted to charge a fee for removing the dogs.

Vice Mayor Vital (*continued*)

- o Roadway striping is causing traffic problems.
- o Wished Councilmember Anita Cota Happy Birthday.

Mayor Molina

- o The staff Christmas party was a nice event.
- o Discussed light parade emergencies.
- o Thanked audience members for attending the meeting; and, staff for their work.

J. ADJOURNMENT

Motion by Vice Mayor Vital to adjourn the Regular Council Meeting; second by Councilmember Bravo. Motion passed unanimously 7-0.

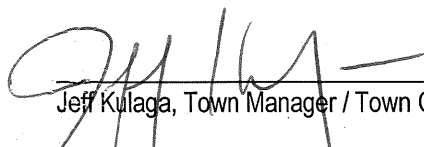
The meeting was adjourned at 7:19 p.m.

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Valerie Molina, Mayor

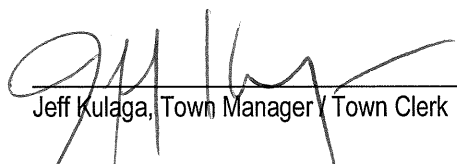
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ATTEST:


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 January 9, 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