

## Minutes Town Council Regular Meeting April 11, 2019

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, April 11, 2019, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Anita Cota  
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

### A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:00 P.M.

### B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina, Vice Mayor Ricardo Vital, Councilmember Mary Bravo, Councilmember Anita Cota, Councilmember Gloria Cota, Councilmember Elvira Osuna (*arrived at 6:33 p.m.*), and Councilmember Joe Sánchez

Staff Present: Jeff Kulaga – Town Manager / Clerk, Wayne Clement – Fire Chief, Jennifer Drury – Assistant to the Town Manager, Gerardo Moreno – Public Works Director, Nancy Holguin, Community Development, Catalina Alvarez – CAP Director, Veronica Matuz, Senior Center Director, Kay Savard, Deputy Town Clerk, and David Ledyard – Town Attorney

### C. INVOCATION/PLEDGE OF ALLEGIANCE

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

### D. APPROVAL OF MINUTES

1. **Motion by Councilmember Bravo to approve the March 28, 2019, Town Council Regular Meeting minutes; second by Councilmember Gloria Cota. Motion passed unanimously 6-0.**

Approved the March 28, 2019, Town Council Regular Council Meeting minutes.

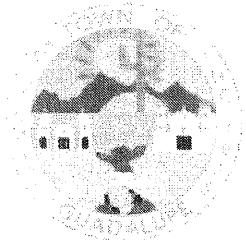
### E. CALL TO THE PUBLIC

Max Valencia discussed a proposed project to address violence in the Town of Guadalupe that includes posters and bumper stickers that detail the Maricopa County Sheriff's tips hotline information and phone number. Mr. Valencia requested funding assistance to produce additional posters and bumper stickers. At the request of a councilmember, staff was directed to add this topic to an upcoming Regular Council Meeting agenda; councilmembers concurred.

### F. MAYOR and COUNCIL PRESENTATIONS

Mayor Molina read a First Things First – Week of the Young Child Proclamation, declaring April 8-12, 2019 to be Week of the Young Child in the Town of Guadalupe, Arizona. Mayor Molina then called upon Andrea Benkel, First Things First East Maricopa Regional Councilmember, to speak to the audience and receive the proclamation.

Mayor Molina read a PowerTalk 21® Day Proclamation, declaring April 21, 2019, to be PowerTalk 21® Day in the Town of Guadalupe, Arizona. Mayor Molina then called upon Rachel Hersh, Development Officer, Mothers Against Drunk Driving to speak to the audience and receive the proclamation.



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Mayor Molina read a Dia de Los Niños Proclamation declaring April as A.R.C. (Acknowledge, Respect, and Celebrate Children and Youth Month, and April 11, 2019, Dia de Los Niños in the Town of Guadalupe, Arizona. Mayor Molina then called upon Vice Mayor Vital to receive the proclamation.

G. DISCUSSION AND POSSIBLE ACTION ITEMS

1. **BOARD OF ADJUSTMENT PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST:**

The Guadalupe Town Council, acting as the Town of Guadalupe Board of Adjustment, held a public hearing for a Conditional Use Permit (CU2019-01) to operate a Recreational Vehicle storage and holding lot for towed vehicles located at 8011 South Avenida del Yaqui. The Applicant, Kirk Hoffman, Maven Properties, is seeking a 5-year Conditional Use Permit, expiring on April 11, 2024. The Town Council approved the existing Conditional Use Permit on April 28, 2016, with an expiration date of April 28, 2019. The property has been posted with a public hearing notice and property owners within 150' of the premises have been notified via postal mail. As of April 5, 2019, no public comment on this conditional use permit request has been received.

There was no public comment on agenda item G1.

Kirk Hoffman, Applicant, stated that he is requesting a five-year conditional use permit.

Jeff Kulaga, Town Manager / Clerk, stated that the request is for a five-year conditional use permit. During the existing conditional use permit three-year timeframe, staff has confirmed that there were no calls for service made to the Guadalupe Fire Department; and, that 53 calls for service were made to the Maricopa County Sheriff's Office, a majority of which were calls due to traffic accidents adjacent to this property. This business location has recently experienced burglary problems. To date, no public comments have been received regarding this request.

**Motion by Vice Mayor Vital to close the public hearing; second by Councilmember Sánchez. Motion passed unanimously 6-0.**

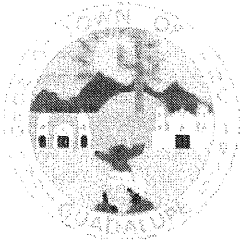
2. **BOARD OF ADJUSTMENT – CONDITIONAL USE PERMIT REQUEST:** The Guadalupe Town Council, acting as the Town of Guadalupe Board of Adjustment, approved the issuance of a 5-year Conditional Use Permit #CU2019-01 to operate a Recreational Vehicle storage and holding lot for towed vehicles located at 8011 South Avenida del Yaqui. The applicant is Kirk Hoffman, Maven Properties. The Conditional Use Permit expires on April 11, 2024. As of April 5, 2019, no public comment on this conditional use permit request has been received.

There was no discussion on agenda item G2.

**Motion by Vice Mayor Vital to approve a conditional use permit for Kirk Hoffman, Maven Properties, which expires April 11, 2024; second by Councilmember Sánchez. Motion passed unanimously 6-0.**

3. **ENERGY SAVINGS PROPOSAL:** Ron Stalica, Midstate Energy, introduced his colleagues in the audience. Mr. Stalica discussed Midstate Energy's industry experience, an energy savings performance contract, the facilities audited, energy saving measures identified, benefits to the Town of Guadalupe, and next steps.

Mr. Stalica stated that money spent on energy and operating costs pays for the building improvements. Per Arizona state statute §34-105, if the project fails to reduce costs, Midstate Energy will reimburse the Town of Guadalupe for the difference. Facilities audited include the exterior of the Mercado, Town Hall, Library, Fire Station, and the Senior Center. Mr. Stalica stated that additional saving opportunities to the Town could be in the form of grants and rebates.



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In response to questions, Mr. Stalica stated that if the Project were approved and if there were technological upgrades to new equipment/materials installed, the materials would be retrofitted as long as the new materials paid for themselves. Park lighting will conform to little league requirements. The Project would be completed in phases.

In response to questions, Jeff Kulaga, Town Manager / Clerk, stated that this Project would be coordinated with the planning/timing of the Avenida del Yaqui street improvement project. This process presents an opportunity to upgrade fixtures and facilities. If Council wishes to pursue the proposed energy performance project (Project), it would require a Letter of Intent with the Town; and, a final contract, for Council consideration. The proposal under consideration is Phase 1 of this Project, which consists of retrofitting interior lighting in Town owned buildings, and retrofitting the exterior lighting of the Mercado. Biehn Park lighting could be added as Phase IA.

In response to how the Project is financed, Mr. Stalica stated that financing is over an 18-month timeframe. Six months is anticipated for the installation of new fixtures. Mr. Kulaga added that cost savings begin at the time the new fixtures are installed.

Mr. Stalica stated that Phase 2 would consist of solar covered parking at the fire station. Mr. Stalica discussed the documentation required for disposal of certain materials.

Dave Ledyard, Town Attorney, provided guidance to Councilmembers regarding voting options.

**Motion by Vice Mayor Vital to approve agenda item G3; second by Councilmember Bravo. Motion passed unanimously 6-0.**

4. **TOWN COURT QUARTERLY REPORT:** Town Magistrate and court staff will present the Town of Guadalupe Municipal Court Quarterly Report for Town Council discussion and direction. Council may provide direction to the Town Magistrate. *(no material for this agenda item)*

**Motion by Councilmember Anita Cota to table agenda item G4 to a date uncertain; second by Councilmember Bravo. Motion passed unanimously 6-0.**

5. **REQUEST FOR PROPOSALS – TOWN-OWNED LAND:** Councilmembers approved authorizing staff to issue a Request for Proposals (RFP) to solicit interest in the lease and/or sale and development of Town-owned parcels. Locations of the parcels are: 5603 E. Calle Iglesia, 5604 E. Calle Mexico, northeast/northwest corners of Avenida del Yaqui and Guadalupe Road; 9050 S. Avenida del Yaqui, and 9241 S. Avenida del Yaqui.

*Councilmember Osuna arrived at 6:33 p.m.*

Jeff Kulaga, Town Manager / Clerk, stated that the intent of the RFP is to raise revenue and broaden the sales tax base for the Town. The RFP would be issued to the development community and would include the lease/purchase option for Town-owned land, for the purpose of future development. The RFP includes the Mercado property. This is a step towards achieving fiscal sustainability. The RFP states that the Town Council reserves the right to reject any and all RFP submittals, for any reason. Mr. Kulaga noted that in the 2018 Priority Planning sessions, business development was identified as a priority.

Councilmembers discussed consideration of removing the option for an RFP respondent to purchase town-owned land, in order for the Town to maintain control of the land.

Dave Ledyard, Town Attorney, stated that he was unaware if an RFP for development of town-owned land had ever been issued. Mr. Ledyard added that if the option to purchase town-owned land was removed from the RFP, it may reduce the number of responses.



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Councilmembers discussed how the RFP can be utilized to generate revenue for the betterment of the community.

Councilmember Anita Cota wished to state for the record that she supports economic development; however, she would prefer that the option to purchase land was omitted from the RFP.

Councilmembers discussed the Town's prime location in the Valley; how the crime rate in Guadalupe may adversely impact the number of RFP responses.

In response to a question, Mr. Ledyard stated that there is a dollar amount threshold that requires a vote of Guadalupe residents if the Council wishes to sell town-owned property.

Councilmembers discussed making the process as transparent as possible; and, their desire for community involvement. This process is to explore if there are developers that would like to develop town-owned land; and, if the development would be a good fit for the community.

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

Mr. Kulaga confirmed that the RFP will be published, as presented, on April 12, 2019, with a response due date of May 31, 2019.

6. **PROPOSED 2019 GAMING GRANT APPLICATIONS:** Councilmembers discussed the proposed 2019 gaming grant applications which include 21 individual grants for Town services, programs, equipment, and infrastructure needs totaling \$2,171,000.

Jeff Kulaga, Town Manager / Clerk, stated that the primary focus of this discussion is on the Fort McDowell Yavapai Nation's (Fort McDowell) gaming grant application because it has a due date of May 1, 2019. Adoption of a resolution is part of the application process. Councilmembers had previously expressed an interest in revising the gaming grant application requests.

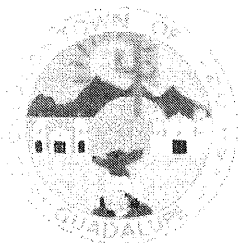
Mr. Kulaga reviewed the items listed on the Fort McDowell resolution as follows:

Biehn Colony Park (baseball diamond rehabilitation)	\$414,000
Town Building Security Cameras	\$ 40,000
Former Guadalupe Town Hall renovation	\$ 30,000
TOTAL:	\$484,000

Councilmembers discussed the possibility of replacing the Biehn Colony Park baseball diamond rehabilitation with an item that is higher on the list of priorities, such as providing meals to seniors on Fridays, which would supplement the Senior Center funding. The Biehn Colony Park item is not a need, unlike providing meals to seniors.

In response to questions, Mr. Kulaga confirmed that the Town anticipates receiving a response to the grant funding requests from Fort McDowell in the September timeframe; and, that staff is working on appropriating \$80,000 of previously received grant funding to improve the Senior Center facility. The Tribes do not support cities or towns applying to multiple Tribes for the same programs/activities. The Biehn Colony Park project is complex. At the direction of Council, staff could revise the resolution to remove Biehn Colony Park, and replace it with Senior Center programming/meals.

**Motion by Councilmember Anita Cota to amend Resolution No. R2019.02 to delete the Biehn Colony Park item and replace it with Senior Center Wellness/Meal Program, \$80,000; second by Councilmember Bravo. Motion passed unanimously 7-0.**



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7. **RESOLUTION NO. R2019.02:** Councilmembers adopted **RESOLUTION NO. R2019.02**, as amended, authorizing the submittal of an application for a grant from the Fort McDowell Yavapai Nation for public safety and neighborhood parks purposes; and, directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

**Motion by Councilmember Anita Cota to adopt Resolution No. R2019.02 as amended (see agenda item G6); second by Vice Mayor Vital. Motion passed unanimously 7-0.**

8. **CLAIMS:** Councilmembers approved the check register for March 2019, totaling \$611,351.76.

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

Mayor Molina announced that agenda items H and J will be taken out of order.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk, reported the following:

- o The Town's Community Development Block Grant CDBG funded street repavement project concluded under budget and earlier than anticipated. Staff has applied for approximately \$400,000 in CDBG funding for a street improvement project. Vice Mayor Vital serves on the review committee.

I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- o Thanked audience members for attending the meeting; community involvement is important.

Councilmember Anita Cota

- o Thanked staff for alley clean up; and, for their response to a house fire.
- o Wished everyone a Happy Easter.

Councilmember Joe Sánchez

- o Thanked audience members for attending the meeting.
- o The dumpster area is clean.
- o Wished everyone a Happy Easter

Councilmember Osuna

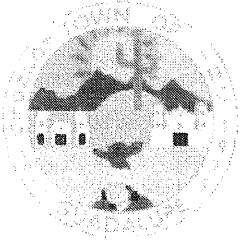
- o Thanked audience members for attending the meeting; community involvement is important.
- o The financial forecast is an area of concern.
- o Good things are happening in the community.

Councilmember Gloria Cota

- o Thanked audience members for attending the meeting.

Vice Mayor Vital

- o Thanked audience members for attending the meeting.
- o Public Works trucks look good.
- o Community involvement is important.
- o Upcoming budget meeting/neighborhood clean-up event information is in the water bill and posted on social media.



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Mayor Molina

- o The Maricopa County Sheriff's Office is working on communication materials, similar to the bumper stickers discussed earlier.
- o Cemetery clean-up assistance is needed.
- o Yards in Town need to be cleaned up.
- o Recent dog attack in Town.
- o Intersection of Montazuma/Saguaro is of concern for children crossing the street safely.
- o She is working with her neighbors to begin a Block Watch.
- o Saturday, April 27, 2019 – Dia del Niño event.
- o Saturday, April 13, 2019 – Girls and Boys Club event.

9. **EXECUTIVE SESSION:** The Guadalupe Town Council voted to go into an executive session, closed to the public, as allowed by ARS 38-431.03 (A) 3, 5, and 7 to obtain legal advice from the Town Attorney, regarding the following topic:

- o Town of Guadalupe Zoning Ordinance Interpretation

**Motion by Councilmember Anita Cota to adjourn to Executive Session; second by Vice Mayor Vital. Motion passed unanimously 7-0.**

Councilmembers adjourned to Executive Session at 7:35 p.m., and reconvened the Regular Council Meeting at 7:56 p.m.

J. ADJOURNMENT

**Motion by Councilmember Anita Cota to adjourn; second by Councilmember Bravo. Motion passed unanimously 7-0.**

The meeting was adjourned at 7:56 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 April 11, 2019, 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