

## Minutes Town Council Regular Meeting May 9, 2019

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, May 9, 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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[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

### A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:01 P.M.

### B. ROLL CALL

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

Councilmembers Absent: Councilmember Gloria Cota and Councilmember Elvira Osuna

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 April 25, 2019, Town Council Regular Meeting minutes; second by Vice Mayor Vital. Motion passed unanimously 5-0.**

Approved the minutes of the April 25, 2019, Town Council Regular Meeting minutes.

### E. CALL TO THE PUBLIC: None.

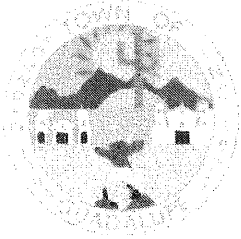
### F. MAYOR and COUNCIL PRESENTATIONS: None.

### G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. **SET PUBLIC HEARING DATE FOR APPEAL OF BUSINESS LICENSE ADMINISTRATOR DECISION:** Councilmembers scheduled a public hearing for the May 30, 2019, Regular Council Meeting, for the appeal of the Business License Administrator's decision to deny a business license to operate the Garden of Eden Holistics at 8410 South Avenida del Yaqui, Guadalupe, Arizona. The Applicant is Star Lopez-Ruiz.

Jeff Kulaga, Town Manager / Clerk, stated that he serves as the Town's Business License Administrator and that he has spoken with the Applicant [Star Lopez-Ruiz] who is in agreement with setting a public hearing date for May 30, 2019, to appeal a decision of the Business License Administrator.

**Motion by Vice Mayor Vital to set a public hearing date for the May 30, 2019, Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously 5-0.**



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2. **PUBLIC HEARING – LIQUOR LICENSE APPLICATION:** Held a public hearing for a Series 10 Beer and Wine Store Liquor License application for: Amigos Carniceria LLC dba Amigos Carniceria, 9210 S. Avenida del Yaqui, Guadalupe, AZ 85283. The Applicant is Stephanie Paola Robles Miranda. The Applicant has paid all applicable liquor license application and issuance fees; the property has been posted for the public hearing date; and, the issuance of the Certificate of Occupancy is pending approval of final building and fire, code inspections.

Alex Martinella stated that he is assisting the Liquor Agent, Stephanie Paola Robles Miranda with the liquor license application process. Mr. Martinella discussed the proximity of the business location to the Town Hall. The proposed business will be a carniceria/convenience store (store). He is aware of the concerns about alcohol sales, which will not be a primary source of revenue to the store.

Mr. Martinella discussed average percentage of alcohol sales for convenience stores, based on whether or not a large grocery store is nearby. The store will stock a large variety of food items.

The business owners successfully operate a convenience store at 42<sup>nd</sup> Street and Southern Avenue; and, have had no problems with the landlord. The business owners' wife has purchased the [property] business location in Guadalupe.

Mayor Molina invited audience members to speak on this agenda item.

Socorro Bernasconi discussed a moratorium on liquor licenses in the 1990's; the problem of alcoholism; the number of liquor licenses in a Town that's less than a mile radius; and, consideration of implementing a zero tolerance for liquor licenses.

Jeff Kulaga, Town Manager / Clerk, reported that other than Socorro's comments, no other input has been submitted regarding the liquor license application. The application was properly posted and notified in the newspaper. Calls for service since July 2017 for the property include: none for the Fire Department and six calls for service to the Maricopa County Sheriff's Office, none of which were of any significance.

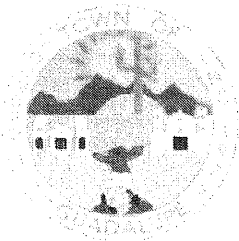
**Motion by Councilmember Anita Cota to close the public hearing; second by Vice Mayor Vital. Motion passed unanimously 5-0.**

3. **LIQUOR LICENSE APPLICATION:** Councilmembers recommended *disapproval* to the Arizona Department of Liquor Licenses and Control for State Liquor License No. 57933, for Amigos Carniceria LLC dba Amigos Carniceria, 9210 S. Avenida del Yaqui, Guadalupe, AZ 85283. Stephanie Paola Robles Miranda is the Liquor Agent.

Jeff Kulaga, Town Manager / Clerk, stated that the Mayor and Council serve as the local governing body charged with making a recommendation to the Arizona State Liquor Board. The State Liquor Board reviews applications and makes a final determination on whether or not to issue a State liquor license.

Dave Ledyard, Town Attorney, stated that Liquor Board makes the final decision. Councilmembers have three options: approve, deny, or take no action at all. A liquor license was previously granted at this location. There is no evidence that the applicant has had a problem with their existing liquor license/location.

Councilmember Anita Cota discussed the area/radius in Town where there are 11 liquor license establishments. An additional liquor license is not needed.



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Councilmember Mary Bravo stated that Councilmembers welcome all new businesses. The Town has problems with alcoholism in the community; and, tries to redirect residents to a more positive atmosphere. She stated that she does not support selling more liquor in the community.

Mayor Molina voiced agreement with her colleagues.

**Motion by Councilmember Anita Cota to deny the liquor license application, agenda item G3; second by Vice Mayor Vital. Motion passed unanimously 5-0.**

4. **CONTRACT EXTENSION – PUBLIC DEFENDER:** Council continued to the June 13, 2019, Regular Council Meeting a contract extension in the form of a third amendment to the public defender contract for Matthew Marner to provide services to the Guadalupe Municipal Court as a Public Defender; and, authorize the Mayor or designee to sign all necessary documents in furtherance of this agreement. The third amendment extends the contract term for a period of twelve (12) months, ending on June 30, 2020. All other terms of the original August 30, 2016, contract remain in full force, and are not changed.

Jeff Kulaga, Town Manager / Clerk, stated that the current contract amendment expires on June 30, 2019. Staff recommends that Council either table or continue this agenda item to the June 13, 2019, Regular Council Meeting. This recommendation is based upon the assessment of court services, which is currently underway.

**Motion by Vice Mayor Vital to continue agenda item G4 to the June 13, 2019, Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously 5-0.**

5. **ADOPT RESOLUTION NO. R2019.06:** Councilmembers adopted **RESOLUTION NO. R2019.06** designating the Conrado F. Bilducia American Legion Post 124 and the Pascua Yaqui Tribe as Community Partners, and how that relates to the rental of the Mercado patio and Multi-purpose Room.

Jeff Kulaga, Town Manager / Clerk, discussed the success the Town and its community partners have had with the discounted rental fees for the Mercado patio and Multi-purpose Room. The proposed resolution increases the events from two to four events on the patio; and, clarifies that the community partners are responsible for fees associated with public safety, insurance, and alcohol (if applicable).

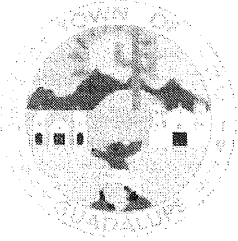
In response to a question, Mr. Kulaga stated that once a customer has paid a deposit to schedule the Mercado for an event, the facility is reserved for that date/time. Customers that rent the facility are responsible for any damages to the facility or associated equipment.

Mr. Kulaga reviewed the usage of the Mercado facility by the community partners during the present fiscal year.

**Motion by Vice Mayor Vital to approve agenda item G5; second by Councilmember Sánchez. Motion passed unanimously 5-0.**

6. **CLAIMS:** Councilmembers approved the check register for April 2019, totaling \$492,214.99.

**Motion by Vice Mayor Vital to approve agenda item G6; second by Councilmember Anita Cota. Motion passed unanimously 5-0.**



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#### H. TOWN MANAGERS' COMMENTS

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

- The upcoming Guadalupe Town Council/Pascua Yaqui Tribal Council Joint meeting agenda will be posted when the meeting date has been confirmed for either May 17, 2019, or June 21, 2019.
- Thanked staff for assisting with a recent audit of a Maricopa County repavement project.
- Area Agency on Aging recently donated grant funding of \$6,500 which will be used to purchase kitchen equipment for the Senior Center.
- Thanked staff for installing new pedestrian signage. The City of Mesa produced the signs at a reduced rate.
- Roof repairs at the Senior Center are estimated to cost \$120,000.
- Thanked staff for working on selling the old Public Works Department trucks; this generates revenue and eliminates vehicle license tax and insurance.

#### I. COUNCILMEMBERS' COMMENTS

Vice Mayor Vital

- Thanked community members and staff for their work on the Dia de Niños event.
- Thanked community members for attending the recent budget forum. The next budget forum is scheduled for May 15, 2019, 6:00 PM.

Councilmember Sánchez

- May 11, 2019 – 8:00 AM – noon, cemetery clean-up event for volunteers.
- Concerned about fireworks activity.
- Speed bumps are difficult to see.
- Thanked audience members for attending the meeting.

Councilmember Anita Cota

- Thanked audience members for attending the meeting.
- Thanked first responders for their involvement in a recent incident.
- Friday, May 17, 2019 – Bingo event, Mercado.
- Friday May 10, 2019 – Mother's Day event, Guadalupe Library.

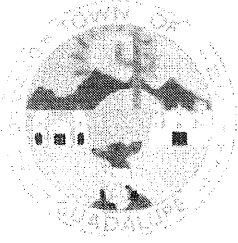
Councilmember Bravo

- Thanked audience members for attending the meeting.
- Thanked first responders for their involvement in a recent incident.
- Advised community members to contact the non-emergency police line to report abandoned vehicles.
- Requested a proclamation be added to the May 30, 2019, Regular Council Meeting, concerning school graduates.
- Wednesday, May 15, 2019 – Community Budget Forum.

Mayor Molina

- A hole has been cut in the ball field fence, close to the dugout.
- Participation in the Maricopa County Sheriff's Office soccer league is free.

Councilmember Bravo thanked staff for removing graffiti.



J. ADJOURNMENT

**Motion by Vice Mayor Vital to adjourn; second by Councilmember Anita Cota. Motion passed unanimously 5-0.**

The meeting was adjourned at 6:33 p.m.

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

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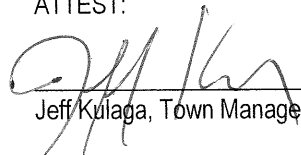
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Councilmember

Gloria Cota  
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Elvira Osuna  
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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 May 9, 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

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