

Minutes Town Council Regular Meeting August 8, 2019

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

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, August 8, 2019, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

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, and Councilmember Joe Sánchez

Staff Present: Jeff Kulaga – Town Manager / Clerk, Wayne Clement – Fire Chief, Bob Thaxton – Finance Director, Jennifer Drury – Assistant to the Town Manager, Nancy Holguin, Community Development, Catalina Alvarez – CAP Director, and David Ledyard – Town Attorney

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Molina called for a moment of silence in honor of a recent shooting incidents in El Paso, Texas and Dayton, Ohio; and for the passing of a retired Town employee. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

1. **Motion by Vice Mayor Vital to approve the June 27, 2019, Guadalupe Town Council Regular Meeting minutes; second by Councilmember Anita Cota. Motion passed unanimously 7-0.**

Approved the June 27, 2019, Town Council Regular Meeting Minutes.

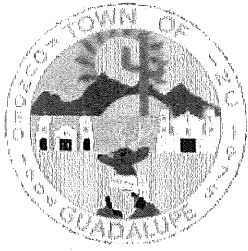
2. **Motion by Vice Mayor Vital to approve the July 25, 2019, Guadalupe Town Council Regular Meeting minutes; second by Councilmember Gloria Cota. Motion passed unanimously 7-0.**

Approved the July 25, 2019, Town Council Regular Meeting Minutes.

D. CALL TO THE PUBLIC. None.

F. MAYOR and COUNCIL PRESENTATION:

The Mayor and Councilmembers expressed their appreciation to Jose R. Lopez III and Jewel Valenzuela for their community beautification efforts in the Town of Guadalupe. Mayor Molina then presented certificates of appreciation to Mr. Lopez III and Ms. Valenzuela.



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G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) BROADWAY CURVE FREEWAY

CONSTRUCTION PROJECT: ADOT representatives, Amy Ritz, Project Manager, & Gabriella Kemp, Community Relations Project Manager, provided a slide presentation regarding the I-10 Broadway Curve Freeway Construction Project. Ms. Ritz provided an overview of the 11-mile study area corridor and discussed the following: project history, to date; why freeway improvements are needed; traffic volume data; improvements under consideration; collector-distributor transportation system; project planning elements and coordination between ADOT and the Town of Guadalupe; public hearing information; business outreach elements; project schedule; and, public participation opportunities.

Ms. Ritz discussed existing traffic congestion and stated that the purpose of the project is to increase capacity, improve access, and improve how the freeway operates. Ms. Amy discussed the installation of pedestrian bridges, improving drainage, and freeway widening efforts.

Ms. Kemp then discussed project coordination efforts with the Town of Guadalupe as follows:

- Public involvement plan
- Stakeholder analysis
- Spanish translation
- Town Hall is an EA repository
- Concurrent construction projects
- Business outreach
- Notification of closures/detours
- Website URL on digital marquee at Town Hall

Ms. Kemp stated that public meeting information will be available in a bilingual format. ADOT will provide special accommodations such as bilingual services, upon request. Members of the public are encouraged to attend the public meeting and provide input. Court reporters will be capturing comments provided during the public meeting. Ms. Kemp outlined various communication methods ADOT will be utilizing to inform the public of meetings and activities; discussed the business outreach communication strategies; and, reviewed the proposed project schedule. The project website will be updated regularly to reflect the current status.

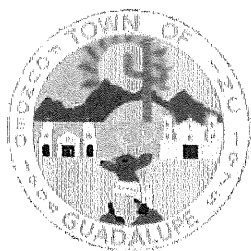
In response to a questions regarding the installation of the pedestrian bridge will impact the Town of Guadalupe, Jeff Kulaga, Town Manager / Clerk, stated that staff is working closely with ADOT to ensure minimal disruption to the public. Ms. Ritz noted that drainage improvements to the Guadalupe portion of the project will also be needed. Temporary construction easements may be needed to address the drainage improvements.

Mr. Kulaga stated that ADOT will be keeping within their right-of-way and the freeway buffering wall will not be impacted by this project. However, the widening of the freeway may impact one private property owner within the Town and may impact the southern "straw bale" house on Calle Maravilla. ADOT will be remedying the drainage nuisance problems at their cost; and, that the Vice Mayor is working with local artists who will be providing Town of Guadalupe cultural specific artwork for this project.

No action was taken on agenda item G1.

2. BOARD OF ADJUSTMENT – CONDITIONAL USE PERMIT REQUEST, 8250 SOUTH CALLE

SAHUARO: Held a public hearing to consider the issuance of a Conditional Use Permit (#CU2019-02) to locate a manufactured home at 8250 South Calle Sahuaro, Guadalupe, AZ 85283. The property is zoned R-1-6 Residential. Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner-occupied. The Applicant, Jose Matas, is also applying for a variance of property setback requirements (agenda items G3 and G4). *Agenda items G2 – G5 are related; and, were rescheduled from the July 25, 2019, Regular Council Meeting.*



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Jeff Kulaga, Town Manager / Clerk, stated that agenda items G2 – G5 are related. Items G2 and G3 are for a Conditional Use Permit to locate a manufactured home on a lot in Town. Per Resolution 95-19, a policy for Conditional Use Permits was adopted by Council states that manufactured homes shall not have frontage on Avenida del Yaqui and Guadalupe Road; and, that manufactured homes shall be owner-occupied.

Dave Ledyard, Town Attorney, stated that initially, Clayton Homes will purchase the property and then sell the property to the homeowner. If approved, the Council will need to make that clear in the Council action. This agenda item only concerns the request for a Conditional Use Permit.

Mr. Kulaga stated that no public input has been received by staff regarding the request for a Conditional Use Permit.

Jose Matas, Applicant, stated that he has been searching for a property for sale for approximately one year. This location is now for sale.

In response to a question, Mr. Matas clarified that if the Conditional Use Permit is approved, Clayton Homes will purchase the property and sell it to Mr. Matas. Mr. Ledyard stated that if the Council did not approve the requests associated with the property, then Mr. Matas would need to make changes to his application if he wished to move forward with a new request.

Mr. Ledyard clarified with Councilmembers that the initial request is to install a manufactured home on a lot; and, that the manufactured home be owner-occupied.

In response to questions, Mr. Matas stated that he is working with a Realtor; and, that Clayton Homes is the homebuilder. He has been preapproved to purchase the manufactured home. Mr. Ledyard discussed the financial aspect of the home/property purchase.

No members of the public spoke.

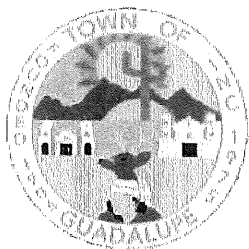
Motion by Vice Mayor Vital to close the public hearing; second by Councilmember Anita Cota. Motion passed unanimously 7 – 0.

3. BOARD OF ADJUSTMENT – CONDITIONAL USE PERMIT REQUEST, 8250 SOUTH CALLE SAHUARO: The Guadalupe Town Council, acting as the Town of Guadalupe Board of Adjustment, approved the issuance of a Conditional Use Permit (#CU2019-02) to locate a manufactured home at 8250 South Calle Sahuaro, Guadalupe, AZ 85283. The Applicant is Jose Matas. The property is zoned R-1-6 Residential. Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner-occupied. *Agenda items G2 – G5 are related; and, rescheduled from the July 25, 2019 Regular Council Meeting.*

Dave Ledyard, Town Attorney, stated that if the intention of the Council is to approve the Conditional Use Permit, then the Council should include in their findings that the manufactured home is to be owner occupied by the Applicant; and, that Council may wish to impose a time limit on the Conditional Use Permit.

Councilmembers and Mr. Matas discussed a potential time limit of four months. Mr. Kulaga noted that staff has not received any public comment in support or opposition of the conditional use permit request.

Motion by Councilmember Anita Cota to approve a Conditional Use Permit request for 8250 South Calle Sahuaro, Guadalupe, AZ with the provision that an affidavit be signed that the manufactured home be owner-occupied, with a certificate of occupancy to occur within one year of Council approval; second by Vice Mayor Vital. Motion passed 6 – 0, with Councilmember Osuna abstaining.



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4. **PUBLIC HEARING – VARIANCE REQUEST, 8250 SOUTH CALLE SAHUARO:** Held a public hearing for variance requests to reduce the required front yard, rear yard, and side yard setback property requirements to locate a manufactured home at 8250 South Calle Sahuaro, Guadalupe, AZ 85283. The property is zoned R1-6 Residential. The Applicant, Jose Matas, is requesting the following:

Property location	Required setback	Requested variance	Final setback (if granted)
Front yard	25'	10'	15'
Side yard (street)	15'	5'	10'
Rear yard	10'	1'	9'

Public opposition to the front yard setback variance request has been received.
Agenda items G2 – G5 are related.

Jeff Kulaga, Town Manager / Clerk, referred Councilmembers to the property diagram located in the Council agenda meeting packet. He outlined the property setback variances being requested. Mr. Kulaga stated that a Town resident has expressed concern regarding the front yard setback request as it may limit landscaping and parking options. Mr. Kulaga displayed aerial pictures of various properties in Town and discussed their property setbacks, compared to the current variance request before the Council.

Motion by Councilmember Anita Cota to close the public hearing; second by Vice Mayor Vital. Motion passed unanimously 7 – 0.

5. **VARIANCE REQUEST – 8250 SOUTH CALLE SAHUARO:** Councilmembers approved a variance request from Jose Matas, Applicant, to reduce the required front yard, rear yard, and side yard setback property requirements to locate a manufactured home at 8250 South Calle Sahuaro, Guadalupe, AZ 85283:

Property location	Required setback	Requested variance	Final setback (if granted)
Front yard	25'	10'	15'
Side yard (street)	15'	5'	10'
Rear yard	10'	1'	9'

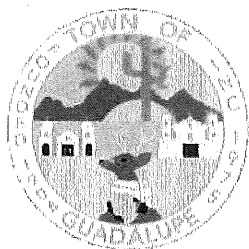
Public opposition to the front yard setback variance request has been received.
Agenda items G2 – G5 are related.

Motion by Councilmember Anita Cota to approve the variance requests at 8250 South Calle Sahuaro; second by Councilmember Bravo. Motion passed 6 – 0, with Councilmember Osuna abstaining.

6. **TOWN OF GUADALUPE CODE OF ORDINANCES:** Arizona State University Marvin Andrews Fellowship students provided a presentation regarding proposed revisions to the draft Town Code of Ordinances; and, directed the Town Manager to incorporate revisions into the draft Code of Ordinances for Council review.

Jeff Kulaga, Town Manager / Clerk, stated that as part of the Arizona State University Marvin Andrews Fellowship Program, students reviewed the Town Code and have prepared recommendations for Council consideration.

ASU Masters of Public Administration students, Selianna Robles, Erica Mancinas, Shannon Osgood, and Madison Groves introduced themselves and stated that the Town Manager provided guidance on various ordinances for students to research and compare to other jurisdictions. This research would assist the Town in updating and refining the Town Code of Ordinances. The research project began in June, 2019; and, twelve ordinances were studied.



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Shannon Osgood stated that students were tasked with providing samples of various codes from comparable jurisdictions to identify outdated/obsolete language, and language that lacked enforcement mechanisms in Town of Guadalupe ordinances. Students prepared a comprehensive analysis of the ordinances, final recommendations, an executive summary, and a slide presentation outlining the project and recommendations. The methodology behind the project included strategic planning meetings to determine who the comparable six (6) municipalities should be, and to identify deliverables. With the guidance of the Town Manager, the team agreed that consistency was important. Team meetings were held regularly. The six comparable cities selected were Apache Junction, Buckeye, Marana, Queen Creek, Tempe, and Tolleson. Twelve Guadalupe ordinances were reviewed, five of which were zoning ordinances. Students reviewed 84 Code sections among the comparable cities and towns, including the Town of Guadalupe Code of Ordinances.

Students discussed the demographics of the comparable cities and towns; the reason each of the comparable cities and towns were chosen for this project; and the types of ordinances chosen for this review. The students presented their recommendations regarding the following: types of occupational registration requirements/registration process; parking vehicles on public sidewalks; alcoholic beverages in parks; water flow; zoning districts dedicated to manufactured homes and recreational vehicles; and, expanding neighborhood commercial (C-1) zoning district uses.

Councilmembers and Mr. Kulaga discussed the next steps. Staff will work with the Town Attorney further on the recommendations, and incorporating the recommendations into the Town Code of Ordinances. The Deputy Town Clerk is working on the fee schedule portion of the Town Code. Staff anticipates completing this process by the end of this year.

7. APPROVAL of CONTRACT: Councilmembers awarded a sewer system assessment study contract (C2019-21) to the Town Engineer, Dibble Engineering in the amount of \$136,150.

Jeff Kulaga, Town Manager / Clerk, stated that the sewer system assessment study was approved in the recent budget adoption process. The contract amount is lower than what was originally anticipated. Staff recommends that the contract be awarded to Dibble Engineering.

Motion by Vice Mayor Vital to approve agenda item G7; second by Councilmember Osuna. Motion passed unanimously 7 – 0.

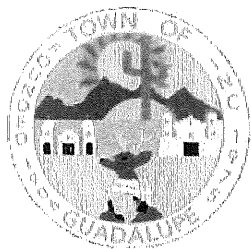
8. APPROVAL of CONTRACT: Councilmembers awarded the Senior Center/Head Start roof replacement contract (C2019-22) bid to JBS Roofing in the amount of \$79,492. The project is anticipated to be completed by October 1, 2019.

Jeff Kulaga, Town Manager / Clerk, stated that there was a bid process for the roof replacement of the Senior Center/Head Start project. JBS Roofing was the low bidder on the project. Day to day facility operations will not be impacted by this project. Staff recommends that the contract be awarded to JBS Roofing.

Motion by Councilmember Anita Cota to approve agenda item G8; second by Vice Mayor Vital. Motion passed unanimously 7 – 0.

9. INTERGOVERNMENTAL AGREEMENT RENEWAL WITH CITY OF PHOENIX: Councilmembers approved the renewal of an Intergovernmental Agreement (IGA) (C2019-23) with the City of Phoenix for the Phoenix Fire Department to provide dispatch services for Town of Guadalupe Fire Department. Annual costs for dispatch services are approximately \$84,000.

Jeff Kulaga, Town Manager / Clerk, stated that the renewal of the intergovernmental agreement is part of a regional service provided by the City of Phoenix. Staff recommends approval of the renewal of the intergovernmental agreement.



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Motion by Councilmember Bravo to approve agenda item G9; second by Councilmember Osuna. Motion passed unanimously 7 – 0.

10. **ADOPTION OF RESOLUTION NO. R2019.16:** Councilmembers adopted **RESOLUTION NO. R2019.16** to add the following paid days off for Town employees for fiscal year 2019/2020: Tuesday, December 24, 2019, (Christmas Eve), Tuesday, December 31, 2019, (New Year's Eve) and, Monday, April 13, 2020, (day after Easter). Guadalupe Town Hall would be closed for business on the same three dates.

Motion by Councilmember Anita Cota to approve agenda item G10; second by Councilmember Sánchez. Motion passed unanimously 7 – 0.

11. **2019 GAMING GRANT REQUESTS UPDATE:** Jeff Kulaga, Town Manager / Clerk, provided an update of the revenue sharing grant requests from staff. To date, 18 individual grants for Town services, programs, equipment and infrastructure needs, totaling \$1.485 million were submitted to five entities.

Jeff Kulaga, Town Manager / Clerk, stated that the Pascua Yaqui Tribe (PYT) recently declined three grant requests from the Town. Included in the grant requests was \$55,000 for public safety costs during special events. Of that grant request, approximately \$35,000 was requested to pay for public safety services during PYT events, a majority of which occurs during Lenten and the Cuaresma. The fiscal year 2019/2020 budget includes contingency funding to pay the cost of public safety services.

The Mayor reviewed the list of annual special events. In response to a question, Mr. Kulaga, stated that staff will resubmit the grant requests to PYT; and, that it would be helpful if the special event organizers wrote letters of support for public safety services during special events.

Alma Vital-Abers, community member, discussed various events that require the services of the Maricopa County Sheriff's Office (MCSO). The community is comprised of PYT members, Hispanics, and a variety of people. The PYT should support the community and its public safety needs. The Guadalupe Little League will be submitting a letter of support for the need for MCSO services during special events.

Johnny Tavena, community member, discussed the need for MCSO services during special events. MCSO provides assistance with crowd control. Public Safety is the number one priority.

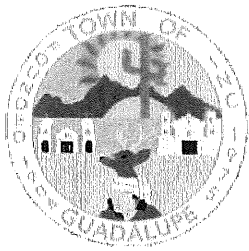
Mayor Molina noted that the additional requests declined by the PYT include the \$80,000 for replacement of the Senior Center roof and \$380,000 for the Avenida del Yaqui street improvement project.

Mr. Kulaga stated that recently, the Gila River Indian Community approved a \$70,000 grant for Community Action Program. Staff will continue to provide updates on grant funding.

In response to a question, Mr. Kulaga stated that the PYT letter indicated that the grant requests will be kept on file, and reviewed again by the end of the year. Staff will forward letters of support for public safety services funding to PYT in preparation for the upcoming grant application review.

12. **CLAIMS:** Councilmembers approved the check register for July, 2019, totaling \$478,325.00.

Motion by Vice Mayor Vital to approve agenda item G12; second by Councilmember Osuna. Motion passed unanimously 7 – 0.



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H. TOWN MANAGERS' COMMENTS

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

- The Town recently partnered with Aramark on a job fair that was well attended.
- Thanked the Assistant to the Town Manager for her assistance in his absence.
- Two air conditioning units were replaced on the Senior Center/Head Start building.
- Thanked the Public Works Manager for overseeing striping of Avenida del Yaqui adjacent to Frank School; and, for remodeling a suite in the Mercado.
- Thanked Senior Center staff for polishing the Senior Center floors.

I. COUNCILMEMBERS' COMMENTS: None.

J. ADJOURNMENT

Motion by Councilmember Bravo to adjourn the Regular Meeting and convene into Executive Session; second by Councilmember Sánchez. Motion passed unanimously 7-0.

The meeting was adjourned at 7:52 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 August 8, 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