

## Minutes Town Council Regular Meeting January 10, 2019

Valerie Molina  
Mayor

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, January 10, 2019, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

Ricardo Vital  
Vice Mayor

### A. CALL TO ORDER

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

Mary Bravo  
Councilmember

### B. ROLL CALL

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

Anita Cota  
Councilmember

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

Gloria Cota  
Councilmember

Elvira Osuna  
Councilmember

### C. INVOCATION/PLEDGE OF ALLEGIANCE

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

Joe Sánchez  
Councilmember

### D. APPROVAL OF MINUTES:

1. **Motion by Councilmember Vital to approve the December 13, 2018, Town Council Regular Meeting minutes; second by Councilmember Osuna. Motion passed unanimously 7-0.**

Agendas available at  
[www.guadalupeaz.org](http://www.guadalupeaz.org)

Approved the minutes of the Town Council Regular Council Meeting held on December 13, 2018.

Town Council Chambers  
9241 S. Avenida del Yaqui  
Guadalupe, AZ 85283  
Phone: (480) 730-3080  
Fax: (480)-505-5368

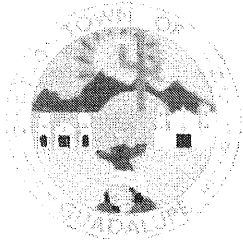
### E. CALL TO THE PUBLIC – None.

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

### G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. **PUBLIC HEARING – REZONING REQUEST:** Held a public for a rezoning request from R1-9 to R1-6 to allow proper zoning of a lot split for construction of new single family home. This rezoning request is for the property located at 5706 East Calle Mexico, Guadalupe, Arizona, and is further described as parcel 301-06-164B, in Block 11 of East Guadalupe, a subdivision recorded in Book 211, Page 18, Maricopa County, Arizona records. The applicant is Salah Smoudi, property owner. *(Note: this item was continued from the December 13, 2018 Regular Council Meeting and is related to agenda item G2)*

Jeff Kulaga, Town Manager / Clerk, stated that there has been no public input received regarding agenda item G1.



Valerie Molina  
Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

Anita Cota  
Councilmember

Gloria Cota  
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Joe Sánchez  
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The Applicant, Salah Smoudi, stated that the rezoning request will allow for the construction of a new home.

David Ledyard, Town Attorney, stated that R 1-9 zoning requires 9,000 square feet for construction of a new home; and, the lot is slightly over 6,000 square feet. R 1-6 zoning requires up to 6,000 square feet for the construction of a single family home; and, one dwelling unit per lot. The rezoning request is to convert R 1-9 zoning to R 1-6 zoning. If the rezoning request were not approved, the lot would be unusable.

In response to a question regarding whether a duplex could be constructed on the property, Mr. Ledyard stated that R 1-6 zoning allows one dwelling unit per lot, and would not allow for construction of a duplex, which is two dwelling units. If the Applicant wanted to pursue construction of a duplex, he would need to apply for a variance from the Town Council. This Council action is for rezoning of the property, and not for construction of a dwelling unit.

In response to a question, Mr. Smoudi indicated that the proposed dwelling unit would be a two-story structure.

**Motion by Vice Mayor Vital to close the public hearing; second by Councilmember Osuna. Motion passed unanimously 7-0.**

2. **REZONING REQUEST:** Councilmembers discussed the rezoning request for 5706 East Calle Mexico, Guadalupe, Arizona, further described as parcel 301-06-164B, in Block 11 of East Guadalupe, a subdivision recorded in Book 211, Page 18, Maricopa County, Arizona, records from R1-9 to R1-6 to allow proper zoning of a lot split for construction of new single family home. The applicant is Salah Smoudi, property owner. *(Note: this item was continued from the December 13, 2018 Regular Council Meeting and is related to agenda item G1)*

Councilmembers discussed the configuration of the existing lots.

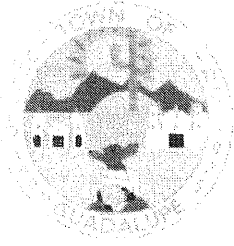
David Ledyard, Town Attorney, stated that there is an administrative process for the Applicant to follow in preparation for construction of a new home. The Council action being requested is to change the property zoning from R 1-9 to R1-6.

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

3. **GUADALUPE CRIMINAL JUSTICE TEAM – COUNCILMEMBER APPOINTMENT:** Council discussed appointing a Town Council representative to serve on the Town of Guadalupe Criminal Justice Team. The purpose of the Team is to establish, develop, and maintain effective communication among all interested parties; and, to ensure due process, transparency, and best practices in the criminal justice system in Guadalupe, Arizona. There is no term limit or term expiration date for the Councilmember position.

Jeff Kulaga, Town Manager / Clerk, stated that Presiding Judge, Fedelis Garcia, has provided information concerning the Criminal Justice Team (Team) as follows: meetings are generally held quarterly on Tuesday afternoons at Town Hall; meetings last up to 90 minutes; meeting are generally scheduled one year in advance; and, the Team is comprised of representatives from the local Town of Guadalupe criminal justice system. Mr. Kulaga outlined the goal of the Team as outlined in the Council action.

Mayor Molina asked Councilmembers if they would like to serve on the Team.



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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In response to a question concerning the fact that there is no term limit for the Councilmember position, David Ledyard, Town Attorney, stated that to his knowledge, there has never been a Councilmember appointed to serve on the Team. If a Councilmember is appointed to serve on the Team, the potential of having a quorum of Council is not a concern. Councilmembers also have the choice to attend these meetings, and not be appointed to serve on the Team. The meeting agendas are prepared by the Court; and, topics discussed during meetings include ethical issues and how subpoenas are served. There is no discussion of individual cases. Mr. Ledyard discussed concerns about the proposed meeting times and how those meeting times are impacted by court caseloads.

Councilmembers discussed the benefits that could be derived from having a Councilmember serve on the Team. Councilmembers expressed concern about there being no term limit for the Councilmember position; and, suggested that there be a two-year term limit assigned to this role, to align with the election cycle.

Councilmember Bravo nominated herself to serve on the Team.

Mr. Ledyard stated that the Team is ad hoc and does not fall under the Open Meeting Law guidelines. If up to four Councilmembers were to attend the meetings, that would constitute a quorum of Councilmembers and the meetings would fall under the Open Meeting Law. Councilmember Bravo could also request that another Councilmember attend the meetings if she is unable to do so.

Councilmembers agreed to appointment Councilmember Bravo to the Criminal Justice Team.

4. **APPROVAL of CONTRACT:** Councilmembers approved the award of a \$395,177.79 construction contract bid to Ace Asphalt for the Community Development Block Grant Quadrant III Pavement Replacement Project Number DG 1804; and, issued an Order to Proceed to Ace Asphalt.

Jeff Kulaga, Town Manager / Clerk, stated that in November, 2017, Councilmembers directed staff to submit the Quadrant III Pavement Replacement Project for Community Development Block Grant funding. The project includes repaving four residential streets in the southwest section of Town. In August, 2018, the Town entered into an intergovernmental agreement with Maricopa County. Dibble Engineering has prepared construction plans and has facilitated the bidding process. Seven bids were received with Ace Asphalt submitting the lowest bid. Bids ranged from \$395,000 - \$509,000. The Town Engineer recommends approval of the Ace Asphalt bid and issuing an Order to Proceed. If approved, construction would begin by February, 2019 and end in April, 2019.

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

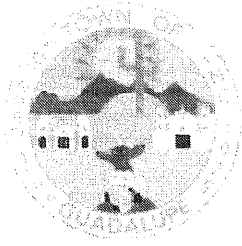
5. **CLAIMS:** Councilmembers approved the check register for November, 2018, totaling \$438,508.21.

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

#### H. TOWN MANAGERS' COMMENTS

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

- Thanked Jennifer Drury, Assistant to the Town Manager / Clerk, for updating the signage at the Mercado; the sign now advertises event space for rent.
- An \$80,000 grant has been secured for Senior Center improvements. Funds will be used to enclose the patio. Staff is working with a contractor to obtain a cost estimate for the project.
- Community Action Program staff will be overseeing the annual homelessness count for Maricopa County.



- The Arizona Department of Transportation is in the process of developing the design and construction plans for the Avenida del Yaqui Project.
- There are two pending Community Development Block Grant funding requests.
- Saturday, January 26, 2019 – The City of Tempe has invited the Town of Guadalupe to participate in Zero Waste Day, Kiwanis Park.
- Saturday, January 26, 2019 – Regional Unity Walk, Tempe Beach Park.
- Thanked Pascua Yaqui Tribe for approving \$37,000 in grant funding for public safety needs.

Valerie Molina  
Mayor

- I. COUNCILMEMBERS' COMMENTS
- Councilmember Osuna  
Thanked staff members for their work.

Ricardo Vital  
Vice Mayor

- Councilmember Gloria Cota  
Thanked staff members for attending the meeting.

Mary Bravo  
Councilmember

- Vice Mayor Vital  
Saturday, April 27, 2019 – Dia de Niños, to be held at the Mercado.

Anita Cota  
Councilmember

- Councilmember Sánchez  
Thanked staff members for attending the meeting.  
Concerned about mailboxes that need to be repaired.

Gloria Cota  
Councilmember

- Councilmember Anita Cota  
Thanked staff members for attending the meeting; and, for their work.

Elvira Osuna  
Councilmember

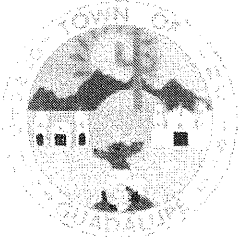
- Councilmember Bravo  
Thanked staff for their work on recent special events.

Joe Sánchez  
Councilmember

- Mayor Molina  
Saturday, February 9, 2019 – Dia de Guadalupe event.  
Concerned about theft activity in the Solanas area of Town. Residents should call the Maricopa County Sheriff's Office tip line. Invited volunteers to assist in handing out informational fliers to residents.  
She met with Senator Martha McSally to discuss regional concerns and challenges for the Town of Guadalupe.

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J. ADJOURNMENT

**Motion by Vice Mayor Vital to adjourn; second by Councilmember Osuna. Motion passed unanimously 7-0.**

The meeting was adjourned at 6:30 p.m.

  
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Valerie Molina, Mayor

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Mayor

Ricardo Vital  
Vice Mayor

Mary Bravo  
Councilmember

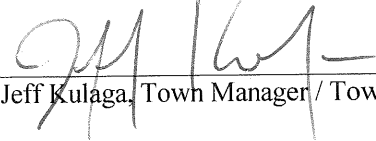
Anita Cota  
Councilmember

Gloria Cota  
Councilmember

Elvira Osuna  
Councilmember

Joe Sánchez  
Councilmember

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 Regular Town Council Meeting of the Town Council of Guadalupe, Arizona held on the 10<sup>th</sup> day of January 2019. 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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