



**March 18, 2020 – SECOND REVISED**

To: The Honorable Mayor and Town Council

From: Jeff Kulaga, Town Manager / Clerk

RE: **March 19, 2020, Town Council Regular Meeting Information Report**

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The purpose of this report is to provide brief information regarding each of the meeting's agenda items.

**Agenda Items:**

**E1. PUBLIC HEARING; E2. ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE) ELECTION (RESOLUTION NO. R2020.07):** Public hearing to solicit public input to determine whether or not the Town Council of Guadalupe shall place a ballot question on the August 4, 2020 Primary Election to extend the alternative expenditure limitation recently approved by Guadalupe voters in November, 2016, and originally approved by Guadalupe voters in 1981.

If the Council adopts attached Resolution No. R2020.07, the attached ballot language would be forwarded to the Maricopa County Elections Department for inclusion on the August 4, 2020, Primary Election ballot; and, staff would begin preparation of a sample ballot that would be mailed to each household that contains a registered voter.

This ballot language is virtually identical to 2012 and 2016 Home Rule ballot language for the Town of Guadalupe.

**E3. COVID-19 ACTION UPDATE:** Town staff has collaborated to address service deliver during the evolving COVID19 pandemic. The attached table provides a summary of recent actions focusing on: Gatherings/Events; Town Hall operations; and Town Department Operations. The overall objective is to protect the public health of the Guadalupe community and slow the spread of COVID-19 using reasonable measures, at scale.

**E4. DECLARATION OF LOCAL EMERGENCY PROCLAMATION:** Council will consider and may take action to support a proclamation declaring a local emergency to prevent the spread of COVID-19 and preserve public health. If declared by the Mayor, the declaration of emergency shall be effective immediately. Council may provide direction to the Town Manager / Clerk.

**RESOLUTION NO. R2020.07**

A RESOLUTION OF THE TOWN OF GUADALUPE, ARIZONA PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION.

**WHEREAS**, THE ARIZONA STATE CONSTITUTION PERMITS THE SUBMISSION TO THE VOTERS OF A CITY OR TOWN OF AN ALTERNATIVE EXPENDITURE LIMITATION; AND

**WHEREAS**, THE VOTERS OF THE TOWN OF GUADALUPE IN 2016 ADOPTED AN ALTERNATIVE EXPENDITURE LIMITATION; AND

**WHEREAS**, THE TOWN COUNCIL OF GUADALUPE AFTER TWO PUBLIC HEARINGS HAS DETERMINED THAT AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION IS NECESSARY FOR THE TOWN OF GUADALUPE.

**NOW, THEREFORE, BE IT RESOLVED** BY THE TOWN OF GUADALUPE THAT THE FOLLOWING ALTERNATIVE EXPENDITURE LIMITATION BE SUBMITTED TO THE VOTERS OF THE TOWN OF GUADALUPE:

SHALL THE FOLLOWING BE ADOPTED BY THE TOWN OF GUADALUPE AS AN ALTERNATIVE EXPENDITURE LIMITATION:

"THE MAYOR AND COMMON COUNCIL OF THE TOWN OF GUADALUPE SHALL ANNUALLY, AS PART OF THE ANNUAL BUDGET ADOPTION PROCESS, ADOPT AN ALTERNATIVE EXPENDITURE LIMITATION EQUAL TO THE TOTAL AMOUNT OF BUDGETED EXPENDITURES/EXPENSES AS IT APPEARS ON THE ANNUAL BUDGET AS ADOPTED BY THE COUNCIL TO APPLY TO THE TOWN OF GUADALUPE FOR EACH OF THE FOUR FISCAL YEARS IMMEDIATELY FOLLOWING ADOPTION OF THE ALTERNATIVE EXPENDITURE LIMITATION. THE ALTERNATIVE EXPENDITURE LIMITATION SHALL BE ADOPTED EACH YEAR AFTER A PUBLIC HEARING AT WHICH THE CITIZENS OF THE TOWN OF GUADALUPE MAY COMMENT ON THE PROPOSED ALTERNATIVE EXPENDITURE LIMITATION. NO EXPENDITURES MAY BE MADE IN VIOLATION OF SUCH ALTERNATIVE EXPENDITURE LIMITATION, NOR MAY ANY PROPOSED EXPENDITURES BE IN EXCESS OF ESTIMATED AVAILABLE REVENUES, EXCEPT THAT THE MAYOR AND THE COMMON COUNCIL MAY, BY THREE-FOURTHS VOTE, DECLARE AN EMERGENCY AND SUSPEND THE ALTERNATIVE EXPENDITURE LIMITATION. THE SUSPENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION SHALL BE IN EFFECT FOR ONLY ONE FISCAL YEAR AT A TIME."

PASSED AND ADOPTED BY THE TOWN COUNCIL OF GUADALUPE, THIS 19<sup>TH</sup> DAY OF MARCH, 2020.

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Valerie Molina, Mayor

ATTEST:

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Jeff Kulaga, Town Clerk

APPROVED AS TO FORM:

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Dave Ledyard, Town Attorney

**RESOLUCION NO. 2020.07**

UNA RESOLUCION DE EL PUEBLO DE GUADALUPE PROPONIENDO UNA EXTENCION SOBRE LA ALTERNATIVA DEL LIMITE DEL GASTO.

**CONSIDERANDO QUE**, LA CONSTITUCION ESTATAL DE ARIZONA PERMITE LA SUMISION A LOS VOTANTES DE UNA CIUDAD O PUEBLO UNA ALTERNATIVA SOBRE UNA LIMITACION DE GASTO; Y

**CONSIDERANDO QUE**, LOS VOTANTES DE EL PUEBLO DE GUADALUPE EN 2016 ADOPTARON UNA ALTERNATIVA SOBRE EL LIMITE DE GASTO -UNA OPCION DE AUTO REGLAMENTO; Y

**CONSIDERANDO QUE**, EL CONSEJO DE EL PUEBLO DE GUADALUPE DESPUES DE DOS AUDIENCIAS PUBLICAS HA DETERMINADO QUE UNA EXTENCION SOBRE LA ALTERNATIVA DEL LIMITE DE GASTO ES NECESARIA PARA EL PUEBLO DE GUADALUPE.

**AHORA, POR LO TANTO, SEA RESUELTO** POR EL CONSEJO DE EL PUEBLO DE GUADALUPE QUE LA SIGUIENTE ALTERNATIVA SOBRE EL LIMITE DEL GASTO SEA SOMETIDA A LOS VOTANTES DE EL PUEBLO DE GUADALUPE.

DEBERA SER ADOPTADO LO SIGUIENTE POR EL CONSEJO DE EL PUEBLO DEGUADALUPE COMO UNA ALTERNATIVA DEL LIMITE DE GASTO:

"EL ALCALDE Y EL CONSEJO COMUN DE EL PUEBLO DE GUADALUPE DEBERAN ANUALMENTE, COMO PARTE DEL PROCESO DE LA ADOPCION DEL PRESUPUESTO ANUAL, ADOPTAR UNA LIMITACION ALTERNATIVA DE GASTO IGUAL A LA CANTIDAD TOTAL PREPUESTA DE GASTOS COMO APARECE EN EL PREPUESTO ANUAL COMO ADAPTADO POR EL COUSEJO PARA APLICAR AL PRESUPUESTODEEL PUEBLODEGUADALUPE PARACADA DELOSCUATROSANOSFISCALES INMEDIATAMENTE DESPUES DE TAL ADOPCION. LA ALTERNATIVA SOBRE LA LIMITACION DE GASTO DEBERA SER ADOPTADA CADA ANO DESPUES DE UNA AUDIENCIA PUBLICA EN LA CUAL LOS DE EL PUEBLO DE GUADALUPE PUEDAN COMENTAR SOBRE LA PROPUESTA ALTERNATIVA SOBRE UNA LIMITACION DE GASTO. NINGUN GASTO PODRA SER ECHO EN VIOLACION DE LA ALTERNATIVA SOBRE UNA LIMITACION DE GASTO, NI PODRA NINGUN GASTO PROPUESTO SER EN EXCESO DE ENTRADAS ESTIMADAS DISPONIBLES, EXCEPTO LAS QUE EL ALCALDE Y EL CONSEJOCOMUN PUEDAN, POR VOTODE TRES-CUARTOS, DECLARAR COMOUNA EMERGENCIA Y SUSPENDAN LA ALTERNATIVA SOBRE LA LIMITACION DE GASTOS. LA SUSPENSION DE LA ALTERNATIVA SOBRE LA LIMITACION DE GASTO DEBERA ESTAR SOLAMENTE EN EFECTO POR UN ANO FISCAL A LA VEZ."

PASADO Y ADOPTADO POR EL CONSEJO DE EL PUEBLO DE 19TH ESTE DIA DE MARCHAR, 2020.

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Valerie Molina, Alcalde

ATESTIGUA:

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Jeff Kulaga, Secretary de el Pueblo

APROBADO EN FORMA:

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Dave Ledyard, Procurador de el Pueblo

**SAMPLE BALLOT FORMAT: HOME RULE**

**OPTION**

Proposition #

Proposal submitted by Town Council of Guadalupe

Official Title

A resolution proposing an extension of the alternative expenditure limitation for the Town of Guadalupe.

Descriptive Title

Pursuant to the Arizona State Constitution, this proposal establishes an alternative expenditure limitation for the Town of Guadalupe for the next four years. Annually, the Town Council will determine the amount of the alternative expenditure limitation for the fiscal year after at least one public hearing. This alternative expenditure limitation replaces the state-imposed expenditure limitation.

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A "YES" vote shall have the effect of extending the alternative expenditure limitation for the Town of Guadalupe.

Proposition #

Yes

A "NO" vote shall have the effect of not extending the Town of Guadalupe alternative expenditure limitation and to require expenditures of the Town to be limited by the state-imposed expenditure limit.

Proposition #

No



**COVID -19 Action Plan:**

**prepared March 17, 2020**

- **Preparation, Planning, Precautions:**
- **Reasonable measures, at scale.**
- **Taking CDC and Governor’s March 15, 2020 direction as lead: Cancel or postpone in person events of 50 people or more for the next 8 weeks.**
- **Protect the public health of the Guadalupe community and slow the spread of COVID-19:**

<b>Impacts to consider:</b>	<b>Recommendations:</b>
<b>Gatherings / Events</b>	
Party permits	Do not permit until May 8 <sup>th</sup>
Mercado public and private events	Do not permit events until May 8 Work to reschedule / cancel / existing events – full refunds
Little League	POSTPONED to May 11 <sup>th</sup>
Dia del Nino – April 2th	CANCELLED
Car show	Reschedule to fall. Scheduling date
Baseball at Biehn - Dominguez	Do not permit play until May 8 <sup>th</sup>
Cuaresma	Review events with collaborative group.
Council meetings. 3/19. 3/26. 4/23.	Add COVID actions to 3/19 and 3/26 agendas. Provide telephonic access - Turn speakers on in lobby Continue – no staff – minimal audience – Schedule is helpful - Monitor crowd size
<b>Town Hall Operations</b>	
Town hall – lobby	Remove some chairs – reduce crowd
Town hall - bathrooms	Remain open
Town hall - phone	Removed
<b>Town Department Operations</b>	
Cap. - food distribution:	Continue / 6 feet of space Discontinue day bags
Senior center	Closing 3/16 – provide lunches to go for members – through 3/27 - plan to open 3/30 To do while closed: Assist CAP, Lunches to-go, Cleaning, Repairs – ceiling tiles and more, purge
Fire	Monitor supplies
Courts	Move waiting to lobby - move to telephonic
MCSO	Follow MCSO HR direction
Public works	Continue operations – watchful protocols
Administration	Essential staff – watchful protocols
Library	CLOSED – thru 3/20
Headstart	Remains open
DES	Remains open



**PROCLAMATION  
DECLARATION OF EMERGENCY  
COVID-19**

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**WHEREAS**, on January 31, 2020, Secretary Alex Azar of the United States Department of Health and Human Services, declared a public health emergency to address the 2019 novel coronavirus (COVID-19); and

**WHEREAS**, on March 11, 2020, the Governor of the State of Arizona, issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

**WHEREAS**, cases of COVID-19 continue to spread in Arizona and it is likely that there will continue to be additional cases diagnosed; and

**WHEREAS**, COVID-19 is contagious and can be fatal; and

**WHEREAS**, the elderly population and those with serious underlying health conditions are most at risk from COVID-19; and

**WHEREAS**, it is critical to public health to reduce the spread of COVID-19 by implementing recommended protocols and practices by the Center for Disease Control and Prevention (CDC); and

**WHEREAS**, a declaration of emergency allows the Mayor to impose all, if necessary, regulations to preserve the peace and order of the town, including, but not limited to:

- (1) Imposition of a curfew in all or any portion of the town;
- (2) Ordering the closing of any business;
- (3) Closing to public access any public building, street, or other public place; and/or
- (4) Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.

**NOW, THEREFORE**, I, Mayor Valerie Molina, of the Town of Guadalupe, Arizona, declare a COVID-19 local emergency in accordance with Town Code of Ordinances, Chapter 2, Mayor and Council, Section 2-2-4 Powers and Duties of the Mayor effective immediately, March 19, 2020 and remain in effect until its declared termination.

**COVID-19 DECLARATION OF EMERGENCY**

in the Town of Guadalupe of the State of Arizona.

Signed this 19<sup>th</sup> day of March, 2020

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Valerie Molina, Mayor  
Town of Guadalupe, Arizona

**Town Code of Ordinances, Chapter 2, Mayor and Council, Section 2-2-4 Powers and Duties of the Mayor**

**MAYOR AND COUNCIL**

**Section 2-2-3 Acting Mayor**

In the absence or disability of both the mayor and vice mayor, the council may designate another of its members to serve as acting mayor who shall have all the powers, duties and responsibilities of the mayor during such absence or disability.

**Section 2-2-4 Powers and Duties of the Mayor**

The powers and duties of the mayor shall include the following:

- A. He shall be the chief executive officer of the town.
- B. He shall be the chairman of the council and preside over its meetings. He may make and second motions and shall have a voice and vote in all its proceedings.
- C. He shall enforce the provisions of this code.
- D. He shall execute and authenticate by his signature such instruments as the council or any statutes, ordinances or this code shall require.
- E. He shall make such recommendations and suggestions to the council as he may consider proper.
- F. He may, by proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the town. After declaration of such emergency, the mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the town, including but not limited to:
  - 1. Imposition of a curfew in all or any portion of the town.
  - 2. Ordering the closing of any business.
  - 3. Closing to public access any public building, street or other public place.
  - 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- G. He shall perform such other duties required by state statute and this code as well as those duties required as chief executive officer of the town.