

Minutes Town Council Regular Meeting APRIL 23, 2020

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, April 23, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona.

Valerie Molina
Mayor

A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:05 p.m.

Ricardo Vital
Vice Mayor

B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina, Vice Mayor Ricardo Vital, Councilmember Elvira Osuna. The following councilmembers participated via video conference: Councilmember Mary Bravo, Councilmember Anita Cota, Councilmember Gloria Cota, and Councilmember Joe Sánchez

Mary Bravo
Councilmember

Staff Present: Jeff Kulaga – Town Manager / Clerk, Wayne Clement – Fire Chief, Jennifer Drury – Assistant to the Town Manager, Robert Thaxton – Finance Director, David Ledyard – Town Attorney (*participated via video conference*)

Anita Cota
Councilmember

Gloria Cota
Councilmember

C. INVOCATION/PLEDGE OF ALLEGIANCE

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

Elvira Osuna
Councilmember

D. APPROVAL OF MINUTES

Motion by Vice Mayor Vital to approve items D1 – D5; second by Councilmember Osuna. Motion passed unanimously 7-0.

Joe Sánchez
Councilmember

1. Approved the February 27, 2020, Town Council Regular Meeting Minutes.
2. Approved the February 27, 2020, Town Council Special Meeting Minutes.
3. Approved the March 12, 2020, Town Council Regular Meeting Minutes.
4. Approved the March 19, 2020, Town Council Special Meeting Minutes.
5. Approved the March 26, 2020, Town Council Regular Meeting Minutes.

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E. CALL TO THE PUBLIC: No one spoke.

F. MAYOR and COUNCIL PRESENTATIONS

Mayor Molina read a proclamation declaring April as A.R.C. (Acknowledge, Respect, and Celebrate) Children & Youth month and Thursday, April 30, 2020, as Dia de Los Niños day in the Town of Guadalupe.

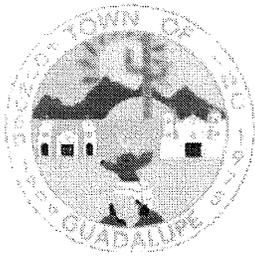
Mayor Molina announced that the Dia de Los Niños Proclamation will be available on the Town's Facebook page; and, that the Council meeting is being taped live on Facebook. Meeting attendance is limited to ten people.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. MERCADO DE GUADALUPE TENANT REQUESTS

Mayor Molina called upon Laura Nachmanson, a Mercado tenant who discussed a request to seek rent relief from the Town through December 31, 2020 as a result of the economic impacts of COVID-19. Various tenants have experienced a decrease in business that has impacted their income. Given the economic environment, Mercado tenants are requesting rent relief.

Mayor Molina noted that one of the tenants only pays for use of utilities.



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In response to a question, Jeff Kulaga, Town Manager / Clerk, clarified that the request is for the Town to waive rent for Mercado tenants through December 31, 2020, due to the impacts of COVID-19. Tenants would continue to pay their utilities. The tenant that only pays utilities and no rent is requesting that their utility bill be cut in half through December 31, 2020. The request is being made on behalf of all of the Mercado tenants.

In response to questions, Mr. Kulaga stated that prior to COVID-19, a majority of tenants were up to date in paying their rent. As of now, 4-5 tenants are current in paying their rent, with the remaining tenants not being current. In terms of budgetary impact, Mr. Kulaga stated that through February, in the Mercado Fund, expenditures were exceeding revenues by approximately \$1,800. There is a Mercado Fund balance of approximately \$30,000, which is needed for emergency repairs. Due to cancellations in Mercado facility private party event rentals, revenue is down approximately \$3,500 for the remainder of this fiscal year. Collectively, Town revenue from rents for Mercado tenants totals approximately \$10,000 monthly, not including utilities. Monthly Mercado expenditures totals approximately \$10,000. If the town were to waive rents, the \$30,000 fund balance would be depleted within 45 days. At that point, the Town would need to use General Fund monies to continue to operate the Mercado.

Mr. Kulaga proposed that tenants pay a 50% reduction in rent through September 2020. Tenants would be given through June 2021 to repay the remaining 50% of their rent to the Town. All businesses are having financial challenges, including the Town. The Town's cash reserves are not robust enough to cover that loss of revenue.

Councilmembers questioned if any of the Mercado businesses have applied for loans. The Town is also having financial difficulties. Councilmembers discussed Mr. Kulaga's proposal and potentially revisiting the 50% rent reduction on June 30, 2020. Mr. Kulaga stated that councilmembers may consider revisiting this payment arrangement on a monthly basis due to the impact this will have on the Mercado Fund and General Fund balances.

David Ledyard, Town Attorney, stated that since the Town is the Mercado landlord, the Town is authorized to modify the rental payment terms. Mayor Molina recapped that under consideration is that Mercado rents will be reduced by 50%.

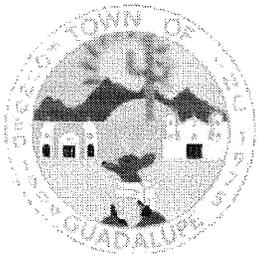
Ms. Nachmanson noted that business at the Mercado has declined, particularly during the month of March. She requested assistance with utility payments as well. Some business owners are unable to apply for small business assistance because they do not meet the program requirements.

Mr. Kulaga recapped that the requested reconsideration is for tenants to only pay for utilities through June 30, 2020, with the intent to renegotiate payment arrangements at that time. If the rent is waived as requested, it would absorb the \$30,000 fund balance leaving no funds left for needed repairs at the Mercado.

Councilmembers discussed the square foot value that the Mercado provides to tenants and renters of the facility, compared to other venues. Another area of consideration is how to address the problem of tenants not being current in their rent. The Town is also struggling financially.

In response to a question, Mr. Kulaga stated that the utility billing for Mercado tenants is approximately \$2,200 monthly; sewer and water is approximately \$1,000; and, waste disposal is \$400. Another area of expense to the Town is maintaining property and liability insurance.

Councilmembers discussed the possibility of decreasing the utility payments to 50%, in conjunction with decreasing the rent to 50%. Mr. Kulaga noted that the electrical wiring for the Mercado is not up to current Code standards, and suites are not wired to accommodate for individual billings, per suite. The roof is also in poor condition. Councilmembers voiced concern regarding subsidizing Mercado tenants; and, noted that the entire Town, as a whole, should be taken into consideration.



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In response to questions, Mr. Kulaga stated that there are tenants that are in arrears in their rent payments; and, there is one tenant that is only required to pay for utilities. The Town serves as the landlord for the Mercado. Once the Mercado fund reserve of \$30,000 has been depleted, the Council will need to decide if the facility should remain open. To properly repair the Mercado roof will cost \$500,000 and an additional \$20,000 is needed to repair plumbing. The Mercado was built in 1982. The Town is obligated to provide electrical services and water to its tenants. If the Mercado were to close, there are concerns about the security of the facility as well as ongoing maintenance and operation costs.

Councilmembers agreed that two councilmembers would participate in a meeting with Mr. Kulaga and Mercado tenants to explore options; and, noted that the Town does not have a property tax.

2. PROPOSED FISCAL YEAR 2020/2021 TOWN BUDGET INTRODUCTION

Jeff Kulaga, Town Manager / Clerk, provided a slide presentation regarding the proposed fiscal year 2020/21 Town budget, including financial impacts due to the COVID-19. Prior to the COVID-19, staff was anticipating that the end of the year budget would be close \$50,000, with no spending needed from the General Fund cash reserves. However, the Town is falling behind on capital replacement, repair, and improvements; employee pension obligations; competitive salaries; and, level of service priorities. The Town audit revealed that liabilities exceed assets by approximately \$600,000.

Due to the COVID-19, staff is anticipating that General Fund expenditures will exceed revenues by approximately \$280,000 by the end of the current fiscal year, June, 2020. This estimate is based on expected losses in sales tax and bed tax revenues. Hotel occupancies are down and Mercado tenants are also experiencing financial challenges.

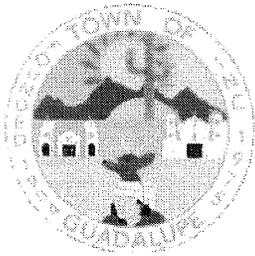
By June, 2021, staff is projecting a 20% loss in revenues, however, that projection is dependent upon what occurs as a result of the COVID-19. At a 20% loss of revenue, the projected deficit would be \$1.3 million. If that occurs, the Town would need to utilize the fund balance reserves from the Sewer Fund and Solid Waste Fund, neither of which has a large fund balance.

Mr. Kulaga reviewed various areas where potential savings could be realized. Staff has contacted the Maricopa County Sheriff's Office to discuss their consideration of a decrease in their upcoming contract renewal with the Town, which was unsuccessful. At this time, the anticipated deficit in fiscal year 2020/2021 is approximately \$1.3 million. Staff continues to explore cost saving opportunities.

Mr. Kulaga stated that the Town can expect an approximate \$950,000 decrease in revenues; no salary or wage increases; elimination of the municipal court – a recurring savings of \$250,000 annually; explore opportunities to save money; \$124,000 contract increase with the Maricopa County Sheriff's Office (MCSO); and, a \$50,000 capital replacement contingency fund. The Fire Department and MCSO comprise the largest portions of the Town's budget.

Mr. Kulaga reviewed the unforeseen financial impacts resulting from the COVID-19, and noted that staff will not be preparing a five-year forecast. The COVID-19 has accelerated the Town's dire financial status. Mr. Kulaga reviewed tasks to improve the Town's financial status and proposed General Fund recommendations to balance the budget. Mr. Kulaga then discussed recommendations to raise revenue and options to seek alternative service delivery.

Mr. Kulaga stated that he has been in contact with Arizona Senator, Kyrsten Sinema's office and representatives from the League of Arizona Cities and Towns regarding federal financial aid. To date, town's that have less than a population of 500,000 residents have not received financial aid; however, that is anticipated to change in an upcoming release of federal aid funding. Funding amounts are anticipated to be based on population, the COVID-19 infection rates, and loss of revenues. There is an abundance of competition for federal aid. There are Senators that have indicated that they would not be supportive of providing financial aid to local governments.



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Mr. Kulaga stated that staff is recommending rescheduling the May 2, 2020, Community Budget Forum due to the COVID-19 limitations regarding group gatherings; and, because staff needs additional time to refine the budget based on the economic impacts of the COVID-19. Instead, staff is proposing presenting a more detailed budget at the May 14, 2020, Regular Council Meeting, with adoption of the tentative budget being scheduled for May 28, 2020. Hosting a Community Budget Forum later in May could still be an option, depending on community gathering guidelines.

In response to a question regarding the sale of Town-owned properties, Mr. Kulaga stated that approximately one year ago the Town issued a Request for Proposals (RFP) for the sale of Town-owned properties. There were no responses to the RFP. He stated that he will continue to reach out to the development community.

In response to a question regarding combining the services of Senior Center meal preparation with the Pascua Yaqui Tribe (PYT), Mr. Kulaga stated that staff will explore this possibility. Currently, the Town receives approximately \$135,000 annually from Area Agency on Aging (AAA) to support these services to seniors. Staff would need to contact AAA to determine if that annual allotment would be impacted if the Town were to partner with PYT for these services. It also costs an additional \$75,000 - \$85,000 from the General Fund to finance Senior Center operations. A councilmember noted that PYT does not have a budget to provide services to seniors.

A councilmember referenced the sale of the Calle Milagros right of way; and, asked if the Town would generate revenue for leasing offices in Town Hall. Mr. Kulaga stated that the items outlined in the agenda materials to raise revenue would help alleviate the deficit for the upcoming fiscal year.

Councilmembers discussed the possible increase in various fees, including cemetery fees. Mr. Kulaga stated that staff could explore fee increase options for Council consideration. There are approximately 30 burials in the Town cemetery annually. Additionally, there is a number of fee increases being proposed later in the meeting, as an agenda item. A councilmember discussed holding a Work Study Session to discuss fees, in general. Mr. Kulaga stated that adoption of the budget could be delayed into July, however his preference would be to schedule the final budget adoption prior to the beginning of the next fiscal year. Amending fees requires a 60-day public notification process. Mr. Kulaga stated that staff will provide additional information related to fees at the May 14, 2020, Regular Council Meeting.

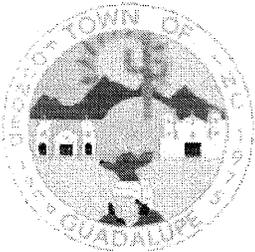
3. URGENT SANITARY SEWER REPAIRS CONTRACT

Jeff Kulaga, Town Manager / Clerk, stated that the proposed contract is with Redpoint Contracting to conduct urgent sewer line repairs. This is a result of the Wastewater Collection System Assessment that was conducted in October/November 2019. The Town received \$500,000 in Maricopa County Community Block Grant funding for urgent sewer line repairs, as prioritized in the study. If approved, repairs would begin in May.

In response to a question, Mr. Kulaga stated that the repairs would be made to sewer lines located on Town-owned property.

Motion by Vice Mayor Vital to approve agenda item G3; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers approved the Dibble Engineering, Town Engineer, recommendation to award the Urgent Sanitary Sewer Repair & Replacement needs contract, (C2019-28A) as identified in the November 2019, Wastewater Collection System Assessment to Redpoint Contracting. The contract amount is \$111,357.



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4. CONTRACT AMENDMENT NO. 2 – U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Jeff Kulaga, Town Manager / Clerk, stated that this Community Development Block Grant funding provides the funds for a neighborhood repaving project that is presently underway. The lowest construction bid exceeded the grant amount by \$28,010. Approval of this grant would close the funding gap by \$10,000.

Motion by Vice Mayor Vital to approve agenda item G4; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers approved Amendment No. 2 to the Intergovernmental Agreement (C2019-24B) for services between Maricopa County administered by its Human Services Department and the Town of Guadalupe. Amendment No. 2 allows the Town to receive an additional \$10,000 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. This increases the grant allocation to \$448,873 from \$438,873.

5. OLD TOWN HALL DEMOLITION CONTRACT

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

Councilmembers approved the Town Manager's recommendation to award a contract (C2020-13) to Arizona Demolition Services LLC, for the demolition of the Town-owned, Old Town Hall, located at 9050 South Avenida del Yaqui, Guadalupe. The contract amount is \$16,000.

In response to questions, Jeff Kulaga, Town Manager / Clerk, stated that the Guadalupe Fire Department is partnering with the City of Phoenix Fire Department to conduct training exercises at the Old Town Hall location. Once the training has concluded, the demolition will begin. There has been vandalism and drug use at this location. Currently, there is no electricity to the building.

6. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk, provided an update regarding current steps taken to safe guard public health and safety in response to the Coronavirus (COVID-19) and its impact to Town services. On Tuesday's and Wednesday's, Town Hall is open for three hours. Staff remains available via e-mail and telephone. The Community Action Program is conducting weekly food distribution. The County has increased funding to the Town for staff to provide rental and utility assistance to residents.

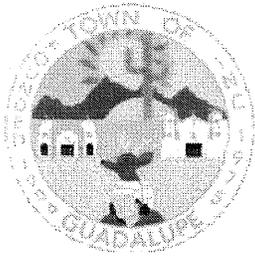
The Governor is now allowing elective surgeries and the pace of the Governors' executive orders have declined.

Mr. Kulaga stated that he participates in weekly conference calls with Arizona municipal representatives, Arizona Senator, Kyrsten Sinema, and representatives from the League of Arizona Cities and Towns. East valley cities and towns are conducting information sharing as well.

On a related note, the Towns wastewater and sewer lines flow into Tempe's wastewater system. The City of Tempe and Arizona State University are going to initiate a study to test for COVID-19 levels by analyzing wastewater. Rates of infection will be measured. West Mesa and Guadalupe have been asked to be included in the study. This data will help the business community to reopen at the appropriate time.

7. PUBLIC HEARING – ORDINANCE CODIFICATION

Councilmembers considered adopting 19 ordinances amending the Town of Guadalupe Code of Ordinances, in preparation for a complete codification of the Code of Ordinances, including amending various fees throughout the Code of Ordinances. Each of the proposed ordinances below include amendments to add, delete, or modify Code language for the purpose of clarification and align Code language with current business practices and State and Federal laws.



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

Mayor Molina opened the public hearing. No members of the public spoke.

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

Mayor Molina closed the public hearing.

Note: An individual vote is required for each of the following ordinances; and, if adopted the effective date of each of the ordinances would be July 1, 2020:

A. ORDINANCE NO. 02020.03 – REPEALING AND REPLACING THE TOWN OF GUADALUPE CODE OF ORDINANCES TABLE OF CONTENTS

Motion by Vice Mayor Vital to approve agenda item G7A; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.03**, repealing and replacing the Town of Guadalupe Code of Ordinances Table of Contents.

B. ORDINANCE NO. 02020.04 – AMENDING TITLE III, ADMINISTRATION, CHAPTER 31, TOWN OFFICIALS, SECTIONS 31.20 TOWN MANAGER, 31.21 TOWN CLERK, 31.22 TOWN MARSHAL, 31.24 TOWN ATTORNEY, AND 31.41 APPOINTMENT OF ADMINISTRATOR

Motion by Vice Mayor Vital to approve agenda item G7B; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.04**, amending Title III, Administration, Chapter 31, Town Officials, Sections 31.20 Town Manager, 31.21 Town Clerk, 31.22 Town Marshal, 31.24 Town Attorney, and 31.41 Appointment of Administrator.

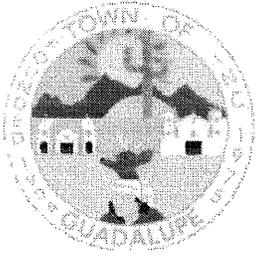
C. ORDINANCE NO. 02020.05 – AMENDING TITLE III, ADMINISTRATION, CHAPTER 33, POLICE AND FIRE DEPARTMENTS, SECTION 33.31 ADOPTION OF THE INTERNATIONAL FIRE CODE

Motion by Vice Mayor Vital to approve agenda item G7C; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.05**, amending Title III, Administration, Chapter 33, Police and Fire Departments, Section 33.31 Adoption of the International Fire Code.

D. ORDINANCE NO. 02020.06 – AMENDING TITLE III ADMINISTRATION, CHAPTER 34, TOWN MAGISTRATE, SECTION 34.03(G), POWERS AND DUTIES TO TOWN MAGISTRATE, AND SECTION 34.06 HOME DETENTION AND ELECTRONIC MONITORING

Motion by Vice Mayor Vital to approve agenda item G7D; second by Councilmember Osuna. Motion passed unanimously 7-0.



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Councilmembers adopted **ORDINANCE NO. 02020.06**, amending Title III Administration, Chapter 34, Town Magistrate, Section 34.03(G), Powers and Duties to Town Magistrate, and Section 34.06 Home Detention and Electronic Monitoring.

E. ORDINANCE NO. 02020.07 – AMENDING TITLE IX, GENERAL REGULATIONS, CHAPTER 90, ANIMALS GENERALLY, SECTIONS 90.03 NOISES, 90.21 THE STATE VETERINARIAN AND THE LIVESTOCK BOARD DEPARTMENT OF AGRICULTURE, 90.25 KENNEL PERMIT FEE VIOLATION CLASSIFICATION, AND 90.37 PROPER CARE

Motion by Vice Mayor Vital to approve agenda item G7E; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.07**, amending Title IX, General Regulations, Chapter 90, Animals Generally, Sections 90.03 Noises, 90.21 The State Veterinarian And The Livestock Board Department of Agriculture, 90.25 Kennel Permit Fee Violation Classification, and 90.37 Proper Care.

F. ORDINANCE NO. 02020.08 – AMENDING TITLE XV, LAND USE; CHAPTER 150 BUILDING CODES, SECTIONS 150.01 ADOPTION OF UNIFORM BUILDING CODE, 150.03 AMENDMENT TO BUILDING CODE, 150.15 ELECTRICAL CODE, 150.16 MECHANICAL CODE, 150.17 PLUMBING CODE, 150.20 BUILDING PERMIT AND FEES, 150.18 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, AND, 150.21 DWELLING UNIT STANDARDS

Motion by Vice Mayor Vital to approve agenda item G7F; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.08**, amending Title XV, Land Use; Chapter 150 Building Codes, Sections 150.01 Adoption of Uniform Building Code, 150.03 Amendment to Building Code, 150.15 Electrical Code, 150.16 Mechanical Code, 150.17 Plumbing Code, 150.20 Building Permit and Fees, 150.18 Uniform Code for the Abatement of Dangerous Buildings, and, 150.21 Dwelling Unit Standards.

G. ORDINANCE NO. 02020.09 – AMENDING TITLE XI, BUSINESS REGULATIONS, CHAPTER 111, BUSINESS LICENSE TAX, SECTION 111.08 FEES

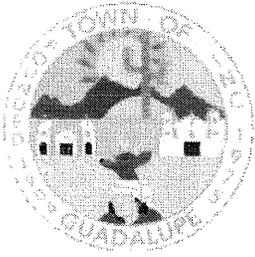
Motion by Vice Mayor Vital to approve agenda item G7G; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.09**, amending Title XI, Business Regulations, Chapter 111, Business License Tax, Section 111.08 Fees.

H. ORDINANCE NO. 02020.10 – AMENDING TITLE IX, GENERAL REGULATIONS, CHAPTER 92, HEALTH AND SANITATION, SECTIONS 92.01 DEFINITIONS, 92.20 PREPARATION OF REFUSE, 92.21 LOCATION FOR PICKUP, 92.23 USE OF CONTAINERS, AND CHAPTER 33 AIR QUALITY AND FUGITIVE DUST, 93.99 PENALTY

Motion by Vice Mayor Vital to approve agenda item G7H; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.10**, amending Title IX, General Regulations, Chapter 92, Health and Sanitation, Sections 92.01 Definitions, 92.20 Preparation of Refuse, 92.21 Location for Pickup, 92.23 Use of Containers, and Chapter 33 Air Quality and Fugitive Dust, 93.99 Penalty.



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I. ORDINANCE NO. O2020.11 – AMENDING TITLE XIII, GENERAL OFFENSES, CHAPTER 130, SECTIONS 130.06 CURFEW, 130.07 NOISE, 130.09 OFFENSIVE PREMISES, 130.10 PROSTITUTION, 130.11 SEARCHLIGHTS, 130.12 SIGNS AND BANNERS, 130.13 WATER FLOW UPON STREETS PROHIBITED, AND 130.14 SPITTING

Motion by Vice Mayor Vital to approve agenda item G7I; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.11**, amending Title XIII, General Offenses, Chapter 130, Sections 130.06 Curfew, 130.07 Noise, 130.09 Offensive Premises, 130.10 Prostitution, 130.11 Searchlights, 130.12 Signs And Banners, 130.13 Water Flow Upon Streets Prohibited, and 130.14 Spitting.

J. ORDINANCE NO. O2020.12 – AMENDING TITLE VII, TRAFFIC CODE, CHAPTER 71 TRAFFIC CONTROL, SECTIONS 71.13 SPEED LIMITS, 71.15 TRAFFIC CONTROL MARKINGS AND DEVICES; AND, CHAPTER 73 HEAVY TRUCK TRAFFIC, SECTION 73.05 WARNING SIGNS

Motion by Vice Mayor Vital to approve agenda item G7J; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.12**, amending Title VII, Traffic Code, Chapter 71 Traffic Control, Sections 71.13 Speed Limits, 71.15 Traffic Control Markings and Devices; and, Chapter 73 Heavy Truck Traffic, Section 73.05 Warning Signs.

K. ORDINANCE NO. O2020.13 – AMENDING TITLE V PUBLIC WORKS, CHAPTER 50 SEWER, SECTIONS 50.022 APPLICATION FOR TAPS, 50.070 DEFINITIONS, 50.072 SEWER CHARGES, 50.073 GENERAL REQUIREMENTS, 50.074 SPECIFIC REQUIREMENTS, 50.092 FEE SCHEDULE; COLLECTION; EXEMPTIONS; DISPOSITION; AND, CHAPTER 51 STORM WATER, SECTION 51.02 DEFINITIONS

Motion by Vice Mayor Vital to approve agenda item G7K; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.13**, amending Title V Public Works, Chapter 50 Sewer, Sections 50.022 Application for Taps, 50.070 Definitions, 50.072 Sewer Charges, 50.073 General Requirements, 50.074 Specific Requirements, 50.092 Fee Schedule; Collection; Exemptions; Disposition; and, Chapter 51 Storm Water, Section 51.02 Definitions.

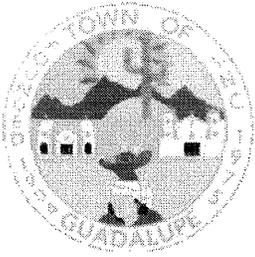
L. ORDINANCE NO. O2020.14 – AMENDING TITLE XV LAND USE, CHAPTER 152 SUBDIVISION REGULATIONS, SECTION 152.09 FEES AND SECTION 152.11 FLOODPLAIN MANAGEMENT

Motion by Vice Mayor Vital to approve agenda item G7L; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.14**, amending Title XV Land Use, Chapter 152 Subdivision Regulations, Section 152.09 Fees And Section 152.11 Floodplain Management.

M. ORDINANCE NO. O2020.15 – AMENDING TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARTY PERMITS, SECTION 95.01 DEFINITIONS, 95.05 FEES; AND, CHAPTER 96 ABANDONED VEHICLES, SECTION 96.99 PENALTY

Motion by Vice Mayor Vital to approve agenda item G7M; second by Councilmember Osuna. Motion passed unanimously 7-0.



Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Anita Cota
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
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Joe Sánchez
Councilmember

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Councilmembers adopted **ORDINANCE NO. 02020.15**, amending Title IX General Regulations, Chapter 95 Party Permits, Section 95.01 Definitions, 95.05 Fees; and, Chapter 96 Abandoned Vehicles, Section 96.99 Penalty.

N. ORDINANCE NO. 02020.16 – AMENDING TITLE XV LAND USE, CHAPTER 154 ZONING, SECTIONS 154.034 NOTIFICATION, 154.036 APPLICATIONS AND FEES, 154.053 LOCATION AND BOUNDARIES OF DISTRICTS, AND 154.145 SIGN PERMITS AND FEES

Motion by Vice Mayor Vital to approve agenda item G7N; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.16**, amending Title XV Land Use, Chapter 154 Zoning, Sections 154.034 Notification, 154.036 Applications and Fees, 154.053 Location and Boundaries of Districts, and 154.145 Sign Permits and Fees.

O. ORDINANCE NO. 02020.17 – AMENDING TITLE IX, GENERAL REGULATIONS, CHAPTER 91, FIREWORKS, SECTION 91.07, LIABILITY FOR EMERGENCY RESPONSES RELATED TO USE OF FIREWORKS; DEFINITIONS

Motion by Vice Mayor Vital to approve agenda item G7O; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.17**, amending Title IX, General Regulations, Chapter 91, Fireworks, Section 91.07, Liability For Emergency Responses Related to Use Of Fireworks; Definitions.

P. ORDINANCE NO. 02020.18 – AMENDING TITLE XI BUSINESS REGULATIONS, CHAPTER 16 CABLE COMMUNICATION, SECTION 113.001 DEFINITIONS

Motion by Vice Mayor Vital to approve agenda item G7P; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.18**, amending Title XI Business Regulations, Chapter 16 Cable Communication, Section 113.001 Definitions.

Q. ORDINANCE NO. 02020.19 – THE CODE OF ORDINANCES FEE SCHEDULE

Motion by Vice Mayor Vital to approve agenda item G7Q; second by Councilmember Osuna. Motion passed unanimously 7-0.

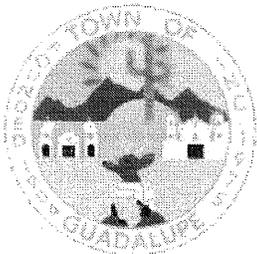
Councilmembers adopted **ORDINANCE NO. 02020.19**, the Code of Ordinances Fee Schedule.

R. ORDINANCE NO. 02020.20 – AMENDING TITLE I, CHAPTER 10, GENERAL PROVISIONS, SECTION 10.03, DEFINITIONS, AND SECTION 10.99, PENALTY

Motion by Vice Mayor Vital to approve agenda item G7R; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. 02020.20**, amending Title I, Chapter 10, General Provisions, Section 10.03, Definitions, and Section 10.99, Penalty.

S. ORDINANCE NO. 02020.21 – AMENDING TITLE III ADMINISTRATION, CHAPTER 30, MAYOR AND COUNCIL, SECTIONS 30.023 POWERS AND DUTIES OF THE MAYOR, 30.024 ABSENCE OF MAYOR, 30.025 FAILURE TO SIGN DOCUMENTS, 30.040 PRIMARY ELECTION, 30.045 ELECTION DATES, 30.060 REGULAR MEETINGS, 30.061 SPECIAL MEETINGS, 30.063 QUORUM, AND 30.065 ORDER OF BUSINESS



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Motion by Vice Mayor Vital to approve agenda item G7S; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers adopted **ORDINANCE NO. O2020.21**, amending Title III Administration, Chapter 30, Mayor And Council, Sections 30.023 Powers and Duties of The Mayor, 30.024 Absence of Mayor, 30.025 Failure to Sign Documents, 30.040 Primary Election, 30.045 Election Dates, 30.060 Regular Meetings, 30.061 Special Meetings, 30.063 Quorum, and 30.065 Order of Business.

Jeff Kulaga, Town Manager / Clerk, stated that the Council adoption of ordinances listed under agenda item G7 represents nearly 30 years of amendments to the Town Code (Code). With the adoption of G7Q, Fee Schedule, the fees will be referenced in one section of the Code, versus being incorporated into individual Code chapters. The Code will be available on the Town's website on July 1, 2020, which will provide the development community information about the Town's Zoning Code; and, if the transition of the Courts to the City of Tempe is approved by Council, it will provide the City of Tempe Municipal Court access to the most current Town of Guadalupe Code.

8. CLAIMS – CHECK REGISTER FOR MARCH 2020, TOTALING \$391,926.37
Motion by Vice Mayor Vital to approve agenda item G8; second by Councilmember Osuna. Motion passed unanimously 7-0.

Councilmembers approved the check register for March 2020, totaling \$391,926.37.

9. LOCAL MERCHANT SALES TAX RELIEF REQUEST

Councilmembers discussed a request to offer local sales tax and bed tax relief to local merchants. This item is in response to a request from a local business to waive remittance of local taxes and grant these funds to the business for a 90-day period as a result of the economic impacts of the COVID-19.

Jeff Kulaga, Town Manager / Clerk, stated that the proprietor of the Best Western Hotel has requested a relief of remitting local sales taxes and bed taxes to the Town for a period of 90 days. It was noted that the requestor was not in attendance.

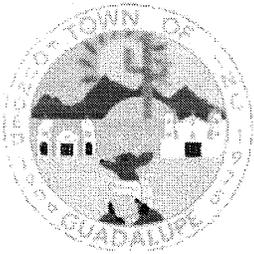
Mr. Kulaga stated that if this request is granted, it should apply to all local merchants. The Town generates approximately \$128,000 in local sales taxes and approximately \$40,000 bed taxes, both collected monthly. Local sales taxes account for 35% of the General Fund revenues. The Town is not financially positioned to be able to afford this course of action.

If the request is granted to all local merchants, a Councilmember noted that it could bankrupt the Town. Perhaps the requestor could pursue other funding options. Mr. Kulaga stated that he will follow up with the proprietor to decline the request.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Ace Asphalt completed the neighborhood repaving project on various residential streets in Town. Ace Asphalt is now working on a bid for pot hole repairs. Projects are paid for from Highway User Revenue Funds. Dibble Engineering is managing the projects.
- A street restriping firm has submitted a bid to restripe Guadalupe Road and Avenida del Yaqui after the pot hole repairs are completed. This project will begin the week of May 11, 2020.
- The Avenida del Yaqui street improvement project may be delayed until Fall, 2021, due to COVID-19 impacts.
- Staff is exploring options on replacing an old air conditioning unit that services the Court. Court Enhancement Funding may be used for this purpose.
- Census 2020 response rates: Guadalupe is 37%; Maricopa County is 54%; Arizona, overall is 49%; and the entire United States is 52%. Trusted voices in the community could encourage residents to respond to the Census 2020, as federal funding is dependent on population.



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- Commended staff on their efforts related to: COVID-19, Forecast Five financial program, and the Town Code codification process
- Fire Department calls for services have increased
- Maricopa County Sheriff's office (MCSO) is experiencing calls for service regarding community gatherings; and, is working with staff on the enforcement of abandoned vehicles.

I. COUNCILMEMBERS' COMMENTS

Councilmember Anita Cota

- Thanked viewers for watching the Council meeting. No fees have been changed at this time.
- A community member has raised concern about weeds and bushes.
- Requested that the COVID-19 informational flier be posted online.
- Food distribution is Tuesday's and Thursday's at Town Hall; and, various high schools are also coordinating food distribution.
- Stay safe.

Councilmember Sañchez

- Thanked the Town Manager / Clerk for all of the information he provides to Councilmembers.
- Stay safe and wash hands.

Councilmember Gloria Cota

- Commended the Town Manager / Clerk and staff for their work.

Councilmember Bravo

- Commended the Town Manager / Clerk and staff for their work.
- Stay safe and wear a mask.
- Thanked viewers for their support.

Vice Mayor Vital

- Commended the Town Manager / Clerk and staff for their work.
- Stay healthy.

Mayor Molina

- Thanked community members for painting over graffiti in Town.
- Commended the Town Manager / Clerk and staff for their work.
- Stay safe.

J. ADJOURNMENT

Motion by Vice Mayor Vital to adjourn the Regular Council Meeting; second by Councilmember Osuna. Motion passed unanimously 7-0.

The meeting was adjourned at 8:26 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 23, 2020, 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