

Minutes Town Council Regular Meeting June 11, 2020

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, June 11, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Museum Room, Guadalupe, Arizona.

A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:00 p.m.

B. ROLL CALL

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

Councilmember Absent: Councilmember Elvira Osuna and Councilmember Joe Sánchez

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

C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Molina called for a moment of silence for individuals impacted by COVID-19; and, encouraged peace and unity within the community. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

**Motion by Vice Mayor Vital to approve agenda item D1; second by Councilmember Bravo.
Motion passed unanimously on a roll call vote 5-0.**

1. Approved the May 28, 2020, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: None.

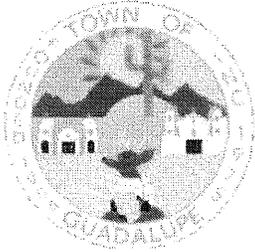
F. MAYOR and COUNCIL PRESENTATIONS: None.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. 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 and its impact to Town of Guadalupe (Town) Town Hall services. Mr. Kulaga introduced co-presenter Reggie Williams, Maricopa County Health Services (County) representative.

Mr. Kulaga stated that there will be free COVID-19 testing available at the Mercado on June 11, June 12, and June 13, 2020. Per the County statistics regarding COVID-19 cases in the Town, as of June 10, 2020, there were 110 positive cases in Guadalupe. Guadalupe's infection rate is 4.6 times the rate of other County jurisdictions, which is an improvement from May. With more testing, positive cases are increasing.



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COVID-19 remains a top priority for Town officials. Because of this, Mr. Kulaga stated that a Guadalupe COVID-19 Response Team has been assembled and is comprised of representatives from the Pascua Yaqui Tribe, County, Arizona State University, and Town representatives. In response to a question, Mr. Williams stated it takes 3-10 days to get COVID-19 test results.

Mr. Kulaga reviewed the goals of the Response Team and the services provided by each response team entity. He then reviewed frequently asked questions related to actions the Town has taken to reduce the spread of COVID-19, and actions not within the control of the Town due to State and Federal authority.

Mr. Kulaga stated that the Town has also partnered with the City of Tempe and Arizona State University (ASU) to study wastewater emitting from the Town to determine what levels of COVID-19 exist in the Town. The Public Broadcasting Network has interviewed representatives from the City of Tempe, ASU, and Mr. Kulaga regarding the testing of wastewater to determine COVID-19 rates in Town.

Mr. Kulaga closed by reiterating the upcoming dates and times for free COVID-19 testing in Town. Mr. Kulaga provided a website address and contact information from the Town and the Pascua Yaqui Tribe for COVID-19 related matters.

In response to a question, Mayor Molina stated that free COVID-19 testing is not limited to community members, it is for anyone that wishes to get tested.

2. MARICOPA COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE APPOINTEE RECOMMENDATIONS

Jeff Kulaga, Town Manager / Clerk, stated that Vice Mayor Vital and Councilmember Sánchez are currently serving a two-year term on the Maricopa County Community Development Advisory Committee. Their terms of service expire on June 30, 2020. The Maricopa County Community Development Advisory Committee provides much needed funding to the Town on an annual basis. Most recently, the County provided approximately \$500,000 in funding for urgent sewer line repairs. Over the past 11 years, the County has provided the Town with approximately \$8 million in funding assistance.

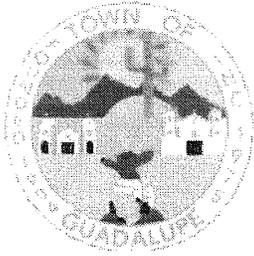
Motion by Councilmember Anita Cota to recommend that Vice Mayor Ricardo Vital serve on the Maricopa County Community Development Advisory Committee as a Primary member; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 4-0-1, with Vice Mayor Ricardo Vital abstaining.

Councilmembers recommended the appointment of Vice Mayor Ricardo Vital to serve as the Primary representative on the Maricopa County Board of Supervisors. The term of office is July 1, 2020 to June 30, 2022.

Councilmembers agreed to schedule the recommendation of appointing an elected official as an Alternate representative to serve on the Maricopa County Community Development Advisory Committee to the June 25, 2020, Regular Council Meeting.

3. COMMUNITY PARTNERS (RESOLUTION NO. R2020.22)

Jeff Kulaga, Town Manager / Clerk, stated that for the past two years, the Council has designated the Conrado F. Bilducia American Legion Post 124 and the Pascua Yaqui Tribe as Community Partners. If approved, it would entitle each entity to 4 events, free of charge, in the Mercado multi-purpose room and patio. Both organizations would be responsible for costs associated with public safety, insurance, or alcohol use.



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Motion by Vice Mayor Vital to approve agenda item G3; second by Councilmember Anita Cota. Motion passed unanimously on a roll call vote 5-0.

Councilmembers adopted **RESOLUTION NO. R2020.22** 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.

4. TELECOMMUNICATIONS LICENSE AGREEMENT WITH ZAYO GROUP LLC

Jeff Kulaga, Town Manager / Clerk, stated that the Federal Communications Commission and the State legislature passed legislation related to the telecommunications industry. The Town Code has been updated to align with state and federal legislation. The Zayo Group is interested in installing wired (cable) facilities in Town right-of-way. The master license agreement has been reviewed by the Towns' telecommunications attorney. Staff recommends approval of this agenda item.

Motion by Councilmember Bravo to approve agenda item G4; second by Vice Mayor Vital. Motion passed unanimously on a roll call vote 5-0.

Councilmembers approved a License Agreement (C2020-20) with Zayo Group LLC to permit wired facilities in the right-of-way for telecommunications purposes pursuant to Town Code Chapter 16C. This master license agreement request complies with Town Council adopted wired facilities and right-of-way regulations ordinances, 2017 State legislation, and related Federal Communications Commission rules.

5. DISPOSITION OF OUTSTANDING CIVIL COURT CASES

Jeff Kulaga, Town Manager / Clerk, stated that the administration of the Guadalupe Municipal Court will be transitioning to the City of Tempe Municipal Court (Tempe), as approved by Council on May 14, 2020. The transition becomes effective on July 1, 2020. Tempe has requested that all outstanding court cases be resolved before the July 1, 2020 transition. To date, there are 568 outstanding court cases.

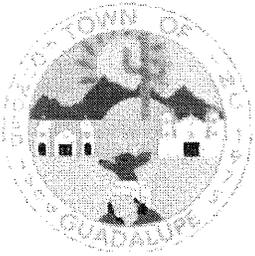
David Ledyard, Town Attorney, stated that the remaining cases were adjudicated some time ago, many of which have outstanding fine balances. Staff is requesting that Council authorize the Town Attorney and Town Manager / Clerk to review these matters with the local court, superior court, and the Administrative Office of the Court (AOC) to determine the best course of action to resolve/dismiss the outstanding court cases. In his opinion, all of the cases are likely to be uncollectable; and, if a collection service were to attempt to collect on outstanding fines, it is likely that the cost to do so would outweigh the amount collected. The AOC would have to approve whatever course of action is decided upon.

Motion by Vice Mayor Vital to direct the Town Attorney and Town Manager / Clerk to work with the Guadalupe Municipal Court, Superior Court, and the Administrative Office of the Court, to dismiss or take any necessary action to close pending court or post adjudicated court cases; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 5-0.

Councilmembers received a report concerning the Tempe-Guadalupe Court intergovernmental agreement and the required and necessary disposition of old, post adjudicated, civil court cases with outstanding fines; and, possible options for such disposition. *(there is no material for this agenda item)*

6. 12% REVENUE SHARING / GAMING GRANT SUPPORT LETTER PROCESS

Jeff Kulaga, Town Manager / Clerk, stated that staff has received requests by four organizations seeking a letter from the Town in support of the organization's 12% revenue sharing grant request for inclusion in their application packets. The four organizations are the American Legion Post 124, The Guadalupe Historical Society, The Pascua Yaqui Neighborhood Association, and the Guadalupe Outreach/Lions Club.



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As a community partner, Mr. Kulaga stated that he submitted a letter of support for the American Legion Post 124. Following that, the three additional requests were received by staff for letters of support to include with gaming grant applications. Staff is seeking direction on whether or not there should be criteria for these types of requests, as outlined in the agenda meeting packet. From an administrative standpoint, a two-week lead time would be needed to process requests for letters of support and schedule the item for a Council meeting.

In response to a question regarding individual Councilmembers writing letters on behalf of their Council colleagues, Mr. Kulaga noted that it would be a choice for each Councilmember to make; however, there is the potential that not all Councilmembers would be in agreement with that course of action. Dave Ledyard, Town Attorney concurred with Mr. Kulaga.

A Councilmember noted that submitting a letter for another organization to include in their gaming grant application could be viewed as the Town competing against itself for grant funding. It would be helpful to have a policy and process in place to assist staff in processing these requests. Mr. Kulaga noted that the Pascua Yaqui Tribe gaming grant application requests a letter of support from the City/Town the organization resides in, to be included with each gaming grant application. It was noted that one of the requesting parties resides in Goodyear, AZ.

A Councilmember suggested that the organizations requesting letters could partner with the Guadalupe Community Partnerships who may be able to provide letters of support to the requesting parties.

Mr. Kulaga stated that he could draft criteria and a timeframe for how requests for grant application letters are processed. Staff could present the requests to the Council in May, for review and guidance to staff. The Pascua Yaqui Tribe (PYT) gaming grant applications are due at the end of May, annually. PYT also has a secondary round of gaming grant applications due towards the end of the year.

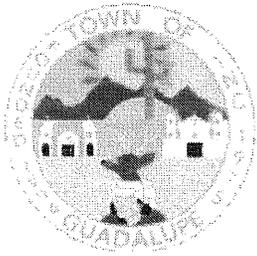
Mr. Kulaga read a draft letter of support that was submitted by the Guadalupe Outreach/Lions Club that was drafted for Council consideration.

A Councilmember voiced concern about how this process will impact the staff workload; and, that it is challenging to determine if the requesting entity has provided support to the Guadalupe community. A Councilmember suggested setting April 15, as the annual deadline to submit requests for letters of support from the Town. There is not sufficient information for Council to take action on the request for letters of support at this time. A completed application from each of the requesting entities would be helpful during the review process.

Mayor Molina stated that since there is not an existing policy in place, Council will support the issuance of letters to each of the requesting entities, with the provision that staff implement a policy and process for future letters of support, including requiring a completed application packet to be submitted with each letter of support request.

In response to a question, Mr. Kulaga stated that the letters that are approved to be submitted are provided to the requesting organization, versus directly to the PYT.

Mayor Molina stated that the Council meetings are open to the public and that the public is invited to submit comments on agenda items.



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7. CENSUS 2020 UPDATE

Jeff Kulaga, Town Manager / Clerk, stated that as of June 11, 2020, the Census response rates are as follows:

- Town of Guadalupe – 47%
- Maricopa County – 62%
- Arizona – 57%
- United States – 61%

August 11 – October 31: Census takers will interview homes that have not responded to the 2020 Census.

The Town's portion of state shared revenues is based off of population data for each jurisdiction. Ensuring everyone participates is critically important to the community.

A Councilmember urged community members to respond to the Census. Assistance is available and an educational video will be produced that outlines the steps involved in participating in the Census.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- Avenida del Yaqui Street Improvement Project – community outreach letters will be mailed from the Arizona Department of Transportation (ADOT) to community members. An online survey will be available for community members to provide feedback. In place of the community meetings that have been cancelled, ADOT will be holding one-on-one meetings with community members.
- Congratulated Catalina Alvarez on winning a seat on the Pascua Yaqui Tribal Council. Teresa Alvarez will be the Acting Director for the Community Action Program until further notice.
- Congratulated Public Works staff on their clean-up efforts after a mini brush fire; and, for plumbing repairs recently done. Their next project will be alley maintenance.

I. COUNCILMEMBERS' COMMENTS

Councilmember Anita Cota

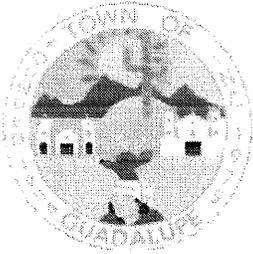
- Thanked community members that participated in the recent COVID-19 testing. Requested that community members promote the testing.
- Monday, Wednesday, and Friday - free breakfast and lunch at the Pascua Yaqui tribal building.
- Concerned about weeds in an alley being a fire hazard.

Councilmember Bravo

- Thanked staff for their work.
- Thanked community members that participated in the recent COVID-19 testing. Requested that community members promote that testing is free.
- Encouraged community participation in the Census 2020; it is critical to the Town receiving funding.
- Sunday, June 14, 2020 – farewell Church gathering for the departing Priest.

Vice Mayor Vital

- Thanked community members that participated in the recent COVID-19 testing. There is two more days of testing.
- Thanked staff for their work.



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Mayor Molina

- o Thanked the Assistant to the Town Manager for coordinating the COVID-19 testing. Encouraged community members to get tested. There has been an outbreak of the virus in Town. No social gatherings. The Fire Department is providing free face masks to community members. The Maricopa County Health Department provided 6,000 free face masks to the Town. Masks are also available in Town Hall on Tuesday's 9 AM – noon and Wednesday's 2 PM – 5 PM.
- o If a crime is observed, call 911, or the TIP line, either of which is anonymous. Calls can also be placed to the Police non-emergency line.
- o Thanked Reggie Williams for attending the meeting. Mr. Williams is providing the Town with COVID-19 educational materials and information.

J. ADJOURNMENT

Motion by Vice Mayor Vital to adjourn the Regular Council Meeting; second by Councilmember Gloria Cota. Motion passed unanimously 5-0.

The meeting was adjourned at 7:33 p.m.



Valerie Molina, Mayor

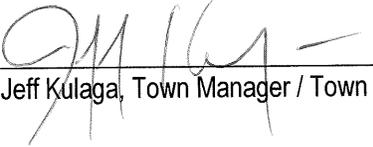
ATTEST:



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 June 11, 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