

## Minutes Town Council Regular Meeting June 13, 2019

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, June 13, 2019, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

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

### A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:03 P.M.

### B. ROLL CALL

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

Councilmember Absent: Councilmember Anita Cota and Councilmember Elvira Osuna

Staff Present: Jeff Kulaga – Town Manager / Clerk, Wayne Clement – Fire Chief, Jennifer Drury – Assistant to the Town Manager, Gerardo Moreno – Public Works Director, Nancy Holguin, Community Development, Catalina Alvarez – CAP Director, Veronica Matuz, Senior Center Director, Kay Savard, Deputy Town Clerk, and David Ledyard – Town Attorney

### C. INVOCATION/PLEDGE OF ALLEGIANCE

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

### D. APPROVAL OF MINUTES – None

E. CALL TO THE PUBLIC: Fidelis Garcia, resident, stated that the City of Tempe is spending \$146 million to upgrade their water and sewer systems. Mr. Garcia then discussed the Mutual Aide Agreement for Fire Department activities; and, how Town residents pay for the City of Tempe Fire Department. He recommended that the Council hold a study session to discuss this issue further; and, inviting Senator Rebecca Rios who may be able to provide legislative assistance. He concluded by questioning if the Tempe Elementary School District has paid their taxes.

F. MAYOR and COUNCIL PRESENTATIONS: None.

### G. DISCUSSION AND POSSIBLE ACTION ITEMS:

#### 1. MARICOPA COUNTY SHERIFF'S CONTRACT RENEWAL – AMENDMENT NO. 1:

Councilmembers approved authorizing the Mayor, or designee, to sign Amendment No. 1 (Contract #C2018-20A) to the Agreement for Law Enforcement services between the Town of Guadalupe and Maricopa County on behalf of the Maricopa County Sheriff's Office, authorized through Council approval of Resolution No. R2018.13 on June 12, 2018 and executed on June 28, 2019. The Contract Renewal Amendment No. 1 amount is \$1,931,367.36 for Fiscal Year 2020, July 1, 2019 through June 30, 2020.

Jeff Kulaga, Town Manager / Clerk, stated that this is the first contract renewal with the Maricopa County Sheriff's Office (MCSO) to provide police services to the Town. The contract amount is approximately \$1.9 million, and is included in the tentative budget. Services will remain the same. New MCSO leadership has been assigned to the Town and communication has improved. He noted that an MCSO representative is present to answer questions.



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In response to a question regarding the contract renewal increase, Mr. Kulaga stated that the County Board of Supervisors approved a Cost of Services Study for all County contracts. The consultant recommended an overall 16% increase in contract amounts in order to recover their costs. The proposed contract renewal has increased 8.8%. The amount of future contract increases are unknown at this time.

Mr. Kulaga stated that generating revenue is important, and challenging. The Town received one-time funding of \$117,000 from the Arizona Department of Revenue and \$197,000 from the Arizona State Legislature for transportation related purposes.

**Motion by Vice Mayor Vital to approve agenda item G1; second by Councilmember Gloria Cota. Motion passed unanimously 5-0.**

**2. MARICOPA COUNTY HUMAN SERVICES DEPARTMENT INTERGOVERNMENTAL AGREEMENT – AMENDMENT NO. 3:** Councilmembers approved Amendment No. 3 to an Intergovernmental Agreement (Contract #C2018-17A) with Maricopa County (County) by and through its Human Services Department and the Town of Guadalupe, which initially began on July 1, 2016, for the provision of crisis case management and financial assistance services through the Town Community Action Program; and, authorized the Mayor to sign all necessary documents in furtherance of this amendment. The County shall provide the Town with \$40,000 for the period of July 1, 2019 to June 30, 2020.

Jeff Kulaga, Town Manager / Clerk, stated that the proposed agreement with the Maricopa County Human Services Department County is to provide financial assistance to the Guadalupe Community Action Program (CAP). The CAP provides utility and rental assistance to eligible Town residents that are experiencing a financial crisis. The contract amount has increased \$5,000; and, the County has indicated that additional CAP funding may be available to the Town for this fiscal year.

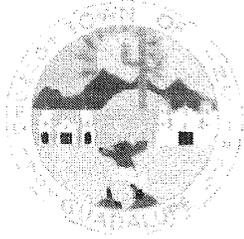
**Motion by Councilmember Sánchez to approve agenda item G2; second by Councilmember Bravo. Motion passed unanimously 5-0.**

**3. RESOLUTION NO. R2019.08 – CITY OF TEMPE FIRE, MEDICAL, RESCUE DEPARTMENT INTERGOVERNMENTAL AGREEMENT:** Councilmembers adopted **RESOLUTION NO. R2019.08**, authorizing the Mayor, or designee, to sign an intergovernmental agreement (agreement) (Contract #C2019-13) with the City of Tempe Fire, Medical, Rescue Department (Tempe), to provide replacements for non-durable supplies used by the Guadalupe Fire Department in conjunction with the treatment of medical patients subsequently transported by a Tempe ambulance. The term of the agreement is for three years from the effective date; and, may be extended administratively by both parties for up to three additional extensions. The annual anticipated cost recovery for supplies is approximately \$10,000.

Jeff Kulaga, Town Manager / Clerk, stated that the City of Tempe (Tempe) provides ambulance services to the community. For incidents where the Guadalupe Fire Department provides assistance to individuals, for individuals that are later transported by a Tempe ambulance, Tempe would reimburse the Guadalupe Fire Department for medical supplies utilized during the incident.

Wayne Clement, Guadalupe Fire Chief, stated that currently all ambulance service companies reimburse the Guadalupe Fire Department for medical supplies, with the exception of the Tempe. This agreement will allow for the Tempe Fire Department to reimburse the Town of Guadalupe for the use of medical supplies.

**Motion by Councilmember Bravo to approve agenda item G3; second by Vice Mayor Vital. Motion passed unanimously 5-0.**



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**4. RESOLUTION NO. R2019.09 – MARICOPA COUNTY ANIMAL CARE AND CONTROL DEPARTMENT INTERGOVERNMENTAL AGREEMENT:** Councilmembers adopted **RESOLUTION NO. R2019.09**, authorizing the Mayor, or designee, to sign an intergovernmental agreement (agreement) (Contract #C2019-14) with Maricopa County (County) by and through its Animal Care and Control Department (ACC) and the Town of Guadalupe for the provision of animal control services. The initial term of this agreement is from July 1, 2019 through June 30, 2020; and, may be renewed for up to two successive two-year terms by mutual agreement of both parties. The cost of service for the initial contract term is \$30,360. The contractual level of service is based on demand or calls for service, where (ACC) operates a regional coverage program and responds to calls based on priority. All calls to the County for animal control services are initiated from community members.

Jeff Kulaga, Town Manager / Clerk, stated that the proposed Animal Care and Control Department (ACC) contract has increased \$2,760, a 10% increase from last year's contract amount. The proposed contract amount is included in the budget.

A representative from the ACC, Al Aguinaga, discussed how the proposed contract is complaint driven. Call response times vary, depending upon their assigned priority levels.

In response to a question concerning calls for service, Mr. Aguinaga introduced Lieutenant Romero, ACC representative, who has been serving the Town for 13 years.

Councilmembers discussed a residential property that houses 16-20 dogs, tethering dogs, the length of tethers, and instances where dogs do not have access to water.

In response to a question regarding the number of Guadalupe calls for ACC service, Lieutenant Romero stated that ACC responds to approximately 100 calls for service, annually.

Dave Ledyard, Town Attorney, stated that in a case where there are 20 dogs, if the animals are noisy and there is an odor there could be enforcement; however, if the animals are not being disruptive, then a court process could be an option.

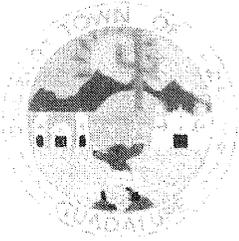
Councilmembers discussed the possibility of community education classes; a November, 2019, event where ACC officials could be present to provide information to the community; and, consideration of the Town declaring a St. Francis Pet Day.

Mr. Aguinaga noted that ACC offers the services of a Community Action Officer; and, discussed the three month lead time it would take to implement a pilot licensing program.

In response to a question, Mr. Aguinaga stated that when calls to ACC are placed, callers must be able to provide location information. Once received, the calls are prioritized.

**Motion by Vice Mayor Vital to approve agenda item G4; second by Councilmember Bravo. Motion passed unanimously 5-0.**

**5. RESOLUTION NO. R2019.10 – ARIZONA DEPARTMENT OF REVENUE INTERGOVERNMENTAL AGREEMENT:** Councilmembers adopted **RESOLUTION NO. R2019.10** authorizing the Mayor, or designee, to sign an intergovernmental agreement (agreement) (Contract #C2019-15) with the Arizona Department of Revenue (AZDOR) related to uniform administration of the Town of Guadalupe Transaction Privilege Tax. This agreement will initially be in force through December 31, 2019, and will renew automatically each year thereafter on January 1 for a term of one-year, without any action required by the Town Council or by AZDOR. The agreement is required under A.R.S. § 42-6001.



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Jeff Kulaga, Town Manager / Clerk, stated that legislation was enacted that mandates the Arizona Department of Revenue to administer transaction privilege taxes on behalf of cities and towns. The proposed resolution and agreement formalizes this process.

**Motion by Councilmember Bravo to approve agenda item G5; second by Councilmember Gloria Cota. Motion passed unanimously 5-0.**

6. **RESOLUTION NO. R2019.11 – PUBLIC SAFETY PERSONNEL RETIREMENT LIABILITY FUNDING PLAN:** Councilmembers adopted **RESOLUTION NO. R2019.11**, establishing a Public Safety Personnel Retirement System Pension Funding Policy. The policy outlines the Council's pension funding objectives; its commitment to Town of Guadalupe employees, and sound financial management; and, complies with 2018 statutory requirements for every governing body to pass a Pension Funding Policy no later than July 1, 2019.

Jeff Kulaga, Town Manager / Clerk, stated that there is a federal mandate to adopt a public safety personnel retirement liability funding plan. The plan provides transparency on how the public safety pension fund is financed. The goal is to have the fund fully funded by 2036. The funding needed for this process has been included in the budget.

**Motion by Vice Mayor Vital to approve agenda item G6; second by Councilmember Sánchez. Motion passed unanimously 5-0.**

7. **CONTRACT EXTENSION – PUBLIC DEFENDER:** Councilmembers approved a contract extension in the form of a third amendment to the public defender contract (Contract #C2018-30A) for Matthew Mamer to provide services to the Guadalupe Municipal Court as a Public Defender; and, authorized the Mayor, or designee, to sign all necessary documents in furtherance of this agreement. The third amendment extends the contract term for a period of twelve (12) months, ending on June 30, 2020. All other terms of the original August 30, 2016, contract remain in full force, and are not changed. *(continued from the May 9, 2019 Regular Council Meeting)*

Jeff Kulaga, Town Manager / Clerk, stated that the Guadalupe Municipal Court is fully funded for the current and upcoming budget cycle. A public defender is needed to provide services to the Court. The proposed contract extension is the third amendment to the original contract.

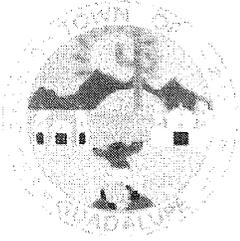
**Motion by Councilmember Bravo to approve agenda item G7; second by Vice Mayor Vital. Motion passed unanimously 5-0.**

8. **RESOLUTION NO. R2019.12 – AREA AGENCY ON AGING CONTRACT:** Councilmembers adopted **RESOLUTION NO. R2019.12**, authorizing the Mayor, or designee, to sign all necessary documents in furtherance of this contract (Contract #C2019-16), authorizing the Area Agency on Aging to provide funding for congregate meals, home delivered meals, multipurpose center operations, and transportation services for Town of Guadalupe Senior Center services. The contract term is July 1, 2019 to June 30, 2020; and, the contract amount is \$138,872.

Jeff Kulaga, Town Manager / Clerk, stated that the proposed contract is \$1,500 less than last year's contract; however, the Area Agency on Aging provided \$6,100 in grant funding for the purchase of a stove for the Senior Center.

**Motion by Vice Mayor Vital to approve agenda item G8; second by Councilmember Sánchez. Motion passed unanimously 5-0.**

9. **RESOLUTION NO. R2019.13 – BOYS AND GIRLS CLUB TRIBAL GAMING GRANT:** Councilmembers adopted **RESOLUTION NO. R2019.13** authorizing the submittal of an application from the Boys & Girls Clubs of the East Valley Boys – Guadalupe Thunderbird Branch to the Tohono



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O'odham Nation for computer connectivity and technology upgrades at the Guadalupe Branch, totaling \$32,000; and, authorized the Mayor, or designee, to sign all necessary documents in furtherance of this grant application. The Town of Guadalupe will serve as a pass through for this grant request.

Jeff Kulaga, Town Manager / Clerk, stated that per state statute regarding tribal gaming grant contributions, non-profit organizations are required to identify a pass through partner in order to apply for grant funding.

Connie Perez, East Valley Boys and Girls Club (Club) CEO introduced David Debruin, Guadalupe Thunderbird Branch Manager. Mr. Debruin stated that currently there are approximately 70 youth enrolled at the Guadalupe Thunderbird Boys and Girls Club.

In response to questions, Mr. Debruin stated that the Guadalupe Thunderbird Boys and Girls Club (Club) has been in existence for approximately 20 years. There is an ongoing effort to increase community participation and Club enrollment. Out of 200 families, 70 youth signed up to join the Club. The Club offers sports, events, career guidance, job searching assistance, WIFI technology, and is currently in the process of updating its technology. 37.5% of the participating youth are Town of Guadalupe youth. There has been a change in Club leadership.

Councilmembers discussed community feedback that indicates that there are Guadalupe youth that do not feel welcomed at the Club; there are disruptive behaviors and a lack of community trust; and, that the program is unaffordable. Over the past few years, the club has grown apart from the community. Ms. Perez emphasized that the Club is interested in partnering with the Town to encourage and increase Club participation among youth.

In response to questions, Mr. Debruin stated that the Club partners with various community groups to allow them the use of the soccer field. The Club will host an open house towards the beginning of the school year and is interested in partnering the Maricopa County Sheriff's Office and with non-profit organizations to seek donations of sports equipment, offering free memberships, and advertising opportunities. Currently, the Club serves Awatukee, Tempe, and Guadalupe youth.

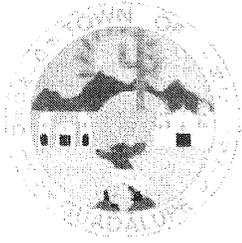
Ms. Perez stated that she would like to provide a program update at a future meeting regarding recruitment and programming. The Guadalupe Thunderbird branch recently received a \$200,000 grant to replace flooring and air conditioners, and to pay off the soccer field debt. Currently, there is a need to purchase computers.

**Motion by Vice Mayor Vital to approve agenda item G9; second by Councilmember Bravo. Motion passed unanimously 5-0.**

10. **REQUEST FOR PROPOSALS FOR CERTAIN TOWN-OWNED PROPERTY:** Jeff Kulaga, Town Manager / Clerk, stated that there were no responses to the Request for Proposals (RFP's) for the development of Town-owned property. Feedback from the development community includes concerns about low traffic volumes and that the size of the properties are not sufficient for the desired development. Mr. Kulaga stated the RFP was initiated in order to seek land development and revenue generating opportunities.

Councilmembers discussed the property directly north of the Mercado as a potential area for development; and, the appearance of the Town. Mr. Kulaga noted that he received feedback from the development community about the graffiti in Town. Developers are interested in securing a location that serves as a destination point.

There was no action taken on this agenda item.



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11. **COUNCIL MEETING SCHEDULE:** Councilmembers reviewed and modified the Town Council Regular Meeting schedule through December 2019 by cancelling the Thursday, July 11, 2019, Regular Council Meeting.

**Motion by Vice Mayor Vital to cancel the July 11, 2019, Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously 5-0.**

12. **CLAIMS:** Councilmembers approved the check register for May 2019, totaling \$743,720.70.

In response to a question regarding why the car show is listed on the Claims report, Mr. Kulaga stated that the promoter of the car show pays the Town and the Town then pays the Maricopa County Sheriff's Office (MCSO) for overtime incurred during the car show. In previous years, grant funding was allocated to pay for a portion of MCSO costs; however, the current tribal gaming requests do not include grant funding for MCSO overtime for this event.

**Motion by Vice Mayor Vital to approve agenda item G12; second by Councilmember Bravo. Motion passed unanimously 5-0.**

#### H. TOWN MANAGERS' COMMENTS

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

- Congratulated the Deputy Town Clerk for completing election training.
- Congratulated CAP staff on their work with Maricopa County on coordinating CAP programs with additional County funding.
- Congratulated Public Works staff on how well they maintain the Town.
- Arizona State University Masters of Public Administration students are assisting the Town in reviewing the Town Zoning Code for outdated language. Staff anticipates that the students will make a presentation to Council in August.
- Last month, 28 tons of trash was collected on Waste Day.

#### I. COUNCILMEMBERS' COMMENTS

Councilmember Gloria Cota

- Thanked staff for attending the meeting.

Vice Mayor Vital

- Thanked staff for attending the meeting, for their work, and for conducting the community budget forums.

Councilmember Sánchez

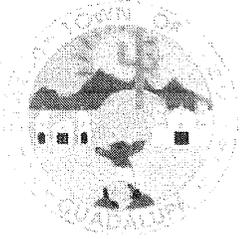
- Appreciated the assistance he received in cleaning the cemetery. The Pascua Yaqui Tribe provided food and water; and, thanked the Fire Chief for his assistance.

Councilmember Bravo

- A street light that was previously out is now working.
- Homelessness activity on the Lomita.
- Thanked staff for their work.

Mayor Molina

- Thanked staff for attending the meeting.



J. ADJOURNMENT

**Motion by Councilmember Bravo to adjourn; second by Vice Mayor Vital. Motion passed unanimously 6-0.**

The meeting was adjourned at 7:22 p.m.

  
Valerie Molina, Mayor

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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 13, 2019, Town of Guadalupe, Town Council Regular Meeting. I further certify the meeting was duly called and held, and that a quorum was present.

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