

Minutes Town Council Regular Meeting July 23, 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, July 23, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona.

A. CALL TO ORDER

Vice Mayor Vital called the meeting to order at 6:17 p.m.

B. ROLL CALL

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

Councilmember Absent: Mayor Valerie Molina

Staff Present: Jeff Kulaga – Town Manager / Clerk, Jennifer Drury – Assistant to the Town Manager, David Ledyard – Town Attorney

C. INVOCATION/PLEDGE OF ALLEGIANCE

Vice Mayor Vital called for a moment of silence in honor of community members that have been impacted by COVID-19. The Vice Mayor then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

Motion by Councilmember Osuna to approve agenda items D1 – D3; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 7-0.

1. Approved the June 11, 2019, Town Council Regular Meeting Minutes.
2. Approved the June 11, 2019, Town Council Special Meeting Minutes.
3. Approved the June 25, 2019, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: No one spoke.

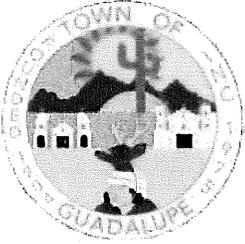
F. MAYOR and COUNCIL PRESENTATIONS: None.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. COVID-19 ACTION UPDATE

Jeff Kulaga, Town Manager / Clerk, presented COVID-19 data and current actions of the Guadalupe COVID-19 Response Team, in partnership with the Pascua Yaqui Tribe, Maricopa County Public Health Services, Arizona State University, and the City of Tempe to safe guard public health and safety in response to the Coronavirus. An update on Town services was also provided.

Mr. Kulaga stated that approximately 75 people were tested for COVID-19 in Town Hall today. Additional free testing will be offered on July 24 and July 25. The number of positive COVID-19 cases in Guadalupe is approximately twice the rate of the number of cases in Maricopa County (County).



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In June, the Mayor issued a Proclamation requiring face masks in public spaces in Town. Community members are encouraged to wear face masks, social distance at a minimum of 6', reduce social gatherings, and wash hands frequently. These are preventative measures against COVID-19.

The COVID-19 Response Team, including each Town department, is involved in reducing the spread of the virus. The Mayor declared a state of emergency in March. The Council allocated \$125,000 in funding for COVID-19 related efforts. Mr. Kulaga reviewed the hours of operation for Town departments, and accessibility to Town Hall. Rental of the Mercado facility has been suspended. Public and private events have been cancelled.

Prior to today's testing, the Town facilitated the testing of approximately 800 people for COVID-19. In addition, the Pascua Yaqui Tribe has also been offering COVID-19 testing. Town staff have distributed food boxes, masks, and essential supplies. The City of Tempe is conducting a study of the Town's wastewater and has found significant levels of COVID-19 in the Town's wastewater. The Town also offered a Mercado rental deferral program to its tenants.

Compared to last year, the Guadalupe Fire Department received approximately 8 calls for service per day, compared to receiving approximately 12 calls for service per day this year, more than half of which are related to COVID-19. Fire personnel decontaminate and disinfect their equipment after each call for service. The Fire Department has distributed over 4,000 masks to community members; and, Fire Department staff visit businesses to remind them of social distancing and mask requirements in Town. The Fire Department is also participating in regional efforts related to COVID-19.

The Senior Center continues to prepare daily meals, some of which are picked up, with the remainder being delivered to homebound seniors. The Library is providing daily lunches to community members; and, the Community Action Program (CAP) is providing food boxes. In June 2019, 47 emergency food boxes were distributed, compared to last month when there were 497 emergency food boxes needed. CAP is also responsible for providing rental and utility funding assistance to community members.

The COVID-19 Response Team has partnered with the Pascua Yaqui Tribe (PYT), Maricopa County Health Department, Arizona State University (ASU), and Native Health Systems. These entities are collaborating on providing temporary accommodations for those who test positive for COVID-19. By August 1, approximately 130 hotel rooms will be available at the Days Inn on Elliot Road. The County will determine who is eligible for hotel rooms. Wrap-around services include laundry services, meals, on-site medical care, transportation, security, and cleaning.

The Promotoras are meeting weekly with community members and providing needed supplies. In conjunction with ASU and Native Health, the Promotoras will be coordinating the testing of Guadalupe homebound and homeless populations. PYT has also provided sensitivity training for ASU students.

COVID-19 information is posted on the Town's social media pages. There has also been a variety of media interest in how the Town is addressing the pandemic.

Mr. Kulaga discussed staff recommendations in May and July related to gatherings and events, and Town Hall operations. Staff currently recommends continued closures of the CAP, Senior Center, Town Hall partial closure, no party permits and no Mercado rentals until at least January 1, 2021. Should conditions improve, staff will modify this approach accordingly.



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Staff is seeking direction on the following recommendations related to upcoming events:

- Spooktacular, October 22, 2020 – *CANCEL UNLESS CONDITIONS DRAMATICALLY CHANGE*
- Dia del los Muertos – *PROHIBIT VENDORS AT THE CEMETERY UNLESS CONDITIONS DRAMATICALLY CHANGE*
- Christmas Parade and Tree Lighting ceremony, November 28, 2020 – *CANCEL UNLESS CONDITIONS DRAMATICALLY CHANGE*
- Navidad en Guadalupe, December 19, 2020 – *CREATE A DRIVE THROUGH EVENT*

Mr. Kulaga noted that the County is offering financial assistance to community members. Information is available on-line, in Town Hall, and is distributed with food boxes. He thanked the Town's community partners for their engagement and sharing of resources; and, for the Town Councils' leadership.

A Councilmember voiced support of the staff recommendations related to upcoming events.

2. **MERCADO TENANTS' REQUEST**

Jeff Kulaga, Town Manager / Clerk, provided follow up information on the Mercado Tenant Rent Deferral Program (Program) approved by the Council at the May 14, 2020, Regular Council Meeting. The Mercado de Guadalupe (Tianguis) is located at 9201 South Avenida del Yaqui. The Program was intended to provide temporary rent deferral relief from the Town due to the economic impacts of COVID-19. The Program allowed for a 50% deferral of Mercado tenant rent payments to the Town for April, May, and June. Staff made an administrative decision to allow the Program to continue into July.

Four tenants participated in the Program from April – July, with an additional tenant participating in July. Of the four tenants, one of the tenants is in arrears; and the fifth participant is current in rent for July.

As of June 30, the Mercado Fund balance totals approximately \$12,000. As a result, staff is recommending discontinuance of the Program; and, that Program participants will be required to repay the 50% deferred rent amounts, 13 months worth of rent, over an 11 month period of time. The Town is not in a financial position to continue this Program.

In response to a question regarding if any of the Mercado tenants received any small business financial assistance, Mr. Kulaga stated that one business owner attempted to obtain financial assistance and was unsuccessful.

Councilmembers discussed the lack of funding available to continue the Program and voiced support for discontinuing the Program.

Motion by Councilmember Osuna to move forward with the Town Manager's recommendation to discontinue the Program (effective August 1); second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 6-0.

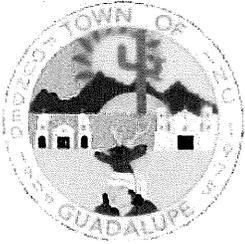
There is no material for this agenda item.

3. **PUBLIC HEARING – VARIANCE REQUEST FOR MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION, THE MINT DISPENSARY**

Motion by Councilmember Osuna to open the public hearing; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 6-0.

David Ledyard, Town Attorney, stated that Councilmembers have the option to continue this agenda item to a date certain.

Vice Mayor Vital opened the public hearing. No community members spoke.



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Jeff Kulaga, Town Manager / Clerk, stated that the Applicant, Mr. Molina, is in attendance and has requested a continuance of this agenda item to the August 27, 2020, Regular Council Meeting.

Motion by Councilmember Osuna to continue the public hearing to the August 27, 2020, Regular Council Meeting; second by Councilmember Bravo. Motion passed unanimously on a roll call vote 6-0.

Continued the public hearing to the August 27, 2020, Regular Council Meeting, for a variance request to allow G.T.L. LLC dba The Mint, Dispensary, 5210 South Avenida del Yaqui, Guadalupe, AZ, authorization to operate 24 hours a day, seven days a week. The Applicant is Raul Molina. (continued from the June 25, 2020, Regular Council Meeting at the request of the Applicant; related to G4)

4. VARIANCE REQUEST FOR MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION, THE MINT DISPENSARY

Motion by Councilmember Bravo to continue agenda item G4 to the August 27, 2020, Regular Council Meeting; second by Councilmember Osuna. Motion passed unanimously 6-0.

Continued a variance request to the August 27, 2020, Regular Council Meeting, to allow G.T.L. LLC dba The Mint, Dispensary, 5210 South Avenida del Yaqui, Guadalupe, AZ to be authorized to operate 24 hours a day, seven days a week. The Applicant is Raul Molina. (continued from the June 25, 2020, Regular Council Meeting at the request of the Applicant; related to G3)

Councilmember Anita Cota and Councilmember Bravo left the meeting at 6:45 pm.

5. PUBLIC HEARING – MEDICAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2020.24)

Motion by Councilmember Osuna to open the public hearing; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 4-0.

Vice Mayor Vital opened the public hearing. No community members spoke.

Motion by Councilmember Osuna to close the public hearing; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 4-0.

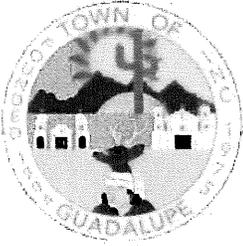
Vice Mayor Vital closed the public hearing.

Held a public hearing to receive public input to repeal and replace Ordinance No. O2020.23 with Ordinance No. O2020.24 related to amending the Town of Guadalupe Zoning Code, Chapter 154, Section 154.082 – Operation Requirements for medical marijuana dispensaries. Ordinance No. O2020.24 aligns the same Council approved code amendments with the new code formatting and citations. *(related to G6)*

6. MEDICAL MARIJUANA DISPENSARY ZONING CODE TEXT AMENDMENT (ORDINANCE NO. O2020.24)

Jeff Kulaga, Town Manager / Clerk, stated that Ordinance No. O2020.23 that was previously adopted by Council referred to the previous Town Code references and citations that expired on July 1, 2020. By repealing Ordinance No. O2020.23 and adopting Ordinance No. O2020.24, Ordinance No. O2020.24 will align with the citations and formatting in the newly adopted Town code. No changes have been made to the ordinance text.

Motion by Councilmember Osuna to approve agenda item G6; second by Councilmember Gloria Cota. Motion passed unanimously 4-0.



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Councilmembers adopted **ORDINANCE NO. O2020.24** to repeal and replace Ordinance No. O2020.23 with Ordinance No. O2020.24 that amends the Town of Guadalupe Zoning Code to align the same Council approved code amendments with the new code formatting and citations. *(related to G5)*

7. PUBLIC HEARING – ANIMAL CARE AND CONTROL ORDINANCE (ORDINANCE NO. O2020.25)

Jeff Kulaga, Town Manager / Clerk, stated that the Town Code was recently updated. The proposed ordinance revises the annual kennel fee from \$75 to \$350. The fees are established by the Maricopa County Board of Supervisors. There is one kennel in Town that is operating properly and paying their fees. Adoption of the ordinance will align the Town Code with the proper kennel fees. Staff anticipates there will be additional Code updates presented to Council on a quarterly or semi-annual basis.

Motion by Councilmember Osuna to open the public hearing; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 4-0.

Vice Mayor Vital opened the public hearing. No community members spoke.

Motion by Councilmember Osuna to close the public hearing; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 4-0.

Vice Mayor Vital closed the public hearing.

Held a public hearing to receive public input to amend the Town Code of Ordinances, Chapter 90, Animals in General, Section 90.25 to revise the annual fee for kennels from \$75 to \$350, per the Maricopa County Board of Supervisors. *(related to G8)*

8. ANIMAL CARE AND CONTROL ORDINANCE (ORDINANCE NO. O2020.25)

Motion by Councilmember Osuna to approve agenda item G8; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 4-0.

Councilmembers adopted **ORDINANCE NO. O2020.25** amending the Town Code of Ordinances, Chapter 90, Animals in General, Section 90.25 to align annual fees for kennels with the fees set forth by the Maricopa County Board of Supervisors. *(related to G7)*

9. PUBLIC HEARING – INTERGOVERNMENTAL AGREEMENT WITH THE MARICOPA COUNTY ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT TO ACCEPT COMMUNITY BLOCK GRANT FUNDING (RESOLUTION NO. R2020.24)

Motion by Councilmember Osuna to open the public hearing; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 4-0.

Vice Mayor Vital opened the public hearing. No community members spoke.

Motion by Councilmember Osuna to close the public hearing; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 4-0.

Vice Mayor Vital closed the public hearing.

Held a public hearing to obtain maximum feasible citizen involvement in the planning of specific Housing and Urban Development Community Block Grant funding for the Waste Water Collection System Project, CDBG20GD. *(related to G10)*



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10. INTERGOVERNMENTAL AGREEMENT WITH THE MARICOPA COUNTY ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT TO ACCEPT COMMUNITY BLOCK GRANT FUNDING (RESOLUTION NO. R2020.24)

Jeff Kulaga, Town Manager / Clerk, stated that this agenda item relates to the repair of Town sewer lines, as identified by a study that was conducted in October, 2019. Adoption of the proposed resolution would allow staff to move forward in addressing needed sewer line repairs.

Motion by Councilmember Osuna to approve agenda item G10; second by Councilmember Sánchez. Motion passed unanimously on a roll call vote 4-0.

Councilmembers adopted **RESOLUTION NO. R2020.24** which authorizes the Mayor, or designee, to enter into an Intergovernmental Agreement (C2020-23) with Maricopa County, administered by its Human Services Department, to accept \$517,828 in U.S. Department of Housing and Urban Development Community Block Grant funding for the Waste Water Collection System Project, CDBG20GD. This project consists of repairing six sewer line segments, totaling 2,185 linear feet, coating seven manholes, and raising/ uncovering seven manhole frames and covers. Adoption of Resolution No. R2020.24 authorizes the Mayor, or designee, to execute all documents in furtherance of this agreement. *(related to G9)*

11. COUNCIL MEETING TO CANVASS AUGUST 4, 2020, PRIMARY ELECTION RESULTS

Jeff Kulaga, Town Manager / Clerk, stated that Arizona Revised Statutes requires governing bodies to canvass election results not less than six days after an election, and not more than 20 days after an election. Complying with the statute, the suggested date range for scheduling a Council meeting to canvass the election results is Monday, August 10 – Monday, August 24.

If the election results are received in time, the canvass may be added to the August 13, 2020, Regular Council Meeting. If that does not occur, the Mayor will schedule a Special Council Meeting for approval of the election results upon receipt of the final/complete election results from the Maricopa County Elections Department.

There is no material for this agenda item.

12. CLAIMS

Motion by Councilmember Osuna to approve agenda item G12; second by Councilmember Gloria Cota. Motion passed unanimously on a roll call vote 4-0.

Councilmembers approved the check register for May 2020, totaling \$419,018.91.

H. TOWN MANAGERS' COMMENTS

Jeff Kulaga, Town Manager / Clerk

- o The Town recently repaired approximately twelve segments of sidewalks.
- o Commended Public Works staff on their work to clean up alleys.

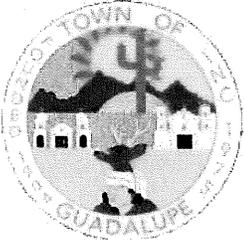
I. COUNCILMEMBERS' COMMENTS

Councilmember Osuna

- o Concerned about litter on the road that is impeding vehicular traffic near Calle Gloria and Battaou.

Councilmember Sanchez

- o Commended everyone for their work.
- o Stay safe and healthy.



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Vice Mayor Vital

- o Early voting is available in the Mercado. Everyone should vote. Election day is August 4, 2020.
- o Encouraged everyone to participate in the Census.
- o COVID-19 testing will be available in Town Hall on Friday and Saturday.

J. ADJOURNMENT

Motion by Councilmember Osuna to adjourn the Regular Council Meeting; second by Councilmember Sánchez. Motion passed unanimously 4-0.

The meeting was adjourned at 7:25 p.m.



Valerie Molina, Mayor

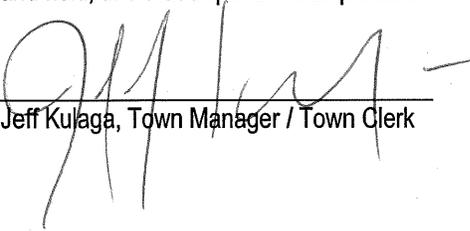
ATTEST:



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 July 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