

# Minutes

## Town Council Regular Meeting

### August 9, 2018

Minutes of the Guadalupe Town Council Regular Meeting held on Thursday, August 9, 2018, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

Valerie Molina  
Mayor

#### A. CALL TO ORDER

Mayor Molina called the meeting to order at 6:00 P.M.

Anita Cota  
Vice Mayor

#### B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina, Vice Mayor Anita Cota, Councilmember Gloria Cota, Councilmember Elvira Osuna, Councilmember Joe Sanchez, Councilmember Faustino Valenzuela, and Councilmember Ricardo Vital

Gloria Cota  
Councilmember

Staff Present: Jeff Kulaga – Town Manager / Clerk, Bob Thaxton – Finance Director, Wayne Clement – Fire Chief, Gerardo Moreno – Public Works Director, Nancy Holguin, Community Development Coordinator, Jennifer Drury – Assistant to the Town Manager, Catalina Alvarez – CAP Director, Kay Savard – Deputy Town Clerk, and Dave Ledyard – Town Attorney

Elvira Osuna  
Councilmember

#### C. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Molina called for a moment of silence due to a recent community tragedy. Mayor Molina then led the Pledge of Allegiance.

Joe Sanchez  
Councilmember

#### D. APPROVAL OF MINUTES:

**Motion by Councilmember Sanchez to approve agenda item D1; second by Councilmember Cota. Motion passed unanimously 7-0.**

Faustino Valenzuela  
Councilmember

1. Councilmembers approved the minutes of the Guadalupe Town Council and Pascua Yaqui Tribal Council Joint Meeting held on July 20, 2018.

Ricardo Vital  
Councilmember

**Motion by Councilmember Vital to approve agenda item D2; second by Councilmember Sanchez. Motion passed unanimously 7-0.**

2. Councilmembers approved the minutes of the Guadalupe Town Council Regular Meeting held on July 26, 2018.

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#### E. CALL TO THE PUBLIC:

Abraham Murua discussed his concerns regarding the left turn traffic lane at the entrance on the south side of the Town. He noted that the use of a temporary stop sign does not conform to the Arizona Department of Transportation guidelines; and how the temporary stop sign should be properly installed. Mr. Murua provided a rendering to the Town Manager of the traffic area of concern.

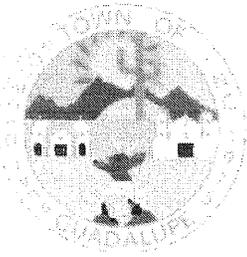
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#### F. MAYOR and COUNCIL PRESENTATIONS: None

#### G. DISCUSSION AND POSSIBLE ACTION ITEMS:

#### 2. MARICOPA COUNTY SHERIFF'S OFFICE SILENT WITNESS PRESENTATION *(item taken out of order)*

Heather Merigan, Supervisor, Sheriff's Intelligence, Leads, and Operations and Ron Gomez Maricopa County Sheriff's Office (MCSO) MCSO Community Liaison, Office of Special Programs, provided an update on the Maricopa County Sheriff's Silent Witness Program.



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Anita Cota  
Vice Mayor

Gloria Cota  
Councilmember

Elvira Osuna  
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Ms. Merigan stated that the Silent Witness Program is a statewide program that offers rewards for information related to crimes; and, that individuals that call the tip line to report a crime can remain anonymous. The Tips and Leads Unit (Tip) receives 300-500 tips per month; and, there are no cash rewards offered with this program. At the request of Councilmembers, Ms. Merigan outlined the process of how the Tip line processes information.

Councilmembers voiced concern regarding the lack of public safety personnel responsiveness to non-emergency calls for service; communication concerns between the Maricopa County Sheriff's Office and the community; how the TIP program is different from the Silent Witness Program; and, the importance of sharing the tip line information and statistics with the community.

Mr. Gomez introduced representatives from the Maricopa County Sheriff's Office; and, emphasized MCSO's desire to collaborate with the Town of Guadalupe regarding sharing information.

Councilmembers discussed a previous MSCO presentation that outlined how calls for service are prioritized using a tiered system; and, received confirmation that MCSO calls for service are prioritized the same among Maricopa County communities. An MCSO representative stated that MSCO has average response time goals for each tier of calls for service for the Town of Guadalupe. The priority assigned to a call for service depends on the circumstances of each situation.

Councilmembers discussed how community members are concerned that there is a lack of police enforcement in Guadalupe; that drug and homicide incidents are high; that there were problems with the past MCSO administration; that there is a lack of information provided from MCSO, with Town officials and the community; the importance of the community having a voice with how public safety is impacting the community; and, requested that the Tips and Leads Unit pamphlets be placed in public buildings, for community members.

The following meeting attendees spoke:

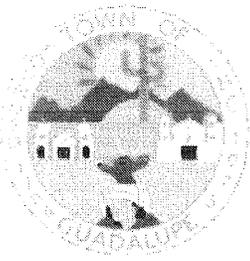
Mary Bravo noted that the MCSO contract is \$1.7 million annually; and, the importance of MCSO and the Town of Guadalupe cooperatively working together.

Linda Garcia discussed an incident concerning the death of her son. Ms. Garcia voiced concern that evidence was left at the scene of the incident; and, that she was not notified by MCSO that her son had been found. She requested assistance in finding out more information about the incident.

Mayor Molina requested that MCSO representatives contact Ms. Garcia to discuss her concerns.

Sarai Tippins stated that she is related to Ms. Garcia's son. Ms. Tippins questioned protocols for MCSO to notify families members when incidents occur; the involvement of drugs should not have a bearing on how incidents are handled; there is a divide between law enforcement and the community; more compassion from MCSO is needed; and, that there should be an investigation of the incident.

Councilmembers noted that there has been no improvement in MCSO calls for service levels over the past 18 months; that MCSO has a lack of compassion for community members; and, that the MCSO monthly report that is provided to Councilmembers be made available to the public.



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Vice Mayor

Gloria Cota  
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Ricardo Vital  
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Juanita Nieto discussed evidence on her phone of the incident scene concerning Ms. Garcia's son; the incident was not handled properly by the MCSO and evidence was not collected; there was no crime scene tape; evidence has now been destroyed; the incident needs to be escalated in the MCSO organization; and, that she is prepared to respond to media inquiries regarding the incident.

Councilmembers emphasized the importance of the community being heard and that follow up is needed.

Jeff Kulaga, Town Manager / Clerk, stated that he will be prepared to provide additional information to the Town Council regarding the data collected by the Tips and Leads Unit; how calls for service are prioritized in the tier system; calls for service response time data over the past eighteen months; MCSO protocols on interactions and notifications to community members; and, that staff will provide the Tips and Leads Unit brochure on the Town website, Facebook page, and in community buildings.

Councilmembers requested that the victim's family provide Mr. Kulaga with their contact information, for follow up.

1. **COX CABLE PRESENTATION:** Julia Young, Cox Communications (Cox) Government and Regulatory Affairs representative provided an update on Cox Cable operations and activities. Ms. Young reviewed various ways that Cox invests in Arizona communities; Cox network transformation investments; Cox products, services, and programs; cable licensing legislation; community initiatives; and partnering opportunities. Ms. Young closed her presentation by offering Cox as a sponsor of the Town's holiday party in December.

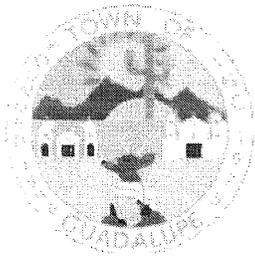
Councilmembers discussed a partnering opportunity for Cox to provide personal computers and internet services at the Boys and Girls Club.

3. **INTERGOVERNMENTAL AGREEMENT FOR SERVICES BETWEEN MARICOPA COUNTY ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT AND THE TOWN OF GUADALUPE (RESOLUTION NO. R2018.18):** Councilmembers adopted **RESOLUTION NO. R2018.18** authorizing the Town of Guadalupe to enter into an Intergovernmental Agreement (IGA) (C2018-25) for services between Maricopa County, administered by its Human Services Department, and the Town of Guadalupe for the Guadalupe Street Repavement Project to repave portions of Calle Maravilla, Calle Sahuaro, Calle Azteca, and Calle Barbarita; and, authorized the Mayor to execute all documents in furtherance of this agreement. The IGA provides \$568,780 of U.S. Department of Housing and Urban Development Community Block Grant funds to the Town of Guadalupe.

Jeff Kulaga, Town Manager / Clerk, stated that the proposed IGA is for repaving portions of four roads in the Town of Guadalupe: Calle Maravilla, Calle Sahuaro, Calle Azteca, and Calle Barbarita. The contract amount is \$568,780 in federal grant funding. The local matching funds for this project totals \$6,400, which will be in the form of the Town waiving project permit fees. If approved, the project design will begin in late August, with construction anticipated to begin in early 2019. Mr. Kulaga then read minor revisions to the IGA into the record (Exhibit A)

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

4. **RESIDENTIAL REFUSE SERVICES POLICY:** Councilmembers reviewed and approved an action plan to seek community input on whether or not to revise weekly residential recycling and trash collection services from one recycling day and one trash day per week pick up schedule, to a two trash days per week pick up schedule.



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Vice Mayor

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Jeff Kulaga, Town Manager / Clerk, reviewed a proposed action plan to gauge community interest in transitioning from one recycling and one trash pick-up service per week to two trash pick-up services per week. Staff is proposing that a community survey be conducted. Should the community and Council wish to eliminate the residential recycling option, the Town could provide a community recycling receptacle for residential use. The current contract with Waste Management for recycling and trash collection services was originally approved in 2002, and is valid through 2020.

In response to questions from Councilmembers, Mr. Kulaga stated that it is yet to be determined if the cost of service will be impacted if a transition in service were to occur. The current recycling contamination rate is 37%, which is an improvement from 46% eighteen months ago. China is no longer accepting recycling materials, which has an impact on recycling activities. If Council wishes to move forward with the action plan, staff will provide an update regarding survey results. The survey will be on the Town website, on Facebook, and provided to senior community members.

Staff was asked to move forward with the action plan, as presented.

**5. GUADALUPE ROAD STORM DRAIN IMPROVEMENT PROJECT UPDATE:** Jeff Kulaga, Town Manager / Clerk, provided an update on the storm drain improvement project. Mr. Kulaga stated that project grant funding has been provided by the Maricopa County Flood Control District. The neighbors in the vicinity of the project have been notified of the project. Project details are on the Town website; and, a press release has been issued. Two traffic lanes will remain open during construction. There will be traffic delays. The project is scheduled for completion on September 28, 2018. Staff will continue to provide updates to the Council on the project status.

No action was taken on this agenda item.

**6. AUGUST 28, 2018 PRIMARY ELECTION LOCATION AND HOURS INFORMATION:** Jeff Kulaga, Town Manager /Clerk, provided the following update regarding the Tuesday, August 28<sup>th</sup>, 2018, Primary Election: Town Hall will serve as an early ballot drop off location. The Mercado multi-purpose room will be utilized as an early voting location on Wednesday, August 22, 2018 through Friday, August 24, 2018. The Mercado will also serve as a polling location on Election Day.

No action was taken on this agenda item.

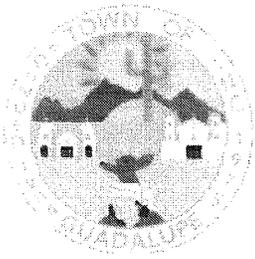
#### H. TOWN MANAGER'S REPORT

Jeff Kulaga, Town Manager /Clerk, provided the following updates:

- Senior Center – monthly burrito sale on Wednesday and Thursday.
- Mercado and Town park storm damage is being addressed.
- The August 23, 2018 Regular Council Meeting agenda packet will be distributed on Monday, August 20, 2018.

#### I. COUNCILMEMBERS' COMMENTS

- Councilmember Osuna  
Thanked staff members for attending the meeting.  
Thanked representatives from the Maricopa County Sheriff's Office for their presentation.
- Councilmember Cota  
Thanked staff members for attending the meeting.



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Vice Mayor

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- Vice Mayor Cota  
Thanked staff members for attending the meeting.  
Thanked representatives from the Maricopa County Sheriff's Office for their presentation.
- Councilmember Sanchez  
Animal Control has increased their presence in the Town.  
There is a water pooling problem at Calle Naranja.  
Concerned about the public safety response time to a call for service regarding an incident where an individual was screaming profanities.
- Councilmember Vital  
Thanked representatives from the Maricopa County Sheriff's Office for their presentation.  
School is in session; be mindful of safety.
- Councilmember Valenzuela  
Thanked staff members for attending the meeting.  
Would like to see Silent Witness signage.
- Mayor Molina  
A community member has voiced their support for the flood project.  
Wednesday, August 15, 2018 – Avenida del Yaqui Improvement Project open house event.  
Thanked Jennifer Drury, Assistant to Town Manager / Clerk, for coordinating the mailing to promote the Avenida del Yaqui open house.  
Thanked Gerardo Moreno – Public Works Director, for his work.  
Thanked representatives from the Maricopa County Sheriff's Office for their presentation.

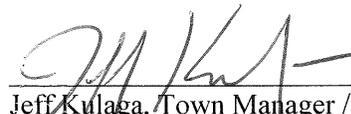
J. ADJOURNMENT

**Motion by Councilmember Sanchez to adjourn; second by Councilmember Cota.  
Motion passed unanimously 7-0.**

The meeting was adjourned at 7:47 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 Regular Town Council Meeting of the Town Council of Guadalupe, Arizona held on the 9<sup>th</sup> day of August, 2018. I further certify the meeting was duly called and held and that a quorum was present.

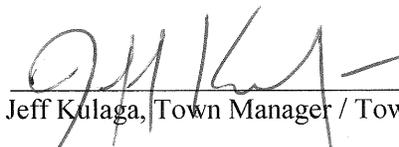
  
\_\_\_\_\_  
Jeff Kulaga, Town Manager / Town Clerk

Exhibit A  
 Regular Council Meeting  
 August 9, 2018

**REVISIONS:** Agenda item 3. The following revisions have been made to the IGA with Maricopa County for repaving services:

Page	Item revised
1	<p>Contract Start Date: <del>July 1, 2018</del> AUGUST 29, 2018</p> <p>Last paragraph: This Agreement contains all the terms and conditions agreed to by the Parties. No other understanding, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any Party hereto. Nothing in this Agreement shall be construed as consent to any lawsuit or waiver of any defense in a lawsuit brought against the State of Arizona, County, or the Subrecipient in any <del>State state</del> or federal court OF APPROPRIATE JURISDICTION.</p>
5	<p><b>B. TERM</b>        Upon approval by the Parties, the Agreement shall commence and terminate on the dates listed on the <del>cover page</del> PAGE ONE of this Agreement. The Agreement shall become effective upon approval and signature by the Parties.</p> <p><b>E. TERMINATION</b>        Either Party may terminate this Agreement at any time by giving the other Party at least sixty (60) calendar days prior notice in writing (unless terminated by the Board of Supervisors under the Availability of Funds provision). The notice shall be given <del>by personal delivery or by registered or certified mail, postage prepaid and returned receipt requested to the persons at the addresses</del> IN ACCORDANCE WITH THE NOTICE PROVISIONS set forth on page one of this Agreement.</p>
8	<p><b>N. DEFAULT AND REMEDIES FOR NONCOMPLIANCE</b>        3b. <del>MATERIAL</del> Non-compliance with any applicable federal, state, or local laws, rules or regulations, including HUD guidelines, policies, or directives.</p>
19	<p><b>WW. CERTIFICATION REGARDING DEBARMENT, SUSPENSION INELIGIBILITY AND VOLUNTARY EXCLUSION</b></p> <p>8. Should the Subrecipient not be able to provide this Certification, an explanation as to why shall be immediately provided to the Department, Attention: Project Coordination at the address set forth on the <del>cover page</del> PAGE ONE of this Agreement.</p>

21	<p><b>B. COMPLIANCE WITH LAWS, RULES &amp; REGULATIONS</b></p> <p>This Agreement and the Parties hereto, are subject to all applicable federal, state, or local laws, rules, and regulations. The Subrecipient shall ensure compliance, and the Subrecipient shall comply with all applicable laws, rules and regulations, without limitation to those designated within this Agreement. <del>Refer to the Default and Remedies for Noncompliance provided in the General Provisions.</del></p>
26	<p><b>K. ADDITIONAL CERTIFICATIONS AND WARRANTIES</b></p> <p>1. Subrecipient agrees that it undertakes hereby the same obligations as the County has undertaken to HUD pursuant to said Annual Action Plan and <del>Assurances</del> CERTIFICATIONS, with respect to this Agreement. Subrecipient shall hold County harmless and indemnify it against any damage or other liability which <del>Subrecipient</del> COUNTY may incur with respect to HUD as a result of any failure on the part of Subrecipient to comply with the requirements of any such obligation. The obligations undertaken by Subrecipient are further clarified in the Certifications, Specific CDBG Certifications, and Appendix to Certifications included as Attachment A to this Agreement. These certifications include but are not limited to:</p>