



LEGAL ACTION SUMMARY

NOTICE OF REGULAR MEETING OF THE TOWN OF GUADALUPE COUNCIL

NOVEMBER 8, 2018

Valerie Molina
Mayor

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Town of Guadalupe Council and to the general public that the Town of Guadalupe Council will hold a meeting, open to the public, on Thursday, November, 8, 2018, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Guadalupe, Arizona, in the Council Chambers.

Anita Cota
Vice Mayor

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. INVOCATION/PLEDGE OF ALLEGIANCE

D. APPROVAL OF MINUTES:

1. Approval of the minutes of the Town Council Regular Meeting held on October 22, 2018.

APPROVED

2. Approval of the minutes of the Town Council Work Study Session held on October 22, 2018.

APPROVED

E. CALL TO THE PUBLIC. An opportunity is provided to the public to address the Council on items that are not on the agenda or included on the consent agenda. A total of 3 minutes will be provided for the Call to the Audience agenda item, unless the Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

F. MAYOR and COUNCIL PRESENTATIONS: None.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. **TOWN COUNCIL SWEARING:** Presiding Judge, Fidelis Garcia, will swear in the newly elected Mayor and Councilmembers.

MAYOR VALERIE MOLINA AND COUNCILMEMBERS MARY BRAVO AND GLORIA COTA WERE SWORN INTO OFFICE

2. **VICE MAYOR SELECTION:** At the request of Mayor Molina, agenda item 2G was rescheduled for the December 13, 2018, Regular Council Meeting.

**ITEM RESCHEDULED TO THE DECEMBER 13, 2018
REGULAR COUNCIL MEETING.**

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

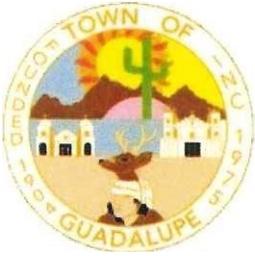
Joe Sanchez
Councilmember

Faustino Valenzuela
Councilmember

Ricardo Vital
Councilmember

Online agendas and
results available at
www.guadalupeaz.org

Town Council Chambers
9241 S. Avenida del Yaqui
Guadalupe, AZ 85283
Phone: (480) 730-3080
Fax: (480)-505-5368



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3. **EXECUTIVE SESSION:** The Guadalupe Town Council may vote to go into an Executive Session, which is closed to the public, as allowed by A.R.S. §38-431.03(A)3, to obtain legal advice from the Town Attorney concerning the legal requirements to grant, deny, or grant with modifications, requests for variances of the Guadalupe Town Code.

NO ACTION WAS TAKEN ON AGENDA ITEM G3

4. **PUBLIC HEARING:** Request for a variance by the applicant Nature Med Inc. (d/b/a Harvest) located at 1821 W. Baseline Road, Suite 101 for a variance to the Town Zoning Code as it relates to the hours of operation for its' marijuana dispensary as set forth by Town of Guadalupe Zoning Ordinance, Article 2, Part III, Section 1, Subsection C, Paragraph 5, limiting the hours of operation to not earlier than 8:00 AM and not later than 6:00 PM. The applicant is seeking the following:
 - 1: an extension of the current variance approved by Town Council on December 14, 2017, to allow hours of operation open to the public from 8:00 AM to 9:00 PM , seven days a week, for a medical marijuana dispensary in the C-2 zoning district; and,
 - 2: approval of a new variance to allow hours of operation open to the public from 8:00 AM to 10:00 PM, seven days a week, for a medical marijuana dispensary in the C-2 zoning district.

The purpose of the public hearing is to allow the Town Council to receive input from the public concerning the variance extension request to extend business hours of operation.

HELD A PUBLIC HEARING

5. **VARIANCE REQUEST:** Council will consider and may take action to approve, deny, or approve with modifications of said variance request of an extension of the current variance approved by Town Council on December 14, 2017 of the Town Zoning Code, Article 2, Part III, Section 1, Subsection C, Paragraph 5, for Nature Med Inc. (d/b/a Harvest) located at 1821 W. Baseline Road, Suite 101 to allow hours of operation open to the public from 8:00 AM to 9:00 PM , seven days a week, for a medical marijuana dispensary in the C-2 zoning district outside the existing Town ordinance for a period of two years from Council approval.

APPROVED THE VARIANCE REQUEST TO REMAIN

OPEN FROM 8:00 AM TO 9:00 PM

6. **VARIANCE REQUEST:** Council will consider and may take action to approve, deny or approve with modifications of said variance request of the Town Zoning Code, Article 2, Part III, Section 1, Subsection C, Paragraph 5, for Nature Med Inc. (d/b/a Harvest) located at 1821 W. Baseline Road, Suite 101 to allow hours of operation open to the public from 8:00 AM to 10:00 PM , seven days a week, for a medical marijuana dispensary in the C-2 zoning district outside the existing Town ordinance for a period of two years from Council approval.

APPROVED THE VARIANCE REQUEST TO REMAIN

OPEN FROM 8:00 AM TO 10:00 PM



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- LICENSE AGREEMENT:** Council will consider and may approve authorizing the Mayor to sign a Wired Telecommunications License Agreement (Agreement) with MCImetro Access Transmission Services Corporation (d/b/a Verizon Access Transmission Services), effective upon Council approval. Approval of this Agreement will allow Verizon to construct, install, operate, maintain, and repair telecommunication equipment in Town right-of-way. In exchange for use of Town right-of-way, Verizon agrees to pay the Town of Guadalupe a \$2,500 application fee, associated maintenance fees and fees related to dark fiber usage.

APPROVED AS AMENDED

- FISCAL YEAR 2017/18 GENERAL FUND BUDGET ADJUSTMENT (RESOLUTION NO. R2018.22):** Council will consider and may take action to adopt Resolution No. R2018.22 authorizing the transfer from the fiscal year (FY) 2017/2018 General Fund consisting of \$7,000 to the FY 2017/18 Town Attorney, \$14,000 to the FY 2017/18 Building Safety fund, \$7,000 to the FY 2017/18 Building Maintenance fund, and \$10,000 to the FY 2017/18 Fire Department.

ADOPTED

- FISCAL YEAR 2018/19 QUARTERLY FINANCIAL REPORT:** Staff will present a first quarter, fiscal year (FY) 2018/19 (July 2018 – September 2018) financial report that includes Town fund and cash balances, expenditures, and a comparison of FY2018/19 to FY 2017/18 first quarter.

PRESENTATION ONLY

- COUNCIL MEETING SCHEDULE:** Council will review and may modify and /or approve the Town Council meeting schedule for calendar year 2019 and provide direction to the Town Manager.

**ITEM SCHEDULED FOR THE DECEMBER 13, 2018
REGULAR COUNCIL MEETING**

H. TOWN MANAGER'S REPORT

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT

Note: The public is invited to attend a reception for the newly elected and outgoing Mayor and Councilmembers. This event will be held immediately following the Town Council Regular Meeting in the Town Hall Museum Room, 9241 South Avenida del Yaqui, Guadalupe, AZ.