



MARANA TOWN COUNCIL
REGULAR COUNCIL MEETING
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
April 7, 2020, at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
David Bowen, Council Member
Patti Comerford, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

Due to the impacts of the COVID-19 pandemic, which has prompted declarations of a public health emergency at both the state and federal levels, this meeting will be conducted using measures to protect public health. This meeting will be held remotely through technological means, as permitted under Arizona law. Members of the public may listen or view the Council Meeting in session by following the link <http://maranaaz.swagit.com/live>. One or more of the members of the Mayor and Council may attend this meeting remotely, through technological means.

Members of the public MAY NOT ATTEND THE MEETING IN PERSON because the Mayor has temporarily closed all Town buildings to use and occupancy by the public by emergency proclamation. Members of the public may instead attend and listen to the meeting remotely by viewing the meeting via <http://maranaaz.swagit.com/live>.

This meeting will not include any items that will involve time set aside for public comments and there will be no call to the public. For those persons wishing to provide a public comment, the Town of Marana encourages individuals to submit a public comment statement to the Town Clerk's Office by emailing clawson@maranaAZ.gov or the Town Manager's Office at TownManager@MaranaAZ.gov. Any submitted comments from the public will be provided to the Council and included within the council packet file and a summary of the comments submitted will be reflected in the official council meeting minutes of that meeting. All emailed comments must be received by the Town by 12:00 p.m. (noon) on the day of the meeting to be included.

PLEASE BE AWARE THAT THESE MEASURES ARE IN PLACE TO LIMIT THE NEED FOR MEMBERS OF THE PUBLIC TO PARTICIPATE IN A LARGE PUBLIC GATHERING, WHILE ENSURING THAT THE DISCUSSIONS, DELIBERATIONS AND ACTIONS OF THE MAYOR AND COUNCIL ARE TRANSPARENT AND CONDUCTED OPENLY.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Town Council and to the general public that the Town Council will hold a meeting open to the public via <http://maranaaz.swagit.com/live> on April 7, 2020, at or after 6:00 PM.

ACTION MAY BE TAKEN BY THE COUNCIL ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in italics.

As a courtesy to others, please turn off or put in silent mode all electronic devices.

Meeting Times

Welcome to this Marana Town Council meeting. Regular Council meetings are usually held the first and third Tuesday of each month at 6:00 PM at the Marana Municipal Complex, although the date or time may change and additional meetings may be called at other times and/or places. Contact the Town Clerk or watch for posted agendas for other meetings. This agenda may be revised up to 24 hours prior to the meeting. In such a case a new agenda will be posted in place of this agenda.

Accessibility

To better serve the citizens of Marana and others attending our meetings, the Council Chambers are wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk at (520) 382-1999. Requests should be made as early as possible to arrange the accommodation.

Agendas

Copies of the agenda are available the day of the meeting online at www.maranaaz.gov under Agendas and Minutes. For questions about the Council meetings, special services or procedures, please contact the Town Clerk, at (520) 382-1999, Monday through Friday from 8:00 AM to 5:00 PM.

This Notice and Agenda Posted no later than 24 hours prior to the meeting, at the Marana Municipal Complex, 11555 W. Civic Center Drive, the Marana Operations Center, 5100 W. Ina Road, and at www.maranaaz.gov under Agendas and Minutes.

REGULAR COUNCIL MEETING

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE

APPROVAL OF AGENDA

PROCLAMATIONS

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

PRESENTATIONS

CONSENT AGENDA

The Consent Agenda contains items requiring action by the Council which are generally routine items not requiring Council discussion. A single motion and affirmative vote will approve all items on the Consent Agenda, including any resolutions or ordinances. Prior to a motion to approve the Consent Agenda, any Council member may remove any item from the Consent Agenda and that item will be discussed and voted upon separately.

- C1 Resolution No. 2020-031: Relating to Development; approving a Final Plat for Boulder Bridge Pass IV at Dove Mountain, Lots 73-78, and Common Area "B" (Open Space/Drainage) located approximately one-half mile north of Dove Mountain Boulevard and west of Boulder Bridge Pass (Brian D. Varney)
- C2 Approval of the March 17, 2020 Regular Council Meeting Minutes, the March 13, 2020 Special Council Meeting Minutes, and the March 3, 2020 Regular Council Meeting Minutes (Cherry L. Lawson)

LIQUOR LICENSES

- L1 Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for a new series #010 Beer and Wine Store liquor license submitted by Perry Charles Huellmantel on behalf of QuikTrip #1469, located at 5050 W. Ina Road Marana, AZ 85743 (Cherry L. Lawson)
- L2 Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for a new series #010 Beer and Wine Store liquor license submitted by Kim Kenneth Kwiatkowski on behalf of Circle K Store #9539, located at 11403 W. Tangerine Road Marana, AZ 85653 (Cherry L. Lawson)

BOARDS, COMMISSIONS AND COMMITTEES

COUNCIL ACTION

ITEMS FOR DISCUSSION / POSSIBLE ACTION

- D1 Relating to Development and Public Works; update, discussion, and possible direction regarding public and private projects and development applications on the Town's [Marana Current and Proposed Projects](#) internet site (Jason Angell)
- D2 Relating to Legislation and Government Actions; discussion and possible action regarding all pending state, federal, and local legislation/government actions and on recent and upcoming meetings of the other governmental bodies (Jamsheed Mehta)

EXECUTIVE SESSIONS

Pursuant to A.R.S. § 38-431.03, the Town Council may vote to go into executive session, which will not be open to the public, to discuss certain matters.

- E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

FUTURE AGENDA ITEMS

Notwithstanding the Mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

ADJOURNMENT



Council-Regular Meeting

C1

Meeting Date: 04/07/2020

To: Mayor and Council

From: Brian Varney, Senior Planner

Date: April 7, 2020

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2020-031: Relating to Development; approving a Final Plat for Boulder Bridge Pass IV at Dove Mountain, Lots 73-78, and Common Area "B" (Open Space/Drainage) located approximately one-half mile north of Dove Mountain Boulevard and west of Boulder Bridge Pass (Brian D. Varney)

Discussion:

Request

Baker & Associates Engineering, Inc., representing the property owner, is requesting approval of a final plat for Boulder Bridge Pass IV at Dove Mountain, consisting of Lots 73-78 and Common Area "B" (Open Space / Drainage). The six acre subdivision consists of six residential lots and 0.1 acres (6,056 S.F.) of open space/drainage. This plat is a resubdivision of Block "A" of Boulder Bridge Pass III at Dove Mountain, Lots 1-72, Block "A", and Common Areas "A" and "B", a portion of the Dove Mountain Resort, and a portion of Section 16, Township 11S, Range 12E.

Zoning and Land Use

The zoning of the proposed subdivision is F - Dove Mountain Specific Plan and the land use designation is Low Density Residential (LDR). The LDR designation requires a minimum lot size of 6,000 square feet. The minimum lot size proposed by this plat is 31,838 square feet, the maximum is 50,816 square feet, and the average lot size is 43,275 square feet. The gross density proposed is 1.0 residences per acre.

Access and Traffic Circulation

The subdivision is accessed from Boulder Bridge Pass via Dove Mountain Boulevard. There are no new streets proposed within this subdivision. Streets providing direct access to the subdivision are private and maintained by the homeowner's

association.

Staff Recommendation:

Staff has reviewed the proposed plat against the requirements of the Dove Mountain Specific Plan, the Marana Land Development Code and the Marana General Plan. The proposed plat is in substantial conformance with all required development regulations, and staff recommends approval.

Suggested Motion:

I move to adopt Resolution No. 2020-031, approving the Final Plat for Boulder Bridge Pass IV at Dove Mountain, Lots 73-78 and Common Area "B" (Open Space/Drainage).

Attachments

Resolution No. 2020-031
PRV1911-002_BBPIV_FP
PRV1911-002 BBPIV Map
PRV1911-002 BBPIV App

MARANA RESOLUTION NO. 2020-031

RELATING TO DEVELOPMENT; APPROVING A FINAL PLAT FOR BOULDER BRIDGE PASS IV AT DOVE MOUNTAIN, LOTS 73-78 AND COMMON AREA "B" (OPEN SPACE/DRAINAGE) LOCATED APPROXIMATELY ONE-HALF MILE NORTH OF DOVE MOUNTAIN BOULEVARD AND WEST OF BOULDER BRIDGE PASS

WHEREAS the final plat for Dove Mountain Resort was approved by the Town Council on June 19, 2007 by the adoption of Resolution No. 2007-112; and

WHEREAS the Final Plat for Boulder Bridge Pass III at Dove Mountain, Lots 1-99, Blocks "1" and "2", and Common Areas "A" and "B" was approved by the Town Council on October 21, 2014 by the adoption of Resolution No. 2014-100; and

WHEREAS the Amended Final Plat for Boulder Bridge Pass III at Dove Mountain, Lots 1-72, Block "A", and Common Areas "A" and "B" was approved by the Town Council on March 3, 2020 by the adoption of Resolution No. 2020-021; and

WHEREAS Baker & Associates Engineering, Inc., representing the property owner, has applied for approval of the Final Plat for Boulder Bridge Pass IV at Dove Mountain, Lots 73-78 and Common Area "B" (Open Space/Drainage), located approximately one-half mile north of Dove Mountain Boulevard and west of Boulder Bridge Pass within Section 16, Township 11 South, Range 12 East; and

WHEREAS the Mayor and Town Council, at its April 7, 2020 meeting, determined that the Final Plat for Boulder Bridge Pass IV at Dove Mountain should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA that the Final Plat for Boulder Bridge Pass IV at Dove Mountain, Lots 73-78 and Common Area "B" (Open Space/Drainage) is hereby approved.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 7th day of April, 2020.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

Cherry L. Lawson, Town Clerk

Frank Cassidy, Town Attorney

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE, AS OF THE DATE THIS PLAT IS RECORDED, ALL AND THE ONLY PARTIES HAVING ANY TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT, AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON. UTILITY AND OTHER EASEMENTS AS SHOWN HEREON ARE GRANTED TO THE TOWN OF MARANA, PIMA COUNTY AND ALL UTILITY COMPANIES FOR THE PURPOSE OF ACCESS TO, INSTALLATION, AND MAINTENANCE OF UTILITIES AND OTHER USES AS DEFINED BY THIS PLAT.

COMMON AREA "B" AS SHOWN HEREON IS RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND IS GRANTED AS AN EASEMENT TO THE TOWN OF MARANA, PIMA COUNTY AND ALL UTILITY COMPANIES FOR THE PURPOSE OF ACCESS TO, INSTALLATION AND MAINTENANCE OF SLOPE AND DRAINAGE IMPROVEMENTS, UTILITIES AND PRIVATE SEWERS. TITLE TO THE LAND OF COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN DOCKET 10660, PAGE 1083, PIMA COUNTY RECORDS, AS MODIFIED BY THE SUPPLEMENTARY DECLARATION RECORDED AT SEQUENCE NUMBER 20143000308, PIMA PIMA COUNTY RECORDS, THE TRACT DECLARATION RECORDED AT SEQUENCE NUMBER 20143000309, PIMA COUNTY RECORDS, THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AT SEQUENCE NUMBER 20200660155, PIMA COUNTY RECORDS AND THE FIRST AMENDMENT TO TRACT DECLARATION RECORDED AT SEQUENCE NUMBER 20200660156, PIMA COUNTY RECORDS. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY FOR COMMON AREA "B" WITHIN THIS SUBDIVISION, AS SHOWN HEREON.

WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY HOLD HARMLESS THE TOWN OF MARANA, THEIR EMPLOYEES, OFFICERS, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF MARANA.

LANDMARK TITLE ASSURANCE AGENCY OF ARIZONA, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS TRUSTEE UNDER TRUST NOS. 18355-T, AND NOT IN ITS CORPORATE CAPACITY.

TRUST OFFICER

BENEFICIARY OF LANDMARK TITLE TRUST NO. 18355-T

TRUST #18355-T BENEFICIARY: DOVE MOUNTAIN INVESTORS, L.L.C.

ADDRESS: C/O COTTONWOOD PROPERTIES, INC.
3567 E. SUNRISE DRIVE, SUITE #219, TUCSON, ARIZONA 85718

ACKNOWLEDGMENT

STATE OF ARIZONA } S.S.
COUNTY OF PIMA

ON THIS, THE _____ DAY OF _____, 20____, BEFORE ME, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE THE TRUST OFFICIAL OF LANDMARK TITLE ASSURANCE AGENCY OF ARIZONA, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS TRUSTEE UNDER TRUST NO. 18355-T AND NOT IN ITS CORPORATE CAPACITY, AND ACKNOWLEDGED THAT HE/SHE, AS THE TRUST OFFICIAL, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE(S) THEREIN CONTAINED.

IN WITNESS WHEREOF: I HEREBY SET MY NAME AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ASSURANCES

ASSURANCES IN THE FORM OF A THIRD PARTY TRUST AGREEMENT FROM LANDMARK TITLE ASSURANCE AGENCY OF ARIZONA, L.L.C., TRUST NO. 18355-T, AS RECORDED IN SEQUENCE NO. 20200660154, HAVE BEEN PROVIDED TO GUARANTEE INSTALLATION OF REQUIRED STREET, SEWER, ELECTRIC, GAS, AND WATER UTILITIES, DRAINAGE, FLOOD CONTROL, AND OTHER SUBDIVISION IMPROVEMENTS MEETING ESTABLISHED MINIMUM STANDARDS OF DESIGN AND CONTRUCTION. THE AREA ON THIS PLAT IS REFERRED TO AS BLOCK A ON THE BOULDER BRIDGE PASS III AMENDED PLAT AND IN THE ASSURANCE AGREEMENT.

BY: _____ DATE: _____
TOWN OF MARANA

ASSURED WATER SUPPLY

THE UNDERSIGNED CERTIFIES THAT IT IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY, AND WILL PROVIDE WATER SERVICE TO THIS SUBDIVISION.

BY: _____ DATE: _____
ITS: CITY OF TUCSON WATER DEPARTMENT

GENERAL NOTES

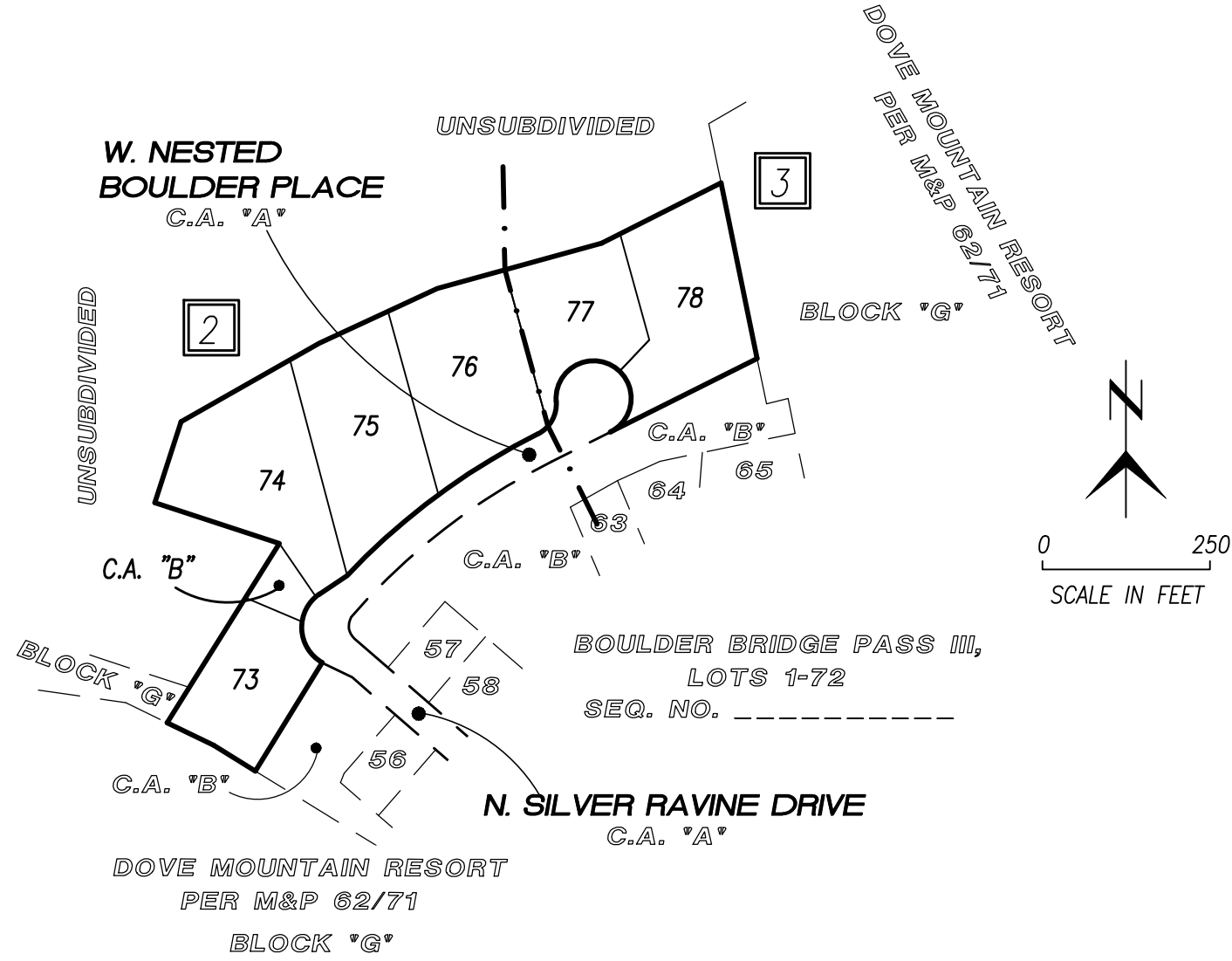
1. THE GROSS AREA OF THIS SUBDIVISION IS 6.0 ACRES (265,701 S.F.).
2. THE TOTAL NUMBER OF LOTS IS 6.
3. THE TOTAL AREA OF COMMON AREA "B" (OPEN SPACE/DRAINAGE) IS 0.1 ACRES (6056 S.F.)
4. TOTAL MILES OF NEW PRIVATE STREETS IS 0.0.
5. MINIMUM ALLOWABLE LOT SIZE: 6,000 SF REQUIRED (PER THE DOVE MOUNTAIN SPECIFIC PLAN)
AVERAGE LOT SIZE: 43,275 SF PROVIDED
MINIMUM PROVIDED LOT SIZE 31,838 SF (LOT 73) – NOT A RESTRICTION
MAXIMUM PROVIDED LOT SIZE 50,816 SF (LOT 74) – NOT A RESTRICTION
MAXIMUM ALLOWABLE BUILDING HEIGHT IS 35' FOR "LDR"
7. BUILDING SETBACKS PER THE DOVE MOUNTAIN SPECIFIC PLAN ARE AS FOLLOWS:
FRONT: 20 FEET REAR: 15 FEET
SIDE: 5 FEET CORNER: 20 FEET
8. THIS SUBDIVISION SHALL COMPLY WITH THE CONDITIONS SET FORTH IN THE DOVE MOUNTAIN SPECIFIC PLAN APPROVED MARCH 25, 2000 PER ORDINANCE 2000.04 AND SUBSEQUENT AMENDMENTS TO DATE.
9. PROJECT AREA IS ZONED F – DOVE MOUNTAIN SPECIFIC PLAN.
10. THE EXISTING LAND USE DESIGNATION IS "LDR," IN ACCORDANCE WITH THE DOVE MOUNTAIN SPECIFIC PLAN ZONING AND WILL REMAIN (AS GOVERNED BY THE SPECIFIC PLAN AS ADOPTED AND AMENDED).
11. THE GROSS DENSITY FOR THIS PROJECT IS 1.0 RAC.
12. NO FURTHER LOT SPLITTING OR SUBDIVIDING SHALL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF MARANA
13. APPROVAL OF THIS PLAT DOES NOT AFFIRM, CERTIFY OR APPROVE ANY LAND DIVISION THAT MAY BE CONTRARY TO STATE LAW, NOR DOES IT CERTIFY THE EXISTENCE OF, OR COMPLIANCE WITH, ANY DEED RESTRICTIONS OR EASEMENTS.
14. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND PRIVATE DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
15. THE AREA BETWEEN 100-YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100-YEAR FREQUENCY FLOOD, AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES THAT ARE COMPATIBLE WITH THE FLOOD PLAIN MANAGEMENT AS APPROVED BY THE FLOOD PLAIN ADMINISTRATOR.
16. ALL NEW AND EXISTING UTILITIES EXCEPT ELECTRICAL TRANSMISSION LINES CARRYING 48 KV OR GREATER, AND THOSE LINES WHICH CAN BE SHOWN TO EXIST IN CURRENT OR FUTURE ELECTRICAL TRANSMISSION CORRIDORS, WITHIN OR CONTIGUOUS TO THE SITE, SHALL BE PLACED UNDERGROUND.
17. THERE WILL BE TWO PARKING SPACES PROVIDED FOR EACH LOT ON SITE, OFF-STREET.
18. THIS SUBDIVISION IS SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR DOVE MOUNTAIN AS RECORDED IN DOCKET 10660 AT PAGE 1083 AS AMENDED BY SUPPLEMENTARY DECLARATION RECORDED IN SEQUENCE NUMBER 20143000308.
19. THIS SUBDIVISION IS SUBJECT TO THE TRACT DECLARATION AS RECORDED IN SEQUENCE NUMBER 20143000309.
20. BASIS OF BEARING FOR THIS PROJECT IS THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 16, T-11-S, R-12-E, SAID BEARING BEING S00°10'26"W. SEE DETAIL, SHEET #2.
21. LOTS 73 THROUGH 78 WILL BE EQUIPPED WITH AUTOMATIC FIRE SPRINKLERS.
22. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TUCSON SERVICE AREA, WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY UNDER A.R.S. 45-576.

RECORDING DATA

STATE OF ARIZONA } S.S. FEE _____
COUNTY OF PIMA SEQUENCE NO. _____

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF BAKER AND ASSOCIATES ENGINEERING, INC., ON THIS ____ DAY OF _____, 20____, AT _____ M. IN SEQUENCE NO. _____ THEREOF.

F. ANN RODRIGUEZ DATE
PIMA COUNTY RECORDER BY DEPUTY



COMPOSITE DETAIL

CERTIFICATIONS

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY AS SHOWN ON THIS PLAT WAS PERFORMED UNDER MY DIRECTION AND THAT ALL EXISTING OR PROPOSED SURVEY MONUMENTS AND MARKERS SHOWN ARE CORRECTLY DESCRIBED.

CHRIS E. MORRISON
OPW SURVEYING, LLC
REGISTERED LAND SURVEYOR NO. 26928
STATE OF ARIZONA

I HEREBY CERTIFY THAT THE INTERIOR SUBDIVISION GEOMETRY FOR THIS PLAT WAS REVIEWED AND SHOWN UNDER MY SUPERVISION.

WILLIAM H. BAKER, JR.
BAKER & ASSOCIATES ENGINEERING, INC.
REGISTERED LAND SURVEYOR NO. 16784
STATE OF ARIZONA

I HEREBY CERTIFY THAT THE FLOODPRONE LIMITS AND EROSION HAZARD SETBACKS WERE REVIEWED AND SHOWN UNDER MY SUPERVISION.

LARRY K. ROBERTS
ARROYO ENGINEERING, L.L.C.
REGISTERED ENGINEER NO. 25331
STATE OF ARIZONA

TOWN OF MARANA APPROVALS

BY: _____ P.E. _____
MARANA TOWN/DEVELOPMENT ENGINEER DATE

BY: _____
MARANA DEVELOPMENT SERVICES DIRECTOR DATE

PIMA COUNTY APPROVAL

BY: _____
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT DATE

CERTIFICATION

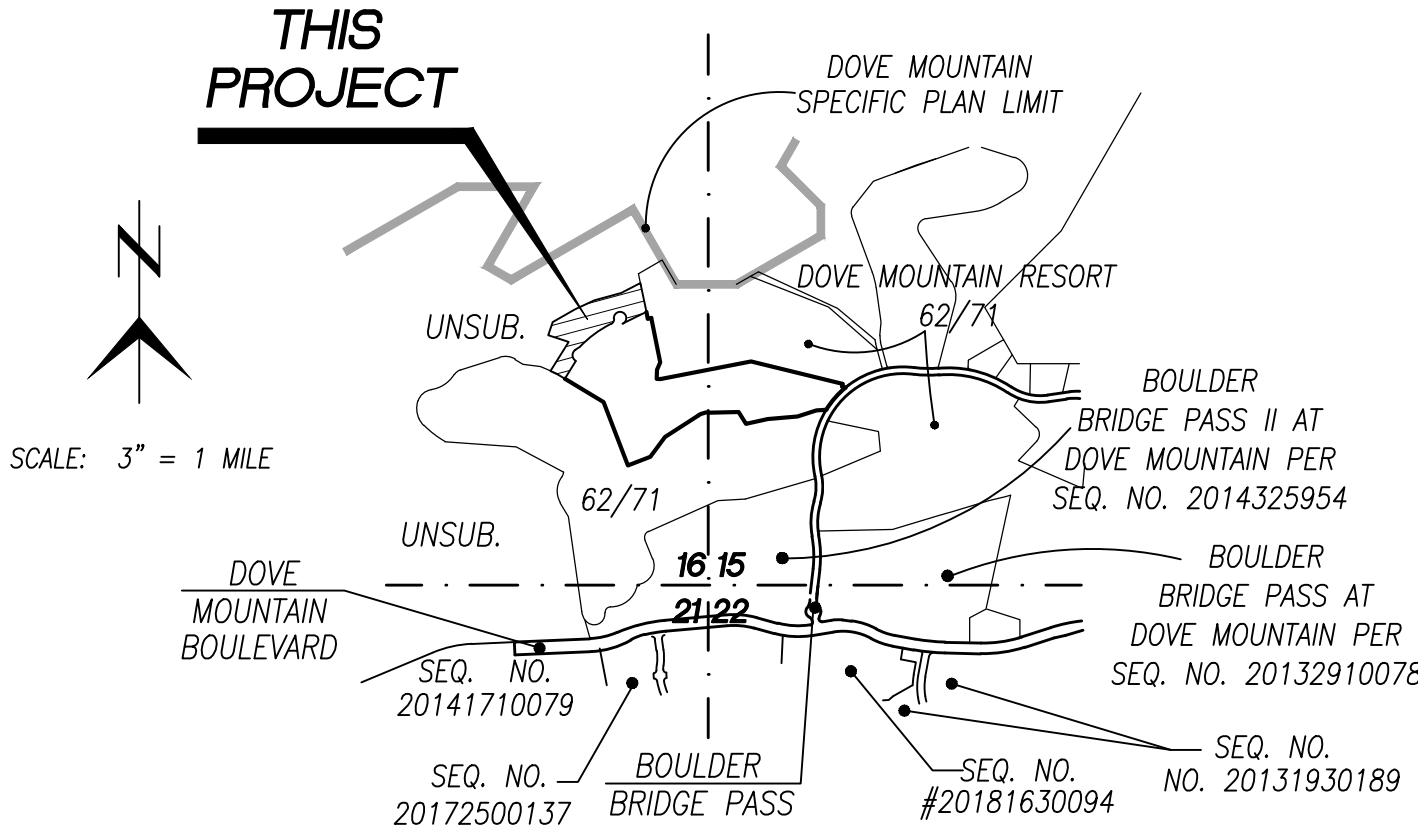
I, _____, CLERK OF THE TOWN OF MARANA, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF MARANA ON THE ____ DAY OF _____, 20____.

BY: _____
CLERK OF THE TOWN OF MARANA DATE

ADMINISTRATIVE ADDRESS

6832 W. BOULDER BRIDGE PASS, MARANA, ARIZONA 85658

FOR INTERIOR LINEWORK ONLY



LOCATION PLAN

PORTIONS OF SECTION 16, T11S, R12E,
G&SRB&M, TOWN OF MARANA, PIMA COUNTY, ARIZONA

LEGEND

- ▲ SURVEY MONUMENT TO BE SET BY REGISTERED LAND SURVEYOR PER TOWN OF MARANA STANDARD DETAIL M-103B
- PROPERTY CORNER (5/8" REBAR TAGGED "RLS 26928")
- └─┬─┘ SURVEY MONUMENT TO BE SET BY A REGISTERED LAND SURVEYOR AT NEW LOT CORNERS
- _____ SUBDIVISION BOUNDARY
- C23 CURVE DATA (SEE SHEET #3)
- L10 LINE DATA (SEE SHEET #3)
- ★ ADDRESSING/ACCESS LOCATION
- — — — — EXISTING RIGHT-OF-WAY LINE
- — — — — STREET CENTERLINE
- — — — — EASEMENT LINE AS SHOWN (SEE ALSO "EASEMENT KEYNOTES," SHEETS #2-#3)
- — — — — DEVELOPED 100 YEAR FLOODPRONE LINE ("F.P.L.")
- — — — — EROSION SETBACK LINE ("E.S.L.")

FINAL PLAT for
BOULDER BRIDGE PASS IV AT DOVE MOUNTAIN, LOTS 73 - 78
AND COMMON AREA "B" (OPEN SPACE/DRAINAGE)

BEING A RESUBDIVISION OF BLOCK "A" OF BOULDER BRIDGE PASS III AT DOVE MOUNTAIN, LOTS 1-72, BLOCK "A" AND COMMON AREAS "A" AND "B," AS RECORDED IN SEQ. #20200660137, LOCATED IN SECTION 16, T11S, R12E, G&SRBM, TOWN OF MARANA, PIMA COUNTY, ARIZONA

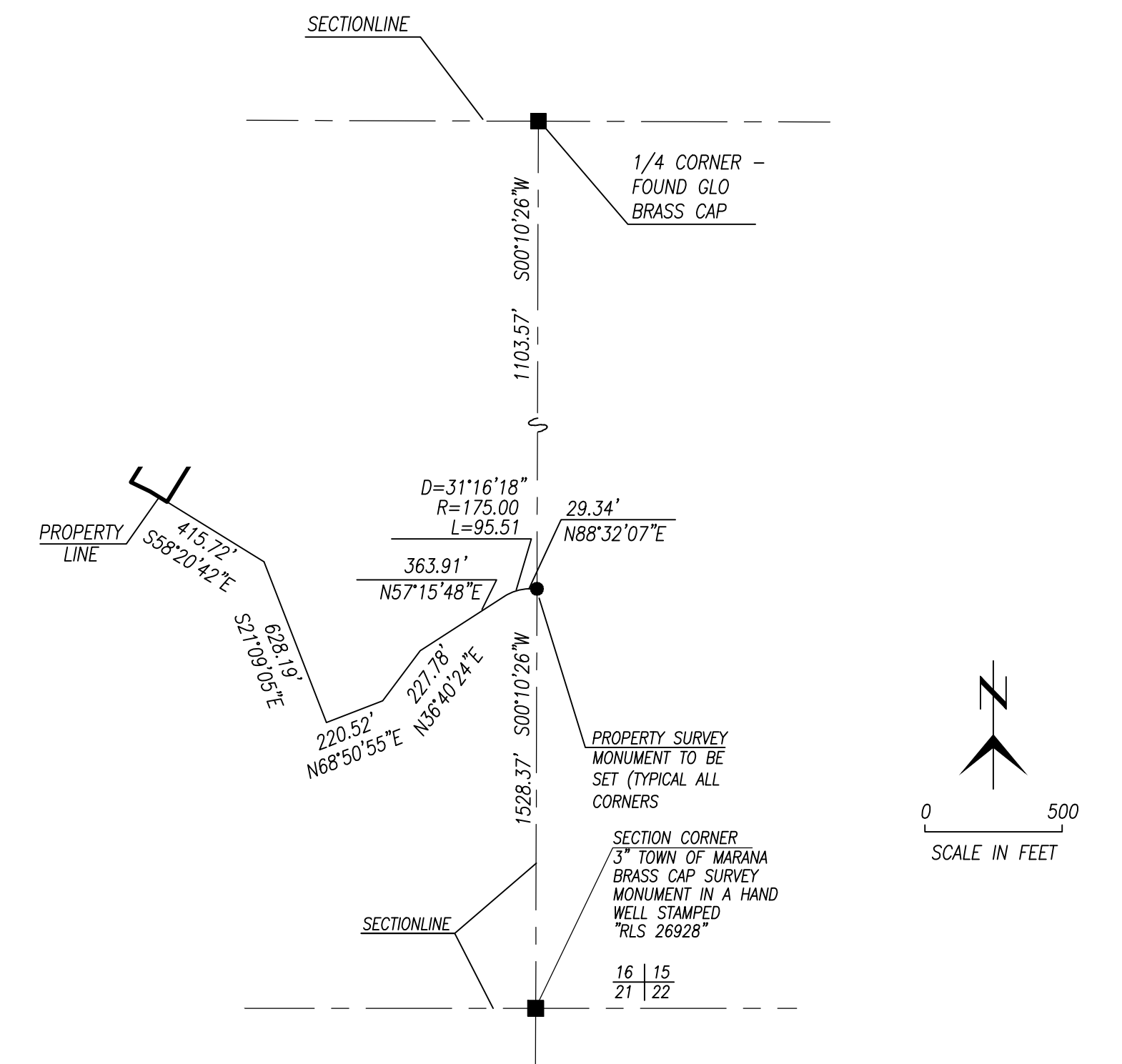
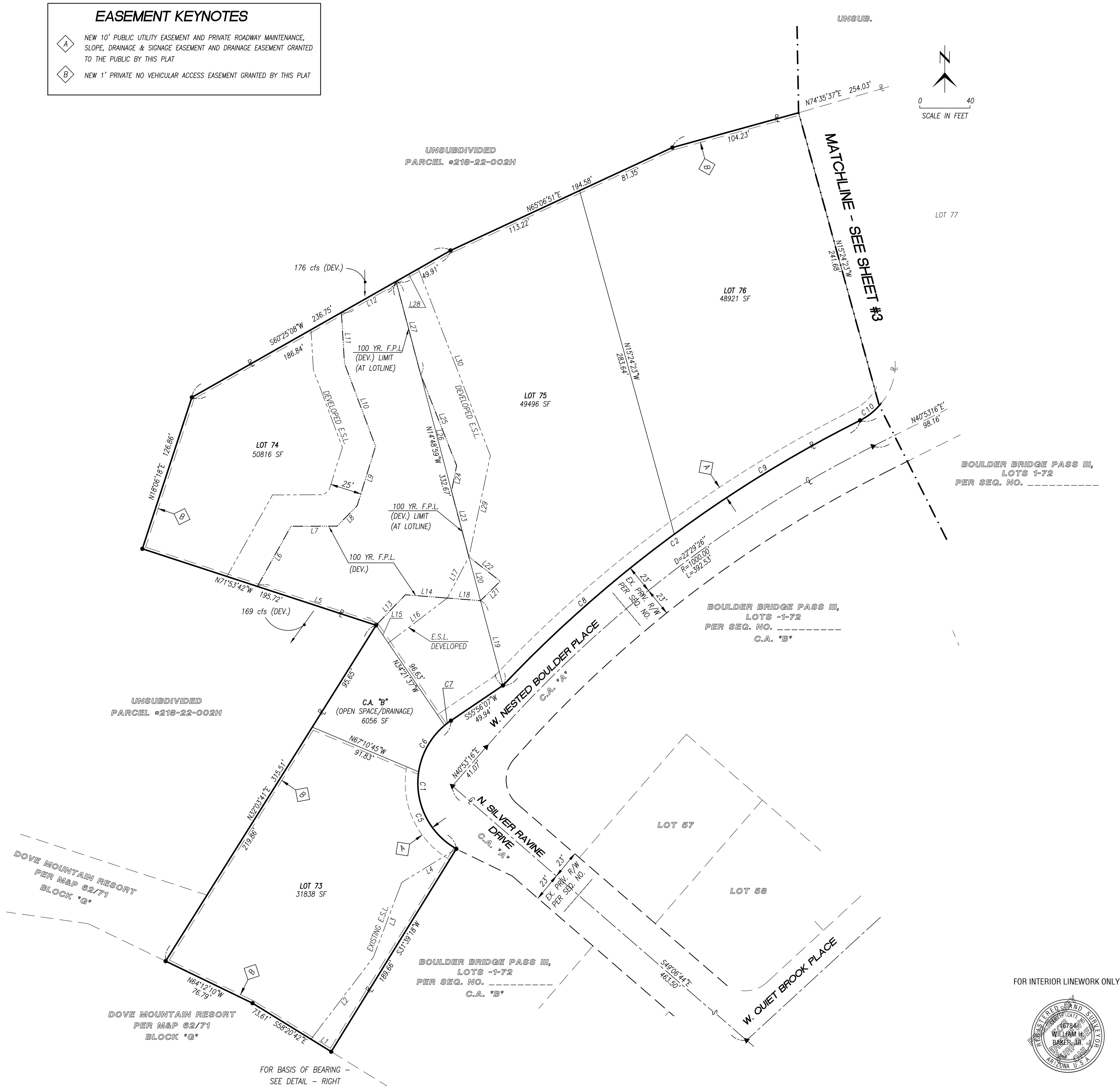
B Baker & Associates Engineering, Inc.
3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930

#PRV1911-002

REF.: #PRV-1911-001;
#PRV-06012F; PRV-14009F JOB #2235.11B DATE: MARCH 24, 2020 SHEET 1 OF 3

EASEMENT KEYNOTES

- A NEW 10' PUBLIC UTILITY EASEMENT AND PRIVATE ROADWAY MAINTENANCE, SLOPE, DRAINAGE & SIGNAGE EASEMENT AND DRAINAGE EASEMENT GRANTED TO THE PUBLIC BY THIS PLAT
- B NEW 1' PRIVATE NO VEHICULAR ACCESS EASEMENT GRANTED BY THIS PLAT

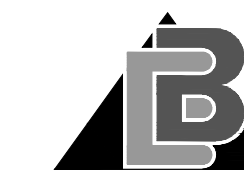


BASIS OF BEARING DETAIL

FINAL PLAT for
BOULDER BRIDGE PASS IV AT DOVE MOUNTAIN, LOTS 73 - 78
AND COMMON AREA "B" (OPEN SPACE/DRAINAGE)

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FOR INTERIOR LINework ONLY

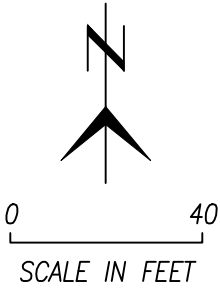
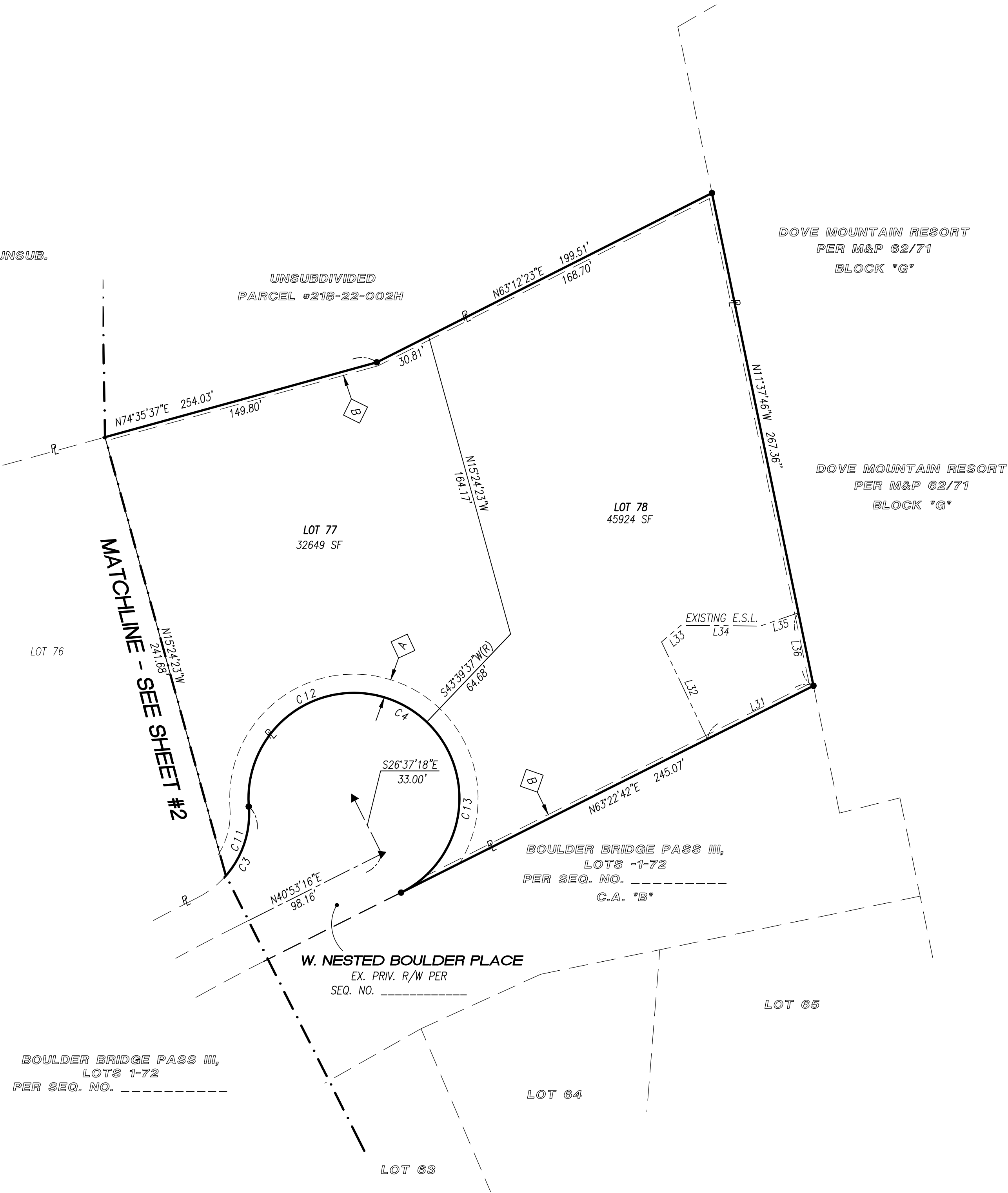


Baker & Associates Engineering, Inc.
3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930

#PRV1911-002

REF: #PRV-1911-001;
#PRV-06012F; PRV-14009F JOB #2235.11B DATE: MARCH 24, 2020 SHEET 2 OF 3

SEQUENCE #



NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	116°39'32"	60.00	122.16
C2	19°55'41"	1023.00	355.81
C3	67°49'47"	50.00	59.19
C4	247°49'47"	56.00	242.23
C5	69°19'48"	60.00	72.60
C6	41°17'00"	60.00	43.23
C7	06°02'44"	60.00	6.33
C8	10°12'17"	1023.00	182.20
C9	09°43'23"	1023.00	173.60
C10	22°15'49"	50.00	19.43
C11	45°33'58"	50.00	39.76
C12	138°06'43"	56.00	134.99
C13	109°43'05"	56.00	107.24

CURVE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N58°20'42"W	18.91'
L2	S37°17'06"W	81.83'
L3	N20°44'51"E	63.84'
L4	N58°25'01"E	51.00'
L5	N71°53'42"W	99.43'
L6	S29°12'46"W	54.83'
L7	S89°49'06"W	36.68'
L8	S44°32'36"W	22.84'
L9	S17°12'54"W	49.36'
L10	N20°29'14"W	70.66'
L11	S03°28'34"E	40.53'
L12	S60°25'08"W	50.02'
L13	S43°50'54"W	33.60'
L14	S85°29'23"E	33.50'
L15	S34°21'37"E	17.17'
L16	S52°42'44"W	59.06'
L17	S27°39'58"W	37.04'
L18	N85°29'23"W	26.51'
L19	S14°48'59"E	69.82'
L20	S14°48'59"E	36.09'
L21	S45°25'36"W	22.07'
L22	S52°08'41"E	31.60'
L23	S14°48'59"E	54.09'
L24	S11°18'32"W	20.74'
L25	N21°33'25"W	77.80'
L26	N14°48'59"W	95.88'
L27	N14°48'59"W	76.80'
L28	S60°25'08"W	20.38'
L29	S11°56'42"W	82.45'
L30	S21°05'38"E	159.30'
L31	S63°22'42"W	63.03'
L32	S25°16'41"E	57.07'
L33	S49°45'25"W	13.68'
L34	N89°29'03"W	42.16'
L35	N70°47'42"E	21.31'
L36	S11°37'46"E	39.64'

LINE TABLE

EASEMENT KEYNOTES

A

NEW 10' PUBLIC UTILITY EASEMENT AND PRIVATE ROADWAY MAINTENANCE, SLOPE, DRAINAGE & SIGNAGE EASEMENT AND DRAINAGE EASEMENT GRANTED TO THE PUBLIC BY THIS PLAT

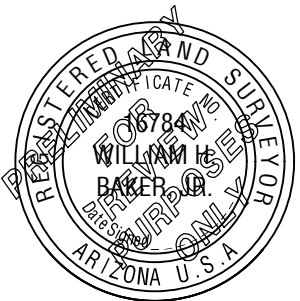
B

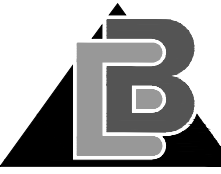
NEW 1' PRIVATE NO VEHICULAR ACCESS EASEMENT GRANTED BY THIS PLAT

FINAL PLAT for
BOULDER BRIDGE PASS IV AT DOVE MOUNTAIN, LOTS 73 - 78
AND COMMON AREA "B" (OPEN SPACE/DRAINAGE)

BEING A RESUBDIVISION OF BLOCK "A" OF BOULDER BRIDGE PASS III AT DOVE MOUNTAIN,
LOTS 1-72, BLOCK "A" AND COMMON AREAS "A" AND "B,"
AS RECORDED IN SEQ. #20200660137, LOCATED IN
SECTION 16, T11S, R12E, G&SRBM, TOWN OF MARANA, PIMA COUNTY, ARIZONA

FOR INTERIOR LINework ONLY



 Baker & Associates Engineering, Inc.
3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930

#PRV1911-002 REF.: #PRV-1911-001; #PRV-06012F; PRV-14009F JOB #2235.11B DATE: MARCH 24, 2020 SHEET 3 OF 3



Legend

- Marana Addresses
- Marana Town Limits
- Parcels (Black)

1: 18,055



Notes



Development Services / planning@maranaaz.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaaz.gov

PROJECT APPLICATION

PROJECT INFORMATION

Project Name: Boulder Bridge Pass IV, Lots 73-78

Description of Project: Single Family Residential

Number of Lots: 6

Parcel No.(s): Re-Plat of Block "A" per new Boulder Bridge Pass III (see # below)

Gross Area (Acres): 6 ac

Project Address: Boulder Bridge Pass/Patina Drive

Ref. Project No.: PRV-06012F; PRV-14009F plus new Final Plat #PRV-1911-001 (For Lots 1 - 72, Block "A")

CONTACT INFORMATION

Owner: Dove Mountain Investors, LLC

Contact Name: Bill Hallinan

Address: 3567 E. Sunrise Dr., #219

City: Tucson

State: AZ

Zip: 85718

Email: bhallinan@cottonwoodproperties.com

Phone No.: (520) 299-8424

Applicant: See above

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Consultant/Engineer: Baker & Associates Engineering, Inc

Contact Name: Marty Magelli, P.E.

Address: 3561 E. Sunrise Dr., #225

City: Tucson

State: AZ

Zip: 85718

Email: marty@baetucson.com

Phone No.: (520) 318-1950

OWNER/APPLICANT AUTHORIZATION

I, the undersigned, certify that all of the facts set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application. (If applicant is not the owner, attach written authorization from the owner.)

William Hallinan

11-22-19

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

Project No. PRV1911-002

Date Received 11/22/19

- | | | | |
|---|--|--|--|
| ☐ Annexation | ☐ Rezone | ☐ Specific Plan | ☐ General Plan Amendment |
| ☐ Preliminary Plat | ☒ Final Plat | ☐ Significant Land Use Change | ☐ Minor Land Division |
| ☐ Variance | ☐ Development Plan | ☐ Development Plan Package | ☐ Dedications / Easements |
| ☐ Lic. Agreement | ☐ Landscape Plan | ☐ Conditional Use Permit | ☐ Report (Type): _____ |
| ☐ SWPP | ☐ Native Plant Plan | ☐ Native Plant Exception | ☐ Other: _____ |
| ☐ Improvement Plan (Type): _____ | | | |

Revision Date 6/17/2016



Council-Regular Meeting

C2

Meeting Date: 04/07/2020

To: Mayor and Council

From: Cherry L. Lawson, Town Clerk

Date: April 7, 2020

Subject: Approval of the March 17, 2020 Regular Council Meeting Minutes, the March 13, 2020 Special Council Meeting Minutes, and the March 3, 2020 Regular Council Meeting Minutes (Cherry L. Lawson)

Attachments

Regular Council Meeting Summary Draft Minutes, 03/17/2020

Special Council Meeting Summary Draft Minutes, 03/13/2020

Council Study Session Meeting Summary Minutes, 03/10/2020



AMENDED 03/16/2020 AT 5:40 P.M.

MARANA TOWN COUNCIL
REGULAR COUNCIL MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Conference Center Second Floor March 17, 2020 at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
David Bowen, Council Member
Patti Comerford, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

SUMMARY MINUTES

CALL TO ORDER AND ROLL CALL

Mayor Honea called the meeting to order at 7:00 PM and directed the Clerk to call the roll. **Vice Mayor Jon Post, Council Members Dave Bowen, Patti Comerford, Herb Kai (Excused), Roxanne Ziegler and John Officer** were present. There was a quorum of council members present constituting a quorum.

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE: Led by **Mayor Honea**.

APPROVAL OF AGENDA

Council Member Ziegler moved and Vice Mayor Post second the motion approving the agenda as presented. Motion passes, 6-0.

CALL TO THE PUBLIC

Mayor Honea open the meeting to receive public comment. There were no comments offered by the public.

PROCLAMATIONS

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

Mayor Honea reported on the complexities of the past week stating he had made 50 or more phone calls this day as he spoke with various mayors across the state. When the City of Tucson issued a proclamation that included shutting down all bars and restaurants, fitness clubs and alike. None of the other communities in Pima County was consulted at all with Tucson mayor's proclamation. That bothered him greatly.

Marana put forth a proclamation declaring a State of Emergency this day that provides him additional authority. Marana will take a softer approach by asking everyone to be careful and practice social distancing. Marana is a service type community in Arizona, most of the Tucson area especially. He expressed concern with putting people out of work by shutting down businesses. That is not to say that the Governor or someone in a higher authority position will supersede the Mayor and Council, and move to shut everything down. As of now, they have not move to do so.

This is a fluid and scary situation. **Ms. Fairall** commented on the administrative leave of Town staff. Federal programs will put funding into cities and towns to cover for those expenses of paying employees while they remain home due to this pandemic. We want to take care of our employees and people in our community. Although he has some rights under the proclamation, he assured Council that he would not take any actions without speaking with Council first.

He complimented Town staff stating all are doing a phenomenal job, and we will all get through this.

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Town Manager Jamsheed Mehta reported on the activities of the Town stating every city and town in the area has issued a Declaration of Emergency. With respect to **Mayor Honea** declaration, Sahuarita, Oro Valley and Town of Marana declared similar Declarations of Emergency to each other. Most of the points are advisory as oppose to regulatory in nature at this time.

Marana has had widespread cancelations of events and the Town has notified Council as well as the public, information on the town website as well as through social media platforms. Marana Public Schools are closed at this time for a couple of weeks, though the first week was for spring break, and now has been extended. Town staff have not been adversely impacted by the school closure.

Regarding Town employees, a telecommuting policy has been implemented for all employees to allow employees to telecommute from home while having essential staff to remain and be available for day-to-day operations. Police and critical infrastructure there is much activity that continues on a daily basis. There is a lot of building activity that is occurring in the community as we have our building review team; much of Marana's regulatory work continues. To facilitate those employees who cannot telecommute at this time, but have school-aged children and not been able to arrange daycare, Marana's Parks & Recreation staff has quickly organized a day camp for Marana employees. This day camp will consist of smaller groups of children four to five to one staff ratio. The children will be able to use the parks and Community Center during their stay at camp.

If employees are sick or appear to be sick according to our policy or a household member is sick, the employee should remain at home and will be considered sick. For all others that are telecommuting at work, but from home the town has requested they practice social distancing as well. With a reduction of staff telecommuting, the Town has approximately one-third of its employees (133 employees). With 1/3 less of employees in the office, there is less density and opportunity for social interaction, and do not need to impose the six foot rule, as employees have taken that upon themselves.

This may become the new normal for a while, as it is possible that the 133 will increase or decrease depending upon workload. Parks and Recreation has seen an increase in activity in the parks, and they have started full sanitizing of park play equipment. This has never been done at any park, and park staff will do continue sanitizing three times daily.

PRESENTATIONS

P1 Presentation: Relating to Finance; presentation, discussion and possible direction on proposed changes to the Town of Marana comprehensive fee schedule and other various rate and fee adjustments (Yiannis Kalaitzidis)

Finance Director Yiannis Kalaitzidis provided a PowerPoint Presentation overview on the proposed changes to the Town of Marana Comprehensive Fee Schedule and other various rate and fee adjustments. *(A copy of the presentation is on file in the Town Clerk's Office for viewing.)* Below are highlights of the presentation.

Background & FY 2021 Goals

- First comprehensive schedule in 2009
- Commitment to maintaining the schedule
- Goals in Comprehensive Fee Schedule update
 - Standardize fees across departments
 - Ensure fees are fair, equitable and reflect the value of service provided to customers

- Eliminate errors, inconsistencies and unused items within the existing Comprehensive Fee Schedule
- Identify opportunities to streamline, consolidate and modernize to encourage/facilitate development

FY 2021 Change Summary

- Total of 37 Requested Changes for FY 2021 Update
 - Added Fees: 9
 - Eliminated Fees: 1
 - Total Modification to Existing Fees: 27
 - Modifications: 1
 - Clarifications: 2
 - Increases: 24
 - Decreases: 0

FY 2020-2021 Timeline

- Notice of intent to consider changes posted at least 60 days prior to meeting (ARS §9-499.15)
- Outreach to possible stakeholders

AIRPORT: PROPOSED CHANGES

Proposed Fee Additions:

Fuel flowage fee – Self-Fueler based
Aircraft tenant
Payment Late Fee
SASO – Aircraft management of aircraft
Aircraft based on multiple takeoff weights
Airship Parking Daily/Monthly

Proposed Fee Eliminations:

Late Fee – Monthly Open Tie-down

Proposed Fee Increase:

Airship Parking Daily
Fuel Flowage Fees (Aviation Gas, Jet A, FBO or SASO)
Airport Access ID Card New
Aircraft Parking by Weight (Daily/Monthly)
Airport Aeronautical Use Fee Commercial Photography
Airport Non-Aeronautical Use Fee
Commercial filming

POLICE DEPARTMENT: PROPOSED CHANGES

Proposed Fee Additions:

Facility Use Marana PD Community Room;
Security deposit

PARKS AND RECREATION: PROPOSED CHANGES

Proposed Fee Increase:

Park Rental Bundle

DEVELOPMENT SERVICES: PROPOSED CHANGES

Proposed Fee Modifications:

Permanent Sign Review Fee

Proposed Fee Clarifications:

Photovoltaic System for Water/Pool Heater; Residential

Photovoltaic System for Water/Pool Heater; Commercial

CONSENT AGENDA

C1 Resolution No. 2020-027: Relating to Development; accepting Midfield Road Station 27+50 to 36+56.77 for maintenance (Keith Brann)

C2 Resolution No. 2020-028: Relating to Administration; approving and authorizing the Finance Director to execute an Inmate Work Contract between the Town of Marana, the Arizona Department of Corrections and the Management & Training Corporation for inmate labor services (Libby Shelton)

C3 Approval of the March 3, 2020 Regular Council Meeting Summary and the February 25, 2020 Council Special Meeting Summary Minutes (Cherry L. Lawson)

Vice Mayor Post, moved and Council Member Bowen second the motion approving the Consent Agenda. Motion passes, 6-0.

LIQUOR LICENSES

L1 Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding a new series #012 Restaurant liquor license application submitted by Kevin Arnold Kramber on behalf of Boston's The Gourmet Pizza located at 5825 W. Arizona Pavilions Drive Marana, Arizona 85653 (Cherry L. Lawson)

Town Clerk Cherry Lawson provided an overview of the application submitted by Kevin Arnold Kramber on behalf of Boston's The Gourmet Pizza located at 5825 W. Arizona Pavilions Drive, Marana, Arizona 85653. Staff recommends that an order recommending approval be submitted to the DLLC for this liquor license application.

Council Member Ziegler moved and Vice Mayor Post second the motion approving Option 1 adopting and submitting to the DLLC an order recommending approval of a new series #012 Restaurant Liquor License application submitted by Kevin Arnold Kramber on behalf of Boston's The Gourmet Pizza located at 5825 W. Arizona Pavilions Drive, Marana, Arizona 85653. Motion passes, 6-0.

BOARDS, COMMISSIONS AND COMMITTEES

COUNCIL ACTION

A1 PUBLIC HEARING: Ordinance No. 2020.005: Relating to Development; amending Marana Ordinance No. 2017.008, which approved the rezoning of approximately 34 acres of land located east of Twin Peaks Road and north of the Lambert Lane alignment, by revising the conceptual development plan and increasing the maximum number of lots from 59 to 62 (Brian D. Varney)

[6:15 PM Minutes:]

Mayor Honea open the public hearing to receive testimony.

Senior Planner Brian Varney provided a PowerPoint Presentation overview of the Marana Ordinance No. 2017.008, which approved the rezoning of approximately 34 acres of land located east of Twin Peaks Road and north of the Lambert Lane alignment, by revising the conceptual development plan and increasing the maximum number of lots from 59 to 62. *(A copy of the presentation is on file in the Town Clerk's Office for viewing.)* Below is an overview of the presentation.

Summary / History

- Request for approval to amend Ordinance No. 2017.008
- Ordinance No. 2017.008 adopted by Town Council on April 4, 2017 changed zoning of 34 acres from R-144 to R-6
- Twin Peaks and Lambert Lane rezoning approved up to 59 lots for SFR development
- Administrative approval for minor revisions to Conceptual Development Plan approved by Development Services Director on January 11, 2018
- Current request to reconfigure the lot layout to locate lots outside of the erosion hazard setbacks and increase the lot yield from 59 lots to 62 lots

Summary of Request

- Amend the conceptual land use plan to remove the affected lots from within the boundaries of the erosion hazard setbacks and bring project into compliance with floodplain regulations
- Increase the lot yield from 59 lots to 62 lots
- Emergency access proposed to be moved from Lambert Lane to Twin Peaks Road (subject to approval by Golden Ranch Fire District)
- Planning Commission heard request on January 26, 2020, and recommended approval by vote of 5-0

Recommendation:

- Staff recommends approval of PCM2002-001, amendment of Ordinance No. 2017.008 Twin Peaks and Lambert Lane rezoning, subject to the recommended conditions

[6:21 PM Minutes:]

Mayor Honea closed the public hearing to testimony.

Vice Mayor Post, moved and Council Member Ziegler second the motion approving Ordinance No. 2020.005. Motion passes unanimously, 7-0.

A2 Ordinance No. 2020.006: Relating to Utilities; temporarily suspending enforcement of Marana Town Code section 14-5-4 (Nonpayment of delinquent bill; filing of lien; interest) as it relates to disconnecting utility service for non-payment; and declaring an emergency (David L. Udall)

Deputy Town Attorney Jane Fairall provided an overview of the item stating essentially it would suspend enforcement of Marana Town Code section 14-5-4 (Nonpayment of delinquent bill; filing of lien; interest) as it relates to disconnecting of utility service for non-payment. However, the obligation to pay still remains – Marana would not be doing disconnects at this time. This ordinance does have a sunset date of April 30, 2020 unless the Council chooses to extend or rescind that date.

Mayor Honea stated many of the utility companies are suspending shut-offs during these trying times.

Council Member Ziegler moved and Vice Mayor Post second the motion Ordinance No. 2020.006. Motion passes by roll call vote: Mayor Honea, Vice Mayor Post, Council Members Bowen, Comerford, Office and Ziegler; 6-0.

A3 Resolution No. 2020-016: Relating to Utilities; approving and authorizing the Mayor to sign a Transfer Agreement, selling the Marana Water Department's Falstaff well and related water system and assets to the DeAnza Domestic Water Improvement District (Frank Cassidy)

Town Attorney Frank Cassidy provided a brief overview of the Transfer Agreement, selling the Marana Water Department's Falstaff well and related water system and assets to the DeAnza Domestic Water Improvement District stating the item appeared before Council on February 18, 2020. A question was raised by Council inquiring what occurs should the buyer sue the Town after it has indicated within the agreement that they are purchasing it with fluorinated compounds and 1,4-Dioxane. It is being purchased as is. The agreement had already contain the as is within it; however, after receiving feedback from Council, the Town amended the agreement. The amendment is located in paragraph 7.1 under Miscellaneous, first section a provision was added stating they are purchasing as is and are aware of the water quality issues, and that they cannot sue Marana for it.

He stated during the February 18, 2020 Council Meeting, there was concerns expressed over not having a Hold Harmless clause in the agreement. The trouble with that is it would give them more liability than what Marana has. A Hold Harmless would require DeAnza to step into the middle of a third party lawsuit; he does not believe they would be willing to do that, as they nor Marana are responsible for the water quality issues that exist there.

Vice Mayor Post, moved and Council Member Officer second the motion approving Resolution No. 2020-016. Motion passes, 6-0.

A4 Resolution No. 2020-029: Relating to Personnel; approving a temporary personnel policy regarding employee leave and telecommuting (Jane Fairall)

Ms. Fairall provided an overview of the temporary personnel policy regarding employee leave and telecommuting that **Deputy Town Manager Erik Montague** previewed during the Friday, March 13, 2020 Special Council Meeting, and **Mr. Mehta** mentioned it during his comments earlier in the meeting. She noted an organizational error in the policy that was in the Council packet. The error is located on page 2, paragraph C, subparagraphs 1 and 2—those should not be subparagraphs, but rather paragraphs D and E. The revisions were made and she will ensure the Town Clerk has a copy of the corrected version.

This policy addresses the use of leave during a public emergency such as the one we are experiencing at this time. It addresses employees who are experiencing ongoing flu-like symptoms, has been exposed to someone with the coronavirus, or an employee has returned from a country of travel or area where the level of travel has a health notice from the CDC. That could change over time as the CDC and other nations makes further designations. The Town will rely on the CDC listing as opposed to naming specific countries within Marana's policy.

In any of those three circumstances, an employee is not report to work for 14 calendar days. If a department head or supervisor notice an employee is exhibiting flu-like symptoms, they can send the employee home for the 14-day imposed period. During that 14-day period, the employee would use its own MTO (Managed Time Off), or Sick Leave if they have any available, or opt to be placed on an Administrative Leave without pay, as an employee have plans for the leave time. If that is the situation, the Town will not require them to burn their leave time should an employee decide to take it without pay.

The idea with this policy is to make this as easy as possible for employees who are not well, and should not be in the workplace; or those who may be carriers by being exposed. The Town does not want to be a barrier to employees who need to stay home and get well. The temporary policy, also, allow for employees who have exhausted all MTO or sick leave, the employee can request an 80 hour advance on next year allocation

of MTO leave. The employee would give back that borrowed time once the MTO is given for the year.

The 14-day period could be extended or shorten based on medical advice or test results. We are also suggesting that Marana would relax some of the provisions in other sections of the personnel policy such as Vacation Leave. Currently, the personnel policy states an employee cannot use Vacation Leave within the first six months of employment. The Town would allow employees to use it in this circumstance even if within the employee first 180 days of employment according to this policy.

The Town would allow employees to use Sick Leave for these imposed leave as well. Also, would consider the use of MTO or Sick Leave for those employees to use for childcare issues with the school closure. There are provisions within the policy stating there will be consultations with the department head and Town Manager whether that use will be appropriate given the circumstances. The policy does contain much flexibility because of the evolving nature of the situation.

The Town would also relax the Leave Donation Policy. Currently, you cannot donate leave unless it is a "serious medical condition" as defined in the policy--which is similar to FMLA. This may not qualify as a "serious medical condition," but the Town will allow for the donation of leave in these circumstances.

The policy does allow the Town Manager to assign employees to Administrative Leave without pay, as those steps the Town is taking at this point for those employees who cannot telecommute. Those employees are on Administrative Leave with pay. Employees that are at home on Administrative Leave with pay that cannot telecommute due to not having a laptop or their positions does not allow for them to work from home are advised and expected to be available to the Town during normal business hours, or different hours depending on their position.

The Town has done broad telecommuting of any employee who can telecommute are permitted to do so if they do not need to be on the premises. The resolution that would approve the policy would also allow the Town Manager to continue to make further revisions to the temporary policy consistent with good personnel management practices and laws, as well as consulting with Human Resource and the Legal Department as the emergency evolves. That way, the Town would not be required to return to Council for each tweak within the policy related to the emergency.

Council Member Ziegler moved and Council Member Officer second the motion approving Resolution No. 2020-029 a temporary personnel policy regarding employee leave and telecommuting and declaring an emergency. Motion passes, 6-0.

A5 Resolution No. 2020-030: Relating to Mayor and Council; temporarily suspending Marana Resolution No. 2009-69 section 2, subsection H, regarding the

number of members of the Town Council and of special and standing boards, commissions, and committees of the Town allowed to participate in a public meeting by electronic attendance; and declaring an emergency (David L. Udall)

Ms. Fairall stated for the record on the last item, Item A4, the motion made included a declaration of an emergency. This item was administrative in nature and does not require a roll call or declared emergency clause.

In 2009, the Council approved a resolution that set forth the procedures and rules if Council Members wanted to appear telephonically at a meeting and section 2, subsection H, of that resolution stipulated, only one Council Member could appear telephonically at any given meeting. The Town is suggesting temporarily suspend that restriction so that as many Council Members that wished to telephonically can do that during this pandemic subject to the services of the Technology Services Department.

This would be suspended through April 30, 2020 unless the Council chooses to rescind or extend it. Although it is a resolution, there is an argument that it is administrative, but the Town did include an emergency clause within the resolution, as the original resolution did include it as well. She recommended a roll call vote with this item.

Vice Mayor Post, moved and Council Member Ziegler second the motion approving Resolution No. 2020-030. Motion passes with a roll call vote: Mayor Honea, Vice Mayor Post, Council Members Bowen, Comerford, Officer and Ziegler; 6-0.

ITEMS FOR DISCUSSION / POSSIBLE ACTION

D1 Relating to Legislation and Government Actions; discussion and possible action regarding all pending state, federal, and local legislation/government actions and on recent and upcoming meetings of the other governmental bodies (Jamsheed Mehta)

Town Manager Jamsheed Mehta provided an update to Council on the legislative activities stating they are trying to put together a baseline budget through as quickly as possible. The session will recess for a period and Speaker Rusty Bars from the House has indicated that all House Committees are canceled this week. Twenty- six noncontroversial bills addresses operational agencies issues only for the base budget. The House intends to pass a baseline budget then pause and pass it along to the Senate, then pause the session.

The K-12 schools has presented challenges for school-aged children due to the pandemic will be addressed as well. On the Senate side, the Caucus and all Senate Committee Meetings were canceled today. They do plan to prepare a baseline budget as a precaution against trying to operate during the coronavirus pandemic. The focus is on alleviating the challenges associated with K-12 closure at the same time.

The two bills to be heard by Committee will not likely happen tomorrow. Those bills that Marana are tracking very closely are Community Facilities District, it is favorably worded to the Town liking; no official notice has been posted on an agenda at this time. There is the Personal Delivery Devices where robotically packages or materials can be delivered to residential and commercial places. That continues to have discussion with the League, as there are insurance requirements with that bill, as there are technical issues that needs resolving before moving forward. Senate Bill 1246 deals with the Tangerine Road funding—it has progressed well thanks to Senator Leach who is the sponsor and has moved it beyond the committees in the Senate. It will be up to the House to pick it up.

Assistant to the Town Manager Heath Vescovi-Chiordi has addressed several more questions that were asked of Marana the details of that specific project on Tangerine Road. That information was provided, and it is the Town's hope that once they return to full session, the information will be useful to approve it. Marana is counting on \$5 million dollars created for critical transportation projects.

EXECUTIVE SESSIONS

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

FUTURE AGENDA ITEMS

Notwithstanding the mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

ADJOURNMENT

Mayor Honea asked for a motion to adjourn the meeting.

Vice Mayor Post, moved and Council Member Ziegler second the motion adjourning the meeting. Motion passes, 6-0. Meeting adjourned at 6:48 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Town Council meeting held on March 17, 2020. I further certify that a quorum was present.

Cherry L. Lawson, Town Clerk



MARANA TOWN COUNCIL
SPECIAL COUNCIL MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Conference Center Second Floor March 13, 2020 at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
David Bowen, Council Member
Patti Comerford, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

SUMMARY MINUTES

CALL TO ORDER AND ROLL CALL

Mayor Honea called the meeting to order at 6:05 PM and directed the Clerk to call the roll. **Mayor Honea, Vice Mayor Post, Council Members: Dave Bowen, Patti Comerford, Roxanne Ziegler, John Officer, and Herb Kai.**

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE: Led by **Mayor Honea.**

APPROVAL OF AGENDA

Vice Mayor Post, moved and Council Member Kai second the motion approving the agenda as written. Motion passes unanimously, 7-0.

ITEMS FOR DISCUSSION/POSSIBLE ACTION

D1 Relating to Emergency Management; discussion, consideration, and possible direction regarding the Town's precautionary measures and preparedness actions due to the Coronavirus (COVID-19) pandemic (Jamsheed Mehta)

Mayor Honea stated he in conversation with **Town Manager Jamsheed Mehta** called this Special Meeting so to update Council on the cautionary measures the Town is taking to ensure that safety of its employees and the community. There are many timetables of events surrounding COVID-19, and communities that are depended upon the Town's response to the virus. Marana needs to take some actions or set standards of practice to what the Town needs to do at this time.

Deputy Town Manager Erik Montague provided some background information on the Coronavirus-19 (COVID-19), timetables as well as steps that staff has been working or planning to undertake. Town staff has put in a tremendous amount of effort over the past few days and weeks to put in a reasonable measured approach to maintain certain levels of continuity of service to the public to preserve and protect the public, and maintain those services that citizens require of the town.

The Center for Disease Control (CDC) describes the Coronavirus-19 (COVID-19) as a virus that is easily spread between people who are in close contact and through aspiration and respiration of droplets through coughing or sneezing. The disease seems to affect those individuals who are advanced in age or have underlining medical conditions are especially at risk or hit harder than most. This particular virus is a novice that we have not seen, or been apparent before. As of now, no known cure has been identified. This virus is moving very quickly.

Mayor Honea stated there are many things that are occurring around town. He and **Mr. Mehta** were on a conference call the other day with several entities (governments, schools, universities, health system and legislatures), and the events around the community varies significantly. The City of Tucson has canceled all meetings except Council Meetings. Marana needs to have Planning Commission meetings' as it is a fast growing community. The Town has canceled Employee Appreciation Day that was scheduled on the municipal campus; however, continuing with the Citizens' Forum. There is not consistency with the plans of the town. Founder's Day was canceled, but the town is moving forward with the Bluegrass Festival for a three-day weekend at one of the town parks. Again, there is inconsistency in the actions of the town. He stressed that Council needs to be involved in the decision-making.

In his conversation with **Mr. Mehta** last week, he commented on those programs that were to be canceled. **Mayor Honea** stated at that time Council needs to be aware of those decisions affecting the community not making the decision, but to have input as to what is occurring in the community. University of Arizona and Pima College has canceled all athletic events for the next three to four weeks. **Superintendent Doug Wilson** stated to him today during the Marana 2340 Event that Marana High School,

Mountain View and both middle schools in Marana have canceled athletic events indefinitely. He stated in some states have taken steps to close school systems. If Marana closes its schools regardless of the reason, and a child arrives to school having been exposed, the community will likely have a nightmare of a situation at hand. **Mayor Honea**, Council needs to be involved and given updates to this fluid situation.

He commented on the State of the Town Address stating he is not sure whether it can be held on April 23. His concern is that the Chamber leases the Ritz Carleton at several thousands of dollars and arranges an event upwardly 400+ attendees, and are unable to hold the event; the Chambers and the Town will lose a lot of money. He wants Council to understand the significance of the loss. Postponing or canceling Founder's Day may sound like a good idea as the Town would not have to refund monies collected, as he is a big supporter of the Chambers. If it is delayed until June or July, families are out of town or on vacation. These type of situations should be discussed with Council, and all those who may be affected. Senior staff should not make decisions without input from Council.

Council Member Bowen commented on the Town's website and the information that is provided. He asked whether the local media has been notified. **Mr. Montague** stated the Town issued a press release that went to all media outlets, and it identified the actions approach that the Town is taking. **Council Member Bowen** commented on the number of individuals gathered together, and whether there has been any conversation to limit the number of individuals. **Mr. Montague** stated there has been conversation concerning what that number should be. Ultimately, each organization is determining the number of individuals gathered that is right for each community, depending on each circumstance. The Town suggested 50 persons, as it is potentially significant, yet conservative to provide greater protection to those involved.

Council Member Comerford stated with some of the events, when it is a rainy day certain events are canceled. As governmental entity, it is important that the Town be consistent in its policies and what it does while being fair to all. She is very happy with the amount of information the Town has put out at this time. Related to Council Meetings, she has no concerns there, as there is not much public participation during those meetings.

Council Member Ziegler thanked Town staff for putting information out to the public and employees. She agrees with **Council Member Comerford's** comments related to Council Meetings. She stated it is a pandemic and does not remember whether SAR's or H1N1 was a pandemic. **Mr. Montague** stated President Obama declared H1N1 a pandemic or national emergency. **Council Member Ziegler**, the Town need to be consistent in its messages and practices. Financial ruins is secondary to the health crisis at hand. To look at what may potentially be a loss for the State of the Town, she is not looking at the number of attendees or the financial cost that would be lost from the event. She appreciates **Mayor Honea** informing Council of the actions of the Town and

community; however, she does not have the expertise to go against the CDC, but agrees the Town needs to be consistent in its message. To her that means the State of the Town is canceled or postponed. As **Council Member Comerford** stated even if it the State of the Town is not held in 2020, if you have a problem with it, sorry Mayor. She does not think people will be upset because it was not held this year.

Mayor Honea stated the State of the Town is the largest fundraiser for the operation of the Chamber of Commerce, and it is important to them. By not holding the event, they will likely lose \$30,000 to 40,000 of revenue towards their operations. Even if the Town writes them a bigger check, there will be actions within Marana community that will disrupt business and government operations. **Council Member Ziegler** stated although she appreciates the work of the Chamber that is not her priority if the Chamber loses it fundraiser especially as we are dealing with a pandemic situation. As **Council Member Comerford** stated, you write a check as this is true.

Vice Mayor Post stated Council should continue to hold its meetings with all in attendance, as it is important. He believes holding the meetings via electronic or digital means will be difficult for Council. He believes the State of the Town is a Chamber event it is not a Town event. **Mayor Honea** stated the Chamber sponsors the event contractually with the Town of Marana. It used to be the Mayor's State of the Town, but we have been holding the event differently. If the Town does not have an agreement with the Chamber to hold the event, then it is not held. **Vice Mayor Post** stated outside of the guidelines of holding the event that will result in over 250 attendees, the event is canceled. Period.

Mayor Honea stated nationally the President and others have said not to have gatherings in excess of 250 – almost every event Marana has over 250. **Vice Mayor Post** stated Council should discuss how the Town would help the Chambers financially. He does not know whether the Town should help them with total cost, but Council needs to have that discussion. Related to the Forum, the Town should be very careful with having meetings that include a higher number of at-risk individuals. The Forum always tend to have a higher number of at-risk individuals, and have the time to serve. He believes those meetings with at-risk members should be canceled.

Council Member Kai stated social distancing is very important at this time. This virus is likely to spread quickly among people in close proximity. He would rather err on being safe, canceling meeting or events to be on the safe side. The Town just needs to follow the guidelines at this time. He ask whether the Marana Police and Northwest Fire District and paramedics have the necessary equipment to handle some of those emergencies that could arise. Have they received special training as first responders? **Mr. Montague** responded stating in the case of the police department, they are reasonably positioned, as the Town cannot say what the spike would look like for the rate of the infection. While we have been in this meeting, Pima County has gone from one case to two. He stated one of the reasons why the Town has moved to social

distancing to flatten the rate of the infection. Regarding Northwest Fire, Town would have to engage to learn of their plans for handling such situations.

Council Member Officer stated the Town has tried to be consistent in its messaging to the public, and as new information presents, provide it timely to the public.

Council Member Ziegler commented related to the school district stating they will make the call whether to cancel school for the district. **Mr. Montague** stated that is MUSD call, not the Town. **Mayor Honea** stated they have canceled all athletic events at this time. His concern is for the town employees and their families. If the governor or the federal government rule that all schools close across the state, Marana and other communities will be scrambling at that point.

Mr. Montague stated for clarification, Council Meetings is it the direction of the Council to continue to hold the meetings as we currently do, and not look for alternative technology methods to hold Council Meetings. **Mayor Honea** stated Planning Commission as well to be treated the same as Council Meetings.

Mr. Montague covered additional steps the Town is taking related to travel restrictions and possible and anticipated illnesses. Travel restrictions have been imposed and are suspended until further notice. Any out of state business travel has been suspended whereby an employee registered for a required conference or training event, suspended indefinitely until conditions related to the coronavirus has change. Regarding in-state travel, employees are encouraged to limit travel to in state only and only attending meetings that are required. For those meetings that are related to funding such as WIFA (Water Infrastructure Finance Authority) or other meetings related to projects that will advance the purpose and is critical to the delivery of service. In those cases, it is preferred to participate through video conferencing such as web-based conferencing, or telephone conferencing. In regards to employee personal travel, the Town is encouraging employees to be very thoughtful areas of travel, as well as the mode of travel and activities during travel so to avoid becoming exposed or spreading exposure.

For those employees who have known to have traveled and have returned to work, supervisors will have a conversation with its employee related to areas of travel. Based upon the outcome of those discussions and in coordination with Human Resource, the employee will be notified whether they can return to work as scheduled, or be required to stay home for up to 14 days. The period of 14 days could be reduced or extended based upon medical advice or test results. As we live in this mobile society, it may not handle all situations; however, the Town believes it is a reasonable approach. This should not be seen as a trust issue, but rather a meaningful conversation between an employee and its supervisor, as we care about them and members of the community.

Supervisors are going to be ask and expected to be engaged with its employees if or when an employee is noticeably ill; that is, exhibiting flu like symptoms. They will be

ask to engage the employee, and in those cases where the supervisor see one or more flu like symptoms, they will consult Human Resource for direction.

If the employee or a member of its family is exhibiting, flu like symptoms or been exposed to COVID-19, the employee would be required to remain home for 14 days. However, if an employee or its family member has traveled to one of the areas that WHO and CDC has issued warnings, an employee would automatically be required to remain at home for 14 days. The timeframe is calculated upon returning home from travel or the first day symptoms are noted, and the employee is sent home. That required time might be extended or reduced depending on medical intervention or test results.

Vice Mayor Post asked whether employees would utilize its sick pay while away from the office. **Mr. Montague** replied stating those employees' who have traveled before this change should they be required to stay home or are sent home, the employee would be placed on administrative leave with pay. For those employees who travel for personal reasons after this policy becomes effective, will use one of its leave time that they have available, such as: manage time off and sick leave. With the policy, the Town is seeking temporarily amendment that could allow other uses of leave time such as vacation and compensatory time. In cases where an employee has exhausted all leave time the Town will advance them up to 80 hours of next year MTO (Manage Time Off) allocation. **Vice Mayor Post**, for those employees who travel for work or is work related, are those employees provided administrative time. **Mr. Montague** replied stating the Town would have to look into those situations, as he is aware of an employee who has returned from work related travel and will need to consider those. However, going forward, out of state business travel has been suspended.

From an employee standpoint, employees have been asked to make their supervisors or directors aware when they are feeling ill, and will be asked to remain home to take care of themselves. The Town is trying to remain some form of balance, transparency and accountability, as we are not attempting to treat employees disproportionately, but rather would like to have a meaningful conversation by making a decision of what is the best interest of our employees and the community. The Town through its Daily Mail has ask employees to maintain good hygiene practices. Public Works Department has replaced soap dispensers and sanitizing solution, as well as ensure sufficient supply of paper towels throughout the organization.

Additionally, to refrain from handshakes and to be mindful of person-to-person contact with members of the public and to avoid providing misinformation. Town staff is currently working on providing employee resources or tools (i.e. frequently asked questions) once assembled, the information will be available to employees through the employee portal on the Town's website.

There will be additional links available where information and updates are provided to include the World Health Organization (WHO) and the Center for Disease Control (CDC) and other organizations.

Mr. Montague, the measures discussed are preliminary plans the Town is looking to put into effect. As a public entity to maintain at a minimal essential services as well as the health and safety of the community, and those employees who provide those necessary services. Ultimately, the Town of Marana seeks to serve the community at the highest level, and it does require ultimate contributions of dedicated and talented staff. It is important to note that Marana has assembled a dedicated group of talented professional who have continued to provide services to this community.

While under **Town Manager Jamsheed Mehta's** leadership and participation in this conversation as well as the Town staff, he thanked **Deputy Town Attorney Jane Fairall, Senior Town Attorney Libby Shelton, Deputy Human Resource Director Jennifer Lindblom, Communications Manager Vic Hathaway, and Assistant to the Town Manager Heath Vescovi-Chiordi** for getting the information together quickly on behalf of the Town.

Council Member Ziegler complimented Town staff on the press release, as it was very informative.

Mr. Montague stated other communities such as City of Tucson and the Town of Oro Valley has implemented a policy whereby they suspends water disconnect. He asked whether the Council had an opinion on this matter and wanted to do something similar in the Marana community. Council could direct staff in a future Council Meeting to bring forward those changes that may be necessary that could allow that for some time. **Town Attorney Frank Cassidy** stated Town staff has prepared an ordinance that staff will present to Council as an added item on its agenda on Tuesday, March 17, 2020 for consideration. It currently states that if a consumer does not pay its bill, services will be disconnected. Under the circumstances, most entities are softening its policies on disconnection of services. **Mayor Honea** stated this ordinance only permits this practice for one or two months. **Mr. Cassidy** replied stating Town staff has proposed a sunset date of April 30, 2020 unless extended by Council.

Mr. Montague stated the other item being added to the Council Agenda for Tuesday is adoption of temporary changes to certain personnel policies and procedures to allow the Town to make those changes that are necessary.

Mayor Honea stated the one item he did not get consensus on from Council that is important to him is relating to the State of the Town. A couple of Council Members have said they would help the Chamber out by assisting in making up funding that will be lost. As for him, he loves the State of the Town and had been actively involved in the process and had selected the speaker. He expressed concern with canceling the event

and moving to a virtual filmed clip stating this is a big task, as he would prefer not to cancel the event. He asked whether the direction of the Council is to assist in making up some of the funding the Chamber would lose because of it being canceled. He ask is the direction that Council would like to give to Town staff.

Council Member Bowen stated that would be a good idea to do that, as there is no way that an event such as this can be planned, once set in motion to cancel it two weeks before it is to occur. He would entertain some ideas to help the Chamber.

Council Member Ziegler stated the Town will not make the Chamber whole, but the Town needs to see what that number is before making any decision.

Mr. Montague stated the Town will continue to work with the Chamber to obtain those numbers so to provide to the Council.

EXECUTIVE SESSIONS

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

FUTURE AGENDA ITEMS

Notwithstanding the Mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

ADJOURNMENT

Mayor Honea asked for a motion to adjourn the meeting.

Vice-Mayor Post moved and Council Member Kai second the motion adjourning the meeting. Motion passed unanimously, 7-0. Meeting adjourned at 7:09 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Town Council meeting held on March 13, 2020. I further certify that a quorum was present.

Cherry L. Lawson, Town Clerk



**MARANA TOWN COUNCIL
STUDY SESSION**

**11555 W. Civic Center Drive, Marana, Arizona 85653
Conference Center on the Second Floor, March 10, 2020 at or after 6:00 PM**

**Ed Honea, Mayor
Jon Post, Vice Mayor
David Bowen, Council Member
Patti Comerford, Council Member
Herb Kai, Council Member - Excused
John Officer, Council Member
Roxanne Ziegler, Council Member**

SUMMARY MINUTES

CALL TO ORDER AND ROLL CALL

Mayor Honea called the meeting to order at 6:00 PM and directed the Clerk to call the roll. **Mayor Honea, Vice Mayor Post, Council Members: Dave Bowen, Patti Comerford, Roxanne Ziegler, John Officer, and Herb Kai (Excused).**

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE: Led by **Mayor Honea.**

APPROVAL OF AGENDA

Council Member moved and Council Member second the motion approving the agenda as written. Motion passes, 6-0.

DISCUSSION/DIRECTION/POSSIBLE ACTION

D1 Relating to Public Works; presentation, discussion, and possible direction regarding the draft Marana 2021-2025 Capital Improvement Program (Keith Brann and Scott Schladweiler)

Town Engineer Keith Brann, Water Director Scott Schladweiler, and Parks & Recreation Director Jim Conroy provided a PowerPoint presentation overview of the 2021-2025 Capital Improvement Program. *(A copy of the presentation is on file in the Town Clerk's Office for viewing.).*

FY2020 in Review

Completed Construction Projects:

- Avra Valley Road Reconstruction
- Desert Traditions Subdivision Reconstruction
- Silverbell Sidewalks – Phase 1
- Tortolita Sidewalks
- 2019-2020 Pavement Preservation
- CAP Trailhead
- El Rio Preserve Viewing Station
- Honea Heights Pocket Park
- Building B Remodel
- Adonis Lift Station
- Clark Farms Flow Split
- Marana Rd-Sanders Rd 21 Inch Main
- Airport Taxiway and Ramp Reconstruction
- Airport Electrical Vault Project
- Airport Runway 30 Safety Study

Completed Design Projects:

- Camino de Oeste Reconstruction
- Silverbell Sidewalks – Phase 2
- Lon Adams Road Reconstruction
- Adonis Subdivision Reconstruction
- Shared Use Path – Cal Portland
- Courts Jury Assembly Room
- Visitors Center Remodel
- Water Treatment Facilities
- Airport Runway MRIL, PAPI, Rotating Beacon

Completed Studies:

- NW Drainage Study
- Sewer Conveyance Study
- NW Marana Drainage – Airport LOMR

Stakeholder Projects:

- Saguaro Bloom Park
- El Rio Levee
- Gladden Farms Soccer Fields
- Adonis Road Extension

Council Member Ziegler inquired about the Adonis Road Extension project. The Town was promised or guaranteed completion by June 2020. **Mr. Brann** replied stating there was a pause with the design of the Adonis Road Extension project and negotiated a settlement with Mandarinina that resulted in a minor redesign. That was completed and the Town had plans from both groups and approved within a month. That is when the clock started; 120 days from final approval. The clock is ticking at this time and they have the Town at May 16 to have a contractor underway on that project. By the development agreement, they have one year to complete. He does not expect a road through three (3) miles of virgin ground to take a full year to build, as there is no traffic to deal with. However, the project will not be completed in June 2020 if the contractor starts in May. It is possible that it could extend to August or October.

Council Member Ziegler asked whether the contractor would start the project on May 16. **Mr. Brann** replied stating May 16 is a hard date; thereby the contract must start on that date per the development agreement.

Vice Mayor Post asked whether the May 16 deadline provides the Town with sufficient time to place funding in the budget. **Town Manger Jamsheed Mehta** given the time at hand, for the project to begin and this is a sensitive matter, the Town expects the developer to come to the Town sooner rather than later in the month to request an extension of the project. Given these circumstances, it is Council's decision whether to grant the developer an amendment of the development agreement, or one of the governance in the project specific plan. Town would be able to make changes to the budget up to April in the transportation section of the Capital Improvement Plan. If it comes to that, it would be Council's pleasure.

Council Member Ziegler asked **Vice Mayor Post** what his concerns were related to the project. **Vice Mayor Post** replied stating he wanted to ensure time was on the Town's side in the event it needed to have the project placed in the town budget, so that the Town could complete the project. **Mr. Mehta** stated if the concern is whether the Town could accommodate the project in its budget, with advanced notice of March and early April – the Town can. Regarding construction, the Town would not be ready to start on May 16. **Vice Mayor Post** responded stating the Town could have the project completed in the next fiscal year. **Mr. Mehta** stated yes.

CIP Development Process

CIP Project Detail Compilation

- All departments submit CIP requests based on infrastructure needs and master plans
- Finance provides 5 year revenue projections
- Town CIP Program tracks all projects in a five-year plan.

Project Evaluation

- Strategic Plan and Master plans guide community development.
- Projects are selected according to Town criteria.

Transportation Improvement Projects

Additional slides with figures and maps are on file in the Clerk's Office.

Mr. Brann provided an overview of the requested projects under Transportation. **Council Member Bowen** inquired of the cost factor for the Twin Peaks Rehab Road project from the Saguaro Bloom area west to Sandario and further west through town on Sandario. **Mr. Brann** replied stating the total cost is estimated at \$13 million per the development agreement the responsibility of the developer is all of the design and they are responsible for two of the four lanes along Frontage. Essentially, the developer is

responsible for one-quarter (1/4) of the cost of construction, and the Town would be responsible for the remaining. Once out of the limit area, the Town is responsible for getting over the mountain at Safe Way. **Council Member Bowen** stated the project is set for 2022. **Mr. Brann** confirmed stating there is a trigger point in the development agreement based on the developer's absorption rate they believe that is when they will hit that point. The developer is currently procuring the design, and he is unaware of a consultant announced at this time. The Town will be responsible for a significant amount of the cost. Currently, this road is not programmed at \$13 million within the Town's Infrastructure and Improvement Plan for impact fees. As the Town moves forward with the possible, restudy of impact fees in the next fiscal year, the Town will try to adjust the price to cover some of those costs.

Mayor Honea stated they gave a lot of land against the mountain, going up towards Rattlesnake Pass to the Nature Conservancy, but it was part of their original land almost to the peak over the mountain. He asked whether Saguaro Bloom would pave that part of the land as well. **Mr. Brann** replied stating they are only paving a widening of Twin Peaks Road, as it currently exists; not through the mountain pass. **Mayor Honea** stated he does not believe that is how it was originally written, as there was a 2011 development agreement. Originally, he believes, it was supposed to go up over to the Y at Safeway. However, there is a piece of land between their property and the mountain range that they gave to the Nature Conservancy—it is still part of their project. He asked whether that part of the land would have to improve. **Mr. Brann** replied stating he is not familiar with the part of the land area that is being referred too. He recalls Block 10 in Saguaro Bloom was their mountain development. Any land that was necessary for the right-of-way of Twin Peaks Road and the road expansion was plotted with the original block plat. There is no private land that would have been impacted if donated to someone else. The right-of-way set from the original block plat.

Mr. Brann stated there is right-of-way to the east of Saguaro Bloom that is owned by White Stallion, LLC on the Saguaro Bloom side. **Mayor Honea** indicated he was referring to the north side of Saguaro Bloom. They gave away a portion of land that they could not use—up to the slope on the mountain to the Nature Conservancy. That was part of the original plat. He asked the Town to do some research, as he is interested in the development agreement from the beginning. He has been on Council the entire time and cannot see the Town have Saguaro Bloom to do half of an improvement of a road on their frontage that does not go anywhere.

Town Attorney Frank Cassidy stated he has located the Amended and Restated Agreement dated in 2005, and it states exactly what **Mr. Brann** had stated. **Mr. Brann** stated the original agreement only had chip seal improvements to Twin Peaks Road. It was the 2011 agreement that added in the expansion. He recalls the change that used to go to White Stallion entrance, now it states strictly to their boundary. **Mayor Honea**

stated it may have been a bad deal on Marana's part, and he accepts part of that responsibility for it. **Mr. Brann** stated staff will do further research into this agreement.

Marana Police Department Projects

- Slide with figures is on file in the Clerk's Office.

Mr. Brann provided an overview of the requested projects under Marana Police Department projects.

Airport Improvement Projects

- Slide with figures is on file in the Clerk's Office.

Mr. Brann provided an overview of the requested projects under Marana Airport.

Park Improvement Projects

- Slide with figures is on file in the Clerk's Office.

Mr. Conway presented the items related to Parks & Recreation capital improvement requests.

Water & Water Reclamation Improvement Projects

- Slide with figures, and maps are on file in the Clerk's Office.

Mr. Schladweiler presented the items related to Water & Water Reclamation improvement projects requests.

Mr. Brann stated for the most part, the Town has a balanced CIP program which most of the projects have dedicated funding sources specifically for them such as Impact Fees, Transportation Fund, or Water Capital Fund. To be clear, the Town wants to ensure that Council is aware of those projects that are requesting General Fund contribution.

Mayor Honea commented on the Adonis Road Project stating if the Tortolita does default on that roadway, and the Town chooses to build the road that would be \$2 to 2.5 million out of the reserve fund, as that is the only place that the Town could access for that project. However, he does obviously support this; Marana wants to build the road. He encouraged staff to make a concerted effort to work with the Villages of Tortolita as this road is very important to the community. **Council Member Ziegler** stated she agrees with **Mayor Honea** comments.

EXECUTIVE SESSIONS

Pursuant to A.R.S. § 38-431.03, the Town Council may vote to go into executive session, which will not be open to the public, to discuss certain matters.

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

FUTURE AGENDA ITEMS

Notwithstanding the mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

Council Member Ziegler asked how the Town was handling the Coronavirus and whether the **Mr. Mehta** would provide an update to Council on the steps, the town is taking to keep staff and residents safe. **Mr. Mehta** stated he would bring information forward to Council in his report, or email to Council.

ADJOURNMENT

Mayor Honea asked for a motion to adjourn the meeting.

Vice-Mayor Post moved and Council Member Bowen second the motion adjourning the meeting. Motion passed, 6-0. Meeting adjourned at 7:08 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes for the Study Session Meeting of the Marana Town Council meeting held on March 10, 2020. I further certify that a quorum was present.

Cherry L. Lawson, Town Clerk



Council-Regular Meeting

L1

Meeting Date: 04/07/2020

To: Mayor and Council

Submitted For: Cherry L. Lawson, Town Clerk

From: Suzanne Sutherland, Executive Assistant to the Town Clerk

Date: April 7, 2020

Strategic Plan Focus Area:
Not Applicable

Subject: Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for a new series #010 Beer and Wine Store liquor license submitted by Perry Charles Huellmantel on behalf of QuikTrip #1469, located at 5050 W. Ina Road Marana, AZ 85743 (Cherry L. Lawson)

Discussion:

This application is for a series #010 Beer and Wine Store liquor license at QuikTrip #1469, located at 5050 W. Ina Road Marana, AZ 85743.

Pursuant to state law, the application was posted at the premises where the business is to be conducted. The posted notice provided that residents within a one-mile radius from the premises may file written arguments in favor of or opposed to the issuance of the license with the Town Clerk's Office within 20 days of the posting. Any written arguments received by the Clerk's Office for or against the proposed liquor license are attached to this item and will be submitted to the Department of Liquor Licenses and Control (DLLC).

Town staff has reviewed this application to determine whether the applicant is in compliance with zoning, building and other legal requirements for the business. Additionally, the Marana Police Department has conducted a local background check.

The application states that Pima Vocational High School is within 300 feet of the applicant's location. Arizona law generally prohibits a premises that sells liquor from

being within 300 feet of a high school. Town staff has measured the distance between the school and the applicant's location to ensure it complies with Arizona law and has found that the actual distance is over 300 feet.

The Town Council must enter an order recommending approval or disapproval of the application within 60 days after filing of the application. Pursuant to state statute, a license will only be issued after a satisfactory showing of the capability, qualifications and reliability of the applicant and "in all proceedings before the town council, the applicant bears the burden of showing that the public convenience requires and that the best interests of the community will be substantially served by the issuance of a license."

If the Council's recommendation is for disapproval, the order must include an attachment stating the specific reasons for the recommendation of disapproval and including a summary of the testimony or other evidence supporting the recommendation.

If the Council enters an order recommending approval of the application, or makes no recommendation, then no hearing before the Arizona state liquor board will take place, unless the director of the DLLC, the liquor board or a resident within a one-mile radius from the premises requests a hearing. If the Council enters an order recommending disapproval of the application, or if the director, board or a resident within a one-mile radius from the premises requests a hearing, then the state board will hold a hearing regarding the application.

At the hearing, the state board will consider all evidence and testimony in favor of or opposed to the granting of the license. The decision of the board to either grant or deny an application will normally take place within 105 days after the application has been filed, unless the director of the DLLC deems it necessary to extend the time period.

Staff Recommendation:

After reviewing this application and measuring the distance between the applicant's location and a nearby school, staff recommends that an order recommending approval be submitted to the DLLC for this liquor license application.

Suggested Motion:

OPTION 1: I move to adopt and submit to the DLLC an order recommending approval of an application for a new series #010 Beer and Wine Store liquor license submitted by Perry Charles Huellmantel on behalf of QuikTrip #1469, located at 5050 W. Ina Road Marana, AZ 85743.

OPTION 2: I move to adopt and submit to the DLLC an order recommending disapproval of an application for a new series #010 Beer and Wine Store liquor license application submitted by Perry Charles Huellmantel on behalf of QuikTrip #1469, located at 5050 W. Ina Road Marana, AZ 85743.

Attachments

Redacted Application

Affidavit of Posting

Local Governing Body Recommendation

Descriptions of Common Liquor Licenses

State of Arizona
Department of Liquor Licenses and Control

Created 02/12/2020 @ 03:44:40 PM

Local Governing Body Report

LICENSE

Number:		Type:	010 BEER AND WINE STORE
Name:	QUIKTRIP #1469		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	5050 W INA ROAD MARANA, AZ 85743 USA		
Mailing Address:	[REDACTED]		
Phone:	[REDACTED]		
Alt. Phone:	[REDACTED]		
Email:	[REDACTED]		

AGENT

Name:	PERRY CHARLES HUELLMANTEL
Gender:	Male
Correspondence Address:	[REDACTED]
Phone:	[REDACTED]
Alt. Phone:	[REDACTED]
Email:	[REDACTED]

OWNER

Name:	QUIKTRIP CORPORATION		
Contact Name:	PERRY CHARLES HUELLMANTEL		
Type:	CORPORATION		
AZ CC File Number:	F08755030	State of Incorporation:	OK
Incorporation Date:	05/14/1999		
Correspondence Address:	[REDACTED]		
Phone:	[REDACTED]		
Alt. Phone:	[REDACTED]		
Email:	[REDACTED]		

Officers / Stockholders

Name:
CADIEUX FAMILY HOLDINGS LLC
CHESTER EDOUARD CADIEUX III

Title:
Stockholder
CEO,Pres,Stockholder

% Interest:
45.00
10.00

QUIKTRIP CORPORATION - Stockholder

Name: CADIEUX FAMILY HOLDINGS LLC
Contact Name: CADIEUX FAMILY HOLDINGS LLC
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address:

Phone:
Alt. Phone:
Email:

CADIEUX FAMILY HOLDINGS LLC - Managing Member, Stockholder QUIKTRIP CORPORATION - CEO, Pres, Stockholder

Name: CHESTER EDOUARD CADIEUX III
Gender: Male
Correspondence Address:

Phone:
Alt. Phone:
Email:

MANAGERS

Name: JAMES CHRISTOPHER
Gender: Correspondence ROBINSON Male
Address:
Phone:
Alt. Phone:
Email:

APPLICATION INFORMATION

Application Number: 98033
Application Type: New Application
Created Date: 02/12/2020

QUESTIONS & ANSWERS

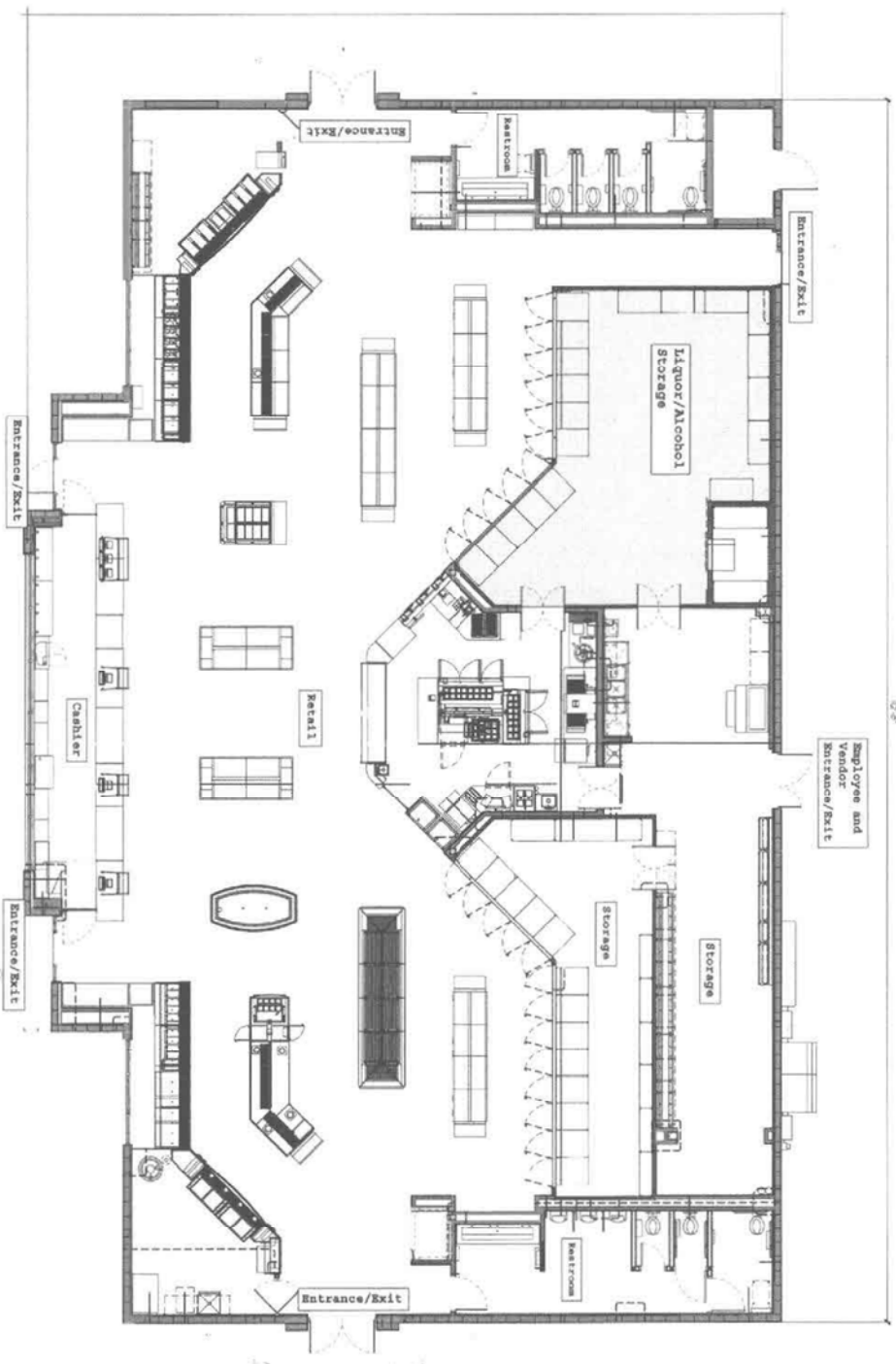
010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Provide name, address, and distance of nearest school and church.
(If less than one (1) mile note footage)
SCHOOL
PIMA VOCATIONAL HIGH SCHOOL
5025 W INA RD, TUCSON AZ 85743
300 FT

CHURCH
ABIDING IN CHRIST FELLOWSHIP
7335 N CAMINO DE OESTE, TUCSON AZ 85741
2,451 FT
- 3) Are you one of the following? Please indicate below.
Property Tennant
Sub-tenant
Property Owner
Property Purchaser
Property Management Company
OWNER
- 4) Is there a penalty if lease is not fulfilled?
No
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
\$0
- 7) Is there a drive through window on the premises?
No
- 8) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
NONE
- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
05/28/19

20 FEB 12 11:41 AM 3 56

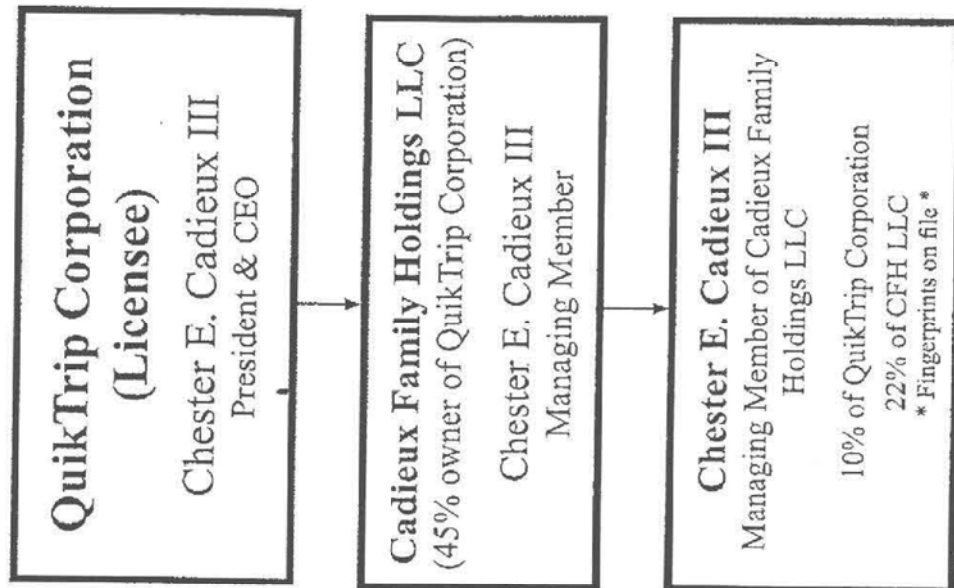
7,318 Square Feet



A1 REFERENCE FLOOR PLAN

ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL
Application for Liquor License

QUIKTRIP OWNERSHIP BREAKDOWN



* No other person or entity has a 10% or greater interest in the liquor license

20 FEB 12 11:17 AM 3:56



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: February 28, 2020

Date of Posting Removal: 3/20/2020

Applicant's Name: Huellmantel Perry Charles
Last First Middle

Business Address: 5050 W. Ina Road Marana 85743
Street City Zip

License #: 98033

I hereby certify that pursuant to A.R.S. 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

Christine Byler Outreach Coordinator 520-382-1926
Print Name of City/County Official Title Phone Number

 3/20/2020
Signature Date Signed

Return this affidavit with your recommendations (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents. If you have any questions please call (602) 542-5141 and ask for the Licensing Division.



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

Local Governing Body Recommendation
A.R.S. § 4-201(C)

1. City or Town of: Town of Marana Liquor License Application #: 98033
(Circle one) (Arizona application #)
2. County of: Pima County City/Town/County #: LL2020-09
3. If licensed establishment will operate within an "entertainment district" as described in A.R.S. §4-207(D)(2),

(Name of entertainment district) (Date of resolution to create the entertainment district)
- A boundary map of entertainment district must be attached.
4. The Marana Town Council at a Regular meeting held on the 7th of
(Governing body) (Regular or special) (Day)
April, 2020 considered the application of Perry Charles Huellmantel
(Month) (Year) (Name of applicant)
for a license to sell spirituous liquor at the premises described in application 98033,
(Arizona liquor license application #)
for the license series #: type Series #10 Beer and Wine Store as provided by A.R.S §4-201.
(i.e.: series #10: beer & wine store)

ORDER OF APPROVAL/DISAPPROVAL

IT IS THEREFORE ORDERED that the license APPLICATION OF Perry Charles Huellmantel
(Name of applicant)
to sell spirituous liquor of the class and in the manner designated in the application, is hereby recommended
for _____
(Approval, disapproval, or no recommendation)

TRANSMISSION OF ORDER TO STATE

IT IS FURTHER ORDERED that a certified copy of this order be immediately transmitted to the State Department
of Liquor, License Division, 800 W Washington, 5th Floor, Phoenix, Arizona.

Dated at _____ on _____, _____, _____
(Location) (Day) (Month) (Year)

(Printed name of city, town or county clerk)

(Signature of city, town or county clerk)

Department of Liquor Licenses and Control
Descriptions of Common Types of Liquor Licenses

Series 6 Bar

The bar (series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. § 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar. A hotel or motel with a Series 6 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.

Series 7 Beer and Wine Bar

The beer and wine bar (series 7) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. § 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Off-sale ("To Go") package sales can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the one provided for the bar. Payment must be made no later than the time of delivery.

Department of Liquor Licenses and Control
Descriptions of Common Types of Liquor Licenses

Series 9 Liquor Store

The liquor store (series 9) license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows a spirituous liquor store retailer to sell all types of spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 9 (liquor store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form.

Series 10 Beer and Wine Store

This non-transferable, off-sale retail privileges liquor license allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 10 (beer and wine store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form.

Series 11 Hotel/Motel

This non-transferable, on-sale retail privileges liquor license allows the holder of a hotel/motel license to sell and serve all types of spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises. The restaurant on the licensed premises must derive at least forty percent (40%) of its gross revenue from the sale of food. The holder of this license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is provided by a key or magnetic card device and may not be furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.

Series 12 Restaurant

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.



Council-Regular Meeting

L2

Meeting Date: 04/07/2020

To: Mayor and Council

Submitted For: Cherry L. Lawson, Town Clerk

From: Suzanne Sutherland, Executive Assistant to the Town Clerk

Date: April 7, 2020

Strategic Plan Focus Area:

Not Applicable

Subject: Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for a new series #010 Beer and Wine Store liquor license submitted by Kim Kenneth Kwiatkowski on behalf of Circle K Store #9539, located at 11403 W. Tangerine Road Marana, AZ 85653 (Cherry L. Lawson)

Discussion:

This application is for a series #010 Beer and Wine Store liquor license at Circle K Store #9539, located at 11403 W. Tangerine Road Marana, AZ 85653.

Pursuant to state law, the application was posted at the premises where the business is to be conducted. The posted notice provided that residents within a one-mile radius from the premises may file written arguments in favor of or opposed to the issuance of the license with the Town Clerk's Office within 20 days of the posting. Any written arguments received by the Clerk's Office for or against the proposed liquor license are attached to this item and will be submitted to the Department of Liquor Licenses and Control (DLLC).

Town staff has reviewed this application to determine whether the applicant is in compliance with zoning, building and other legal requirements for the business. Additionally, the Marana Police Department has conducted a local background check.

The Town Council must enter an order recommending approval or disapproval of the application within 60 days after filing of the application. Pursuant to state statute, a

license will only be issued after a satisfactory showing of the capability, qualifications and reliability of the applicant and “in all proceedings before the town council, the applicant bears the burden of showing that the public convenience requires and that the best interests of the community will be substantially served by the issuance of a license.”

If the Council’s recommendation is for disapproval, the order must include an attachment stating the specific reasons for the recommendation of disapproval and including a summary of the testimony or other evidence supporting the recommendation.

If the Council enters an order recommending approval of the application, or makes no recommendation, then no hearing before the Arizona state liquor board will take place, unless the director of the DLLC, the liquor board or a resident within a one-mile radius from the premises requests a hearing. If the Council enters an order recommending disapproval of the application, or if the director, board or a resident within a one-mile radius from the premises requests a hearing, then the state board will hold a hearing regarding the application.

At the hearing, the state board will consider all evidence and testimony in favor of or opposed to the granting of the license. The decision of the board to either grant or deny an application will normally take place within 105 days after the application has been filed, unless the director of the DLLC deems it necessary to extend the time period.

Staff Recommendation:

Staff recommends that an order recommending approval be submitted to the DLLC for this liquor license application.

Suggested Motion:

OPTION 1: I move to adopt and submit to the DLLC an order recommending approval of an application for a new series #010 Beer and Wine Store liquor license submitted by Kim Kenneth Kwiatkowski on behalf of Circle K Store #9539, located at 11403 W. Tangerine Road Marana, AZ 85653.

OPTION 2: I move to adopt and submit to the DLLC an order recommending disapproval of an application for a new series #010 Beer and Wine Store liquor license submitted by Kim Kenneth Kwiatkowski on behalf of Circle K Store #9539, located at 11403 W. Tangerine Road Marana, AZ 85653.

Attachments

Redacted Application

Affidavit of Posting

Local Governing Body Recommendation

Descriptions of Common Liquor Licenses

State of Arizona
Department of Liquor Licenses and Control

Created 02/10/2020 @ 02:44:54 PM

Local Governing Body Report

LICENSE

Number:		Type:	010 BEER AND WINE STORE
Name:	CIRCLE K STORE #9539		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	11403 W TANGERINE ROAD MARANA , AZ 85653 USA		
Mailing Address:	[REDACTED]		
Phone:	[REDACTED]		
Alt. Phone:	[REDACTED]		
Email:	[REDACTED]		

AGENT

Name:	KIM KENNETH KWIATKOWSKI
Gender:	Male
Correspondence Address:	[REDACTED]
Phone:	[REDACTED]
Alt. Phone:	
Email:	[REDACTED]

OWNER

Name:	CIRCLE K STORES INC		
Contact Name:	KIM KENNETH KWIATKOWSKI		
Type:	CORPORATION		
AZ CC File Number:	F00065980	State of Incorporation:	AZ
Incorporation Date:	04/08/1957		
Correspondence Address:	[REDACTED]		
Phone:	[REDACTED]		
Alt. Phone:			
Email:	[REDACTED]		

Officers / Stockholders

Name:	Title:	% Interest:
CIRCLE K DELAWARE INC	Stockholder	100.00
TIMOTHY SHAWN TOUREK	Vice-President	
KATHLEEN K CUNNINGTON	VP/Treas,Director	
BRIAN PATRICK HANNASCH	Director	
GEOFFREY CHARLES HAXEL	Pres/Sec,Director	
KIM KENNETH KWIATKOWSKI	Sec	

CIRCLE K STORES INC - Stockholder

Name: CIRCLE K DELAWARE INC
Contact Name: CIRCLE K DELAWARE INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email:

CIRCLE K STORES INC - Vice-President

Name: TIMOTHY SHAWN TOUREK
Gender: Male
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

CIRCLE K STORES INC - VP/Treas,Director

Name: KATHLEEN K CUNNINGTON
Gender: Female
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

CIRCLE K DELAWARE INC - Pres/Sec
CIRCLE K STORES INC - Director
COUCHE TARD INC - Pres
DEPAN ESCOMPTE COUCHE TARD INC - Pres
MACS CONVENIENCE STORES INC - Pres

Name: BRIAN PATRICK HANNASCH
Gender: Male
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

ALIMENTATION COUCHE TARD INC - VP
CIRCLE K CORPORATION - Director,Pres
CIRCLE K DELAWARE INC - Director,Pres
CIRCLE K STORES INC - Pres/Sec,Director
COUCHE TARD INC - VP
COUCHE TARD US INC - Pres,Director
DEPAN ESCOMPTE COUCHE TARD INC - VP
MACS CONVENIENCE STORES INC - VP

Name: GEOFFREY CHARLES HAXEL
Gender: Male
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

CIRCLE K DELAWARE INC - Sec
CIRCLE K STORES INC - Sec

Name: KIM KENNETH KWIATKOWSKI
Gender: Correspondence Male
Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

CIRCLE K STORES INC - Stockholder

Name: CIRCLE K DELAWARE INC
Contact Name: CIRCLE K DELAWARE INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CIRCLE K STORES INC - Stockholder

Name: CIRCLE K DELAWARE INC
Contact Name: CIRCLE K DELAWARE INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email:

CIRCLE K CORPORATION - Stockholder

Name: COUCHE TARD US INC
Contact Name: COUCHE TARD US INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email:

MACS CONVENIENCE STORES INC - Stockholder

Name: COUCHE TARD INC
Contact Name: COUCHE TARD INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

COUCHE TARD INC - Stockholder

Name: DEPAN ESCOMPTE COUCHE TARD INC
Contact Name: DEPAN ESCOMPTE COUCHE TARD INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
[REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

DEPAN ESCOMPTE COUCHE TARD INC -

Stockholder

Name: ALIMENTATION COUCHE TARD INC
Contact Name: ALIMENTATION COUCHE TARD INC
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

ALIMENTATION COUCHE TARD INC-

Stockholder

Name:
Contact Name:
Type:
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: [REDACTED]
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

MANAGERS

Name: JANET KAY MEZA
Gender: Female
Correspondence Address: [REDACTED]
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

APPLICATION INFORMATION

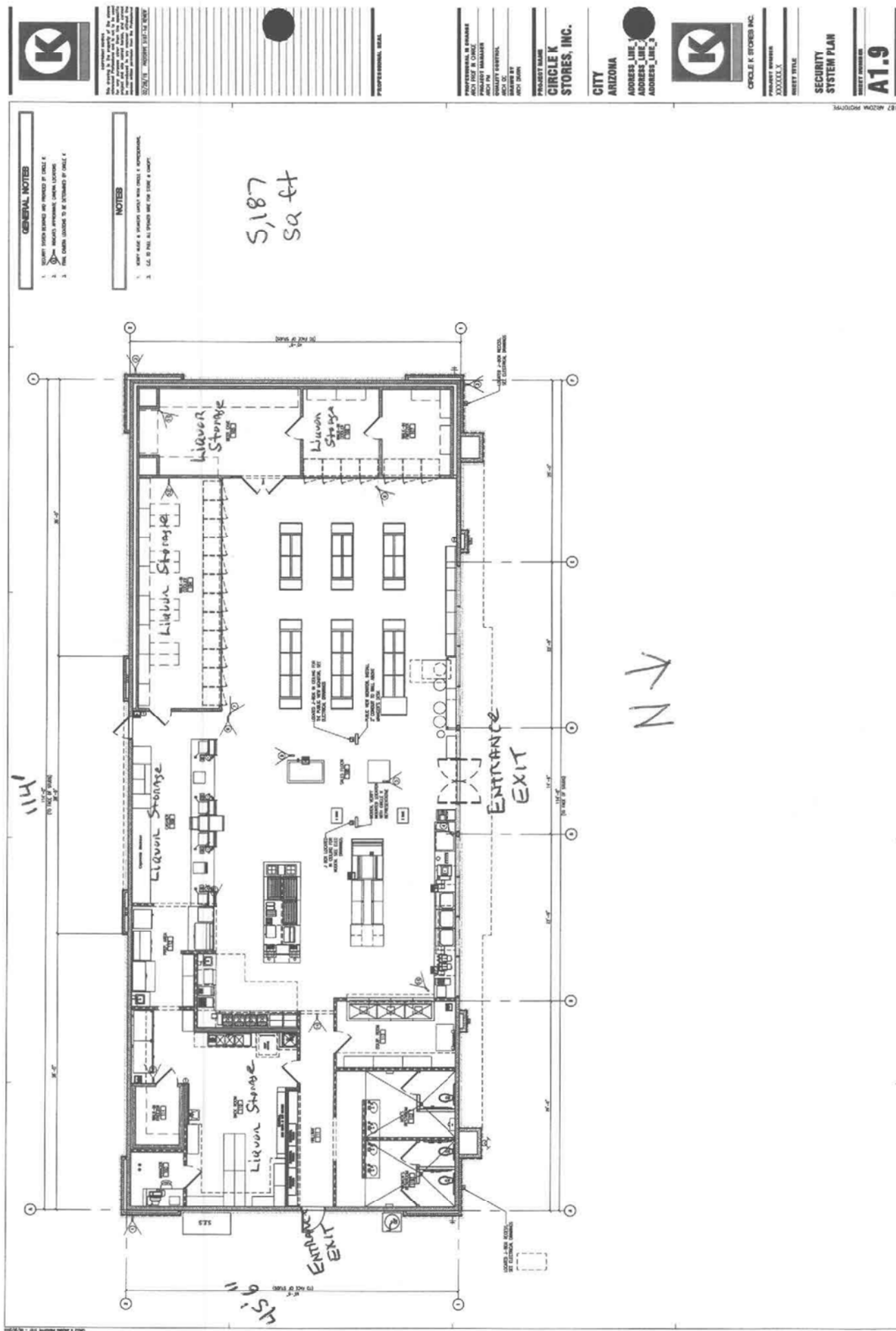
Application Number: 97780
Application Type: New Application
Created Date: 02/10/2020

Cynthia Abrigo

QUESTIONS & ANSWERS

010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Provide name, address, and distance of nearest school and church.
(If less than one (1) mile note footage)
MARANA MIDDLE SCHOOL - 9,250 FEET
22396 W GRIER RD, MARANA, AZ 85653
ST CHRISTOPHER CATHOLIC PARISH - 8,035 FEET
12101 W MOORE RD, MARANA, AZ 85653
- 3) Are you one of the following? Please indicate below.
Property Tennant
Sub-tenant
Property Owner
Property Purchaser
Property Management Company
OWNER
- 4) Is there a penalty if lease is not fulfilled?
No
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
\$3,500,00.00 - WELLS FARGO BANK ACCT-4123020789
333 S GRAND AVE, 12TH FL, LOS ANGELES, CA 90071
- 7) Is there a drive through window on the premises?
No
- 8) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
NONE
- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
04/01/21





Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: February 28, 2020

Date of Posting Removal: 3/20/2020

Applicant's Name: Kwiatkowski Kim Kenneth
Last First Middle

Business Address: 11403 W. Tangerine Road Marana 85653
Street City Zip

License #: 97780

I hereby certify that pursuant to A.R.S. 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

Christine Byler Outreach Coordinator 520-382-1926
Print Name of City/County Official Title Phone Number

Edgar B. Jr #1034 3/20/2020
Signature Date Signed

Return this affidavit with your recommendations (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents. If you have any questions please call (602) 542-5141 and ask for the Licensing Division.



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

Local Governing Body Recommendation
A.R.S. § 4-201(C)

1. City or Town of: Town of Marana Liquor License Application #: 97780
(Circle one) (Arizona application #)
2. County of: Pima County City/Town/County #: LL2020-10
3. If licensed establishment will operate within an "entertainment district" as described in A.R.S. § 4-207(D)(2),

(Name of entertainment district) (Date of resolution to create the entertainment district)
- A boundary map of entertainment district must be attached.
4. The Marana Town Council at a Regular meeting held on the 7th of
(Governing body) (Regular or special) (Day)
April, 2020 considered the application of Kim Kenneth Kwiatkowski
(Month) (Year) (Name of applicant)
for a license to sell spirituous liquor at the premises described in application 97780,
(Arizona liquor license application #)
for the license series #: type Series #10 Beer and Wine Store as provided by A.R.S § 4-201.
(I.e.: series #10: beer & wine store)

ORDER OF APPROVAL/DISAPPROVAL

IT IS THEREFORE ORDERED that the license APPLICATION OF Kim Kenneth Kwiatkowski
(Name of applicant)
to sell spirituous liquor of the class and in the manner designated in the application, is hereby recommended
for _____
(Approval, disapproval, or no recommendation)

TRANSMISSION OF ORDER TO STATE

IT IS FURTHER ORDERED that a certified copy of this order be immediately transmitted to the State Department
of Liquor, License Division, 800 W Washington, 5th Floor, Phoenix, Arizona.

Dated at _____ on _____, _____, _____
(Location) (Day) (Month) (Year)

(Printed name of city, town or county clerk)

(Signature of city, town or county clerk)

Department of Liquor Licenses and Control
Descriptions of Common Types of Liquor Licenses

Series 6 Bar

The bar (series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. § 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar. A hotel or motel with a Series 6 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.

Series 7 Beer and Wine Bar

The beer and wine bar (series 7) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. § 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Off-sale ("To Go") package sales can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the one provided for the bar. Payment must be made no later than the time of delivery.

Department of Liquor Licenses and Control
Descriptions of Common Types of Liquor Licenses

Series 9 Liquor Store

The liquor store (series 9) license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows a spirituous liquor store retailer to sell all types of spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 9 (liquor store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form.

Series 10 Beer and Wine Store

This non-transferable, off-sale retail privileges liquor license allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 10 (beer and wine store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form.

Series 11 Hotel/Motel

This non-transferable, on-sale retail privileges liquor license allows the holder of a hotel/motel license to sell and serve all types of spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises. The restaurant on the licensed premises must derive at least forty percent (40%) of its gross revenue from the sale of food. The holder of this license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is provided by a key or magnetic card device and may not be furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.

Series 12 Restaurant

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.