MARANA TOWN COUNCIL
REGULAR COUNCIL MEETING
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, February 15, 2022, at or after 6:00 PM

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

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 on February 15, 2022, at or after 6:00 PM located in the Council Chambers of the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

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.

Speaking at Meetings
If you are interested in speaking to the Council during the Call to the Public or Public Hearings, you must fill out a speaker card (located in the lobby outside the Council

Chambers) and deliver it to the Town Clerk prior to the convening of the meeting.

All persons attending the Council meeting, whether speaking to the Council or not, are expected to observe the Council rules, as well as the rules of politeness, propriety, decorum and good conduct. Any person interfering with the meeting in any way, or acting rudely or loudly will be removed from the meeting and will not be allowed to return.

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 in the lobby outside the Council Chambers or 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

CALL TO THE PUBLIC
At this time any member of the public is allowed to address the Town Council on any issue within the jurisdiction of the Town Council, except for items scheduled for a Public Hearing at this meeting. The speaker may have up to three minutes to speak. Any persons wishing to address the Council must complete a speaker card located outside the Council Chambers and deliver it to the Town Clerk prior to the commencement of the meeting. Individuals addressing a meeting at the Call to the Public will not be provided with electronic technology capabilities beyond the existing voice amplification and recording capabilities in the facilities. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Council may respond to criticism made by those who have addressed the Council,

and may ask staff to review the matter, or may ask that the matter be placed on a future agenda.

PROCLAMATIONS

PR1 Proclamation declaring March 4, 2022 as, "St. Baldrick's Day in Marana" (Cherry L. Lawson)

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

PRESENTATIONS

P1 Relating to Strategic Planning; presentation introducing CREA Affiliates, LCC who will develop Marana Strategic Plan V and outlining the planning process and timeline (Terry Rozema)

P2 Relating to Budget; presentation of second quarter results (July-December) for the Town's General Fund and other selected major funds for the 2021-2022 fiscal year (Yiannis Kalaitzidis)

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 Ordinance No. 2022.002: Relating to Finance; Exempting the Nighthawk-72 Marana Marine Corps League Detachment 1344 from the Special Event Permit fee for the annual Nighthawk-72 Memorial Service (David L. Udall)

C2 Resolution No. 2022-012: Relating to Development; approving a Release of Assurances for a portion of Lazy K Bar Ranch and accepting public improvements for maintenance (Jason Angell)

C3 Resolution No. 2022-013: Relating to Development; approving a release of assurances for Gladden Farms Block 30 Lots 1 through 136 and accepting public improvements for maintenance (Jason Angell)

C4 Approval of the Council Regular Meeting Summary Minutes of February 1, 2022 (Cherry L. Lawson)

LIQUOR LICENSES

L1 Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for an Owner Transfer of a Series #07 Beer and Wine Bar liquor license submitted by Ryan Witner Anderson on behalf of Peter Piper Pizza #1211, located at 3741 West Ina Road Suite 125, Tucson, AZ 85741 (Cherry L. Lawson)

BOARDS, COMMISSIONS AND COMMITTEES

COUNCIL ACTION

A1 Resolution No. 2022-014: Relating to Utilities; Authorizing Town staff to apply for a Drinking Water Revolving Fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) to fund construction costs for the Marana Park Reservoir Project (WT046) (Jing Luo)

A2 Resolution No. 2022-015: Relating to Budget; authorizing the transfer of $71,145 and $262,050, respectively, in budgeted expense authority from the General Fund contingency line item to the Water CIP budget in the fiscal year 2022 budget for the design of the Tangerine Business Park Well No. 2 Project and for the design of the Honea East Reservoir and Well Upgrade Project (Jing Luo)

ITEMS FOR DISCUSSION / POSSIBLE ACTION

D1 Ordinance No. 2022.003: Relating to Land Development; revising Marana Town Code Title 17 (Land Development), Chapter 17-2 (Administrative Bodies and Officers), Section 17-2-2 (Board of adjustment) to provide that the members of the Town Council [or alternatively, the Planning Commission] shall serve as the Marana Board of Adjustment; dissolving the sitting Board of Adjustment; and designating an effective date (Jane Fairall)

D2 Relating to Budget; discussion, direction, and possible action regarding development of the fiscal year 2022/2023 budget, including proposed budget initiatives and expenditures (Terry Rozema)

D3 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 (Terry Rozema)

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 **PR1**

Meeting Date: 02/15/2022

From: Cherry L. Lawson, Town Clerk

Date: February 15, 2022

Subject: Proclamation declaring March 4, 2022 as, "St. Baldrick's Day in Marana" (Cherry L. Lawson)

Attachments

Proclamation

MARANA AZ
CELEBRATING 45 YEARS

PROCLAMATION
St. Baldrick's Northwest Tucson
"Rock the Bald" Campaign 2022

WHEREAS, cancer is the number one disease killer of children and young adults in the United States, with a child being diagnosed with cancer worldwide every two minutes; and

WHEREAS, through head-shaving events, partnerships, and advocacy initiatives, the primary focus of the St. Baldrick's Foundation is to have the greatest impact for kids with cancer around the world; and

WHEREAS, as only four percent of federal cancer funding goes directly to childhood cancer research; and

WHEREAS, St. Baldrick's Foundation is the largest funder of childhood cancer research grants outside of the United States government; and

WHEREAS, shaving heads is a visible demonstration of solidarity with those who have lost their hair to cancer treatment; and

WHEREAS, a "Defy Childhood Cancer" fundraising event for St. Baldrick's is being held at Mountain View High School on Friday, March 4, 2022 from 5:30 – 9:00 p.m.

NOW, THEREFORE be it resolved, the Mayor and Council of the Town of Marana commend the efforts of the "Be Bold Go Bald" team and recognize **"March 4, 2022 as St. Baldrick's Day in Marana"** and urge citizens to familiarize themselves with this program and offer support for the activities associated with St. Baldrick's Foundation.

Dated this 15th day of February 2022.

ATTEST:

Cherry L. Lawson, Town Clerk

Ed Honea, Mayor

Council-Regular Meeting **P1**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Terry Rozema, Town Manager

From: Vickie Hathaway, Communications Manager

Date: February 15, 2022

Strategic Plan Focus Area:
Commerce, Community, Heritage, Recreation, Progress & Innovation

Subject: Relating to Strategic Planning; presentation introducing CREA Affiliates, LCC who will develop Marana Strategic Plan V and outlining the planning process and timeline (Terry Rozema)

Discussion:

The Marana Town Council adopted the first Strategic Plan in 2008, and this revised version will be the fifth iteration of the plan. The Town of Marana has selected CREA Affiliates LLC to assist Town leadership and staff in the development of Strategic Plan V.

Over the next few months, Town Department Heads along with the Town Manager's office will facilitate discussions with the Town Council on each Focus Area of the plan: Commerce, Community, Innovation, Heritage, and Recreation. From these discussions, there will be recommendations on both new initiatives and revisions to the Strategic Plan IV. These recommendations will then be incorporated into a new, comprehensive document reflecting the Town Council's vision and strategy for the Marana community.

This presentation will introduce CREA Affiliates LLC and outline the planning process and timeline.

Staff Recommendation:

Presentation only.

Suggested Motion:
Presentation only.

Attachments

CREA Affiliates Strategic Plan Presentation

MARANA AZ

Strategic Plan V

Town Manager Terry Rozema
Assistant to the Town Manager Andrea Caicedo
Communications Manager Vic Hathaway

2/8/2022

Purpose

- Continuation of the Town's commitment to bring the best public service to our community.

- Since the implementation of Strategic Plan IV in 2017, the Town of Marana has completed a series of long term vision plans:
  - Town of Marana General Plan 2040
  - Economic Development Strategic Plan
  - Marana Regional Airport Master Plan
  - Marana Parks & Recreation Master Plan

- Now is the time to update the Strategic Plan with the next 2-3 years of initiatives that will align our short-term action plans with our long-term goals.

CREA affiliates, llc

- Anindita Mitra, AICP, B.Arch – Project Management and Meeting Facilitation
- Doctor Eugenia Bogazzi – Public Outreach and Meeting Coordinator
- Farwa Hussain – Project Planner and Social Media

PROCESS

Process

JAN-FEB

Research

- Review of Town long-term planning documents

FEB-APR

Outreach

- Community surveys
- Stakeholder meetings

APR-MAY

Draft plan for review

JUN ‘22

Final adoption

Research

JAN

Research

- Review of Town long-term planning documents

- Town of Marana General Plan 2040
- Economic Development Strategic Plan
- Marana Regional Airport Master Plan
- Marana Parks & Recreation Master Plan
- Marana Communications Strategic Plan
- Town of Marana Annual Budget Books
- Council Executive Reports

Outreach

JAN

Research

- Review of Town long-term planning documents

FEB-APR

Outreach

- Community surveys
- Stakeholder meetings

- **Surveys**
  - Town Council
  - General public
  - Business/developer community
- **Stakeholder meetings**
  - Town Council public meetings (4)
  - Executive leadership meetings (3)
  - Marana Citizens' Forum (1)
  - Business and developer community (1)

Process

JAN

Research

- Review of Town long-term planning documents

FEB-APR

Outreach

- Community surveys
- Stakeholder meetings

APR-MAY

Draft plan for review

April 21:

Initial staff review

May 17:

Town Council final review

The draft document will be provided ahead of time.

Adoption

JAN

Research

- Review of Town long-term planning documents

FEB-APR

Outreach

- Community surveys
- Stakeholder meetings

APR-MAY

Draft plan for review

JUN ‘22

Final adoption

Final adoption is scheduled for June 21

IMPORTANT DATES

February 15

- Town Council Presentation introduction and review of Strategic Plan process

February 18

- Stakeholder meeting: Marana Citizens' Forum

March 4

- Stakeholder meeting: Business/Developer community

March 22

- Town Council study session for summary of findings

April 12

- Town Council study session goal setting

May 17

- Town Council session for draft plan review

June 21

- Town Council session for final Strategic Plan adoption

THANK YOU

Council-Regular Meeting **P2**

Meeting Date: 02/15/2022

To: Mayor and Council

From: Yiannis Kalaitzidis, Finance Director

Date: February 15, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Relating to Budget; presentation of second quarter results (July-December) for the Town's General Fund and other selected major funds for the 2021-2022 fiscal year (Yiannis Kalaitzidis)

Discussion:

The purpose of this item is to present a summary of the Town's second quarter financial results (July-December) for the Town's General Fund and other selected major funds for fiscal year 2021-2022. It is important to note that these results are preliminary, unaudited and subject to change based upon adjusting entries, as necessary. The attached provides a high-level revenue and expenditure summary at the end of the current quarter.

Revenue

Overall, revenues are within or above expectations for all funds at this time of the year except for the Water Fund.

- Revenues for the General Fund are better than expected due to consistently better than anticipated sales taxes in most categories, but also due to better than expected residential permits activity.
- HURF fund revenues are just above expectations due to strong activity related to vehicle related tax categories.
- Bed Tax fund revenues are above expectations due to a strong recovery supported by consistent occupancy rates and revenues in the hospitality industry.
- Water fund revenues are slightly below expectations for this time of the year due

to an overestimation of user revenue during budget development.
- Charges for services revenues in the remaining enterprise funds are within expectations for this time of year.

Additional detail on these variances is included within the visualization slides attached to this item.

Expenditures
Expenditures in all funds are at or below expectations. This is primarily due to the timing of one-time projects and programs which are expected to occur in future quarters. The Water and Water reclamation funds are within expectations when excluding debt service payments that happen during the first quarter of the fiscal year. The Water reclamation fund did experience a number of emergency system repairs that necessitated a Council request for additional budget capacity in the 3rd quarter. Expenses for the Bed Tax Fund are as expected through the second quarter of the fiscal year, accounting for the annual payment of the State Land lease that occurs in October.

The quarterly update will be available on the Town's website following tonight's meeting. The public may interact with the Power BI tool by drilling down into the data. The tool can be found on the following page:
http://www.maranaaz.gov/financial-documents

Staff Recommendation:
Presentation of second quarter results only.

Suggested Motion:
Presentation of second quarter results only.

Attachments

FY2021-2022 Second Quarter Financial Update

Financial Brief: Second Quarter

Fiscal Year

2021 – 2022

Prepared by: Finance Department

Contents

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FISCAL YEAR 2021 - 2022 SECOND QUARTER FINANCIAL BRIEF

This financial brief is intended to provide a broad overview and status of revenues and expenditures for the Town's selected major funds through the second quarter of fiscal year 2022 (July 2021 - December 2021). Major funds included in this financial brief are the General Fund, Highway User Revenue Fund (HURF), Bed Tax Fund and Transportation Fund. Also included are the enterprise funds Airport, Water, and Water Reclamation. Please note that all amounts are preliminary, un-audited and subject to change based upon adjusting entries, as necessary.

The table below shows an overview for each fund.

	REVENUES			EXPENDITURES			OVER/UNDER
Fund	FY 2022 Budget	Actual	% Budget	FY 2022 Budget	Actual	% Budget	YTD Over/Under
GENERAL FUND	53,735,342	32,748,467	61%	54,365,494	20,839,905	38%	11,908,562
HURF	3,917,106	2,138,812	55%	4,348,548	583,955	13%	1,554,857
TRANSPORTATION FUND	7,600,000	3,758,717	49%	16,716,631	385,890	2%	3,372,827
BED TAX FUND	1,243,341	736,486	59%	1,243,341	765,262	62%	-28,776
WATER FUND	9,314,917	3,589,144	39%	9,581,972	3,881,012	41%	-291,868
WATER RECLAMATION FU...	3,182,972	1,682,504	53%	3,812,261	1,214,861	32%	467,643
AIRPORT FUND	641,443	178,903	28%	641,443	258,891	40%	-79,988

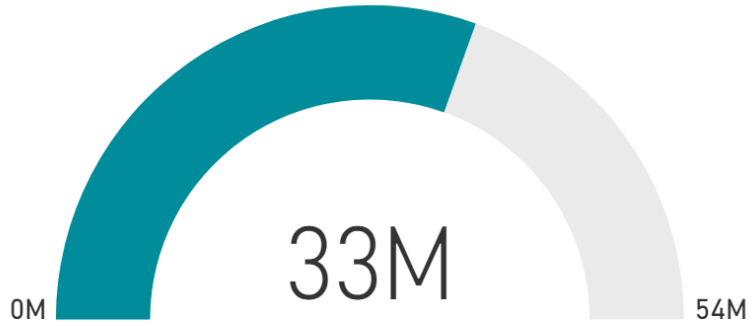
Click HERE for a User Guide and FAQ about this report

FY 2021-2022 SECOND QUARTER: GENERAL FUND REVENUES

Select Revenue or Expense

- ☐ EXPENSES
- ■ REVENUES

Category	FY 2022 Budget	Actual	% Budget
Sales Tax	30,950,841	17,865,199	58%
Intergovernmental	14,620,322	7,948,598	54%
Licenses, Fees, & Permits	5,843,300	5,361,201	92%
Charges for Services	609,500	523,292	86%
Other	1,711,379	1,050,177	61%
Total	**53,735,342**	**32,748,467**	**61%**



General Fund Relevant Information

The General Fund is the Town's primary operating fund. Sales Tax, Intergovernmental Revenues and Licenses, Fees, & Permits make up 95% of budgeted revenues for the fund. Second quarter collections are above expected levels for FY2022 due to stronger than anticipated activity in most categories. Intergovernmental Revenues are amounts received from the State's shared revenue program and are distributed based upon population estimates and economic conditions. Licenses, Fees, & Permits include Single Family Residential (SFR) permit revenue (654 issued as of December). Other revenues, comprised of various sources include investment income earnings and insurance dividends.



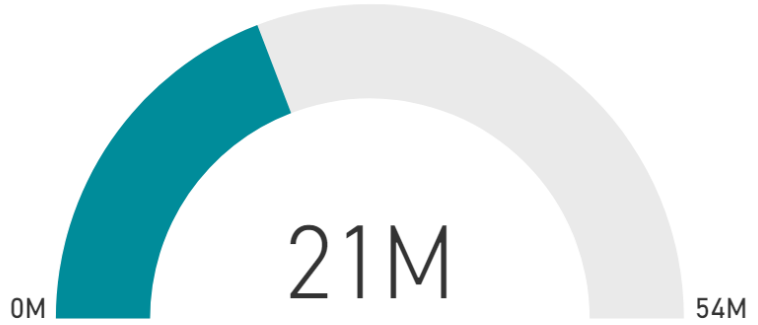
Category	2020	2021	2022
Sales Tax	15,092,558	16,630,265	17,865,199
Intergovernmental	6,496,031	7,503,228	7,948,598
Licenses, Fees, & Permits	2,901,258	3,220,938	5,361,201
Charges for Services	254,068	277,819	523,292
Other	1,591,157	3,506,351	1,050,177
Total	**26,335,072**	**31,138,600**	**32,748,467**

FY 2021-2022 SECOND QUARTER: GENERAL FUND EXPENSES

Select Revenue or Expense

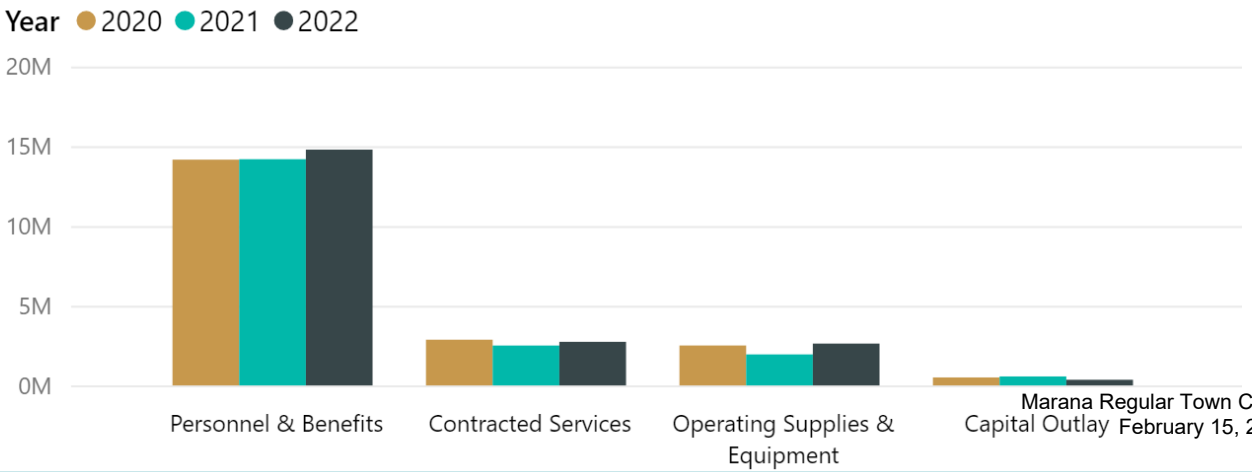
- [x] EXPENSES
- [ ] REVENUES

Category	FY 2022 Budget	Actual	% Budget
Personnel & Benefits	34,224,577	14,790,738	43%
Contracted Services	6,485,879	2,727,571	42%
Operating Supplies & Equipment	6,419,550	2,622,631	41%
Capital Outlay	2,735,953	353,290	13%
Other Financing Uses	4,499,535	345,676	8%
Total	**54,365,494**	**20,839,905**	**38%**



General Fund Relevant Information

General Fund expenses through the second quarter of FY2022 are overall as expected. Operating Supplies & Equipment is below budget primarily due to the timing of processing developer rebates. Capital Outlay is associated with a number of projects many of which are getting underway and with the vehicle replacement program which continues to experience delays associated with supply chain disruptions . Other Financing Uses is related to budgeted transfers which take place later in the fiscal year.

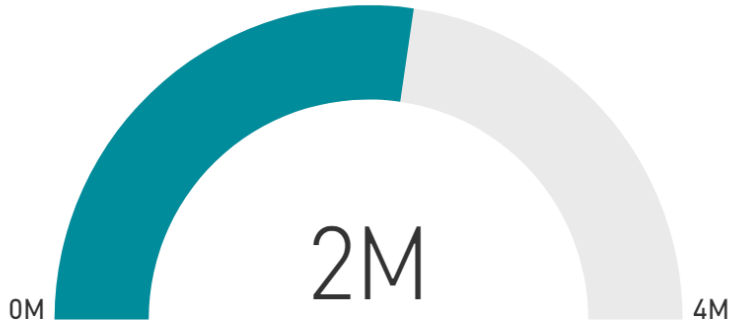


Category	2020	2021	2022
Personnel & Benefits	14,161,580	14,188,206	14,790,738
Contracted Services	2,859,368	2,491,433	2,727,571
Operating Supplies & Equipm...	2,503,074	1,943,796	2,622,631
Capital Outlay	499,755	561,995	353,290
Other Financing Uses	406,677	1,081,168	345,676
Total	**20,430,454**	**20,266,597**	**20,839,905**

FY 2021-2022 SECOND QUARTER: HURF REVENUES

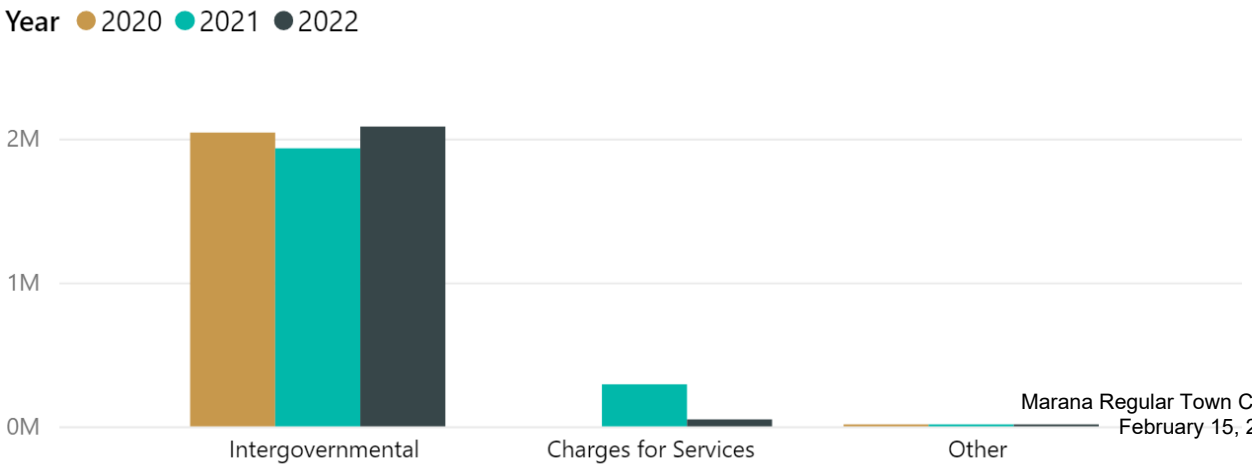
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- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Intergovernmental	3,912,106	2,083,093	53%
Charges for Services	0	48,098	0%
Other	5,000	7,620	152%
Total	**3,917,106**	**2,138,812**	**55%**



HURF Relevant Information

The Highway User Revenue Fund or HURF is set by the collection of fees and taxes from users of the State's roads and highways which the State collects. Cities and towns receive a percentage of revenues based on population estimates and gasoline sales within each county. Second quarter HURF revenue collections are slightly above forecasted levels due to better than anticipated activity. Charges for services are payment in lieu of fees collected from third parties to be expended for the preservation of roads. Other revenue is comprised of investment income.

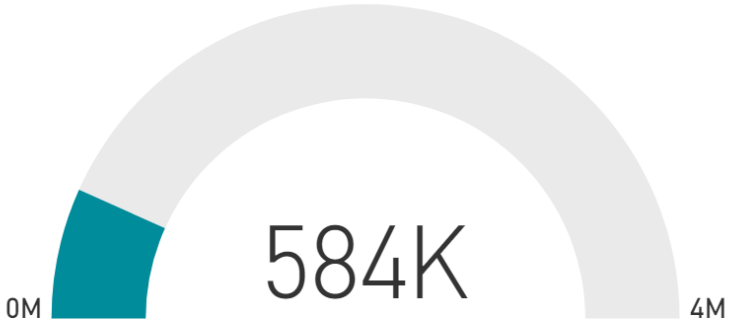


Category	2020	2021	2022
Intergovernmental	2,041,395	1,932,012	2,083,093
Charges for Services		292,021	48,098
Other	13,206	480	7,620
Total	**2,054,602**	**2,224,514**	**2,138,812**

FY 2021-2022 SECOND QUARTER: HURF EXPENSES

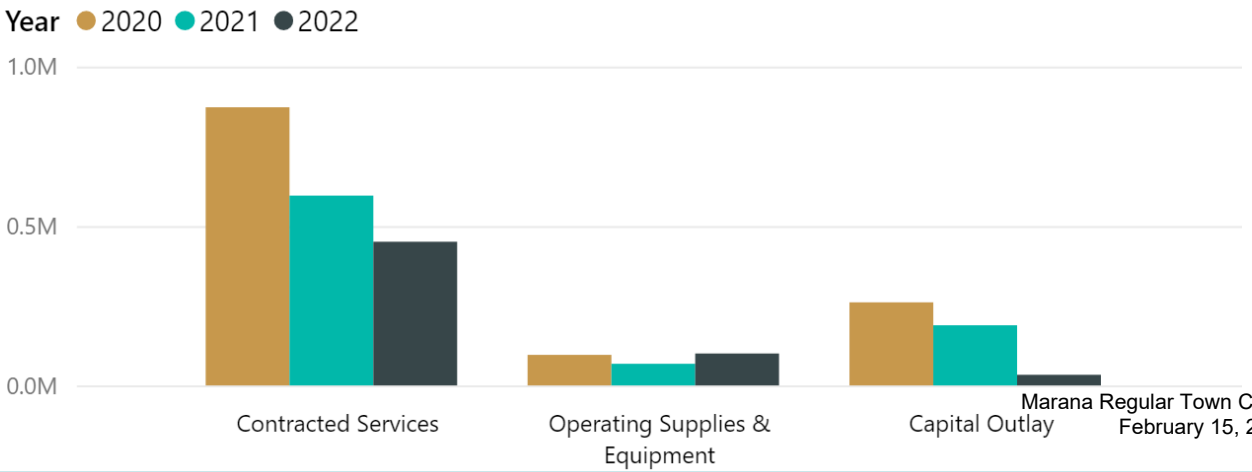
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- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Contracted Services	3,761,526	450,599	12%
Operating Supplies & Equipment	271,550	100,075	37%
Capital Outlay	137,600	33,282	24%
Other Financing Uses	177,872		
Total	**4,348,548**	**583,955**	**13%**



HURF Relevant Information

HURF expenses are below budgeted amounts through the second quarter of FY2022. Contracted Services is below budget due to the timing of the Town's Pavement Preservation Program most of which will be performed during the second half of the year. Operating Supplies & Equipment are below budgeted levels but in line with expectations due to savings in fuel and oil and in utility costs, as the Town continues the multi-year process of converting to LED street lamps. Capital Outlay is associated with vehicle/equipment purchases which is impacted by supply chain disruptions. Other Financing Uses is restricted budget for possible monsoon storm damage or other unanticipated needs.

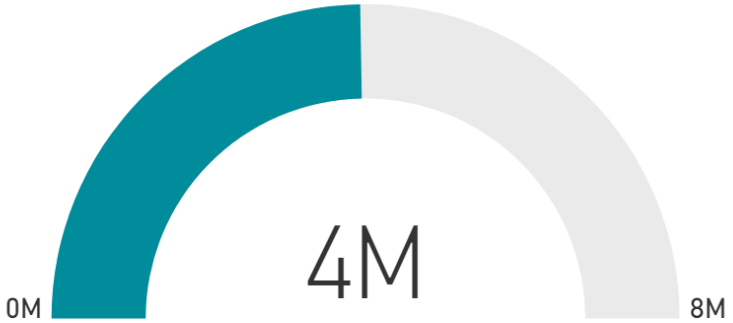


Category	2020	2021	2022
Contracted Services	872,348	595,294	450,599
Operating Supplies & Equipm...	95,779	67,802	100,075
Capital Outlay	260,514	188,613	33,282
Total	**1,228,641**	**851,710**	**583,955**

FY 2021-2022 SECOND QUARTER: TRANSPORTATION FUND REVENUES

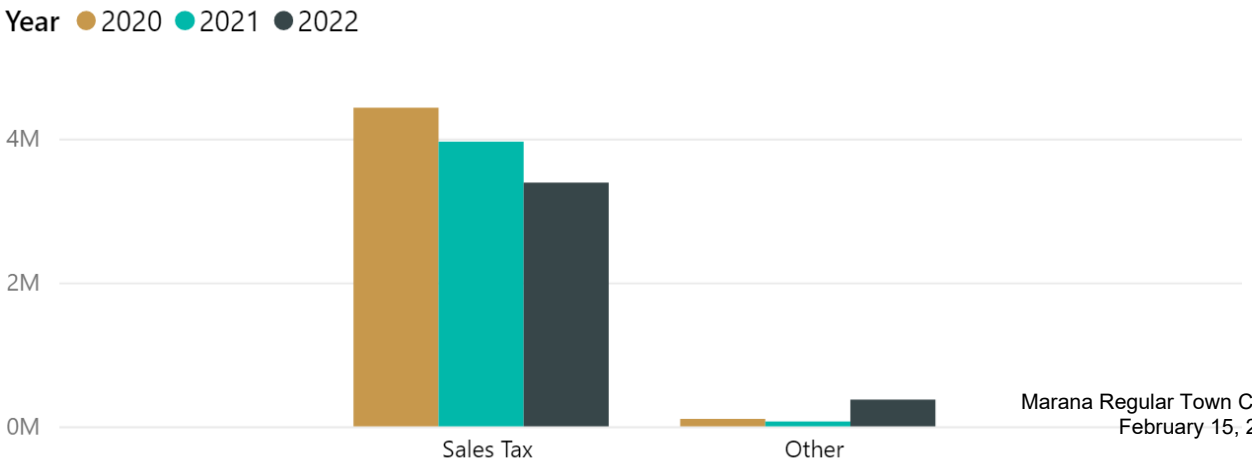
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Sales Tax	7,500,000	3,387,341	45%
Other	100,000	371,376	371%
Total	**7,600,000**	**3,758,717**	**49%**



Transportation Fund Relevant Information

The Transportation Fund is comprised of 75% of all contracting taxes collected by the Town and is to be used for new road construction and reconstruction projects. Second quarter revenue collections are below expectations as certain commercial construction has been not yet started as anticipated. However, as residential housing activity remains strong (654 SFR permits issued in 2nd qrt. vs. 940 budgeted for the year) we continue to be hopeful that commercial construction revenues will recover over the next two quarters. Other revenue is comprised of investment income and one-time third party contributions.

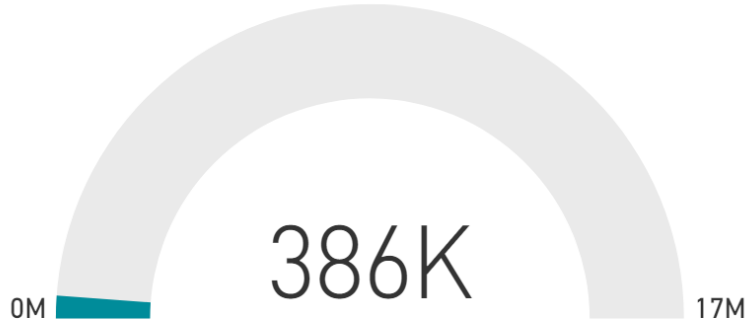


Category	2020	2021	2022
Sales Tax	4,428,345	3,956,700	3,387,341
Other	103,279	67,349	371,376
Total	**4,531,624**	**4,024,048**	**3,758,717**

FY 2021-2022 SECOND QUARTER: TRANSPORTATION FUND EXPENSES

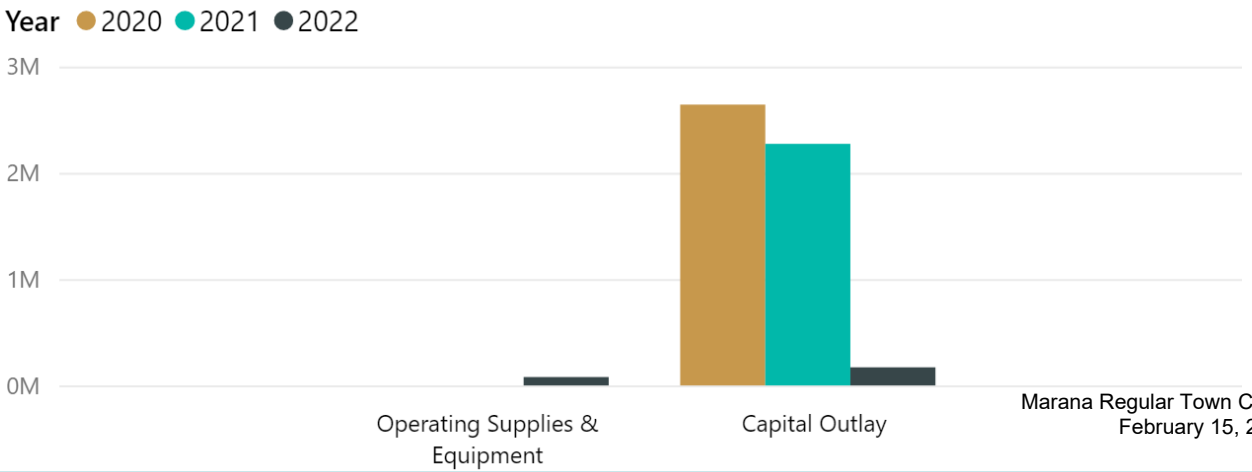
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Operating Supplies & Equipment	1,187,000	78,549	7%
Capital Outlay	14,670,602	170,109	1%
Debt Service	0	12,154	0%
Other Financing Uses	859,029	125,078	15%
Total	**16,716,631**	**385,890**	**2%**



Transportation Fund Relevant Information

Transportation Fund expenses are below budgeted levels through the second quarter of FY2022. Operating Supplies & Equipment is associated with ongoing developer reimbursements paid on a semi-annual basis after the end of the second quarter. Capital Outlay is associated with CIP projects many of which kicked off during the first half of the year while others are scheduled to take place later in the fiscal year. Other Financing Uses is associated with planned transfers related to debt service.



Category	2020	2021	2022
Operating Supplies & Equipm...		0	78,549
Capital Outlay	2,642,127	2,272,803	170,109
Debt Service	12,877	12,042	12,154
Other Financing Uses	143,820	135,736	125,078
Total	**2,798,824**	**2,420,581**	**385,890**

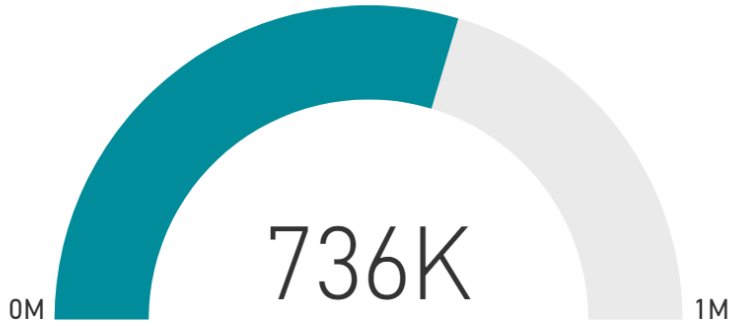
FY 2021-2022 SECOND QUARTER: BED TAX FUND

REVENUES

Select Revenue or Expense

- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Sales Tax	1,243,341	736,486	59%
Total	**1,243,341**	**736,486**	**59%**



Bed Tax Fund Relevant Information

The Bed Tax Fund accounts for the collection of the discriminatory portion of revenues restricted for tourism initiatives. Second quarter revenue collections for FY2022 are above expectations as the hospitality sector continues to recover after a sharp downturn caused by the pandemic. Hotel occupancy rates and revenues continue to show a consistent positive trend over the last few months, on par or above pre-pandemic levels.



Category	2020	2021	2022
Sales Tax	632,747	644,459	736,486
Total	**632,747**	**644,459**	**736,486**

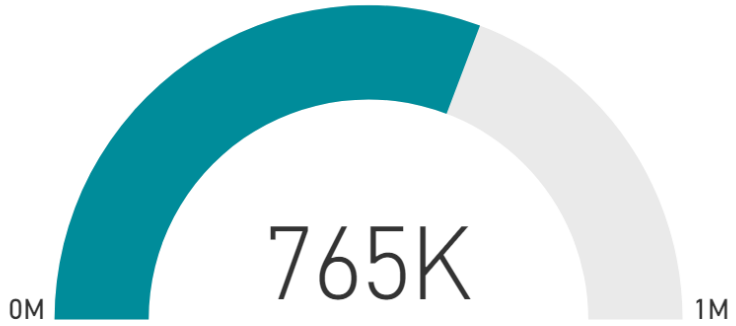
FY 2021-2022 SECOND QUARTER: BED TAX FUND

EXPENSES

Select Revenue or Expense

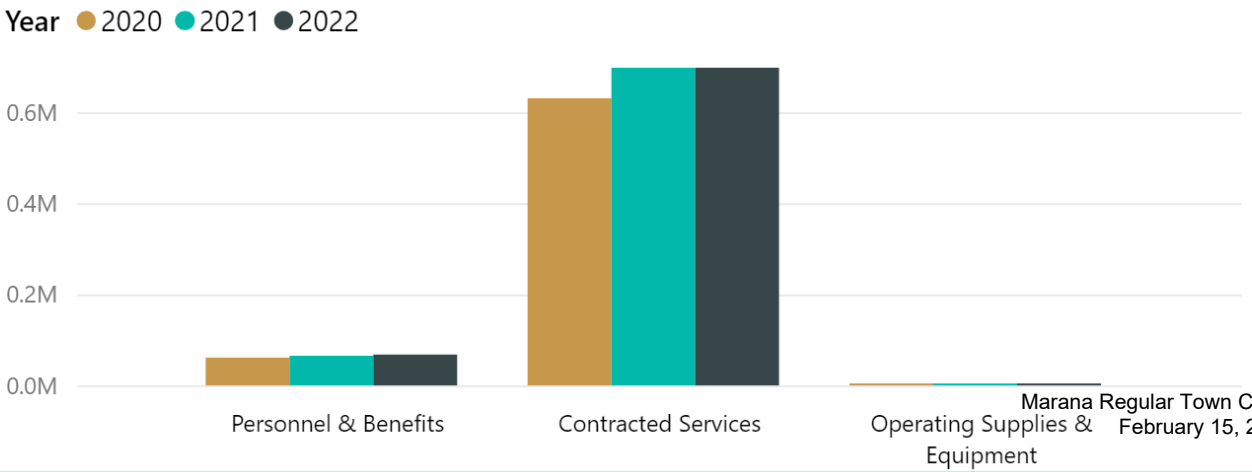
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Personnel & Benefits	144,916	67,709	47%
Contracted Services	859,891	697,524	81%
Operating Supplies & Equipment	117,927	30	0%
Other Financing Uses	120,607		
Total	**1,243,341**	**765,262**	**62%**



Bed Tax Fund Relevant Information

As a whole, the Bed Tax Fund is spending it's resources as expected through the second quarter of FY2022. Contracted services are above budget due to the timing of the annual State Land lease payment in the second quarter. Operating Supplies and Equipment are consistent with prior years and should reach budgeted levels as the winter tourism season approaches. Other Financing Uses is restricted budget for unanticipated needs.



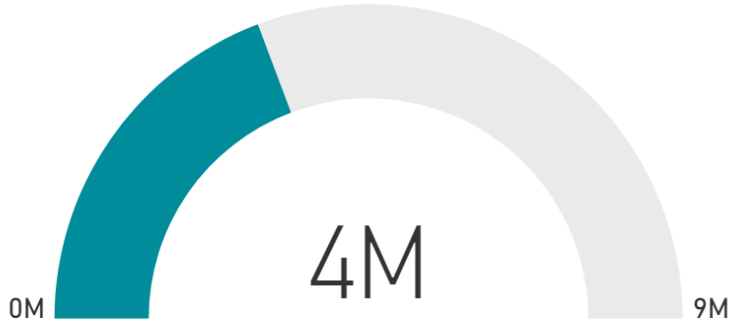
Category	2020	2021	2022
Personnel & Benefits	61,005	65,046	67,709
Contracted Services	630,470	697,424	697,524
Operating Supplies & Equipment	104	29	30
Total	**691,579**	**762,499**	**765,262**

FY 2021-2022 SECOND QUARTER: WATER OPERATING FUND REVENUES

Select Revenue or Expense

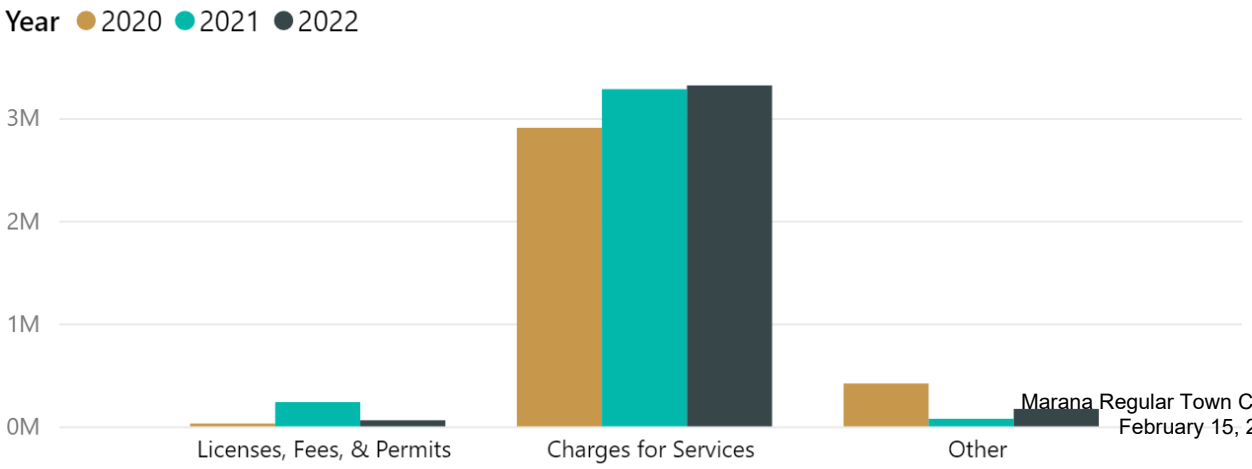
- ☐ EXPENSES
- ■ REVENUES

Category	FY 2022 Budget	Actual	% Budget
Intergovernmental	177,550		
Licenses, Fees, & Permits	50,000	58,866	118%
Charges for Services	7,723,232	3,346,992	43%
Other	1,364,135	183,286	13%
Total	**9,314,917**	**3,589,144**	**39%**



Water Fund Relevant Information

The current rates and fees for Marana Water customers can be found at - http://www.maranaaz.gov/water-rates-and-fees. Charges for Services (water sales) comprise the majority of the revenue for the fund. Second quarter revenue collections are below expectations for FY2022 due to an overestimation of user revenues during budget development. The Department continues to experience strong account growth. Other revenue is primarily comprised of miscellaneous revenue sources and interfund transfers used for debt debt service payments. These transfers happen later in the fiscal year.

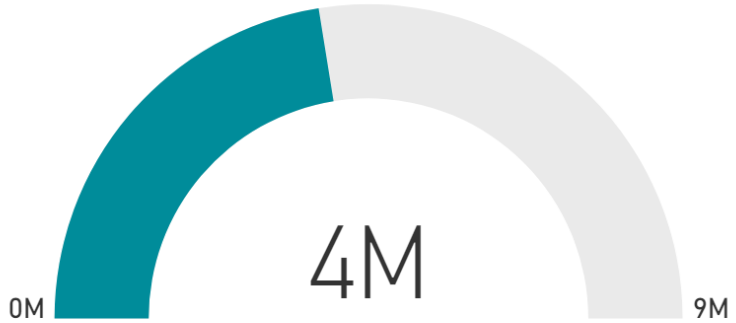


Category	2020	2021	2022
Licenses, Fees, & Permits	27,482	235,513	58,866
Charges for Services	2,926,855	3,303,731	3,346,992
Other	426,802	95,672	183,286
Total	**3,381,139**	**3,634,916**	**3,589,144**

FY 2021-2022 SECOND QUARTER: WATER OPERATING FUND EXPENSES

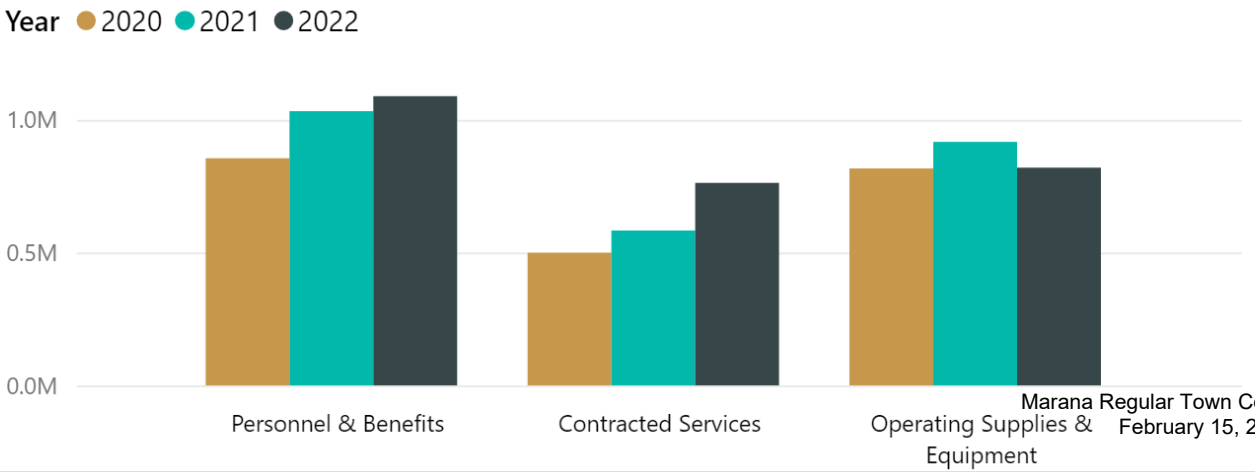
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Personnel & Benefits	2,799,225	1,088,540	39%
Contracted Services	2,312,652	762,239	33%
Operating Supplies & Equipment	1,992,602	819,494	41%
Capital Outlay	54,400	134,067	246%
Debt Service	1,501,773	1,085,612	72%
Other Financing Uses	921,320	-8,940	-1%
Total	**9,581,972**	**3,881,012**	**41%**



Water Fund Relevant Information

Overall, FY2022 second quarter expenses for the Water Operating Fund are at or below expected levels. Personnel & Benefits are below expectations due to turnover in a number of positions. Debt Service is related to an annual WIFA loan payment that was made in the first quarter of FY2022. Capital costs associated with infrastructure and CIP projects are captured in separate funds.

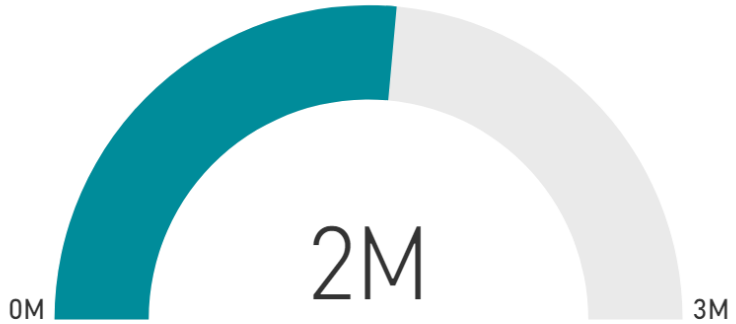


Category	2020	2021	2022
Personnel & Benefits	855,026	1,032,318	1,088,540
Contracted Services	499,253	582,831	762,239
Operating Supplies & Equipm...	816,570	916,545	819,494
Capital Outlay		0	134,067
Debt Service	1,009,469	1,032,791	1,085,612
Other Financing Uses		-2,635	-8,940
Total	**3,180,318**	**3,561,850**	**3,881,012**

FY 2021-2022 SECOND QUARTER: WATER RECLAMATION OPERATING FUND REVENUES

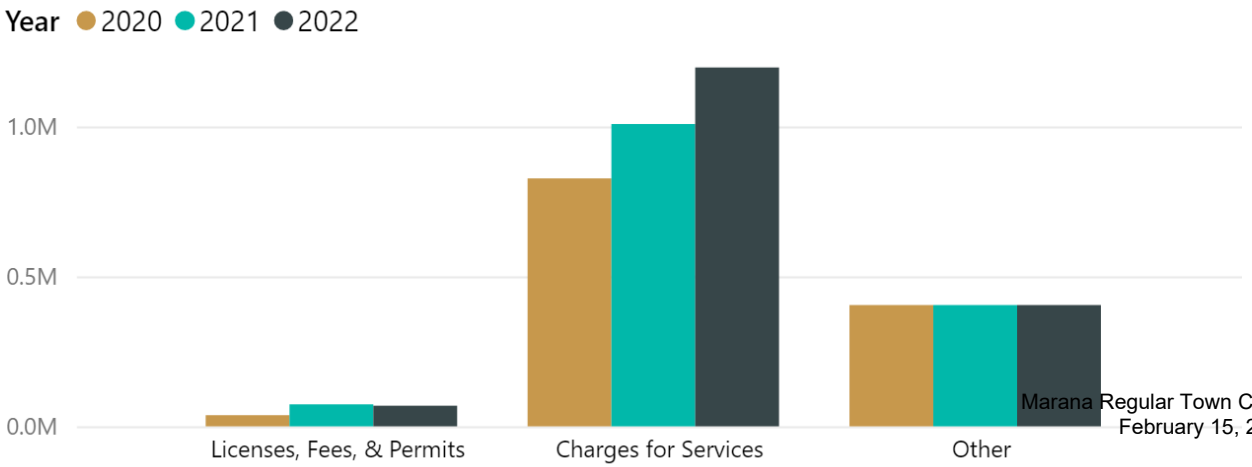
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Licenses, Fees, & Permits	30,000	68,762	229%
Charges for Services	2,341,902	1,197,007	51%
Other	811,070	416,734	51%
Total	**3,182,972**	**1,682,504**	**53%**



Water Reclamation Fund Relevant Information

The current rates and fees for Marana Sewer customers can be found at - http://www.maranaaz.gov/water-rates-and-fees. Charges for Services (sewer rates) comprise the majority of the revenue for the fund. Overall, preliminary FY2022 second quarter revenue collections are meeting expectations. Licenses, Fees, & Permits are above expectations due to continued strong housing growth. The majority of Other revenue is mainly related to budgeted transfers between funds for debt service payments that are scheduled to be completed by the end of the fiscal year.

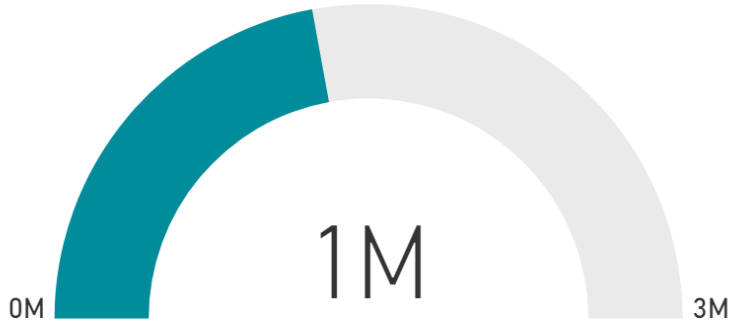


Category	2020	2021	2022
Licenses, Fees, & Permits	38,100	73,315	68,762
Charges for Services	826,983	1,008,338	1,197,007
Other	404,536	422,203	416,734
Total	**1,269,619**	**1,503,856**	**1,682,504**

FY 2021-2022 SECOND QUARTER: WATER RECLAMATION OPERATING FUND EXPENSES

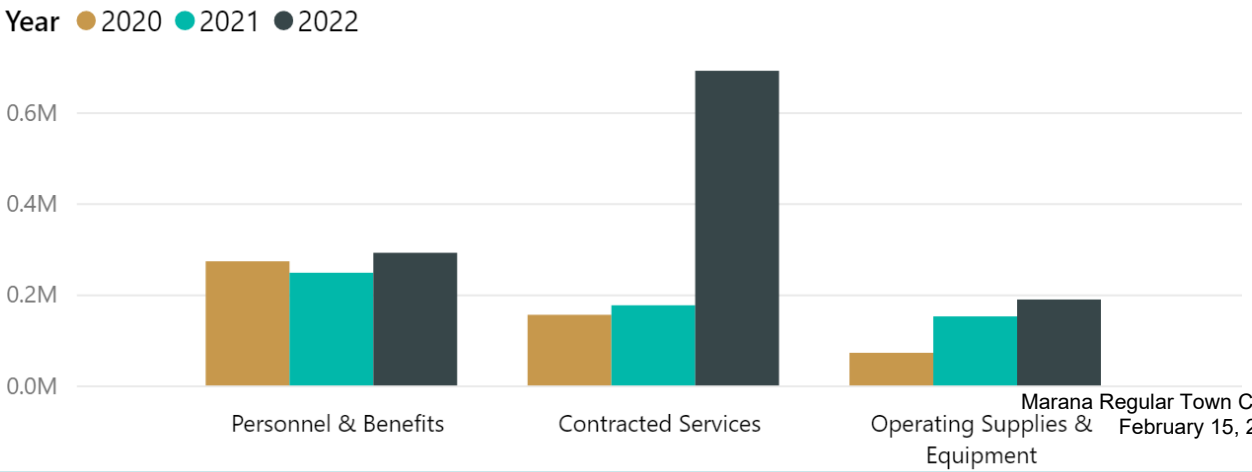
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Personnel & Benefits	618,590	291,198	47%
Contracted Services	886,643	690,762	78%
Operating Supplies & Equipment	367,463	188,577	51%
Debt Service	873,165	44,325	5%
Other Financing Uses	1,066,400		
Total	**3,812,261**	**1,214,861**	**32%**



Water Reclamation Fund Relevant Information

Overall, second quarter expenses for the Water Reclamation Operating Fund are above expectations at this time of year. Contracted Services is the main contibutor due to a number of emergency repairs to the system during the first half of the year. Debt Service is related to annual WIFA loan payments, most of which are due later in the year. Other Financing Uses is associated with transfers out for the funding of capital improvement projects. Capital costs associated with infrastructure and CIP projects are captured in separate funds.

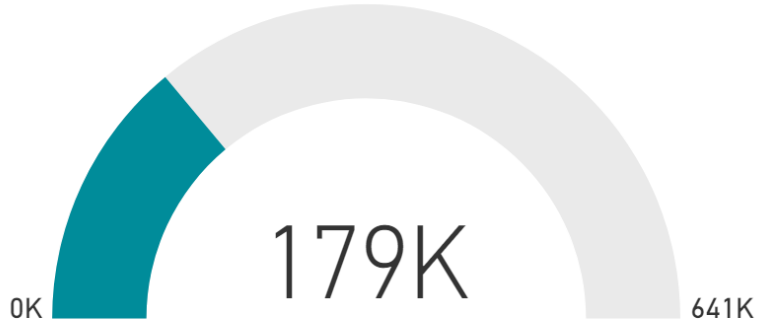


Category	2020	2021	2022
Personnel & Benefits	272,486	247,361	291,198
Contracted Services	155,015	175,901	690,762
Operating Supplies & Equipm...	71,559	151,541	188,577
Debt Service	28,984	29,711	44,325
Total	**528,044**	**604,515**	**1,214,861**

FY 2021-2022 SECOND QUARTER: AIRPORT OPERATING FUND REVENUES

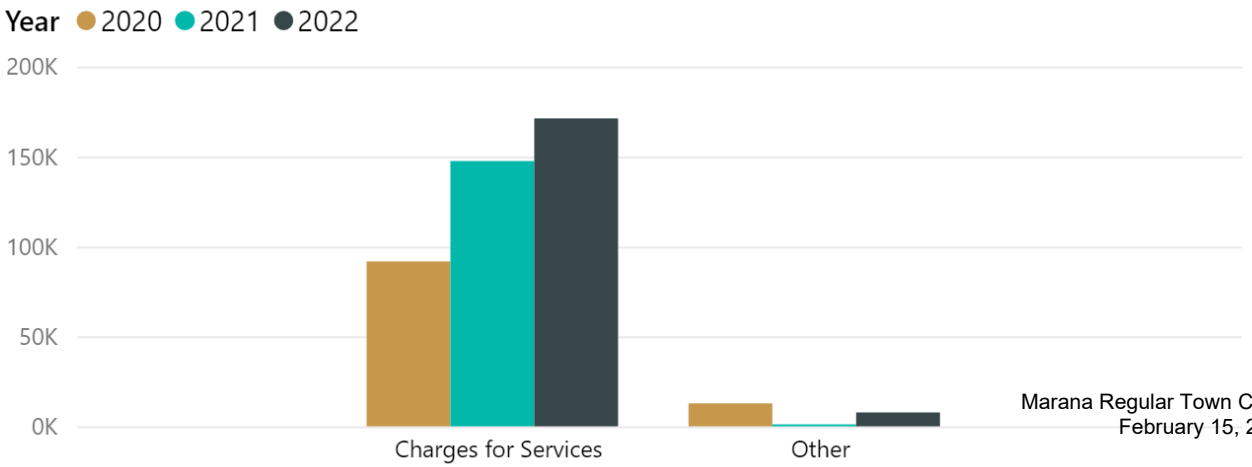
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Licenses, Fees, & Permits	4,000		
Charges for Services	338,334	171,188	51%
Other	299,109	7,715	3%
Total	**641,443**	**178,903**	**28%**



Airport Fund Relevant Information

Overall, preliminary second quarter revenue collections for the Airport Fund are in line with expectations. Other revenue is primarily comprised of miscellaneous revenues and transfers between funds scheduled to take place at year-end once all fund activity is finalized.

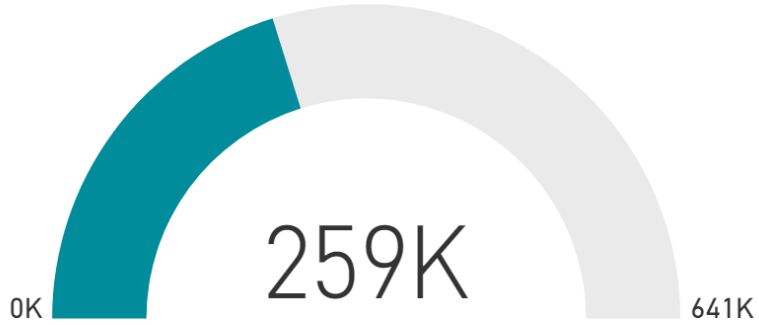


Category	2020	2021	2022
Charges for Services	91,658	147,488	171,188
Other	12,759	446	7,715
Total	**104,417**	**147,934**	**178,903**

FY 2021-2022 SECOND QUARTER: AIRPORT OPERATING FUND EXPENSES

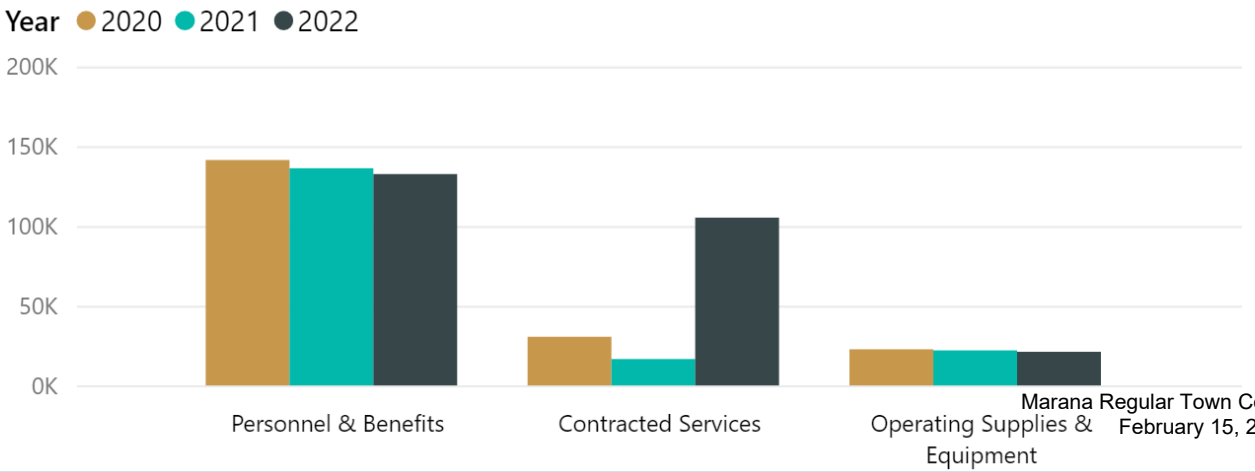
Select Revenue or Expense
- EXPENSES
- REVENUES

Category	FY 2022 Budget	Actual	% Budget
Personnel & Benefits	295,278	132,567	45%
Contracted Services	228,961	105,238	46%
Operating Supplies & Equipment	62,800	21,086	34%
Other Financing Uses	54,404		
Total	**641,443**	**258,891**	**40%**



Airport Fund Relevant Information

Overall, expenses for the Airport Fund are in line with expectations through the second quarter of FY2022. Contracted Services include a one-time contractual payment related to an airport repavement project. Other Financing Uses is related to restricted budget amounts. Costs related to CIP projects are captured in other funds.



Category	2020	2021	2022
Personnel & Benefits	141,390	136,205	132,567
Contracted Services	30,504	16,538	105,238
Operating Supplies & Equipm...	22,653	21,964	21,086
Total	**194,548**	**174,706**	**258,891**

Council-Regular Meeting **C1**

Meeting Date: 02/15/2022

To: Mayor and Council

From: David Udall, Assistant Town Attorney

Date: February 15, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Ordinance No. 2022.002: Relating to Finance; Exempting the Nighthawk-72 Marana Marine Corps League Detachment 1344 from the Special Event Permit fee for the annual Nighthawk-72 Memorial Service (David L. Udall)

Discussion:

Under state law, the Town Council is authorized to control the finances of the Town. The Marana Town Council has adopted a comprehensive fee schedule that includes a fee for special event permits.

The Nighthawk-72 Marana Marine Corps League Detachment 1344 (the Detachment) holds an annual memorial service at the Marana Regional Airport for the 19 United States marines killed during a training accident at the airport in 2000. If adopted, this ordinance would waive the "Special Event Permit" fee included in the Town's comprehensive fee schedule for the 2022 memorial service and for all annual Nighthawk-71 Memorial Services going forward. The Detachment would still be required to go through the Town's normal review and permitting process.

Financial Impact:

The impact to the Town's finances due to the waiving of this $50 fee will be minimal.

Staff Recommendation:

Council's pleasure.

Suggested Motion:

I move to adopt Ordinance No. 2022.002, exempting the Nighthawk-72 Marana Marine Corps League Detachment 1344 from the Special Event Permit fee for the annual Nighthawk-72 Memorial Service.

Attachments

Ordinance No. 2022.002 Annual Nighthawk 72 Fee Waiver

MARANA ORDINANCE NO. 2022.002

RELATING TO FINANCE; EXEMPTING THE NIGHTHAWK-72 MARANA MARINE CORPS LEAGUE DETACHMENT 1344 FROM THE SPECIAL EVENT PERMIT FEE FOR THE ANNUAL NIGHTHAWK-72 MEMORIAL SERVICE

WHEREAS the Town Council is authorized by A.R.S. § 9-240(A) to control the finances of the Town; and

WHEREAS the Town Council has adopted a comprehensive fee schedule for the Town that includes a fee for special event permits; and

WHEREAS the Nighthawk-72 Marana Marine Corps League Detachment 1344 holds an annual memorial service at the Marana Regional Airport for the 19 United States marines killed during a training accident at the airport on April 8, 2000; and

WHEREAS Mayor and Council of the Town of Marana find that exempting the Nighthawk-72 Marine Corps League Detachment 1344 from the Special Event Permit fee for the annual Nighthawk-72 Memorial Service is in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

SECTION 1. The Nighthawk-72 Marana Marine Corps League Detachment 1344 is hereby exempted from the Special Event Permit fee included in the Town's comprehensive fee schedule, as adopted by the Town Council and amended from time to time, for the annual Nighthawk-72 Memorial Service. Notwithstanding the waiver of this fee, the Nighthawk-72 Marana Marine Corps League Detachment 1344 shall still be required to go through the Town's normal review and permitting process.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of the this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance is administrative, and shall be effective immediately.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 15th day of February 2022.

_____
Mayor Ed Honea

ATTEST:

_____
Cherry Lawson, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

Council-Regular Meeting **C2**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Jason Angell, Development Services Director

From: Gus Myers, Development Engineering Manager

Date: February 15, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-012: Relating to Development; approving a Release of Assurances for a portion of Lazy K Bar Ranch and accepting public improvements for maintenance (Jason Angell)

Discussion:

Lazy K Bar Ranch, Phase 2 consists of lots 87-178 of 178 lots located west of Scenic Drive and north of Pima Farms Road. The final plat for the subdivision was recorded at the Pima County Recorder's Office on 25 March 2019, at Sequence Number 20190840184.

The Town has a third-party trust assurance agreement assuring the completion of improvements needed to serve the subdivision. The subdivider has completed the improvements serving Lazy K Bar Ranch, Phase 2 acceptable to Town standards in accordance with the assurance agreement, including public infrastructure, which consists of a potable water system.

If adopted, this resolution will release the Lazy K Bar Ranch, Phase 2 subdivision assurances and accept the potable water system for maintenance. The sewer improvements are being dedicated to Pima County Regional Wastewater Reclamation Department and the roadways are private.

Staff Recommendation:

Staff recommends adoption of Resolution No. 2022-012, approving a release of assurances for Lazy K Bar Ranch, Phase 2 and accepting the potable water system for maintenance.

Suggested Motion:

I move to approve Resolution 2022-012.

Attachments

Resolution No. 2022-012 Release of Assurances for Lazy K Bar Ranch
Location Map

MARANA RESOLUTION NO. 2022-012

RELATING TO DEVELOPMENT; APPROVING A RELEASE OF ASSURANCES FOR A PORTION OF LAZY K BAR RANCH AND ACCEPTING PUBLIC IMPROVEMENTS FOR MAINTENANCE

WHEREAS the final plat for '"Lazy K Bar Ranch Lots 1 through 178 and C.A. 'A–1 & 'A–2'(Private Streets), C.A. 'B–1' & 'B-2'(Natural Open Space, Pedestrian, Drainage, Landscape, Public Sewer and Utilities), C.A.'C' (Active Open Space)" was recorded in the Pima County Recorder's Office on March 25, 2019, at Sequence 20190840184; and

WHEREAS the Town has a third party trust assurance agreement (the "Assurance Agreement") with Pulte Home Company, LLC (the "Subdivider") and Landmark Title Assurance Security Agency, LLC, recorded in the Pima County Recorder's Office on August 21, 2020, at Sequence 20202340064, assuring the completion of public improvements for a portion of Lazy K Bar Ranch, namely, "Lazy K Bar Ranch, lots 87-178 and C.A. 'A-2' (Private Streets), and C.A. 'B-2' (Natural Open Space, Pedestrian, Drainage, Landscape, Public Sewer and Utilities)" (hereinafter, "Lazy K Bar Ranch Phase 2"), consisting of lots 87 through 178, and associated common areas ("A-1" through "A-2" and "B-1" through "B-3"); and

WHEREAS the Subdivider has completed the public improvements for Lazy K Bar Ranch Phase 2 acceptable to Town standards in accordance with the Assurance Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Marana as follows:

Section 1. The Assurance Agreement for Lazy K Bar Ranch Phase 2 is hereby released.

Section 2. The Town accepts for maintenance the potable water system serving Lazy K Bar Ranch Phase 2, consisting of approximately 4,210 linear feet of potable water line, water meters, valves, fire hydrants and appurtenances with an estimated value of $375,250.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 15th day of February, 2022.

Mayor Ed Honea

ATTEST:

Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

WATER DISTRIBUTION PLAN

LAZY K BAR RANCH

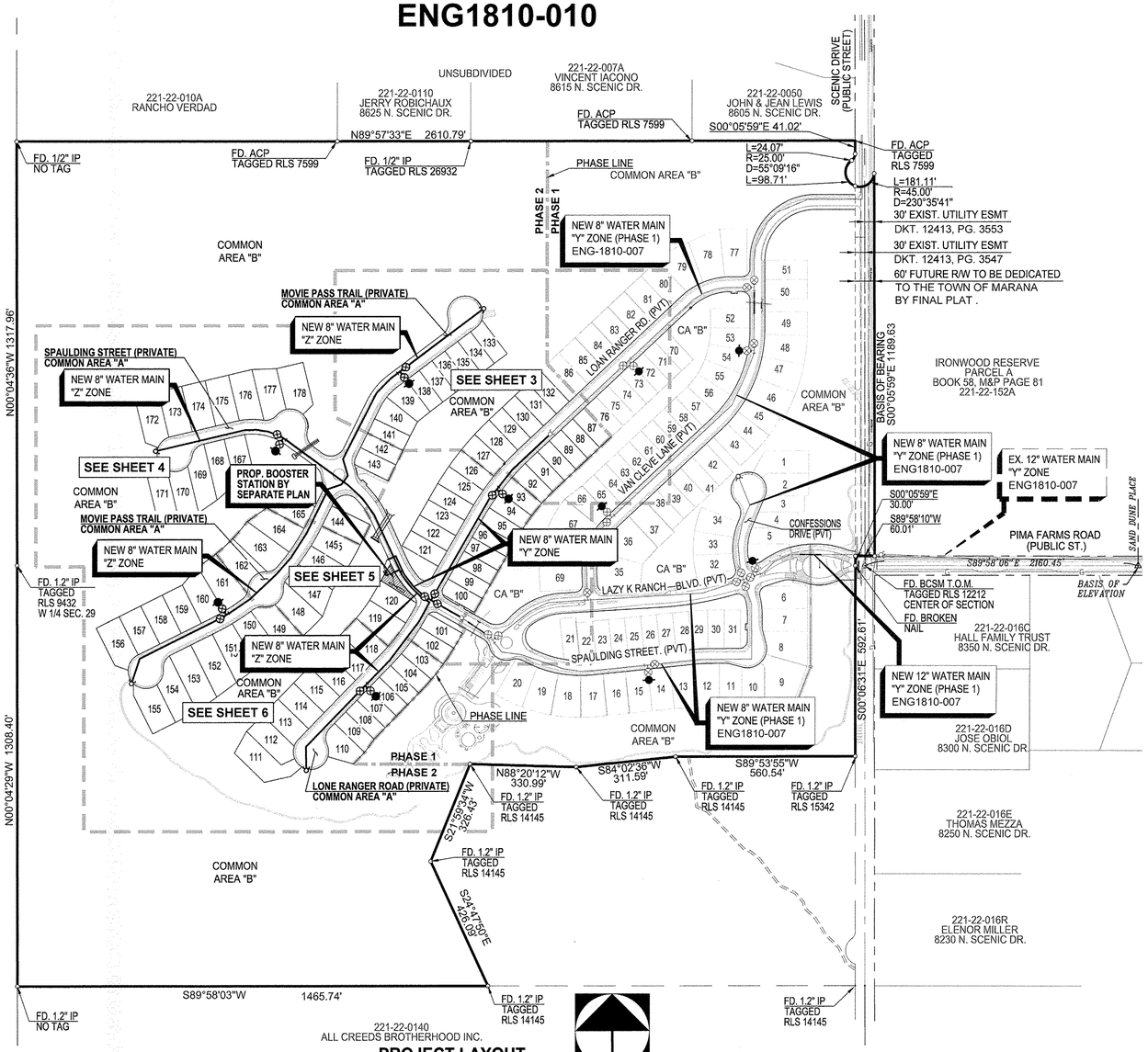
LOTS 87 THROUGH 178

(PHASE 2)

ENG1810-010

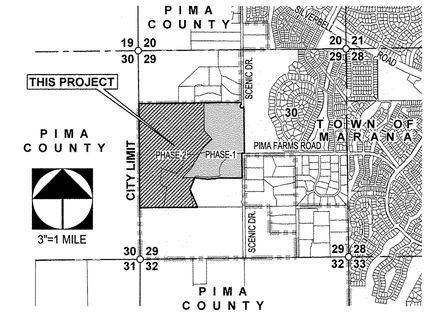
GENERAL WATER NOTES:

1. ALL PVC PIPE INSTALLED FOR THIS PROJECT SHALL BE CLASS C-900, UNLESS OTHERWISE SPECIFIED.
2. WATER SERVICE WILL BE PROVIDED AS SHOWN ON THIS PLAN. ANY CHANGES TO PARCEL CONFIGURATION MAY NECESSITATE ADDITIONAL REQUIREMENTS.
3. SEPARATE METERS WILL BE REQUIRED FOR IRRIGATION SYSTEMS. DOMESTIC AND IRRIGATION SERVICE SHOULD NOT BE INTERCONNECTED.
4. ALL FITTINGS SHALL BE RESTRAINED PER TUCSON WATER STANDARD DETAIL 600.CONTRACTOR WILL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
5. INDIVIDUAL DEVELOPMENT PLANS ARE TO INCLUDE WATER CONNECTION TO ADJACENT BLOCKS TO PROVIDE FOR SYSTEM LOOPING.
6. GATED COMMUNITIES MUST PROVIDE MEANS TO AVOID DELAY OF EMERGENCY RESPONDERS.
7. APPROPRIATE SEPARATION SHALL BE KEPT AT ALL TIMES BETWEEN THE SEWER LINE AND THE NON-POTABLE AND POTABLE PRESSURE LINES. SEE TUCSON WATER STANDARD DETAILS 106 AND 107.
8. ALL DUCTILE, STEEL, AND CAST IRON PIPES ARE TO BE WRAPPED WITH POLYETHYLENE: THIS INCLUDES ALL FITTINGS, VALVES, AND SADDLES.
9. THE FIRE FLOW REQUIRED FOR THIS PROJECT IS 1,000 G.P.M. FOR 2 HOURS.
10. ARVS ARE TO BE LOCATED AT ALL LOCALIZED HIGH POINTS IN THE WATER MAIN. ADDITIONAL ARVS MAY BE REQUIRED AS DETERMINED BY THE MARANA WATER INSPECTOR DURING CONSTRUCTION.
11. A REPORT OF SOILS INVESTIGATION INCLUDING RECOMMENDATIONS FOR GRADING PROCEDURES HAS BEEN PREPARED BY PROTEX PROJECT NO: 7324 DATED: MAY 29, 2018. EARTHWORK SHALL CONFORM TO THE RECOMMENDATIONS CONTAINED IN SAID REPORT.
12. ALL REVISIONS TO THESE PLANS MUST BE APPROVED BY THE MARANA TOWN ENGINEER PRIOR TO CONSTRUCTION.
13. ALL WORK SHALL CONFORM TO TITLE 19, STANDARDS FOR GRADING AND RELATED SITE WORK, OF THE TOWN OF MARANA LAND DEVELOPMENT CODE.
14. ALL AGGREGATE BASE COURSE SHALL CONFORM TO SECTION 303 OF THE PIMA COUNTY CITY OF PAG STANDARD SPECIFICATIONS AND STANDARD DETAILS FOR PUBLIC IMPROVEMENTS (PAG SSPI) LATEST EDITION.
15. COMPACTION IN ALL AREAS SHALL BE TO A MINIMUM OF 95% OF THE MAXIMUM DENSITY AS DETERMINED BY AASHTO T-99/ASTM D698A UNLESS OTHERWISE SPECIFIED. THOSE AREAS TO RECEIVE FILL SHALL BE SCARIFIED TO A DEPTH OF EIGHT (8) INCHES AND BROUGHT TO PROPER MOISTURE CONTENT AND COMPACTED TO THE ABOVE DENSITY. THE SOURCE OF FILL MATERIAL SHALL BE APPROVED BY THE OWNER PRIOR TO PLACEMENT. ALL TESTING SHALL BE DONE AT THE OWNER EXPENSE.
16. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FURNISH, HAUL AND APPLY ALL WATER REQUIRED FOR COMPACTION AND FOR THE CONTROL OF DUST FROM CONSTRUCTION ACTIVITY.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CARE, MAINTENANCE, REPAIR OR REPLACEMENT OF EXISTING IMPROVEMENTS IN THE WORK AREA WHICH HAVE BEEN REMOVED OR DAMAGED IN THE COURSE OF CONSTRUCTION. ALL REPAIR OR CLEANUP SHALL BE DONE AT NO COST TO THE TOWN OF MARANA.
18. ALL WALLS SHALL BE CONSTRUCTED OF OR PAINTED WITH GRAFFITI RESISTANT MATERIALS.
19. ALL SLOPES STEEPER THAN 3:1 WILL BE PROTECTED WITH 6" DIAMETER (MINIMUM) ROCK RIP-RAP OR CONCRETE BANK PROTECTION.
20. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FULLY COMPLY WITH THE ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM CONSTRUCTION GENERAL PERMIT IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN SUBMITTED FOR THIS PROJECT.
21. IF ANY HUMAN REMAINS OR FUNERARY ITEMS ARE DISCOVERED DURING CONSTRUCTION, OR AT ANYTIME, ALL WORK MUST STOP IN THE AREA OF THE REMAINS AND THE REPATRIATION COORDINATOR OF THE ARIZONA STATE MUSEUM SHALL BE IMMEDIATELY CONTACTED AT (520) 626-0320. PURSUANT TO A.R.S. 41-865.
22. THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL OBTAIN A TOWN OF MARANA BUSINESS LICENSE PRIOR TO COMMENCEMENT OF ANY WORK.
23. THE CONTRACTOR SHALL OBTAIN A TOWN OF MARANA RIGHT OF WAY PERMIT AT THEIR COST AND SCHEDULE A PRE-CONSTRUCTION CONFERENCE WITH THE TOWN OF MARANA RIGHT OF WAY INSPECTOR PRIOR TO COMMENCEMENT OF ANY WORK WITHIN THE PUBLIC RIGHT OF WAY.
24. THE CONTRACTOR SHALL SUBMIT TO THE TOWN OF MARANA A TRAFFIC CONTROL PLAN FOR EACH PHASE OF THE WORK A MINIMUM OF SEVEN (7) WORKING DAYS PRIOR TO COMMENCEMENT OF ANY WORK WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL HAVE ON SITE, AT ALL TIMES, TRAFFIC CONTROL PLANS ACCEPTED (STAMPED) BY THE TOWN OF MARANA FOR ALL WORK BEING PERFORMED WITHIN THE PUBLIC RIGHT OF WAY.
25. ALL CONSTRUCTION AND TEST METHODS SHALL BE IN CONFORMANCE WITH THE LATEST EDITION IN PIMA ASSOCIATION OF GOVERNMENTS (PAG) STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS. THESE MAY BE MODIFIED AND/OR SUPPLEMENTED BY THE REQUIREMENTS OF THESE PLANS.
26. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF MARANA, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
27. DRAINAGE WILL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT THE APPROVAL OF THE MARANA TOWN COUNCIL.
28. TRACER WIRE IS REQUIRED FOR ALL SLEEVES WITHIN THE RIGHT OF WAY.



PROJECT LAYOUT

SCALE 1"=200'



LOCATION MAP

A PORTION OF SECTION 29, T12S, R12E, G&SRM
TOWN OF MARANA, PIMA COUNTY, ARIZONA

LEGEND

- MATCHLINE
- PHASE LINE
- PROPOSED LOT LINE
- PROPOSED BOUNDARY LINE
- PROPOSED EASEMENT LINE
- UG — UG — EXIST. UNDERGROUND GAS LINE
- E EMH E — EXIST. UNDERGROUND ELECTRIC WITH MANHOLE
- PP OHE — EXIST. OVERHEAD ELECTRIC W/POWER POLE
- PROPOSED HCS
- 12" W — EXIST. PUBLIC WATERLINE & VALVE
- 8" S — PROPOSED PUBLIC SEWER LINE & MANHOLE
- IRR. — PROPOSED IRRIGATION WATER SERVICE
- PROPOSED DIP PUBLIC WATERLINE
- PROPOSED PUBLIC WATERLINE & VALVE
- PROPOSED WATER SERVICE
- PROPOSED FIRE HYDRANT & VALVE
- A — PROPOSED AIR RELEASE VALVE
- S — PROPOSED WATER SAMPLING STATION
- PROPOSED STORM DRAIN
- PROPOSED 2 WEDGE CURB
- PROPOSED CONCRETE SIDEWALK
- ROCK RIP-RAP BANK PROTECTION
- x x — EXISTING FENCE
- SECTION CORNER OR 1/4 SECTION CORNER
- EX — EXISTING
- EX. SMH — EXIST. SEWER MANHOLE
- R/W — RIGHT-OF- WAY
- TEP-JUNCTION BOX, TRANSFORMER AND PEDESTAL
- DTL. NO. 2 / SHT. NO. 2 } TYPICAL CROSS SECTION CALL OUT

GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND INVERTS OF EXISTING WATER LINES AND UTILITIES PRIOR TO CONSTRUCTION OF NEW WATER IMPROVEMENTS.
2. DWELLING UNITS TO BE SERVED ARE: 91 UNITS AND SIZE OF SERVICES ARE 1" SINGLE SERVICES PER STANDARD DETAIL TW-309. 1 IRRIGATION SERVICE SHALL BE 1" SINGLE PER STANDARD DETAIL TW-309.
3. SEE TABLE ON SHEET 7 FOR PUBLIC WATER QUANTITIES AND MATERIALS.

BASIS OF BEARING

BASIS OF BEARING IS THE MID-SECTION LINE OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 12 EAST, G.S.R.M., TOWN OF MARANA, PIMA COUNTY, ARIZONA. SAID BEARING BEING: S00°05'59" E.

BASIS OF ELEVATION

BASIS OF ELEVATION: FOUND BRASS CAPPED SURVEY MONUMENT MARKED T.O.M. AT THE INTERSECTION OF PIMA FARMS ROAD AND SAND DUNE PLACE, MARANA, ARIZONA. SAID ELEVATION BEING 2160.45 FEET NAVD 88 DATUM.

APPROVALS

MARANA WATER DIRECTOR		1-17-2020 DATE
TOWN OF MARANA TOWN ENGINEER/DEVELOPMENT ENGINEER	P.E.	17 JAN 20 DATE
NORTHWEST FIRE DISTRICT		2/JAN 2020 DATE
TOWN OF MARANA PLANNING DIRECTOR	AICP	1-17-2020 DATE

OWNERS

LBK RANCH, LLC, LBK HOTEL, LLC,
& LBK RETAINED LAND, LLC
8401 N. SCENIC DRIVE
TUCSON, AZ 85743

DEVELOPER

PULTE GROUP, INC.
3011 W. INA ROAD
TUCSON, AZ 85741
PHONE: 520-837-0275
ATTN: SAM MILLS
SAM.MILLS@PULTEGROUP.COM

CIVIL ENGINEER

THE WLB GROUP, INC.
4444 E. BROADWAY BOULEVARD
TUCSON, AZ 85711
PHONE: 520-881-7480
ATTN: DAVID LITTLE
DLITTLE@WLBGROUP.COM

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 T.O.M. GENERAL NOTES AND STANDARD DETALS
SHEETS 3-5 PLAN SHEETS
SHEET 6 PLAN AND PROFILE SHEET
SHEET 7 TYP. CROSS SECTION AND DETALS

SEE TABLE ON SHEET 7 FOR WATER QUATITIES AND MATERIAL

ENGINEER'S STANDARD DETAILS DISCLAIMER:
TO COMPLY WITH THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION'S SUBSTANTIVE POLICY STATEMENT REGARDING SEALING OF STANDARD DETAIL, THE STANDARD DETAILS USED IN THE DESIGN OF THIS PROJECT HAVE BEEN FORMALLY ADOPTED BY THE AGENCIES THAT PREPARE THEM. IN VIEW OF THEIR LONG HISTORY OF USE, APPLICABILITY, AND/OR SOUNDNESS, THE ENGINEER ACCEPTS THEIR USE FOR THIS PROJECT AND FINDS NO NEED FOR ALTERATION OF THE DETAILS UNLESS NOTED/CLARIFIED OTHERWISE IN THESE PLANS.

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811
Call 811 or click Arizona811.com

S-2018-008
PROJECT NO: ENG1810-010
RELATED CASE #s
PRV1803-003
PCZ1612-001

The WLB Group Inc.

Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix and Flagstaff, Arizona, and Las Vegas, Nevada.
4444 East Broadway
Tucson, Arizona (520) 881-7480

LAZY K BAR RANCH PHASE II
LOTS 87 THROUGH 178 AND COMMON AREA "A", COMMON AREA "B" AND COMMON AREA "C"
Project

PUBLIC WATER IMPROVEMENT PLAN
COVER SHEET

Sheet Title File:Q:\113021\G-001 - Lazy -K_Pulte\07 IPs\08 Water\WATER-PH-2\P2-Lazy_K_WTR_01 Cover.dwg Plot Date:1/14/2020 2:59 PM By:fmolina

No.	Date	Item
Revisions		

Scale	1"=200'
Job No.	113021-G-001-0800
Date	MARCH 2018
Designed By/Drawn By	JAW/JF
Checked By	DWL

Registered Professional Engineer (Civil) Certificate No. 36234 DAVID W. LITTLE Date Signed 1-14-20 ARIZONA U.S.A.

Sheet 1 of 7

Council-Regular Meeting **C3**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Jason Angell, Development Services Director

From: Gus Myers, Development Engineering Manager

Date: February 15, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-013: Relating to Development; approving a release of assurances for Gladden Farms Block 30 Lots 1 through 136 and accepting public improvements for maintenance (Jason Angell)

Discussion:

Gladden Farms Block 30 consists of Lots 1 through 136 and is located west of Mike Etter Boulevard and west of Midfield Road. The final plat was recorded with the Pima County Recorder's Office on October 18, 2019, at Sequence No. 20192910094.

The Town has a third party trust assurance agreement assuring the completion of improvements needed to serve the subdivision. The subdivider has completed the improvements serving Gladden Farms Block 30 acceptable to town standards in accordance with the assurance agreement, including the public infrastructure which includes streets, water and sewer utilities.

If approved, this resolution will release the Gladden Farms Block 30 assurances and accept the roadways, water and sewer utilities for maintenance.

This resolution will release lots 1-136 and all common areas.

The Infrastructure to be accepted includes streets, water and wastewater utilities.

Staff Recommendation:

Staff recommends approval of Resolution No. 2022-013, approving a release of assurances for Gladden Farms Block 30 and accepting the roadways, water and sewer utilities for maintenance.

Suggested Motion:

I move to approve Resolution No. 2022-013, approving a release of assurances for Gladden Farms Block 30 Lots 1 through 136 and accepting public improvements for maintenance.

Attachments

Resolution No.2022-013 Release of Assurances for Gladden Farms Block 30

Location Map

MARANA RESOLUTION NO. 2022-013

RELATING TO DEVELOPMENT; APPROVING A RELEASE OF ASSURANCES FOR GLADDEN FARMS BLOCK 30 LOTS 1 THROUGH 136 AND ACCEPTING PUBLIC IMPROVEMENTS FOR MAINTENANCE

WHEREAS the final plat for "Gladden Farms Block 30 Lots 1 – 136, Block A & Common Areas 'A-1'–'A-8' & 'B-1'–'B-9,' Common Area 'A': (Landscape, Utilities and Drainage), Common Area 'B': (Functional Open Space, Utilities and Drainage)" was recorded in the Pima County Recorder's Office on October 18, 2019 at Sequence 20192910094; and

WHEREAS the Town has a third party trust assurance agreement (the "Assurance Agreement") with Gladden Phase II LLC, Gladden Phase II Dev LLC (collectively, the "Subdivider") and Fidelity National Agency of Arizona, LLC, under Trust No. 60,423, recorded in the Pima County Recorder's office on October 18, 2019 at Sequence 20192910103, assuring the completion of public improvements for Gladden Farms Block 30; and

WHEREAS the Subdivider has completed the public improvements for Gladden Farms Block 30 acceptable to Town standards in accordance with the Assurance Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Marana as follows:

Section 1. The Assurance Agreement is hereby released.

Section 2. The Town accepts for maintenance, including maintenance of regulatory traffic control and street signs, approximately 1.32 miles of the following paved streets as shown on the plat of Gladden Farms Block. 30:

- Appling Avenue
- Denton Way
- Belden Place
- Renwick Drive
- Radcliff Drive
- Yates Lane
- Sanderlin Drive
- Pershing Way
- Lindsay Avenue

Section 3. The Town accepts for maintenance the potable water system serving Gladden Farms Block 30, consisting of approximately 5,025 linear feet of potable water line, water meters, valves, fire hydrants and appurtenances with an estimated value of $383,670.

Section 4. The Town accepts for maintenance the sanitary sewer system serving Gladden Farms Block 30, consisting of approximately 5,008 linear feet of conveyance system and appurtenances with an estimated value of $518,713.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 15th day of February 2022.

_____
Mayor Ed Honea

ATTEST:

_____
Cherry Lawson, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

GRADING PLANS FOR
CFD GLADDEN FARMS AND BLOCK 30
LOTS 1-135 & COMMON AREAS "A" & "B"
PRV-08032P/ENG1906-003

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PROJECT IS WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 11 SOUTH, RANGE 11 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA. SAID LINE MONUMENTED BY A FOUND 1 1/2" ALUM CAP STAMPED "17436" AT THE WEST QUARTER AND A FOUND 1/2" REBAR TAGGED "PCHD3" AT THE SOUTHWEST CORNER OF SAID SECTION. SAID BEARING BEING S00°30'03"E.

BASIS OF ELEVATION

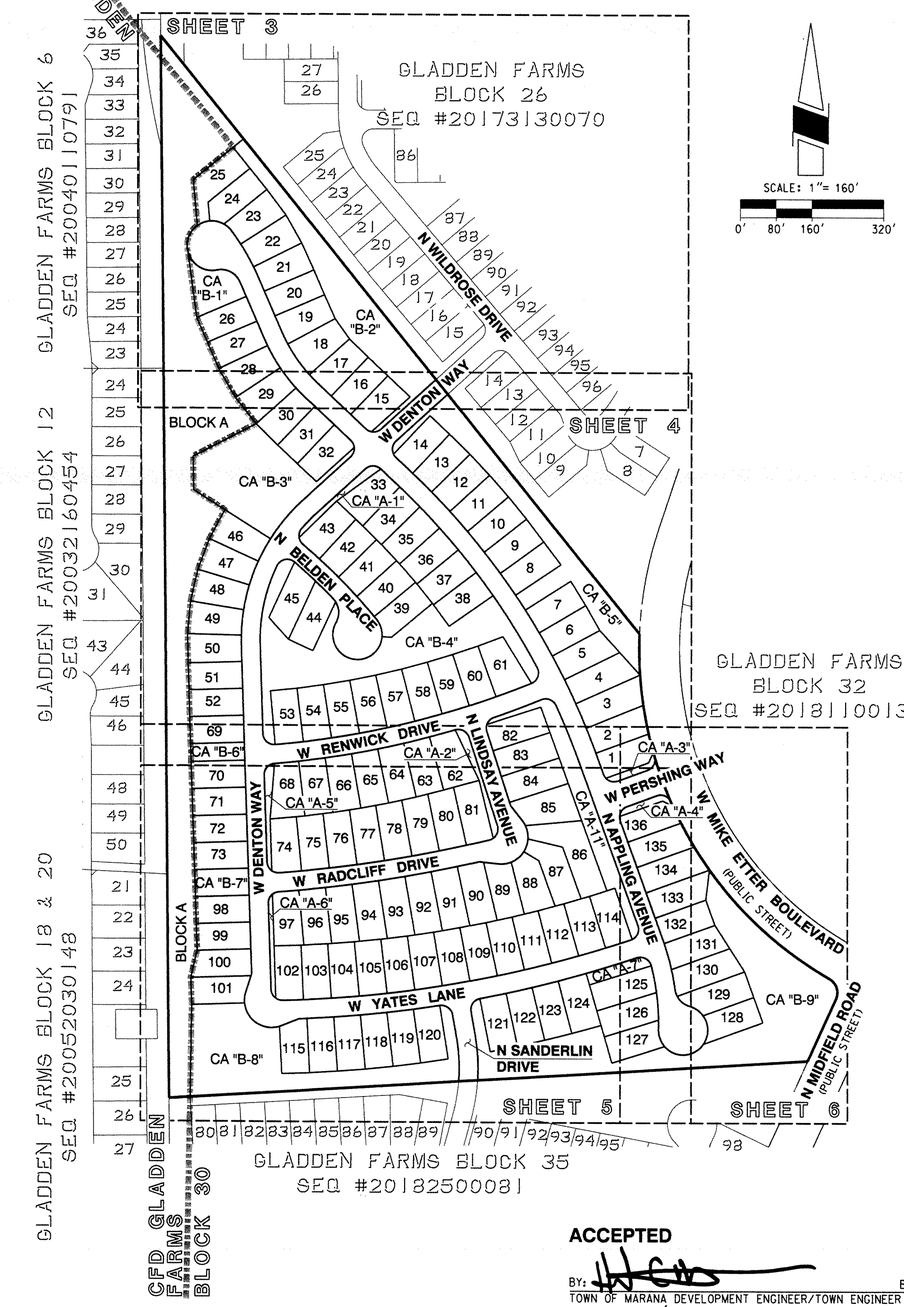
PIMA COUNTY OPUS CONTROL POINT 11S11E_17. A "+" ON THE SOUTHEAST CORNER OF A CONCRETE BOX W/ GRATE. 41'+/- NORTHWEST OF THE WEST QUARTER CORNER SECTION 35 AND 16' +/- SOUTH OF THE SOUTHEAST CORNER OF A WELL SITE. ELEVATION = 2011.61 (NAVD 88)

GRADING NOTES

1. ALL CONCRETE SHALL COMPLY WITH PAG STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, SECTION 1006, CLASS S, 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, UNLESS OTHERWISE SPECIFIED.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS.
3. THE CONTRACTOR SHALL VERIFY LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WITHIN THE WORK AREA PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL CALL ARIZONA 811 AT 811, AT LEAST 2 WORKING DAYS PRIOR TO COMMENCING CONSTRUCTION.
4. THE CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED BY GOVERNMENTAL AGENCIES PRIOR TO CONSTRUCTION.
5. A REGISTERED ENGINEER MUST CERTIFY THAT THIS PROJECT WAS CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE ACCEPTED PLANS PRIOR TO REQUEST FOR FINAL INSPECTION OR THE RELEASE OF ASSURANCES.
6. THIS PLAN IS TO BE USED FOR GRADING CONSTRUCTION ONLY. THE CONTRACTOR SHALL USE OTHER SPECIFIC IMPROVEMENT PLANS FOR CONSTRUCTION OF ALL IMPROVEMENTS OTHER THAN GRADING.
7. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALCULATE HIS OWN EARTHWORK QUANTITIES AND SUBMIT HIS BID BASED THEREON.
8. ALL STATIONING IS MEASURED ALONG STREET CENTERLINE, UNLESS OTHERWISE NOTED.
9. UTILITY LOCATIONS AS SHOWN ON THE PLANS ARE BASED ON A SEARCH OF AVAILABLE RECORDS AND INFORMATION PROVIDED BY THE UTILITY COMPANIES OR AGENCIES. UTILITY LOCATIONS SHOWN ARE APPROXIMATE, AND THERE MAY BE EXISTING UTILITIES WHICH ARE NOT SHOWN ON THE PLANS; THEREFORE, THE POSSIBILITY OF CONFLICTS WITH UTILITIES IN SERVICE EXISTS. THE CONTRACTOR SHALL CALL ARIZONA 811 AT 811, AT LEAST 2 WORKING DAYS PRIOR TO COMMENCING CONSTRUCTION, TO REQUEST VERIFICATION OF THE LOCATION AND ELEVATION OF ALL UTILITIES WITHIN THE WORK AREA. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR COSTS INCURRED AS A RESULT OF DAMAGE TO UTILITIES CAUSED BY HIS OPERATIONS.
10. IF ANY UNANTICIPATED CONDITIONS ARE ENCOUNTERED DURING THE COURSE OF CONSTRUCTION AND ARE BEYOND THE SCOPE OF THE DESIGN, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND THE ENGINEER SHALL SUBMIT THE NECESSARY REVISED OR SUPPLEMENTAL GRADING PLANS FOR REVIEW AND APPROVAL BY THE TOWN ENGINEER.
11. DURING CONSTRUCTION, THE TOWN ENCOURAGES GRADING CREWS TO BE ALERT FOR BURROWING OWLS WHICH CAN BE SPOTTED STANDING ON THE GROUND, PARTICULARLY ALONG THE PERIMETER OF FIELDS. THE BURROWING OWL IS KNOWN TO OCCUR IN AND AROUND AGRICULTURAL FIELDS IN THE TOWN OF MARANA. IF GRADING CREWS FIND A BURROWING OWL DURING GRADING, PLEASE CALL THE ARIZONA GAME AND FISH DEPARTMENT AT (520) 628-5376. THEY WILL COME OUT AND RELOCATE THE BIRD(S) OFFSITE.
12. UPON COMMENCEMENT OF WORK, TRAFFIC CONTROL DEVICES SHALL BE POSTED AND MAINTAINED BY THE CONTRACTOR UNTIL SUCH TIME AS THE WORK IS COMPLETED. ALL WARNING SIGNS, BARRICADES, ETC. SHALL BE IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE OF ARIZONA PURSUANT TO A.R.S. § 28-650.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CARE, MAINTENANCE, REPAIR OR REPLACEMENT OF EXISTING IMPROVEMENTS IN THE WORK AREA WHICH HAVE BEEN REMOVED OR DAMAGED IN THE COURSE OF CONSTRUCTION. ALL REPAIR OR CLEANUP SHALL BE DONE AT NO COST TO THE TOWN OF MARANA.
14. THE USE OF OFFSITE BORROW SOURCE MATERIAL WILL REQUIRE WRITTEN APPROVAL BY THE TOWN ENGINEER. NO APPROVAL WILL IT BE MADE UNTIL THE TOWN HAS DETERMINED THAT THE MATERIAL NOT ONLY MEETS THE SPECIFIED REQUIREMENTS, BUT IS ALSO COMPATIBLE WITH THE ESTABLISHED PROJECT DESIGN CRITERIA DEVELOPED BY IT, AND BASED ON THE SOIL SUPPORT VALUE OF THE EMBANKMENT MATERIALS AND THE STRUCTURAL COEFFICIENTS OF THE BASE AND SURFACING MATERIALS. ADDITIONALLY, THE MINIMUM R-VALUE(S) OF THE IMPORT MATERIAL SHALL MEET OR EXCEED THE VALUE(S) USED FOR THE PAVEMENT DESIGN.

TOWN OF MARANA GENERAL NOTES

1. ALL CONSTRUCTION AND TEST METHODS SHALL BE IN CONFORMANCE WITH PIMA ASSOCIATION OF GOVERNMENTS (PAG) STANDARD SPECIFICATIONS AND STANDARD DETAILS FOR PUBLIC IMPROVEMENTS, 2015 EDITIONS. THESE MAY BE MODIFIED AND/OR SUPPLEMENTED BY THE REQUIREMENTS OF THESE PLANS.
2. ALL WORK SHALL CONFORM TO TITLE 19, STANDARDS FOR GRADING AND RELATED SITE WORK, OF THE TOWN OF MARANA LAND DEVELOPMENT CODE.
3. A GEOTECHNICAL ENGINEERING INVESTIGATION, INCLUDING RECOMMENDATIONS FOR GRADING PROCEDURES HAS BEEN PREPARED BY WRIGHT ENGINEERS. ALL EARTHWORK OPERATIONS SHALL CONFORM TO THE RECOMMENDATIONS CONTAINED IN SAID REPORT, DATED MARCH 5, 2018, PROJECT No. 182379.
4. ALL REVISIONS TO THESE PLANS MUST BE REVIEWED AND ACCEPTED BY THE TOWN OF MARANA PRIOR TO CONSTRUCTION.
5. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF MARANA, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
6. DRAINAGE WILL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT THE APPROVAL OF THE MARANA TOWN COUNCIL.



FOR CONTINUATION OF TOWN OF MARANA GENERAL NOTES, GENERAL NOTES AND STORM DRAIN NOTES SEE SHEET 2

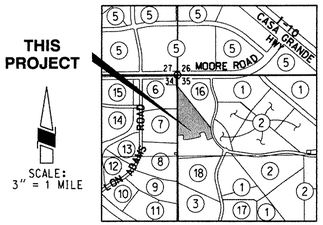
ACCEPTED

BY: _____ BY: 6 NOV 19
TOWN OF MARANA DEVELOPMENT ENGINEER/TOWN ENGINEER

BY: _____ A.I.C.P. 11-5-19
TOWN OF MARANA PLANNING DIRECTOR

Marana Regular Town Council Meeting
February 15, 2022

1. SEQ #20071020612
2. SEQ #20181100137
3. SEQ #20121740308
4. SEQ #20071071340
5. SEQ #20051340763
6. SEQ #20040110791
7. SEQ #20032160454
8. SEQ #20052030148
9. SEQ #20051970423
10. SEQ #20061300698
11. SEQ #20072170310
12. SEQ #20060970432
13. SEQ #20051750608
14. SEQ #20032160452
15. SEQ #20040700645
16. SEQ #20173130070
17. SEQ #20190530029
18. SEQ #20182500081



LOCATION MAP
SECTION 35, T 11 S, R 11 E
G & SRM TOWN OF MARANA
PIMA COUNTY, ARIZONA

OWNER/DEVELOPER

GLADDEN PHASE II, L.L.C.
C/O CROWN WEST LAND GROUP
333 EAST WETMORE ROAD, SUITE 250
TUCSON, AZ 85705
(520) 888-3962
CONTACT: DEAN WINGERT

WORK TO BE DONE

THE IMPROVEMENTS AND GRADING CONSIST OF THE FOLLOWING WORK TO BE DONE ACCORDING TO THESE PLANS AND SPECIFICATIONS AND STANDARD DETAILS:

STANDARD SPECIFICATIONS

1) STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS (2015 EDITION), PIMA ASSOCIATION OF GOVERNMENTS (PAG).

STANDARD DETAILS/DRAWINGS

1) STANDARD DETAILS FOR PUBLIC IMPROVEMENTS (2015 EDITION), PIMA ASSOCIATION OF GOVERNMENTS (PAG).
2) TRAFFIC SIGNING DESIGN MANUAL (MAY 2002 EDITION), PIMA COUNTY AND CITY OF TUCSON.

LEGEND

ITEM	STANDARD DETAIL	SYMBOL
TOP OF CURB ELEVATION		TC 52.50
FINISHED SURFACE ELEVATION		FS 52.0
FINISHED GRADE ELEVATION		FG 57.0
FLOW ELEVATION		FL 52.00
TOP OF BERM		TB 64.0
BEGIN VERTICAL CURVE		BVC
POINT OF VERTICAL CURVE		PI
END OF VERTICAL CURVE		EVC
HIGH POINT		HP
LOW POINT		LP
TOP OF WALL		TW 64.0
EXIST ELEVATION		(49.50)
PAD ELEVATION		PAD 49.5
RIDGE LINE		
STORM DRAIN	SD 108, SEE NOTES	
RIP RAP PAD		
DETAIL REFERENCE	A = DETAIL IDENTIFICATION, 1 = SHEET SHOWING DETAIL	
PROPOSED SLOPE		
RIP RAP SLOPE PROTECTION	SEE TYPICAL SLOPE TREATMENT SEE BOX NOTE ON SHEETS	
EXIST CONTOUR		2750
PROPOSED CONTOUR		2800
DAYLIGHT LINE		
EASEMENT LINE		
DIRECTION OF FLOW OR SWALE		
EXIST SEWER AND MANHOLE		S
EXIST WATERLINE W/VALVE		W
EXIST UNDERGROUND ELECTRIC LINE		E
EXIST FIBER OPTIC LINE		FO
EXIST GAS LINE		G
EXIST TELEPHONE LINE		T
EXIST CABLE LINE		CATV
EXIST CURB & PAVEMENT		
PROJECT BOUNDARY		
EXIST ROW LINE		
CENTERLINE		
VARIABLE SLOPE		
LOT NUMBERS		23
PROPOSED DRYWELL	SEE DETAILS G & H, SHEET 8	
CFD WORK BOUNDARY		
CFD PAD/RIGHT OF WAY BUILD OUT		

NO.	BY	DATE	REVISION

RICK ENGINEERING COMPANY
Tucson
3945 EAST FORT LOWELL ROAD, SUITE 111
TUCSON, AZ 85712
520-795-1000
San Diego · Riverside · Orange · Sacramento · San Luis Obispo · Phoenix · Denver
rickengineering.com

J-36520

DESIGNED BY: SOH	DATE: 04/2019	CHECKED BY:
DRAWN BY: RSM	DATE: 04/2019	APPROVED BY: BMP

DATE: 04/2019

GRADING PLANS PREPARED FOR:
CFD GLADDEN FARMS AND BLOCK 30
LOTS 1-135 AND COMMON AREAS "A", & "B"

Contact Arizona 811 at least two full working days before you begin excavation.
ARIZONA811 Call 811 or click Arizona811.com

ENG1906-003
PRV-08032P

SCALE: HORIZ : 1" = 160'
VERT : N/A

SHEET 1 OF 13

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\\srv_tuc1\RickStandards\Bentley SS3\CorpStds_2005\Workspace\Projects\TUC_CorpStds_2005\plotcfg\Scripts\TUC_Hybrid.dscript

Council-Regular Meeting **C4**

Meeting Date: 02/15/2022

To: Mayor and Council

From: Cherry L. Lawson, Town Clerk

Date: February 15, 2022

Subject: Approval of the Council Regular Meeting Summary Minutes of February 1, 2022 (Cherry L. Lawson)

Attachments

Regular Council Meeting Summary Minutes, 02/01/2022

MARANA TOWN COUNCIL

REGULAR COUNCIL MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, February 1, 2022, at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
Patti Comerford, Council Member
Jackie Craig, 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 6:00 PM and directed the Clerk to call the roll. **Mayor Honea, Vice Mayor Post, Council Members: Jackie Craig, Patti Comerford, Roxanne Ziegler, John Officer, and Herb Kai.**

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

APPROVAL OF AGENDA

Council Member Craig moved and Vice Mayor Post second the motion to approve the agenda with Item C2 2022-009 pulled from the Consent Agenda for Council discussion. Motion passes unanimously, 7-0.

CALL TO THE PUBLIC

Brad D'Emidio, Dove Mountain resident on the newsletter from **Council Member Jackie Craig** who had attended the Colorado River Water User Conference last December. This group is a nonpartisan nonprofit organization for exchanging ideas and perspectives on Colorado River Water Use and Management. He explained the contents of the newsletter and requested Council allow the information that was presented the shock of the presenters of the new hydrology shown the Bureau of Reclamation 24 month study. Despite a 90% snow pack, we only received 32% runoff last year. The river has seen a dramatic decline – the worst on record. Lake Powell could go below power pull by fall, and could stay there for months, if not years. Lake Mead is in tier one, and could go to tier two next year and tier three by 2025; and dead pull where no water can be extracted from the dam and some near unspecified by time. He went to their website www.crwua.org as he wanted to learn more about the Annual Conference 2021 where he had listened to various presentations and became alarm.

Mr. D'Emidio requested that the conference information be shared with the citizens of Marana, and incorporated in the water planning for the town. Since **Council Member Craig** attended the meeting, he is requesting that she presents the findings in a Special Council Meeting or other similar town meeting, along with **Water Director Jing Luo, Ph.D.** of the information that she learned with discussions on how the town plans to address the concerns outlined by the conference, as well as how those concerns affect the Town of Marana.

PROCLAMATIONS

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

Council Member Craig thank Chief of Police Nunez, and Fire Chief Bradley of Northwest Fire. Both presented to the Dove Mountain community two weeks ago. They presented an outline of their departments. Events occurring recently, and then had a wonderful Q&A.

Council Member Comerford stated that she, **Mayor Honea, Council Member Officer**, **Chief Nunez**, several other officers, and employees from **Northwest Fire District** attended the for Tucson Blessings & Prayers for First Responders and elected officials. She commented on the stress of the job on First Responders, that she appreciates having attended the event. The Town of Marana really appreciate the work and efforts of our First Responders. She stated her home is open for police officers who just need to come get a cup of coffee, or have a break, her home is available. She also spoke of the high rate of suicide among First Responders. **Council Member Comerford** announced that she was running for re-election.

Council Member Ziegler commented on the RTA Meeting stating the mayor did a great job. Mayor of Tucson had advocated once for weighted voting for RTA, and she has been

pushing that for many, many months and the last meeting. However, other mayors did not support the weight vote initiated by Tucson's Mayor. She reported Tucson had a Special Meeting this day, and it appears as though they are going to extend the half-cent sales tax for ten years. Tucson voted to not withdraw from the RTA.

Mayor Honea reported on the PAG RTA Meeting that he and **Council Member Ziegler** had attended and reported on the outcome of the four (4) hour meeting. He thinks the RTA will move forward, and he is proud of the other mayors that stood up for this event. He also mentioned having attended the Blessing & Prayer event with Council Members and MPD Chief Nunez along with 10 police officers, Captains, as well as several other officers in their dress uniforms. It was a great event, and he was glad to see so many of Marana's Police Officers there. He attended the Retirement Celebration of Officer Gerrie Tinsley, along with **Council Members Comerford and Ziegler.**

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Town Manager Terry Rozema reported on the following:

- Development Services issued for the month of January 2022 198 single-family residential permits;
- State budget with the governor of proposing in his budget and number of things that could be impactful for municipalities:
    - $611M to PSPRS for unfunded liabilities bringing the funded status to 100% for state;
    - $10M for cyber security grants available for cities, towns and school districts. Finance Department will review the information and report back.
    - $50M state investment for rural transportation grants.
    - $400M for I-10 expansion between Casa Grande and Phoenix.
    - $176M to state parks to do system-wide upgrades.
- The County Board of Supervisors is beginning their process for redistricting, and have their first meeting tomorrow. They will be likely meeting through April. Supervisor Scott has been very good about keeping us in the loop and making sure that we are aware so we can provide any input and feedback to them on what we would like to see. If you have a desire to specifically speak and voice any position or if there were anything, you would like me to convey, please make sure you contact me and I will be sure to pass on that information to Supervisor Scott and the redistricting team.
- He and **Parks & Recreation Director Jim Conroy** looked at a number of things last week. They toured the Marana Lake where used to be called Marana Lake and El Rio Preserve and are getting close. They have this CMID. It is called the turnout to pump water from the CMID in there. Marana is going to have a nice 10-acre park, 10-acre Lake over there. The lake and the dry lake right now, which will be filled with water on or about February the 14th Valentine's Day,

- The Natural Resources trail crew have been doing a lot of invasive species, polls and correcting and fixing a lot of the drainage in that area of the Preserve.
- Our seniors, volunteers 27 of them had a nice appreciation luncheon for them because they have been doing a lot of work. They raised over $800 over the holidays. Paint a bunch of families and help a bunch of less fortunate people in our community.

PRESENTATIONS

P1 Relating to Budget; presentation of independent auditor's report and final results for the 2020-2021 fiscal year (Yiannis Kalaitzidis)

Finance Director Yiannis Kalaitzidis and **Brian Hemmerle** of **Henry + Horne** provided an overview of the independent auditor's report and final results for the 2020-2021 fiscal year. *(A copy of the report is available on file in the Town Clerk's Office, as well as on the Town's website at www.maranaaz.gov).*

CONSENT AGENDA

C1 Resolution No. 2022-008: Relating to Elections; approving and authorizing the Mayor to sign an intergovernmental agreement between the Town of Marana and Pima County, on behalf of the Pima County Recorder, for election services for Town elections occurring in 2022 through 2024 (David L. Udall)

C2 Resolution No. 2022-009: Relating to Budget; authorizing the transfer of up to $425,000 in budgeted expense authority from the General Fund contingency line item to the Water Reclamation Fund in the fiscal year 2022 budget for costs related to system repairs and maintenance. (Jing Luo) (Pulled from Consent for discussion)

C3 Resolution No. 2022-010: Relating to Budget; authorizing the transfer of up to $92,000 in budgeted expense authority from the General Fund contingency line item to the Development Services Department budget in the fiscal year 2022 budget for costs related to hiring additional full-time employees for the Development Services Department; authorizing the creation of two new full-time employees in the Development Services Department (Curry Hale)

C4 Approval of the Special Council Meeting Summary Minutes of January 11, 2022 and the Regular Council Meeting Summary Minutes of January 18, 2022 (Cherry L. Lawson)

Council Member Ziegler moved and Council Member Comerford second the motion approving the Consent Agenda and removing Item C2 from the agenda for Council discussion. Motion passes unanimously, 7-0.

LIQUOR LICENSES

BOARDS, COMMISSIONS AND COMMITTEES

COUNCIL ACTION

C2 Resolution No. 2022-009: Relating to Budget; authorizing the transfer of up to $425,000 in budgeted expense authority from the General Fund contingency line item to the Water Reclamation Fund in the fiscal year 2022 budget for costs related to system repairs and maintenance. (Jing Luo) (Pulled from Consent for discussion)

Water Director Jing Luo and Deputy Water Director Stephen Dean provided a brief overview of the item and the nature of the request. The purpose of today's item is to request a transfer of up to $425,000 in general fund contingency expenditure authority to the Water Reclamation Fund for the use in the emergency system repairs, upgrades, equipment maintenance, and operating supplies. She and **Mr. Dean** provided a brief presentation on the events that happened last summer.

Mr. Dean discussed the emergency repairs and unforeseen projects that the Water Department had to complete this year. In September of 2021, the Department received a telephone call after hours reporting a sanitary sewer overflow at the Rillitio Village Trail. He explained that they contacted its emergency repair company, Pro-Pipe who televised a section of the pipe. They found a section of ductile iron that had been blistered inside from hydrogen sulfide. The contractor performed a 'cured in place line-in procedure,' that took a couple of days to be accomplished. Pro-Pipe performed approximately 300 ft. of pipe was cured in place at that time. He stated that it was reported to ADEQ, and the Department provided a public notice to the Town's customer base.

During that same timeframe of the same week, the Department has a process in place where they clean and televise one quarter of the system each year. The Town has 80 miles of sewer sanitary lines; they clean 20 miles per year and televise it. The previous one that was in rotation, but staff had not addressed it, it was during the Department's normal program—same condition ductile iron pipe blistering. They used the same contractor, made it a bundle so that it was repaired in the same week as the Rillito, and made repairs utilizing the cured in place process.

Mr. Dean discussed additional repairs including the Downtown Sewer Alignment, Clarifier Baffle Replacement, Saguaro Bloom Pump Repairs, Yoem Pueblo Manhole Adjustment, Tractor Repairs, Dewatering System Control Panel, Dewatering System Gear Drive, Lift Station Air Release Valve, Polymer System Control Panel and Liner Repair that will ensure the Town's system is online. The total including emergency repairs, and increase in operating supplies, $425,000.00.

Mr. Dean continued stating there are budgeted projects in the que that still need to be completed including: Water Reclamation Facility (WRF) UV Lamp Replacement, WRF UV Weir Replacement, WRF Sand Filter Compressor Replacement, WRF Equipment Maintenance for the Remainder of the FY, and WRF Operating Supplies for the Remainder of the FY.

Council Member Craig inquired about the underlying infrastructure of the pipes; the same type that were failing. She asked whether there something is different. She asked why they are failing.

Ms. Luo replied stating **Mr. Dean** mentioned that we have a preventive maintenance program. We systematically inspect our piping system. The goal is to invest and inspect our system. That is why we are taking a proactive role to schedule the inspections.

Council Member Kai stated that it seems like this ductile iron is being produced, that is, the quality of it has been changing. There is a lot of ductile iron pipe that last for many years. However, with changing and different materials that are being put in there, some are failing much sooner. He is glad that the Town has a system in place to look at these various areas in the future.

Council Member Comerford asked for clarification on the budgeted projects that still need to be completed. She asked whether those projects are scheduled for this year to be completed. **Ms. Luo** replied stating the Department does have plans for maintenance for those repairs that are still needed to be completed, as they are budgeted in this fiscal year.

Council Member Ziegler moved and Council Member Kai second the motion to approve Resolution No. 2022-009. Motion passes unanimously, 7-0.

A1 Resolution No. 2022-011: Relating to Administration; approving and authorizing the Mayor to execute the Town Manager's Employment Agreement between the Town of Marana and Terry S. Rozema (Jane Fairall)

Vice Mayor Post moved and Council Member Ziegler second the motion approving Resolution No. 2022-011 approving and authorizing the Mayor to execute the Town Manager's Employment Agreement between the Town of Marana and Terry S. Rozema. Motion passes unanimously, 7-0.

ITEMS FOR DISCUSSION / POSSIBLE ACTION

D1. Relating to Budget; discussion, direction, and possible action regarding development of the fiscal year 2022/2023 budget, including proposed budget initiatives and expenditures (Terry Rozema)

Mr. Rozema stated this is Council's opportunity to provide input to the development of to the upcoming fiscal year budget.

D2. 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)

Development Services Director Jason Angell provided an update on the public and private projects within the Marana community.

D3 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 (Terry Rozema)

Mr. Rozema provided an update to legislative bills that are currently being considered during the legislative session.

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).

E2 Executive Session pursuant to A.R.S. §38-431.03 (A)(1) to discuss the employment of Town Manager Terry Rozema, including discussion of the terms of the Town Manager's Employment Agreement.

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 Officer second the motion to adjourn the meeting. Motion passes unanimously, 7-0. Meeting adjourned at 6:56 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Town Council meeting held on February 1, 2022. I further certify that a quorum was present.

_____

Cherry L. Lawson, Town Clerk

DRAFT

Council-Regular Meeting **L1**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Cherry L. Lawson, Town Clerk

From: Nolette Hernandez, Records Clerk

Date: February 15, 2022

Strategic Plan Focus Area:
Community

Strategic Plan Focus Area Additional Info:
1. Leverage the Town's coordinating capability to facilitate enhanced customer interaction with multiple governmental and external agencies.

a. Ensure Marana residents and business owners experience excellent customer service interactions.

Subject: Relating to Liquor Licenses; recommendation to the Arizona Department of Liquor Licenses and Control regarding an application for an Owner Transfer of a Series #07 Beer and Wine Bar liquor license submitted by Ryan Witner Anderson on behalf of Peter Piper Pizza #1211, located at 3741 West Ina Road Suite 125, Tucson, AZ 85741 (Cherry L. Lawson)

Discussion:
This application is for a Series #07 Beer and Wine Bar liquor license at Peter Piper Pizza #1211, located at 3741 West Ina Road Suite 125, Tucson, AZ 85741.

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:

Town staff recommends that an order for 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 an Owner Transfer of a Series #07 Beer and Wine Bar liquor license submitted by Ryan Witner Anderson on behalf of Peter Piper Pizza #1211, located at 3741 West Ina Road Suite 125, Tucson, AZ 85741.

OPTION 2: I move to adopt and submit to the DLLC an order recommending disapproval of an application for an Owner Transfer of a Series #07 Beear and Wine

Bar liquor license submitted by Ryan Witner Anderson on behalf of Peter Piper Pizza #1211, located at 3741 West Ina Road Suite 125, Tucson, AZ 85741.

Attachments

Redacted Application
Affidavit of Posting
Local Governing Body Recommendation
Descriptions of Common Liquor Licenses

'21 NOV 1 Liqr. Lic. PM 3:52

State of Arizona
Department of Liquor Licenses and Control

received
01/04/2022
4:48pm NH

Created 10/30/2021 @ 08:48:32 AM

Local Governing Body Report

LICENSE

Number:	07100094	Type:	007 BEER AND WINE BAR
Name:	PETER PIPER PIZZA #1211		
State:	Pending		
Issue Date:		Expiration Date:	09/30/2022
Original Issue Date:	11/28/1986		
Location:	3741 W INA ROAD #125 TUCSON, AZ 85741 USA		
Mailing Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA		
Phone:	(520)744-1111		
Alt. Phone:			
Email:	[redacted]		

Currently, this license has pending applications.

AGENT

Name:	RYAN WITNER ANDERSON
Gender:	Male
Correspondence Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA
Phone:	[redacted]
Alt. Phone:	
Email:	[redacted]

OWNER

Name: PETER PIPER LLC
Contact Name: NICHOLAS CARL GUTTILLA
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23161028 State of Incorporation: AZ
Incorporation Date: 12/16/2020
Correspondence Address: 5415 E HIGH STREET
#200 C/O GUTTILLA MURPHY ANDERSON
PHOENIX, AZ 85054
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

Officers / Stockholders

Name:	Title:	% Interest:
PETER PIPER HOLDINGS INC	Stockholder	100.00
DAVID AARON DECK	VP/ASST SEC	

PETER PIPER HOLDINGS INC - VP/ASST SEC
PETER PIPER LLC - VP/ASST SEC

Name: DAVID AARON DECK
Gender: Male
Correspondence Address: 313 FISHERMAN TRAIL
MELISSA, TX 75454
USA
Phone: [redacted]
Alt. Phone:
Email:

PETER PIPER LLC - Stockholder

Name: PETER PIPER HOLDINGS INC
Contact Name: RYAN ANDERSON
Type: CORPORATION
AZ CC File Number: State of Incorporation: DE
Incorporation Date:
Correspondence Address: C/O LICENSING DEPT
PO BOX 152077
IRVING, TX 75015
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

MANAGERS

Name: DONA MARIES HACKNEY
Gender: Female
Correspondence Address: 7647 W IRONWOOD DRIVE
PEORIA, AZ 85345
USA
Phone: [redacted]
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Email:

****

Name: MARK SLOAN HOCKETT
Gender: Male
Correspondence Address: 2602 W ROVEEN AVENUE
PHOENIX, AZ 85029
USA
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Alt. Phone:
Email:

****

Name: CLAUDIA KAY ANDERSON
Gender: Female
Correspondence Address: 3316 W GOLDEN LANE
PHOENIX, AZ 85021
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: SHAWN M FOULDS
Gender: Male
Correspondence Address: 19219 N 44TH LANE
GLENDALE, AZ 85308
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: DIANE M FOULDS
Gender: Female
Correspondence Address: 19219 N 44TH LANE
GLENDALE, AZ 85308
USA
Phone: [redacted]
Alt. Phone:
Email:

****

'21 NOV 1 Dept. Lic. Pm 3:52

Name: KURT ANDREW FREDERICKS
Gender: Male
Correspondence Address: 8111 N 19TH AVENUE
#077
PHOENIX, AZ 85021
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MARC MARTIN JOHNSON
Gender: Male
Correspondence Address: 61 N BROWN AVENUE
CASA GRANDE, AZ 85222
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JOHN R MADDEN
Gender: Male
Correspondence Address: 3408 W GLENDALE AVENUE
#52
PHOENIX, AZ 85051
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MICHAEL S MORANO
Gender: Male
Correspondence Address: 2321 W ST MORITZ
PHOENIX, AZ 85023
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: ROBERT ROY NELSON II
Gender: Male
Correspondence Address: 5551 N 7TH STREET
PHOENIX, AZ 85014
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MANUEL RAMIREZ
Gender: Male
Correspondence Address: 317 W EL PRADO ROAD
CHANDLER, AZ 85224
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: ALLYN J RATHKE
Gender: Male
Correspondence Address: 4862 E KACHINA TRAIL
PHOENIX, AZ 85044
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JOHN A ROSIAK JR.
Gender: Male
Correspondence Address: 2357 E CALYPSO AVENUE
MESA, AZ 85204
USA
Phone: [redacted]
Alt. Phone:
Email:

****

'21 NOV 1 Law, Lic, PM 3:52

Name: DAVID ALLAN SCHROEDLE
Gender: Male
Correspondence Address: 17239 NORTH 19TH AVENUE
#060
PHOENIX, AZ 85023
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: RUDY MICHAEL SOLTESZ
Gender: Male
Correspondence Address: 7274 W PARADISE DRIVE
PEORIA, AZ 85345
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: BRENDA E WARNER
Gender: Female
Correspondence Address: 6335 W OSBORN
PHOENIX, AZ 85033
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: STEVEN W YOUNG
Gender: Male
Correspondence Address: 6839 S 44TH WAY
PHOENIX, AZ 85040
USA
Phone: [redacted]
Alt. Phone:
Email:

****

'21 NOV 1 Lic. PM 3:52

Name: STEVEN DAVID DUNSIRE
Gender: Male
Correspondence Address: 17857 N 86TH LANE
PEORIA, AZ 85382
USA
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Name: CINDI L ALLOY-WILES
Gender: Female
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PEORIA, AZ 85345
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Name: KATHERINE L ZIESER
Gender: Female
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GLENDALE, AZ 85304
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Name: JAMES WALTER HUMMEL
Gender: Male
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GLENDALE, AZ 85302
USA
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Email: [redacted]

****

'21 NOV 1 DEM Dec PM 3:52

Name: MALACHI PATRICK KENNEY III
Gender: Male
Correspondence Address: 4222 E WINDROSE
PHOENIX, AZ 85032
USA
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Email:

****

Name: LESTER LEE JONES
Gender: Male
Correspondence Address: 12826 N 42ND PLACE
PHOENIX, AZ 85029
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: FRANKLIN WENDELL GAY
Gender: Male
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PHOENIX, AZ 85037
USA
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Name: ELIZABETH TAYLOR HEUSSER
Gender: Female
Correspondence Address: 762 E EUGIE AVENUE
PHOENIX, AZ 85022
USA
Phone: [redacted]
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Email:

****

'21 NOV 1 Liqr. Lic. PM 3:52

Name: MICHAEL JOHN HUSTON
Gender: Male
Correspondence Address: 31 N LOS FELIZ DRIVE
CHANDLER, AZ 85226
USA
Phone: [redacted]
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Email:

****

Name: ERIC R PETERSON
Gender: Male
Correspondence Address: 5211 E MARILYN ROAD
SCOTTSDALE, AZ 85250
USA
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Email:

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Name: TONYA MARTINEZ SPEAR
Gender: Female
Correspondence Address: 12117 S 43RD AVENUE
LAVEEN, AZ 85339
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: WILLIAM THOMAS CARR
Gender: Male
Correspondence Address: 11630 W HOLLY STREET
AVONDALE, AZ 85392
USA
Phone: [redacted]
Alt. Phone:
Email:

****

'21 NOV 1 PM 3:52

Name: SAMUEL F TURNER
Gender: Male
Correspondence Address: 3021 E KERRY LANE
PHOENIX, AZ 85024
USA
Phone: [redacted]
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Email:

****

Name: BRADLEY MICHAEL SIKES
Gender: Male
Correspondence Address: 4136 E EMELITA CIRCLE
MESA, AZ 85206
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: WILLIAM ROBERT TOOLE
Gender: Male
Correspondence Address: PO BOX 2159
LITCHFIELD PARK, AZ 85340
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

****

Name: GARY LEE MILLER
Gender: Male
Correspondence Address: 3413 N BRINDLEY AVENUE
LITCHFIELD PARK, AZ 85340
USA
Phone: [redacted]
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Email:

****

'21 NOV 1 Liqr. Lic. PM 3:52

Name: SCOTT MICHAEL SPRENGER
Gender: Male
Correspondence Address: 19015 N 22 LANE
PHOENIX, AZ 85027
USA
Phone: [redacted]
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Email:

****

Name: TRAVIS RAY BISHOP
Gender: Male
Correspondence Address: 16253 W JEFFERSON STREET
GOODYEAR, AZ 85338
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: TAMMY ANNETTE LIGHTNER
Gender: Female
Correspondence Address: 13809 N 149TH LANE
SURPRISE, AZ 85379
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JARROD ELIAS MASON
Gender: Male
Correspondence Address: 3837 E IRMA LANE
PHOENIX, AZ 85050
USA
Phone: [redacted]
Alt. Phone:
Email:

****

'21 NOV 1 CLK. CAL. PM 3:52

Name:	MARK DANIEL EASTHAM
Gender:	Male
Correspondence Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA
Phone:	[redacted]
Alt. Phone:	
Email:	[redacted]

APPLICATION INFORMATION

Application Number:	166342
Application Type:	Owner Transfer
Created Date:	10/22/2021

QUESTIONS & ANSWERS

007 Beer and Wine Bar

1) Are you applying for an Interim Permit (INP)?
   Yes
   A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
   No
8) Did the Premises phone number change?
   No
10) Provide name, address, and distance of nearest school and church. (If less than one (1) mile note footage)
   1845 feet - Robert S Richardson Elementary School - 6901 N Camino de la Tierra - Tucson, AZ 85741
   2935 feet - Beautiful Savior Lutheran Church - 7570 N Thornydale Road - Tucson, AZ 85741
11) Are you one of the following? Please indicate below.
   Property Tenant
   Subtenant
   Property Owner
   Property Purchaser
   Property Management Company
   Tenant
12) Is there a penalty if lease is not fulfilled?
   Yes
   What is the penalty?
   Unpaid rent, eviction, termination of lease
13) What is the total money borrowed for the business not including the lease? Please list lenders/people owed money for the business.
   $0 (none)
14) Is there a drive through window on the premises?
   No

15) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
n/a

'21 NOV 1 LIQ. LIC. PM 3:52

16) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

23) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
Part of a larger transaction - license price not set aside

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
MISCELLANEOUS	1 - Alien Status-fingerprint information.pdf	10/22/2021
INTERIM PERMIT (INP) NOTARY PAGE	2 - IP information.pdf	10/22/2021
DIAGRAM/FLOOR PLAN	Diagram.pdf	10/22/2021
MISCELLANEOUS	Cover letter.pdf	10/22/2021
MISCELLANEOUS	Flow chart.pdf	10/22/2021
QUESTIONNAIRE	Agent Anderson PQ.pdf	10/22/2021
QUESTIONNAIRE	CP Deck PQ.pdf	10/22/2021
QUESTIONNAIRE	Mgr Eastham PQ.pdf	10/22/2021

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State of Arizona
Department of Liquor Licenses and Control

Created 11/01/2021 @ 03:49:00 PM

Local Governing Body Report

LICENSE

Number:	INP100015963	Type:	INP INTERIM PERMIT
Name:	PETER PIPER PIZZA #1211		
State:	Active		
Issue Date:	11/01/2021	Expiration Date:	02/12/2022
Original Issue Date:	11/01/2021		
Location:	3741 W INA ROAD #125 TUCSON, AZ 85741 USA		
Mailing Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA		
Phone:	(520)744-1111		
Alt. Phone:			
Email:	[redacted]		

AGENT

Name:	RYAN WITNER ANDERSON
Gender:	Male
Correspondence Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA
Phone:	[redacted]
Alt. Phone:	
Email:	[redacted]

OWNER

'21 NOV 1 Liqr. Lic. PM 3:52

Name: PETER PIPER LLC
Contact Name: NICHOLAS CARL GUTTILLA
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23161028 State of Incorporation: AZ
Incorporation Date: 12/16/2020
Correspondence Address: 5415 E HIGH STREET
#200 C/O GUTTILLA MURPHY ANDERSON
PHOENIX, AZ 85054
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

Officers / Stockholders

Name:	Title:	% Interest:
PETER PIPER HOLDINGS INC	Stockholder	100.00
DAVID AARON DECK	VP/ASST SEC	

PETER PIPER HOLDINGS INC - VP/ASST SEC
PETER PIPER LLC - VP/ASST SEC

Name: DAVID AARON DECK
Gender: Male
Correspondence Address: 313 FISHERMAN TRAIL
MELISSA, TX 75454
USA
Phone: [redacted]
Alt. Phone:
Email:

PETER PIPER LLC - Stockholder

Name: PETER PIPER HOLDINGS INC
Contact Name: RYAN ANDERSON
Type: CORPORATION
AZ CC File Number: State of Incorporation: DE
Incorporation Date:
Correspondence Address: C/O LICENSING DEPT
PO BOX 152077
IRVING, TX 75015
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

MANAGERS

Name: DONA MARIES HACKNEY
Gender: Female
Correspondence Address: 7647 W IRONWOOD DRIVE
PEORIA, AZ 85345
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liq. Lic. Pr 3:52

****

Name: MARK SLOAN HOCKETT
Gender: Male
Correspondence Address: 2602 W ROVEEN AVENUE
PHOENIX, AZ 85029
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: CLAUDIA KAY ANDERSON
Gender: Female
Correspondence Address: 3316 W GOLDEN LANE
PHOENIX, AZ 85021
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: SHAWN M FOULDS
Gender: Male
Correspondence Address: 19219 N 44TH LANE
GLENDALE, AZ 85308
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: DIANE M FOULDS
Gender: Female
Correspondence Address: 19219 N 44TH LANE
GLENDALE, AZ 85308
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liq. Lic. PM 3:52

****

Name: KURT ANDREW FREDERICKS
Gender: Male
Correspondence Address: 8111 N 19TH AVENUE
#077
PHOENIX, AZ 85021
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MARC MARTIN JOHNSON
Gender: Male
Correspondence Address: 61 N BROWN AVENUE
CASA GRANDE, AZ 85222
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JOHN R MADDEN
Gender: Male
Correspondence Address: 3408 W GLENDALE AVENUE
#52
PHOENIX, AZ 85051
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MICHAEL S MORANO
Gender: Male
Correspondence Address: 2321 W ST MORITZ
PHOENIX, AZ 85023
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liqr. Lic. PM 3:53

****

Name: ROBERT ROY NELSON II
Gender: Male
Correspondence Address: 5551 N 7TH STREET
PHOENIX, AZ 85014
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: MANUEL RAMIREZ
Gender: Male
Correspondence Address: 317 W EL PRADO ROAD
CHANDLER, AZ 85224
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: ALLYN J RATHKE
Gender: Male
Correspondence Address: 4862 E KACHINA TRAIL
PHOENIX, AZ 85044
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JOHN A ROSIAK JR.
Gender: Male
Correspondence Address: 2357 E CALYPSO AVENUE
MESA, AZ 85204
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 DAY. LOG PM 3:53

****

Name: DAVID ALLAN SCHROEDLE
Gender: Male
Correspondence Address: 17239 NORTH 19TH AVENUE
#060
PHOENIX, AZ 85023
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: RUDY MICHAEL SOLTESZ
Gender: Male
Correspondence Address: 7274 W PARADISE DRIVE
PEORIA, AZ 85345
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: BRENDA E WARNER
Gender: Female
Correspondence Address: 6335 W OSBORN
PHOENIX, AZ 85033
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: STEVEN W YOUNG
Gender: Male
Correspondence Address: 6839 S 44TH WAY
PHOENIX, AZ 85040
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liqr. Lic. PM 3:53

****

Name: STEVEN DAVID DUNSIRE
Gender: Male
Correspondence Address: 17857 N 86TH LANE
PEORIA, AZ 85382
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: CINDI L ALLOY-WILES
Gender: Female
Correspondence Address: 11933 N 73RD DRIVE
PEORIA, AZ 85345
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: KATHERINE L ZIESER
Gender: Female
Correspondence Address: 13415 N 55TH AVENUE
GLENDALE, AZ 85304
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JAMES WALTER HUMMEL
Gender: Male
Correspondence Address: 6250 W PEORIA AVENUE
GLENDALE, AZ 85302
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

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****

Name: MALACHI PATRICK KENNEY III
Gender: Male
Correspondence Address: 4222 E WINDROSE
PHOENIX, AZ 85032
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: LESTER LEE JONES
Gender: Male
Correspondence Address: 12826 N 42ND PLACE
PHOENIX, AZ 85029
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: FRANKLIN WENDELL GAY
Gender: Male
Correspondence Address: 9321 W ELM STREET
PHOENIX, AZ 85037
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: ELIZABETH TAYLOR HEUSSER
Gender: Female
Correspondence Address: 762 E EUGIE AVENUE
PHOENIX, AZ 85022
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 LIQ. LIC. PM 3:53

****

Name: MICHAEL JOHN HUSTON
Gender: Male
Correspondence Address: 31 N LOS FELIZ DRIVE
CHANDLER, AZ 85226
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: ERIC R PETERSON
Gender: Male
Correspondence Address: 5211 E MARILYN ROAD
SCOTTSDALE, AZ 85250
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: TONYA MARTINEZ SPEAR
Gender: Female
Correspondence Address: 12117 S 43RD AVENUE
LAVEEN, AZ 85339
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: WILLIAM THOMAS CARR
Gender: Male
Correspondence Address: 11630 W HOLLY STREET
AVONDALE, AZ 85392
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liq. Lic. PM 3:53

****

Name: SAMUEL F TURNER
Gender: Male
Correspondence Address: 3021 E KERRY LANE
PHOENIX, AZ 85024
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: BRADLEY MICHAEL SIKES
Gender: Male
Correspondence Address: 4136 E EMELITA CIRCLE
MESA, AZ 85206
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: WILLIAM ROBERT TOOLE
Gender: Male
Correspondence Address: PO BOX 2159
LITCHFIELD PARK, AZ 85340
USA
Phone: [redacted]
Alt. Phone:
Email: [redacted]

****

Name: GARY LEE MILLER
Gender: Male
Correspondence Address: 3413 N BRINDLEY AVENUE
LITCHFIELD PARK, AZ 85340
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liq. Lic. PM 3:53

****

Name: SCOTT MICHAEL SPRENGER
Gender: Male
Correspondence Address: 19015 N 22 LANE
PHOENIX, AZ 85027
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: TRAVIS RAY BISHOP
Gender: Male
Correspondence Address: 16253 W JEFFERSON STREET
GOODYEAR, AZ 85338
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: TAMMY ANNETTE LIGHTNER
Gender: Female
Correspondence Address: 13809 N 149TH LANE
SURPRISE, AZ 85379
USA
Phone: [redacted]
Alt. Phone:
Email:

****

Name: JARROD ELIAS MASON
Gender: Male
Correspondence Address: 3837 E IRMA LANE
PHOENIX, AZ 85050
USA
Phone: [redacted]
Alt. Phone:
Email:

'21 NOV 1 Liq. Lic. PM 3:53

****

Name:	MARK DANIEL EASTHAM
Gender:	Male
Correspondence Address:	5415 E HIGH STREET #200 C/O GUTTILLA MURPHY ANDERSON PHOENIX, AZ 85054 USA
Phone:	[redacted]
Alt. Phone:	
Email:	[redacted]

APPLICATION INFORMATION

Application Number:	166365
Application Type:	New Application
Created Date:	10/22/2021

ASP / CA

QUESTIONS & ANSWERS

INP Interim Permit

1) Enter License Number currently at location
07100094

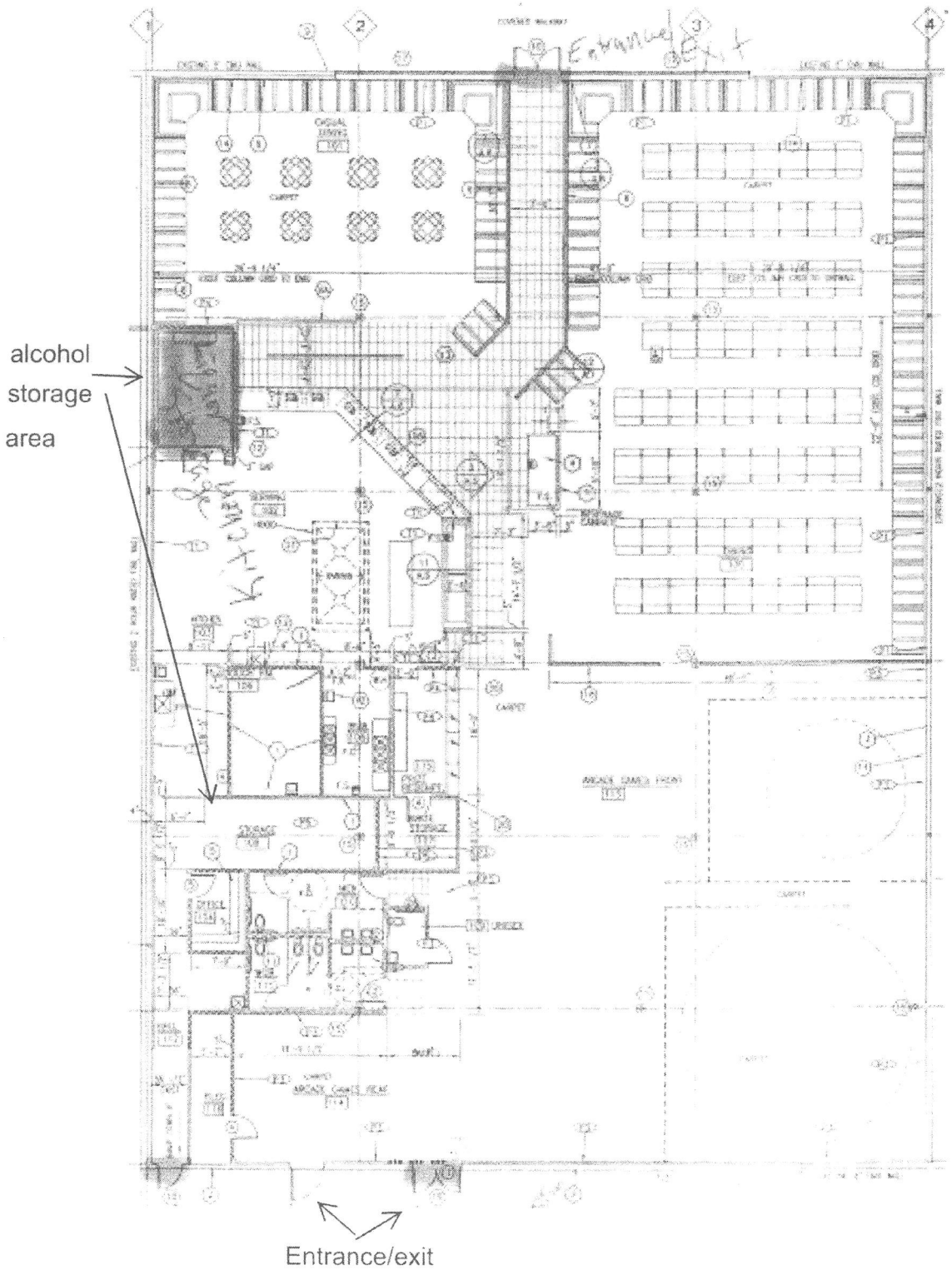
2) Is the license currently in use?
YES

3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
YES

'21 NOV 1 LIQ. LIC. AM11:15

Peter Piper Pizza #1211
3741 W Ina Rd #125
Tucson, AZ 85741

Approx 14,000 s.f.
Entire premise licensed for alcohol storage, display, sales, and consumption



SECTION 8 Government (for Cities, Towns or Counties only)

1. Government Entity: _____

2. Person/Designee: _____
Last First Middle Daytime Contact Phone #

SECTION 9 Person to Person Transfer ARS§4-203(C), (D), (G)
(Bar and Liquor Stores only – Series 06, 07, and 09)

1. License #: 07100094

2. Individual Owner/Agent Name: Baxla (Last) John (First) Edward (Middle)

3. Ownership Name: Southwest Pizza Inc.
(Exactly as it appears on the license)

4. Current Business Name: Peter Piper Pizza #58
(Exactly as it appears on the license)

5. Business Location Address: 3741 W Ina Road #125 (Street) Tucson (City) AZ (State) Pima (County) 85741 (Zip)

6. Current Daytime Phone: _____ Primary Email Address: _____

7. Does current licensee intend to operate the business while this application is pending? ☑ Yes ☐ No

8. I, (Signature): See bill of sale authorize the transfer of this license to the applicant.

NOTARY

I (Print Full Name) _____ hereby declare that I am the Individual Agent, Owner, Or Controlling Person on the stated license and location.

Signature: _____ State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ (Date) _____ (Day) Day of _____ (Month), _____ (Year)

_____
Signature of Notary

SECTION 10 Location Transfer– Current Licensee Information ARS§4-203(C), (D), (G)
(Bar and Liquor Stores only – Series 06, 07, and 09)

1.Current Business: Name: _____

Address: _____
(exactly as it appears on license)

2.New Business: Name: _____

Address: _____

DocuSign Envelope ID: 850D8A29-BD30-4615-8050-C9D1A7B4E703

'21 NOV 1 AM 11:35

BILL OF SALE, ASSIGNMENT AND ASSUMPTION

Southwest Pizza, Inc., an Arizona corporation ("Assignor"), for good and valuable consideration paid to it, the receipt and sufficiency of which is hereby acknowledged, and pursuant to the Asset Purchase Agreement, dated October 15, 2021 (the "Purchase Agreement"), by and among Assignor, and Peter Piper, LLC, an Arizona limited liability company ("Assignee"), does hereby sell, assign, transfer and convey unto Assignee and its successors and assigns, all of the Assignor's right, title and interest in and to the Acquired Assets (as defined in the Purchase Agreement).

TO HAVE AND TO HOLD the Acquired Assets unto Assignee, its successors and assigns, forever.

Assignor further covenants and agrees that, at the request of Assignee and without further consideration, it will execute such other instruments of conveyance, transfer and assignment, and take such other action as Assignee may reasonably request in order to better grant, bargain, sell, assign, transfer, convey, set over or deliver to Assignee the Acquired Assets transferred or intended to be transferred hereunder.

Assignor also hereby irrevocably constitutes and appoints Assignee and its successors and assigns, Assignor's true and lawful attorney, with full power of substitution, in Assignor's name and stead, but on behalf of and for the benefit of Assignee and its successors and assigns, to demand and receive any and all of the Acquired Assets, and from time to time to institute and prosecute in Assignor's name, or otherwise, at the expense and for the benefit of Assignee, or its successors and assigns, any and all proceedings at law, in equity or otherwise, which Assignee or its successors or assigns, may deem proper for the collection or reduction to possession of any of the general intangibles or other Acquired Assets transferred hereunder or for the collection and enforcement of any claim or right of any kind hereby sold, conveyed, transferred, assigned and delivered, or intended so to be, and to do all acts and things in relation to the Acquired Assets transferred hereunder which Assignee, its successors or assigns, shall deem desirable.

In consideration of the transfer of the Acquired Assets to Assignee, Assignee hereby assumes the Assumed Liabilities (as defined in the Purchase Agreement).

This Bill of Sale, Assignment and Assumption shall inure to the benefit of and shall bind the parties hereto and their respective successors and assigns.

THIS BILL OF SALE, ASSIGNMENT AND ASSUMPTION SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE UNITED STATES AND THE STATE OF TEXAS (WITHOUT REGARD TO THE CONFLICTS OF LAWS PRINCIPLES THEREOF); PROVIDED, HOWEVER, ASSIGNOR MAKES NO REPRESENTATION THAT GOOD TITLE TO THE ACQUIRED ASSETS IS BEING CONVEYED UNDER TEXAS LAW.

#

DocuSign Envelope ID: 650D8A29-BD30-4815-8050-C9D1A7B4E705

'21 NOV 1 LIQ. LIC. PM 2:35

Neither the making nor the acceptance of the within assignment and transfer shall constitute a waiver or release by Assignor or Assignee of any liabilities, duties or obligations imposed upon any of them by the terms of the Purchase Agreement, including, without limitation, the representations and warranties or other provisions which the Purchase Agreement provides shall survive the date hereof.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Bill of Sale, Assignment and Assumption to be executed this 15th day of October, 2021.

ASSIGNOR:

Southwest Pizza, Inc.,
an Arizona corporation

By: _____
John Baxla
President

ASSIGNEE:

Peter Piper, LLC,
an Arizona limited liability company

DocuSigned by:
By: Randy Forsythe
72A935742D5349A...
Randy Forsythe
President

#

'21 NOV 1 Liq. Lic. PM 2:35

List of liquor licenses for Bill of Sale

07100093	Peter Piper Pizza #1205	432 W. Valencia Road, Tucson
07100090	Peter Piper Pizza #1206	5925 E Broadway Blvd #101
07100088	Peter Piper Pizza #1207	4120 N Oracle Rd, Tucson
07100092	Peter Piper Pizza #1209	4112 E 22nd St, Tucson
07100310	Peter Piper Pizza #1210	1380 N Silverbell, Tucson
07100094	Peter Piper Pizza #1211	3741 W Ina Road #125, Tucson
07101007	Peter Piper Pizza #1212	3717 S 12th Ave #129, Tucson
New #12 Old #12103582	Peter Piper Pizza #1213	9545 E Old Spanish Trail, Tucson
07100091	Peter Piper Pizza #1214	5385 S Calle Santa Cruz, Tucson
07070035	Peter Piper Pizza #1215	6040 S Central Ave, Phoenix

'21 NOV 1 Liq. Lic. #11116

Peter Piper, LLC
Flow chart

Any entity above Peter Piper Holdings, LLC does not exercise control over Peter Piper, LLC's liquor licenses

Peter Piper Holdings, Inc.
A Delaware Corporation

VP/Asst Sec: David A. Deck

Peter Piper, LLC [licensee]
An Arizona LLC – ACC #23161028
100% Member: Peter Piper Holdings, Inc

VP/Asst Sec: David A. Deck

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

QUESTIONNAIRE

A.R.S.§4-202, 4-210
Type or Print with Black Ink

H 166342

The fees allowed by R19-1-102 will be charged for all dishonored checks.

805-086

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 07100094

1. Check the Appropriate Box → ☐ Controlling Person ☑ Agent | ☐ Premises Manager (complete all questions except #12)

2. Name: Anderson (Last) Ryan (First) Witner (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security #: [redacted] Driver License#: [redacted] State: AZ

4. Place of birth: Pomona (City) CA (State) USA (COUNTRY (not county)) Height: 6'4" Weight: 230 Eyes: Blue Hair: Brown

5. Name of current/most recent spouse: Anderson (Last) Dina (First) Lambrou (Middle) Birth Date: [redacted] (NOT a public record)

6. Are you a bona fide resident of Arizona? ☑ Yes ☐ No If yes, what is your date of residency: 2001

7. Daytime telephone number [redacted] E-mail address: [redacted]

8. Business Name: Peter Piper Pizza #1211 Business Phone: 520 / 744 / 1111

9. Business Location Address: 3741 W Ina Road #125 (Street (do not use PO Box)) Tucson (City) AZ (State) ~~Maricopa~~ Pima (County) 85741 (Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
9/2001	CURRENT	Law Firm	Guttilla Murphy Anderson - 5415 E High St #200 - Phoenix, AZ 85054

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
7/2011	CURRENT	[redacted]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☐Yes ☑No
If you answered YES, then answer **#13 below. If NO, skip to #14.**

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☑No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐Yes ☑No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☑No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Ryan Witner Anderson hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete to the best of my knowledge.

Signature: _____ State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

My Commission Expires on: 9-15-2024

15th Day of October 2021
Day Month Year

CYNTHIA MARIE AMBROZIC
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
COMMISSION # 586888
MY COMMISSION EXPIRES
SEPTEMBER 15, 2024

Signature of Notary

The licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

1/11/2018

Individuals requiring ADA accommodations please call (602)542-2999

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

QUESTIONNAIRE

A.R.S.§4-202, 4-210
Type or Print with Black Ink

#166342

805-086

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 07100094

1. Check the Appropriate Box → ☑ Controlling Person ☐ Agent ☐ Premises Manager (complete all questions except #12)

2. Name: DECK (Last) DAVID (First) AARON (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security # [redacted] Driver License#: [redacted] State: TX

4. Place of birth: Rockledge (City) FL (State) USA (COUNTRY (not county)) Height: 6'0" Weight: 220 Eyes: Blue Hair: Blonde

5. Name of current/most recent spouse: Deck (Last) Katie (First) Marianne (Middle) Birth Date: [redacted] (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☑ No If yes, what is your date of residency: n/a

7. Daytime telephone number: [redacted] E-mail address [redacted]

8. Business Name: Peter Piper Pizza #1211 Business Phone: 520 / 744 / 1111

9. Business Location Address: 3741 W Ina Road #125 (Street (do not use PO Box)) Tucson (City) AZ (State) Pima (County) 85741 (Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
7/1999	CURRENT	Attorney/Corp Secretary	Peter Piper, LLC - 1707 Market Pl Blvd #200 - Irving, TX 75063

(ATTACH ADDITIONAL SHEET IF NECESSARY)

'22 NOV 1 Dec. 15, 9:11 17

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
6/2016	CURRENT	[redacted]
7/2015	6/2016	[redacted]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☐Yes ☑No
If you answered YES, then answer **#13 below. If NO, skip to #14.**

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☑No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐Yes ☑No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☑No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) David Aaron Deck hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: _____ State of Texas County of Dallas

The foregoing instrument was acknowledged before me this

My Commission Expires on: 08/02/2025 (Date) 5th (Day) Day of October (Month), 2021 (Year)

Jayda S Moss
Notary Public, State of Texas
Comm. Expires 08/02/2025
Notary ID 13316849-0

Jayda S Moss
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above license.

PRINT NAME: _____ SIGNATURE: _____

1/11/2018

Individuals requiring ADA accommodations please call (602)542-2999

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: January 7, 2022 Date of Posting Removal: 1/27/22 CB

Applicant's Name: Anderson (Last) Ryan (First) Witner (Middle)

Business Address: 3741 W Ina Rd Ste 125 (Street) Tucson (City) 85741 (Zip)

License #: 07100094/166342

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.

JR Burns	Housing Rehabilitation Specialist	(520) 990-2496
Print Name of City/County Official	Title	Phone Number

Signature 1/7/22 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 (Circle one) Liquor License Application #: 07100094/166342 (Arizona application #)

2. County of: Pima County City/Town/County #: LL2022-01

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 (Governing body) at a Regular (Regular or special) meeting held on the 15 (Day) of February (Month), 2022 (Year) considered the application of Ryan Witner Anderson (Name of applicant)

for a license to sell spirituous liquor at the premises described in application 07100094/166342 (Arizona liquor license application #),

for the license series #: type Series #06 Bar (i.e.: series #10: beer & wine store) as provided by A.R.S §4-201.

ORDER OF APPROVAL/DISAPPROVAL

IT IS THEREFORE ORDERED that the license APPLICATION OF Ryan Witner Anderson (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 _____ (Location) on _____ (Day), _____ (Month), _____ (Year).

_____ (Printed name of city, town or county clerk) _____ (Signature of city, town or county clerk)

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.

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 **A1**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Jing Luo, Water Director

From: Stephen Dean, Deputy Water Director

Date: February 15, 2022

Strategic Plan Focus Area:
Commerce, Community

Subject: Resolution No. 2022-014: Relating to Utilities; Authorizing Town staff to apply for a Drinking Water Revolving Fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) to fund construction costs for the Marana Park Reservoir Project (WT046) (Jing Luo)

Discussion:

Identified in the 2017 Water Infrastructure Improvement Plan (IIP), a new reservoir at Marana Park (also known as Ora Mae Harn Park) is required to meet existing and future water demand in the North Marana benefit area. Due to the nature of the project, it will be funded by the water capital fund up to $1,000,000 with the remaining construction costs (est. $2,506,345) to be funded by water impact fees. The project has been 100% designed and construction is budgeted and scheduled to commence in FY22.

Currently, the water capital fund, which is funded by water users, has not accumulated sufficient funding for the project. Staff has identified an advantageous funding opportunity through the use of a Water Infrastructure Finance Authority (WIFA) forgivable loan that will allow 50% or more of the total loan amount to be forgiven while also providing funding toward the successful and timely completion of the project. Based on available information from WIFA, the amount to be forgiven will range from $500,000 - $675,000.

In order to complete the WIFA loan application, authorization to incur debt must be

approved by the Council. If approved, this agenda item would provide that authorization. Once the debt authorization is received, WIFA will continue to work with the Town staff to proceed with the rest of the application process.

Financial Impact:

Fiscal Year:	FY2022
Budgeted Y/N:	N
Amount:	$1,000,000

There is no financial impact in FY22 as staff does not anticipate spending the loan proceeds until next fiscal year. Staff will include appropriate adjustments to the project as well as to the water fund for corresponding debt service payments. Based on available information from WIFA the amount to be forgiven will range from $500,000 - $675,000.

Staff Recommendation:

Staff recommends adoption of Resolution No. 2022-014, authorizing Town staff to apply for a Drinking Water Revolving Fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) to fund construction costs for the Marana Park Reservoir Project (WT046).

Suggested Motion:

I move to adopt Resolution No. 2022-014, authorizing Town staff to apply for a Drinking Water Revolving Fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) to fund construction costs for the Marana Park Reservoir Project (WT046).

Attachments

Resolution No. 2022-014 Marana Park Reservoir WIFA Loan

MARANA RESOLUTION NO. 2022-014

RELATING TO UTILITIES; AUTHORIZING TOWN STAFF TO APPLY FOR A DRINKING WATER REVOLVING FUND LOAN FROM THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA) TO FUND CONSTRUCTION COSTS FOR THE MARANA PARK RESERVOIR PROJECT (WT046)

WHEREAS pursuant to the 2017 Water Infrastructure Improvement Plan, a new reservoir at Marana Park (also known as Ora Mae Harn Park) must be constructed in order to meet existing and future water demands in the North Marana benefit area; and

WHEREAS construction of the reservoir is to be funded in part by the water capital fund, in an amount up to $1,000,000, with the remainder of the project's construction costs to be funded by development impact fees; and

WHEREAS the Marana Park Reservoir Project (WT046) has been 100% designed and construction is scheduled to commence in fiscal year 2022; and

WHEREAS because the water capital fund cannot currently provide sufficient funding for the project, the Town desires to apply for a loan through the Water Infrastructure Finance Authority of Arizona (WIFA) in an amount not to exceed $1,000,000; and

WHEREAS pursuant to A.R.S. § 9-571, the Town may obligate the revenues generated by its Water Department and other revenues, including excise taxes, otherwise authorized by law to be used to repay long-term obligations to repay a loan from WIFA; and

WHEREAS the Town of Marana, located in Pima and Pinal Counties, certifies that at the time of this request the population of the community is less than 150,000 as of the most recent U.S. Census date which meets the requirement under A.R.S. § 9-571; and

WHEREAS the Mayor and Council of the Town of Marana find that it is in the Town's best interest to pursue and apply for financial assistance from WIFA in an amount not to exceed $1,000,000 to fund a portion of the construction costs for the Marana Park Reservoir Project (WT046).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, AS FOLLOWS:

SECTION 1. The Town Manager is hereby authorized to sign for and on behalf of the Town of Marana all applications, agreements, and other documentation necessary or beneficial for Drinking Water Revolving Fund financial assistance from WIFA in an amount not to exceed $1,000,000 payable from revenues of the Marana Water Department and other revenues, including excise taxes, otherwise authorized by law to be used to repay long-term obligations, to cover construction costs for the Marana Park Reservoir Project (WT046).

SECTION 2. All actions of the officers and agents of the Town of Marana which conform to the purposes and intent of this resolution and which further the completion of the actions as contemplated by this resolution, whether heretofore or hereafter taken, are hereby ratified, confirmed and approved. The proper officers and agents of the Town are hereby authorized and directed to do all such acts and things and to execute and deliver all such WIFA application documents on behalf of the Town and to conduct such procurement activities as may be necessary to carry out the terms and intent of this resolution.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 15th day of February 2022.

_____

Mayor Ed Honea

ATTEST:

_____

Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

_____

Jane Fairall, Town Attorney

Council-Regular Meeting **A2**

Meeting Date: 02/15/2022

To: Mayor and Council

Submitted For: Jing Luo, Water Director

From: Stephen Dean, Deputy Water Director

Date: February 15, 2022

Strategic Plan Focus Area:
Commerce

Subject: Resolution No. 2022-015: Relating to Budget; authorizing the transfer of $71,145 and $262,050, respectively, in budgeted expense authority from the General Fund contingency line item to the Water CIP budget in the fiscal year 2022 budget for the design of the Tangerine Business Park Well No. 2 Project and for the design of the Honea East Reservoir and Well Upgrade Project (Jing Luo)

Discussion:

The budget for fiscal year 2021-2022 was adopted on June 15, 2021. The Town Council approved several Water Capital Improvement Projects that were funded by rates and impact fees. Staff was waiting to include a number of projects in the fiscal year 2022-2023 budget, however, growth projections have changed dramatically in North Marana, requiring certain associated infrastructure to be addressed accordingly. Based on the rapid grown projections, staff seeks to expedite the following two projects:

1. **Tangerine Business Park Reservoir Well No. 2 (East of I-10 on Tangerine Road)** This project includes an additional well in this service area and was originally planned to be submitted in the fiscal year 2022-2023 budget for consideration. The estimated design cost is $71,145 and the estimated construction cost is $600,000 for a grand total of $671,145. In order to accommodate rapid growth in this service area, staff believes the design needs to be completed during this fiscal year. This project will be funded by water rate revenues.

2. **Honea East Reservoir and Well Upgrade Project (North Marana)** This project includes constructing a larger reservoir and applicable well expansion to provide adequate water supply in this area. This project is referenced in the draft

Infrastructure Improvement Plan (IIP). If the draft IIP is adopted by Council, the project costs will be funded/reimbursed by impact fees. The design cost is estimated to be $262,050 and the estimated construction cost being $2,218,690 for a grand total of $2,480,740. In order to accommodate rapid growth in this service area, staff believes the design needs to be completed during this fiscal year.

The item before you requests Council approval of the transfer of $71,145 and $262,050, respectively, in budgeted expense authority from the General Fund contingency line item in fiscal year 2021-2022 to the Water CIP Budget for the design of the Tangerine Business Park Well No. 2 Project and for the design of the Honea East Reservoir and Well Upgrade Project.

Financial Impact:

Fiscal Year:	2022
Budgeted Y/N:	No
Amount:	$333,195

Budget expenditure authority in the total amount of $333,195 will be transferred to the corresponding projects upon Council approval. Budget authority will be assigned to the water capital fund until such time that the Infrastructure Improvement Plan is approved.

Staff Recommendation:

Staff recommends approval.

Suggested Motion:

I move to adopt Resolution No. 2022-015, authorizing the transfer of $71,145 and $262,050, respectively, in budgeted expense authority from the General Fund contingency line item to the Water CIP budget in the fiscal year 2022 budget for the design of the Tangerine Business Park Well No. 2 Project and for the design of the Honea East Reservoir and Well Upgrade Project

Attachments

Resolution No. 2022-015 Transfer of Budget to Water CIP

MARANA RESOLUTION NO. 2022-015

RELATING TO BUDGET; AUTHORIZING THE TRANSFER OF $71,145 AND $262,050, RESPECTIVELY, IN BUDGETED EXPENSE AUTHORITY FROM THE GENERAL FUND CONTINGENCY LINE ITEM TO THE WATER CIP BUDGET IN THE FISCAL YEAR 2022 BUDGET FOR THE DESIGN OF THE TANGERINE BUSINESS PARK WELL NO. 2 PROJECT AND FOR THE DESIGN OF THE HONEA EAST RESERVOIR AND WELL UPGRADE PROJECT

WHEREAS on June 15, 2021, the Town Council adopted the fiscal year 2021-2022 budgetary document and overall financial plan which set the legal level of budgetary control at the department level for the General Fund and at the fund level for all other funds; and

WHEREAS although the Town Council approved several Water Capital Improvement Projects (CIP) as part of the fiscal year 2022 budget, growth projections have increased in North Marana requiring additional associated infrastructure; and

WHEREAS the fiscal year 2022 budget did not include funding for the design of Tangerine Business Park Reservoir Well No. 2 or the design of the Honea East Reservoir and Well Upgrade project; and

WHEREAS to accommodate rapid growth in these service areas, the design of these projects needs to be completed during the current fiscal year; and

WHEREAS the Town Council desires to transfer budgeted expense authority in the fiscal year 2021-2022 budget of $71,145 and $262,050, respectively, from the General Fund Contingency line item to the Water CIP budget for costs related to the design of the Tangerine Business Park Reservoir Well No. 2 and the Honea East Reservoir and Well Upgrade Project; and

WHEREAS transferring budget capacity from the General Fund Contingency line item of $71,145 and $262,050, respectively, to the Water CIP budget in the fiscal year 2022 budget will not significantly impact the General Fund; and

WHEREAS reallocations of budgeted expense authority between funds are necessary from time to time; and

WHEREAS the Council finds that, the reallocations addressed by this resolution to accelerate the design of these two Water CIP projects are in the best interest of the Town of Marana and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, AS FOLLOWS:

SECTION 1. The transfer of $71,145 and $262,050, respectively, in budgeted expense authority from the General Fund Contingency line item to the Water CIP budget for costs related to the design of the Tangerine Business Park Reservoir Well No. 2 and the Honea East Reservoir and Well Upgrade Project in the fiscal year 2021-2022 budget is hereby approved.

SECTION 2. The Town's Manager and staff are hereby directed and authorized to undertake all other and further tasks required or beneficial to carry out the terms, obligations, and objectives of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 15th day of February 2022.

_____
Mayor Ed Honea

ATTEST:

_____
Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

Council-Regular Meeting **D1**

Meeting Date: 02/15/2022

To: Mayor and Council

From: Jane Fairall, Town Attorney

Date: February 15, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Ordinance No. 2022.003: Relating to Land Development; revising Marana Town Code Title 17 (Land Development), Chapter 17-2 (Administrative Bodies and Officers), Section 17-2-2 (Board of adjustment) to provide that the members of the Town Council [or alternatively, the Planning Commission] shall serve as the Marana Board of Adjustment; dissolving the sitting Board of Adjustment; and designating an effective date (Jane Fairall)

Discussion:

Cities and towns in Arizona are required to have a board of adjustment, to hear and decide appeals of the zoning administrator's interpretations of the zoning ordinance and to consider applications for variances from the zoning ordinance. A.R.S. § 9-462.06. A board of adjustment must consist of five to seven members appointed by the council of the municipality, or the council itself may take on the duties of the board of adjustment.

When the Town of Marana's first zoning ordinance was adopted by Ordinance No. 77-6 on August 29, 1977, the Town Council itself was established as the Marana Board of Adjustment. The Council continued to act as the Marana Board of Adjustment until May 6, 2003, when a separate seven-member Marana Board of Adjustment was established by the adoption of Ordinance No. 2003.07. The members of the original separate seven-member Marana Board of Adjustment were appointed on January 20, 2004, by Resolution No. 2004-13. The Board's initial organization meeting occurred on April 21, 2004.

A list of all separate Marana Board of Adjustment meetings and agenda items can be found in the backup material for this item. Including its first organization meeting, the separate Marana Board of Adjustment has met 23 times. Fifteen cases have been brought to the Board, two of which were withdrawn before the Board made a decision. Except for the meetings listed, all other monthly meetings have been canceled for a lack of cases. Over the years, nine Board meetings were held where the only business involved discussing the rules of procedure or Board training. In nearly 18 years, cases were on the agendas of only 14 Board meetings.

Four of the seven Board of Adjustment positions have terms expiring on February 28, 2022. Historically, the Town has often had positions left vacant due to a lack of applications for the board positions.

Citizen members of the separate Marana Board of Adjustment have served well and faithfully over the years. But considering the Board's historically light case load, Town staff believes that it is worth revisiting the option to have the Council itself again choose to act as the Marana Board of Adjustment. Alternatively, the Council could appoint the members of the Marana Planning Commission as the Marana Board of Adjustment. Two separate ordinances are included in the agenda packet for consideration, one appointing the Council as the Board of Adjustment and one appointing the Commission as the Board of Adjustment.

Town staff provides the following points to aid the Council in this discussion and possible decision:

1. By law, the Board of Adjustment is "quasi-judicial" -- it acts like a judge. It decides cases based on the evidence presented to it. Board members are not permitted to communicate with the parties outside of the public meeting, in the same way judges cannot have "ex parte" communications with litigants. This restriction on communication for board of adjustment cases would be contrary to the normal practice of the Council and the Planning Commission, who are permitted to speak to applicants for rezonings and conditional use permits. Not being able to speak to applicants for variances or interpretation appeals could be difficult or uncomfortable for Council Members or Planning Commissioners.
2. By law, appeals of board of adjustment decisions go straight to Superior Court. When a municipal council is the board of adjustment, it can decide for itself how aggressively to pursue an appeal. When a municipality's board of adjustment is a separate body, the municipality's council only gets involved in the appeal by intervening as a party in the Superior Court. There are many past Arizona cases where a local government has appeared as an opposing party to its own separate board of adjustment in litigation challenging the board's decision. This doesn't happen when a council acts as the municipality's board of adjustment.

Staff Recommendation:

Council's pleasure.

Suggested Motion:

I move to adopt Ordinance No. 2022.003, revising Marana Town Code Section 17-2-2 to provide that the members of the Town Council [or alternatively, the Planning Commission] shall serve as the Marana Board of Adjustment, and dissolving the sitting Board of Adjustment.

Attachments

Ordinance No. 2022.003 Appointing Council As BOA
Ordinance No. 2022.003 Appointing Commission as Board
Table of BOA meetings

MARANA ORDINANCE NO. 2022.003

RELATING TO LAND DEVELOPMENT; REVISING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-2 (ADMINISTRATIVE BODIES AND OFFICERS), SECTION 17-2-2 (BOARD OF ADJUSTMENT) TO PROVIDE THAT THE MEMBERS OF THE TOWN COUNCIL SHALL SERVE AS THE MARANA BOARD OF ADJUSTMENT; DISSOLVING THE SITTING BOARD OF ADJUSTMENT; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. § 9-462.06 provides that cities and towns in Arizona are required to have a board of adjustment, to hear and decide appeals of the zoning administrator's interpretations of the zoning ordinance and to consider applications for variances from the zoning ordinance; and

WHEREAS pursuant to A.R.S. § 9-462.06, a board of adjustment must consist of five to seven members appointed by the council of the municipality, or the council itself may take on the duties of the board of adjustment; and

WHEREAS when the Town of Marana's first zoning ordinance was adopted by Ordinance No. 77-6 on August 29, 1977, the Town Council was established as the Marana Board of Adjustment; and

WHEREAS the Council continued to act as the Marana Board of Adjustment until May 6, 2003, when a separate seven-member Marana Board of Adjustment was established by the adoption of Ordinance No. 2003.07; and

WHEREAS citizen members of the separate Marana Board of Adjustment have served well and faithfully over the years; however, in nearly 18 years, cases were on the agendas of only 14 Board meetings and the vast majority of Board meetings have been canceled due to a lack of cases; and

WHEREAS the Mayor and Council of the Town of Marana find that the revisions adopted by this ordinance are in the best interest of the Town of Marana and the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 17 (Land Development), chapter 17-2 (Administrative bodies and officers), section 17-2-2 (Board of adjustment) is hereby

amended as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

17-2-2 Board of adjustment

A. Establishment~~; purpose~~. There is hereby established a board of adjustment for the town. The board of adjustment shall consist of the members of the town council.

~~B. Appointment; vacancies; term. The board of adjustment shall consist of seven members, who shall serve at the pleasure of the council, each of whom shall be a resident of the town. Members shall serve staggered terms, with four members, initially serving a term of two years, and three members initially serving a term of four years. Thereafter, each member of the board shall be appointed to serve a term of four years. Vacancies on the board of adjustment shall be filled by a majority vote of the council to fill the remaining term of office.~~

~~C.~~B. Officers; public meeting and minutes; bylaws; quorum; procedure.

1. ~~Immediately upon formation and every two years thereafter, following the seating of new board members, the board of adjustment shall elect a chair person with~~ The mayor shall serve as the chair of the board with the power to administer oaths and take evidence.
2. The meetings of the board of adjustment shall be subject to the requirements of the Arizona open meeting laws. The minutes of the board's proceedings shall show the vote of each member. Records of the board's examinations and other official actions shall be filed with the secretary to the board of adjustment as a public record.
3. The board of adjustment shall follow and adhere to any rules of procedure established for the board by the council.
4. The board of adjustment shall adopt all rules and procedures necessary or convenient for the conduct of its business, consistent with applicable law and any rules of procedure established for the board by the council.

~~D.~~C. Powers and duties.

1. Variances. The board of adjustment shall hear and decide appeals for variances, as provided by state law.
2. Interpretations. The board of adjustment shall hear and decide appeals from zoning decisions of the planning manager, as provided by state law.
3. Other matters. The board shall consider any other matter referred by the council.

~~E. Compensation. The members of the board of adjustment shall serve without compensation; however, members may be reimbursed for actual expenses incurred in conjunction with their duties and authorized and approved by the council.~~

SECTION 2. The sitting Marana Board of Adjustment is hereby dissolved.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance shall be effective the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 15th day of February, 2022.

_____
Mayor Ed Honea

ATTEST:

_____
Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

MARANA ORDINANCE NO. 2022.003

RELATING TO LAND DEVELOPMENT; REVISING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-2 (ADMINISTRATIVE BODIES AND OFFICERS), SECTION 17-2-2 (BOARD OF ADJUSTMENT) TO PROVIDE THAT THE MEMBERS OF THE PLANNING COMMISSION SHALL SERVE AS THE MARANA BOARD OF ADJUSTMENT; DISSOLVING THE SITTING BOARD OF ADJUSTMENT; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. § 9-462.06 provides that cities and towns in Arizona are required to have a board of adjustment, to hear and decide appeals of the zoning administrator's interpretations of the zoning ordinance and to consider applications for variances from the zoning ordinance; and

WHEREAS pursuant to A.R.S. § 9-462.06, a board of adjustment must consist of five to seven members appointed by the council of the municipality, or the council itself may take on the duties of the board of adjustment; and

WHEREAS when the Town of Marana's first zoning ordinance was adopted by Ordinance No. 77-6 on August 29, 1977, the Town Council was established as the Marana Board of Adjustment; and

WHEREAS the Council continued to act as the Marana Board of Adjustment until May 6, 2003, when a separate seven-member Marana Board of Adjustment was established by the adoption of Ordinance No. 2003.07; and

WHEREAS citizen members of the separate Marana Board of Adjustment have served well and faithfully over the years; however, in nearly 18 years, cases were on the agendas of only 14 Board meetings and the vast majority of Board meetings have been canceled due to a lack of cases; and

WHEREAS the Mayor and Council of the Town of Marana find that the revisions adopted by this ordinance are in the best interest of the Town of Marana and the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 17 (Land Development), chapter 17-2 (Administrative bodies and officers), section 17-2-2 (Board of adjustment) is hereby

amended as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

17-2-2 Board of adjustment

A. Establishment~~; purpose~~. There is hereby established a board of adjustment for the town. The board of adjustment shall consist of the members of the planning commission.

~~B. Appointment; vacancies; term. The board of adjustment shall consist of seven members, who shall serve at the pleasure of the council, each of whom shall be a resident of the town. Members shall serve staggered terms, with four members, initially serving a term of two years, and three members initially serving a term of four years. Thereafter, each member of the board shall be appointed to serve a term of four years. Vacancies on the board of adjustment shall be filled by a majority vote of the council to fill the remaining term of office.~~

~~C.~~B. Officers; public meeting and minutes; bylaws; quorum; procedure.

1. ~~Immediately upon formation and every two years thereafter, following the seating of new board members, the board of adjustment shall elect a chair person with~~ The chair of the planning commission shall serve as the chair of the board with the power to administer oaths and take evidence.
2. The meetings of the board of adjustment shall be subject to the requirements of the Arizona open meeting laws. The minutes of the board's proceedings shall show the vote of each member. Records of the board's examinations and other official actions shall be filed with the secretary to the board of adjustment as a public record.
3. The board of adjustment shall follow and adhere to any rules of procedure established for the board by the council.
4. The board of adjustment shall adopt all rules and procedures necessary or convenient for the conduct of its business, consistent with applicable law and any rules of procedure established for the board by the council.

~~D.~~C. Powers and duties.

1. Variances. The board of adjustment shall hear and decide appeals for variances, as provided by state law.
2. Interpretations. The board of adjustment shall hear and decide appeals from zoning decisions of the planning manager, as provided by state law.
3. Other matters. The board shall consider any other matter referred by the council.

~~E.~~D. Compensation. The members of the board of adjustment shall serve without compensation; however, members may be reimbursed for actual expenses incurred in conjunction with their duties and authorized and approved by the council.

SECTION 2. The sitting Marana Board of Adjustment is hereby dissolved.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance shall be effective the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 15th day of February, 2022.

_____
Mayor Ed Honea

ATTEST:

_____
Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

Marana Board of Adjustment

Meetings and Agenda Items since Creation as Separate Board

DATE	ITEM	RESULT
20040421	Orientation, organization, officers, regular meeting date	NA
20040512	Rules of procedure discussed	NA
20040609	VAR-04036 Monterey Homes variance request, 2-foot encroachment into setback at Continental Reserve Block 9	Granted 4-2
	Rules of procedure draft approved	6-0
20040811	Rules of procedure discussed	NA
20050119	VAR-04130 Lathrem Homebuilders variance request, 20-foot encroachment at 4032 W Moore Road	Denied 7-0
20060613	VAR-06051 Acacia Nursery variance request, 24-foot encroachment for existing modular office at 8080 W Tangerine Road	Granted 4-0
20070508	VAR-07043 Richmond American variance request, 0.8 foot encroachment into 5-foot side setback at 5451 W Morning Moonlight Ln in Dove Mountain	Granted 5-1
20071114	Discussion of rules of procedure	NA
20080212	Variance case studies presentation/training by Town Attorney	NA
20081028	VAR-08073 Phyllis McEnroe variance request, 13-foot encroachment into 40-foot rear yard setback at 4721 W Mallow Lane	Denied 6-0
	VAR-08075 DESCO variance request, 5-foot encroachments into side and rear setbacks at Continental Crossing Market Place	Granted 4-2
20090414	VAR-09012 William & Kimberly Ohl request for variance/interpretation to allow swimming pool on lot across the street at 8223 W Circulo de los Morteros	Denied 3-1*
20091013	VAR-09034 Richmond American variance request, 5-foot encroachment into the front yard setback	Granted 3-1
20091117	VAR-09042 Circle K/Pearson's Signs variance request, 5-foot encroachment of pole sign into 10-foot front yard setback at 4540 W. Ina Road	Denied 4-2
20110308	VAR-11008 Gene English/Soloway Designs variance request, 10-foot encroachment into 30-foot front yard setback at 4220 W Horizon Ridge Road	Granted 4-1
20111101	PCM-11049 Dove Mountain Retail Centre Use Appeal of Planning Director's decision that newspaper distribution facility is not a permitted use	Rev'd 3-2†
20111213	Discussion of possible Board rules amendments	NA
20120508	Training presentation by the Town Attorney	NA
20120814	PCM-12010 Palo Verde Partners and Tortolita appeal of Planning Director's determination that the applicable Dove Mountain setback is 15 feet	Withdrawn
	Board rules of procedure amendments discussed	NA
20121113	Board rules of procedure amendments discussed	NA
20130108	Board rules of procedure amendments approved	6-0
20140408	VAR-14015 Yoem Pueblo variance and interpretation requests to accommodate the review and approval of the Yoem Pueblo subdivision plat	Granted 5-0
20161108	VAR1609-001 Ross Stores variance request to increase maximum area of wall sign	Cont'd‡
20170411	VAR1701-001 Variance request to allow installation of a manufactured home at 8865 N Joplin Lane to replace a previous manufactured home on the site	Granted 5-0

* This case was the subject of an appeal to the Pima County Superior Court, which upheld the Board's decision.

† The vote was 3-2 to reverse the Planning Director's interpretation. This case was the subject of an appeal to the Pima County Superior Court, arguing (1) that the motion to reverse failed because, by rule, a reversal requires four votes of the Board, and (2) that the case was improperly noticed. The Arizona Daily Star abandoned its request for the distribution facility after the lawsuit was filed.

‡ Continued at the request of the applicant; issue later worked out without pursuing the variance.