



LEGAL ACTION SUMMARY

**NOTICE OF REGULAR MEETING
OF THE GUADALUPE TOWN COUNCIL**

**THURSDAY, MARCH 12, 2020
6:00 P.M.**

**GUADALUPE TOWN HALL
9241 SOUTH AVENIDA DEL YAQUI, COUNCIL CHAMBERS
GUADALUPE, ARIZONA**

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Anita Cota
Councilmember

Gloria Cota
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

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Town Council Chambers
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Guadalupe, AZ 85283
Phone: (480) 730-3080
Fax: (480)-505-5368

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Town of Guadalupe Council and to the general public that the Guadalupe Town Council will hold a meeting, open to the public, on Thursday, March 12, 2020, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona.

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. INVOCATION/PLEDGE OF ALLEGIANCE
- D. APPROVAL OF MINUTES
 - 1. Approval of the February 13, 2019, Town Council Regular Meeting Minutes.

APPROVED

- 2. Approval of the February 13, 2019, Town Council Special Meeting Minutes.

APPROVED

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

F. MAYOR and COUNCIL PRESENTATIONS: None.

F. DISCUSSION AND POSSIBLE ACTION ITEMS:

- 1. **EXECUTIVE SESSION:** The Guadalupe Town Council may vote to go into an Executive Session, which is closed to the public, as allowed by A.R.S. §38-431.03(A)3, to obtain legal advice from the Town Attorney concerning the legal requirements to grant, deny, or grant with modifications, requests for variances of the Guadalupe Town Code. *There is no material for this agenda item.*

NO ACTION TAKEN

- 2. **PUBLIC HEARING – G.T.L. LLC DBA THE MINT VARIANCE REQUEST (HOURS OF OPERATION):** Request for a variance (CU2020-02) by the Applicant, G.T.L. LLC dba The Mint - a



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medical marijuana dispensary, located at 5210 South Avenida del Yaqui for a variance to the Town Zoning Code as it relates to the hours of operation for its' marijuana dispensary as set forth by Town of Guadalupe Zoning Ordinance, Article 2, Part III, Section 1, Subsection C, Paragraph 5, limiting the hours of operation to not earlier than 8:00 AM and not later than 6:00 PM. The applicant is seeking the following:

- a: an extension of the variance approved by Town Council on June 29, 2017, and extended for two (2) years by Council on April 26, 2018, to continue extended hours of operation, open to the public, from 6:00 PM to 9:00 PM, seven days a week; and,
- b: an extension of the variance approved by the Town Council on April 26, 2018 to extend the hours of operation, open to the public, from 9:00 PM to 10:00 PM, seven days a week.

HELD A PUBLIC HEARING

3. VARIANCE REQUEST- G.T.L. LLC DBA THE MINT (HOURS OF OPERATION): Council will consider and may take action to approve, deny, or approve with modifications of said variance request (CU2020-02) of an extension of the current variance approved by Town Council on June 29, 2017, and extended for two years by Council on April 26, 2018, of the Town Zoning Code, Article 2, Part III, Section 1, Subsection C, Paragraph 5, for G.T.L. LLC (dba The Mint – a medical marijuana dispensary) located at 5210 S. South Avenida del Yaqui to continue extended hours of operation, open to the public, outside the existing Town ordinance from 6:00 PM to 9:00 PM, seven days a week. Council may provide direction to the Town Manager / Clerk.

APPROVED A VARIANCE TO ALLOW THE BUSINESS TO OPERATE FROM 6:00 PM – 9:00 PM

4. VARIANCE REQUEST- G.T.L. LLC DBA THE MINT (HOURS OF OPERATION): Council will consider and may take action to approve, deny or approve with modifications an extension of the variance approved by Town Council on April 26, 2018, of said variance request (CU2020-02) of the Town Zoning Code, Article 2, Part III, Section 1, Subsection C, Paragraph 5, for G.T.L. LLC (dba The Mint, a medical marijuana dispensary) located at 5210 South Avenida del Yaqui to extended hours of operation open to the public outside the existing Town ordinance from 9:00 PM to 10:00 PM, seven days a week. Council may provide direction to the Town Manager / Clerk.

APPROVED A VARIANCE TO ALLOW THE BUSINESS TO OPERATE FROM 9:00 PM – 10:00 PM

5. PUBLIC HEARING – G.T.L. LLC DBA THE MINT VARIANCE REQUEST (DRIVE THROUGH FACILITY): Request for a variance (CU2020-03) by the Applicant, G.T.L. LLC dba The Mint - a medical marijuana dispensary, located at 5210 South Avenida del Yaqui for a variance to the Town Zoning Code as it relates to the prohibition of drive-through facilities for its' marijuana dispensary as set forth by Town of Guadalupe Zoning Ordinance, Article 2, Part III, Section 1, Subsection C, Paragraph 4, in order to establish and operate a drive-through window on the premises. Council may provide direction to the Town Manager / Clerk.

HELD A PUBLIC HEARING; CONTINUED PUBLIC HEARING TO THE MARCH 26, 2020 REGULAR COUNCIL MEETING



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6. **VARIANCE REQUEST – G.T.L. LLC DBA THE MINT (DRIVE THROUGH FACILITY):** Request for a variance (CU2020-03) by the Applicant, G.T.L. LLC dba The Mint - a medical marijuana dispensary, located at 5210 South Avenida del Yaqui for a variance to the Town Zoning Code as it relates to the prohibition of drive-through facilities for its' marijuana dispensary as set forth by Town of Guadalupe Zoning Ordinance, Article 2, Part III, Section 1, Subsection C, Paragraph 4, in order to establish and operate a drive-through window on the premises. Council may provide direction to the Town Manager / Clerk.

CONTINUED TO THE MARCH 26, 2020 REGULAR COUNCIL MEETING

7. **NOTICE OF INTENTION TO AMEND FEES:** Staff will present a revised Code of Ordinances Fee Schedule for Council consideration. The proposed fee schedule has been posted on-line in accordance with Arizona Revised Statutes. If approved, staff will present the proposed fee schedule to Council at the April 23, 2020, Regular Council Meeting, for adoption. Adoption of the complete codified Code of Ordinances is scheduled for the May 28, 2020, Regular Council Meeting. Council may provide direction to the Town Manager / Clerk.

PRESENTATION AND DISCUSSION

8. **SOLID WASTE COLLECTION SERVICES UPDATE:** Staff will provide an update on the trash and recycling services transition and related administrative, billing, and public works services. Right Away Disposal began providing trash and recycling services on March 1, 2020. Council may provide direction to the Town Manager / Clerk. *There is no material for this agenda item.*

PRESENTATION AND DISCUSSION

9. **DIA DE GUADALUPE UPDATE:** Staff will provide a financial report of the 2020 Town of Guadalupe Dia De Guadalupe special event. Council may provide direction to the Town Manager / Clerk.

PRESENTATION AND DISCUSSION

10. **ABANDONED VEHICLE NOTIFICATION PROCESS:** Town and Maricopa County Sheriff's Office staffs will present the revised impound notice for vehicles abandoned on Town right of way and the process to implement the noticing process. Council may provide direction to the Town Manager / Clerk.

PRESENTATION AND DISCUSSION

11. **NEW CINGULAR MASTER LICENSE AGREEMENT:** Request for a Master License Agreement by New Cingular Wireless PCS, LLC pursuant to the Town's ordinance allowing for wireless facilities in the right of way. This is the first step in the process for New Cingular to install small cell antennas, typically on street light poles, through individual permit approval for each site location including detailed plans/specifications submittals. This master license agreement request complies with 2019 Town Council adopted ordinances, 2017 State legislation and related Federal Communications Commission rules. Council may provide direction to the Town Manager / Clerk.

APPROVED

12. **CLAIMS:** Council will consider and may take action to approve the check register for February 2020, totals \$466,955.06

APPROVED



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13. PUBLIC HEARING – ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE) ELECTION, AUGUST 4, 2020 (RESOLUTION NO. R2020.07): Hold a public hearing for public input concerning placing a ballot measure on the August 4, 2020, Primary Election regarding the option of whether or not to continue Home Rule in the Town of Guadalupe.

HELD A PUBLIC HEARING

14. CALL OF SPECIAL COUNCIL MEETING – MARCH 19, 2020: Council may consider calling a Special Council Meeting to hold a second public hearing to receive public input for consideration of placing a ballot measure on the August 4, 2020, Primary Election regarding the option of whether or not to continue Home Rule in the Town of Guadalupe. (Related to agenda item G13) *There is no material for this agenda item*

SPECIAL COUNCIL MEETING SCHEDULED FOR THURSDAY, MARCH 19, 2020

H. TOWN MANAGERS' COMMENTS

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT