



## AMENDED AGENDA

Regular Session

Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

July 1, 2020

6:30 PM

***Following the recommendations from the CDC to help slow the spread of COVID-19, attendance at Town meetings is currently limited to 25 people, including members of the Town Council and staff, to maintain physical distancing. Some members of the Town Council and staff may attend electronically.***

***The public can continue to watch the meeting live streamed at [QueenCreek.org/Watch Meetings](https://www.queen-creek.org/WatchMeetings) by selecting "video" next to the applicable meeting (once the meeting begins) or by visiting the Town's Ustream account at <https://video.ibm.com/councilmeeting>.***

***Public comment: in addition to attending in-person, there are two options for residents to submit public comment for the July 1 Town Council meeting:***

- ***Email: submit a comment to [PublicComment@QueenCreek.org](mailto:PublicComment@QueenCreek.org). Every email received will be entered into the official record. Please include your name, address, comment and note if your comment is for call to the public.***
- ***WebEx Online Meeting: Using a computer, tablet or smartphone, log into the meeting through WebEx (LINK) and provide a public comment. To participate, register with your name, address and comment. View detailed at [QueenCreek.org/Watch Meetings](https://www.queen-creek.org/WatchMeetings).***

***Comments without identifying name and address will not be read or submitted as part of the written record.***

***Pursuant to A.R.S. §§ 38-431.02 and 38-431.03, notice is hereby given to the members of the Town Council and the general public that, at this Regular Meeting, the Town Council may vote at any time during the Council Meeting to go into Executive Session, which will not be open to the public, for legal advice and discussion with the Town Attorney(s) for legal advice on any item listed on the following agenda, pursuant to A.R.S. § 38-431.03(A)(3).***

***The Mayor or other presiding officer at the meeting may change the order of Agenda Items and/or take items on the Agenda in an order they determine is appropriate.***

**1. Call to Order:**

**2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)**

**3. Pledge of Allegiance:**

**4. Invocation/Moment of Silence:**

**5. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**

A. None.

**6. Committee Reports:**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

B. Committee and outside agency reports (only as scheduled)

1. None.

**7. Public Comments:** *Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to [PublicComment@queencreek.org](mailto:PublicComment@queencreek.org) by 6:30 p.m. on July 1, 2020 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

**8. Consent Agenda:** *Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Members of the Town Council and or staff may comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.*

**9. Items for Discussion:** *These items are for Town Council discussion only and no action will be taken. In general, no public comment will be taken.*

A. Rittenhouse Road Project Update

**10. Public Hearing Consent Agenda:** *Matters listed under the Public Hearing Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Please address the Town Council on any items on the Public Hearing Consent Agenda by completing a Request to*

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*Speak Card and turn it into the Town Clerk, sending an email to [PublicComment@queencreek.org](mailto:PublicComment@queencreek.org) (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at [QueenCreek.org/WatchMeetings](http://QueenCreek.org/WatchMeetings)). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

A. None.

**11. Public Hearings:** *If you wish to speak to the Town Council on any of the items listed as a Public Hearing, please address the Town Council by sending an email to [PublicComment@queencreek.org](mailto:PublicComment@queencreek.org) (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at [QueenCreek.org/WatchMeetings](http://QueenCreek.org/WatchMeetings)). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

A. None.

**12. Final Action** *If you wish to speak to the Town Council on any of the items listed under Final Action Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to [PublicComment@queencreek.org](mailto:PublicComment@queencreek.org) (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at [QueenCreek.org/WatchMeetings](http://QueenCreek.org/WatchMeetings)). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record..*

A. Consideration and possible approval of Resolution 1361-20 directing staff to implement a grant program and related budget adjustments based on the direction of the Town Council, and declaring an emergency.

B. Consideration and possible approval of Ordinance 735-20 directing staff to waive new business license and business license renewal fees beginning July 1, 2020 through June 30, 2021, and declaring an emergency.

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**13. Adjournment**

Pursuant to ARS 38-431.02 notice is hereby given to the members of the Queen Creek Town Council and to general public that the Queen Creek Town Council will hold a meeting open to the public as set forth above.

I, Maria Gonzalez, do hereby certify that I caused to be posted this 30th day of June the Agenda for the July 1, 2020 Regular and Possible Executive Session of the Queen Creek Town Council in the following places: 1) Queen Creek Town Hall; 2) Queen Creek Library; 3) Queen Creek Community Center bulletin board.

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Maria E. Gonzalez, CMC

The Town of Queen Creek encourages the participation of disabled individuals in the services, activities, and programs provided by the Town. Individuals with disabilities who require reasonable accommodations in order to participate should contact the Town Clerk's office at (480) 358-3000.



Requesting Department

Economic Development

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER, ICMA-CM**

**FROM: DOREEN COTT, ECONOMIC DEVELOPMENT DIRECTOR**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 1361-20 DIRECTING STAFF TO IMPLEMENT A GRANT PROGRAM AND RELATED BUDGET ADJUSTMENTS BASED ON THE DIRECTION OF THE TOWN COUNCIL, AND DECLARING AN EMERGENCY.**

**DATE: July 1, 2020**

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**Staff Recommendation:**

Staff recommends approval of Resolution 1361-20 directing staff to implement a grant program and related budget adjustments based on the direction of the Town Council.

**Proposed Motion:**

Move to approve Resolution 1361-20 directing staff to implement a grant program and related budget adjustments based on the direction of the Town Council.

**Discussion:**

In an effort to assist the Town's business community with economic relief and enhance the health safety and welfare of the Town's residents and others utilizing and working in businesses within the Town limits during COVID-19 health emergency, staff has outlined a grant program that will assist for-profit, brick and mortar businesses located at a physical, commercial address in Town and hold a valid Queen Creek business license. The grant program will be implemented by the Town to reimburse businesses for costs incurred in connection with enhanced sanitization, employee safety, and customer safety, which may include, but is not limited to:

- Disinfection of interior spaces and other high touch areas of small businesses;
- Provision of personal protective equipment (including respirator masks, general face masks and gloves) for employees and customers, and the implementation of policies and practices that require employees and customers to wear respirator and/or general face masks;
- Enhancing social distancing by limiting the number of customers that may be in any location at any time, creating special hours for at-risk populations, and by spacing customer areas within the interior space of businesses to maintain six feet of space between customers, and six feet of space between employees and customers;
- The installation and maintenance of any physical barriers, such as Plexiglas shields, booths, or other barriers designed to limit the exposure of customers and employees to

droplets and/or aerosols;

- Creation of signage and programs designed to allow for delivery of goods, or curbside pickup of goods, along with the dedication of parking areas for such purposes;
- Installation and maintenance of additional hand sanitizer stations;
- Installation and/or maintenance of HVAC systems to include MERV 13 or higher air filters; and
- Employment expenses related to the above activities.

To qualify for funds, an agent of the small business must certify under penalty of perjury, as a condition to the receipt of such funds, that they are a “small business” as defined by the Small Business Act, and that such small business has implemented a program designed to undertake activities and will incur concomitant expenses in connection with enhanced sanitization, employee safety, and customer safety, such as those identified above. Depending on the industry, a small business could be defined as business with a maximum of 250 employees or a maximum of 1,500 employees.

Grant money will be distributed based on the number of Full-Time Equivalent Employees (FTE) the business employed on 3/1/2020. Businesses may have to provide the Town additional documentation to verify FTEs. For each FTE, the grant program will provide \$500 per employee to be used to offset the expenses in connection with enhanced sanitization, employee safety, and customer safety. Maximum eligible award per business is recommended to be \$12,500.

Staff recognizes that while businesses may have received federal funding through the Paycheck Protection Program (PPP) and/or Economic Injury Disaster Loan (EIDL) programs, these programs were primarily structured to keep employees on payroll. Businesses are still facing challenges covering operating costs and new costs associated with increased sanitization and safety protocols, which is the focus of the Town’s grant program.

Grant money will be distributed on a first come, first served basis. Staff will report back to Council 30-days after the grant program is launched to provide an update on the number of applications and the total requested grant assistance. Council may decide to change the allocation amount for the grant program at that time, based on need.

Based on Council’s direction, staff will be prepared to launch the program on Monday, July 20, 2020 and will work with Communications and Marketing on a promotion plan and Frequently Asked Questions (FAQs) document.

An emergency clause is included in Resolution 1361-20 in order to make the program effective immediately.

**Fiscal Impact:**

Staff recommends allocating \$500,000 for the initial launch of this program. As this program was not included in the FY2020-21 adopted budget, a budget adjustment for \$500,000 from CIP Contingency will be necessary to accommodate the expenses of this program. Actual expenses

will depend on the number and size of businesses that apply and are found eligible for the program.

**Alternatives:**

The Town Council could choose to change aspects of the proposed program including:

- Applying to home-based businesses;
- Applying to non-profits;
- Adjusting the maximum award from \$12,500 to another amount;
- Adjusting the amount allocated for this program from \$500,000 to another amount;
- Adjusting the program to exclude businesses that have received PPP or EIDL funding; and
- Adjusting the program to allow for businesses to apply based on a demonstrated need that they suffered negative financial impacts or business interruptions due to required business closures or limited service, mandated by the State of Arizona Governor's Executive Orders regarding COVID-19.

**Attachment(s):**

1. Resolution 1361-20

**RESOLUTION 1361-20**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, APPROVING A HEALTH AND SAFETY GRANT PROGRAM FOR SMALL BUSINESSES LOCATED IN THE TOWN OF QUEEN CREEK AND DECLARING AN EMERGENCY.**

**WHEREAS**, local businesses are an essential component of a vibrant community and will play an integral role in the recovery from COVID-19; and

**WHEREAS**, disruptions to the business community are serious, as businesses are the backbone of our economy, and provide the foundation of employment, services for the community and revenue for the Town to provide essential services for the public welfare and benefit; and

**WHEREAS**, businesses play a vital role in the overall health of the Town of Queen Creek; and

**WHEREAS**, assistance is necessary to help businesses recover and restart; and

**WHEREAS**, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and

**WHEREAS**, on March 11, 2020, the Governor of the State of Arizona declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State of Arizona prepare for broader spread of COVID-19; and

**WHEREAS**, on March 18, 2020, the Queen Creek Town Council ratified a Proclamation of Emergency relative to the Covid-19 pandemic issued pursuant to A.R.S. § 26-307, A.R.S. § 26-311, and Section 2.2.4(F) of the Queen Creek Town Code;

**WHEREAS**, the Mayor and Town Council have determined that it is in the best interest of the Town to provide to assist the Town's business community with economic relief during the COVID-19 health emergency and enhance the health, safety and welfare of the residents and others who frequent businesses in the Town of Queen Creek by reimburse businesses for expenses incurred in connection with enhanced sanitization, employee safety, and customer safety.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:**

Section 1: The Town shall establish and implement a small business grant program to assist the Town's business community with economic relief during the COVID-19 health emergency and enhance the health, safety and welfare of the residents and others who frequent businesses in the Town of Queen Creek by reimburse businesses for expenses incurred in connection with enhanced sanitization, employee safety, and customer safety, as set forth in Exhibit A hereto, and incorporated herein by this reference.



Section 2: The Town Manager and Town Attorney are hereby authorized to negotiate and execute any and all documents and approve all actions necessary to establish and implement the direction and intent of this Resolution, and for Town Staff to effectively administer the grant program set forth in Exhibit A.

Section 3: Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Queen Creek, Arizona, and consistent with the declarations and proclamation of emergency set forth above, an emergency is declared to exist, and this resolution shall become immediately operative and in force from and after the date of posting hereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 1st day of July 2020.

FOR THE TOWN OF QUEEN CREEK:

ATTEST TO:

\_\_\_\_\_  
Gail Barney, Mayor

\_\_\_\_\_  
Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

\_\_\_\_\_  
John Kross, Town Manager

\_\_\_\_\_  
Scott Holcomb  
Dickinson Wright PLLC  
Town Attorneys

Attachment: Resolution 1361-20 (Grant Program)

**RESOLUTION 1361-20****Exhibit A**

In an effort to assist the Town's business community with economic relief during COVID-19 health emergency, the Town of Queen Creek establishes and implements a grant program that will assist for-profit, brick and mortar businesses located at a physical, commercial address in Town and hold a valid Queen Creek business license by providing reimbursement for costs incurred in connection with enhanced sanitization, employee safety, and customer safety, which may include, but is not limited to:

- Disinfection of interior spaces and other high touch areas of small businesses;
- Provision of personal protective equipment (including respirator masks, general face masks and gloves) for employees and customers, and the implementation of policies and practices that require employees and customers to wear respirator and/or general face masks;
- Enhancing social distancing by limiting the number of customers that may be in any location at any time, creating special hours for at-risk populations, and by spacing customer areas within the interior space of businesses to maintain six feet of space between customers, and six feet of space between employees and customers;
- The installation and maintenance of any physical barriers, such as Plexiglas shields, booths, or other barriers designed to limit the exposure of customers and employees to droplets and/or aerosols;
- Creation of signage and programs designed to allow for delivery of goods, or curbside pickup of goods, along with the dedication of parking areas for such purposes;
- Installation and maintenance of additional hand sanitizer stations;
- Installation and/or maintenance of HVAC systems to include MERV 13 or higher air filters; and
- Employment expenses related to the above activities.

Businesses in Maricopa or Pinal County islands or unincorporated areas of Queen Creek will not be eligible. To qualify for funds, an agent of the small business must certify under penalty of perjury, as a condition to the receipt of such funds, that they are a "small business" as defined by the Small Business Act, and that such small business has implemented a program designed to undertake activities and will incur concomitant expenses in connection with enhanced sanitation, employee safety, and customer safety, such as those identified above.

Grant money will be distributed based on the number of Full-Time Equivalent Employees (FTE) the business employed on 3/1/2020. Businesses may have to provide the Town additional documentation to verify FTEs. For each FTE, the grant program will provide \$500 per employee to be used to offset the expenses in connection with enhanced sanitization, employee safety, and customer safety. Maximum eligible award per business is recommended to be \$12,500.

While businesses may have received federal funding through the Paycheck Protection Program (PPP) and/or Economic Injury Disaster Loan (EIDL) programs, these programs were primarily structured to keep employees on payroll. Businesses are still facing challenges covering operating costs and new costs associated with increased sanitization and safety protocols, which is the focus of the Town's grant program.

Grant money will be distributed on a first come, first served basis. Staff will report back to Council 30 days after the grant program is launched to provide an update on the number of applications and the total requested grant assistance. Council may decide to change the allocation amount for the grant program at that time, based on need.

Staff will be prepared to launch the program on Monday, July 20, 2020 and will work with Communications and Marketing on a promotion plan and Frequently Asked Questions (FAQs) document.

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Requesting Department

Economic Development

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER, ICMA-CM**

**FROM: DOREEN COTT, ECONOMIC DEVELOPMENT DIRECTOR**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 735-20 DIRECTING STAFF TO WAIVE NEW BUSINESS LICENSE AND BUSINESS LICENSE RENEWAL FEES BEGINNING JULY 1, 2020 THROUGH JUNE 30, 2021, AND DECLARING AN EMERGENCY.**

**DATE: July 1, 2020**

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**Staff Recommendation:**

Staff recommends approval of Ordinance 735-20 directing staff to waive new business license and business license renewal fees beginning July 1, 2020 through June 30, 2021.

**Proposed Motion:**

Move to approve Ordinance 735-20 directing staff to waive new business license and business license renewal fees beginning July 1, 2020 through June 30, 2021.

**Discussion:**

In an effort to assist the Town's business community with economic relief during COVID-19, staff has outlined a program to waive business license and business license renewal fees beginning July 1, 2020 through June 30, 2021. Implementing the program for the entire fiscal year eliminates reimbursement challenges and credits. Businesses that have recently paid a business license fee will benefit when their license is due for renewal.

The business license fees - \$60 for new businesses, and \$40 for renewals will be waived for Fiscal Year 20-21 allowing every new and existing business in Queen Creek to benefit from this program. This program will only be for businesses that have a physical Queen Creek location and will affect approximately 865 businesses.

An emergency clause is included in Ordinance 735-20 in order to make the program effective immediately.

Information on the program will be shared with the business community via a news release, social media, posts on the Town and Invest the QC websites and by email when their license is up for renewal.

**Fiscal Impact:**

Waiving business license and business license renewal fees for FY2020-21 will result in a revenue reduction of approximately \$37,000 in the operating budget.

**Alternatives:**

The Town Council can direct staff to extend the fee waiver period beyond June 30, 2021.

**Attachment(s):**

1. Ordinance 735-20

**ORDINANCE 735-20**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, APPROVING A WAIVER OF BUSINESS LICENSE FEES UNDER SECTION 8-1-10 OF THE TOWN CODE OF THE TOWN OF QUEEN CREEK, ARIZONA FOR BUSINESSES WITH A FIXED PLACE OF BUSINESS IN THE TOWN OF QUEEN CREEK BEGINNING JULY 1, 2020 THROUGH JUNE 30, 2021 AND DECLARING AN EMERGENCY.**

**WHEREAS**, local businesses are an essential component of a vibrant community and will play an integral role in the recovery from COVID-19; and

**WHEREAS**, disruptions to the business community are serious, as businesses are the backbone of our economy, and provide the foundation of employment, services for the community and revenue for the Town to provide essential services for the public welfare and benefit; and

**WHEREAS**, businesses play a vital role in the overall health of the Town of Queen Creek; and

**WHEREAS**, assistance is necessary to help businesses with a fixed place of business in the Town of Queen Creek recover and restart; and

**WHEREAS**, the Mayor and Town Council have adopted certain business license fees through prior Ordinances 457-09, 554-14 and 580-15 which have been codified in Section 8-1-10 of the Town Code of the Town Of Queen Creek, Arizona; and

**WHEREAS**, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and

**WHEREAS**, on March 11, 2020, the Governor of the State of Arizona declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State of Arizona prepare for broader spread of COVID-19; and

**WHEREAS**, on March 18, 2020, the Queen Creek Town Council ratified a Proclamation of Emergency relative to the Covid-19 pandemic issued pursuant to A.R.S. § 26-307, A.R.S. § 26-311, and Section 2.2.4(F) of the Queen Creek Town Code;

**WHEREAS**, the Mayor and Town Council have determined that it is in the best interest of the Town to provide some assistance to businesses located with the Town limits of the Town of Queen Creek by waiving new business license and business license renewal fees (excluding liquor license fees) for businesses with a fixed location within the Town limits of the Town of Queen Creek for a period of one year effective July 1, 2020 through June 30, 2021.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:**

Section 1: The business license fees (excluding liquor license fees) under Section 8-1-10 for new business license and business license renewal for businesses with a fixed location within the Town limits of the Town of Queen Creek for a period of one year effective July 1, 2020 through June 30, 2021 renewal for a period of one year effective July 1, 2020 through June 30, 2021.

Section 2: Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Queen Creek, Arizona, and consistent with the declarations and proclamation of emergency set forth above, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 1st day of July 2020.

FOR THE TOWN OF QUEEN CREEK:

ATTEST TO:

\_\_\_\_\_  
Gail Barney, Mayor

\_\_\_\_\_  
Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

\_\_\_\_\_  
John Kross, Town Manager

\_\_\_\_\_  
Scott Holcomb  
Dickinson Wright PLLC  
Town Attorneys

4813-7340-0001 v1 [53749-1]

Attachment: Ordinance 735-20 (Business License Waiver)