

# CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

REGULAR MEETING  
April 16, 2012  
7:00 PM

CALL TO ORDER BY MAYOR ROGERS  
PLEDGE OF ALLEGIANCE  
MOMENT OF REFLECTION

**1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**

**2 UNSCHEDULED PUBLIC APPEARANCES**

(Limit three minutes per person. Please state your name.)

**3 CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

**a. APPROVAL OF MINUTES**

1. Work Session of April 2, 2012
2. Regular Meeting of April 2, 2012

**b. LIQUOR LICENSE – RIO'S BAR**

City Council will consider a request from Ms. Adriana Angela Torres-Patterson for a Series 7 On-sale retailers license to sell beer and wine at Rio's Bar located at 11011 West Buckeye Road. The Council will take appropriate action.

**c. APPROVAL OF PURCHASE ORDER ISSUANCE - MICROSOFT ENTERPRISE AGREEMENTS**

City Council will consider a request to authorize the issuance of a purchase order in the amount of up to \$225,000 to Software House International for the purchase of Microsoft Windows licenses, Windows Server, SQL Server, Office SharePoint and other similar products in order to secure an 8% discount on the total purchase and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**d. COOPERATIVE PURCHASING AGREEMENT - KRONOS INCORPORATED**

City Council will consider a request to approve a Cooperative Purchasing Agreement with Kronos Incorporated in the amount of \$90,226.28, authorize the use of contingency funds and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**e. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - M&M PUBLIC SAFETY PSYCHOLOGY SERVICES**

City Council will consider a request to approve the First Amendment to the Professional Services Agreement with M&M Public Safety Psychology Services P.L.L.C. to provide psychological testing services for police, fire and other recruitments and authorize the Mayor or

City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. **COOPERATIVE PURCHASING AGREEMENT - INSIGHT PUBLIC SECTOR, INC. FOR DISASTER RECOVERY AND BUSINESS RESUMPTION SERVICES**

City Council will consider a request to approve a Cooperative Purchasing Agreement with Insight Public Sector, Inc. for the purchase of a storage solution to meet the City's disaster recovery and business resumption goals in the amount of \$54,052.58 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. **LIQUOR LICENSE TEMPORARY EXTENSION OF PREMISES - MANNY'S MEXICAN RESTAURANT**

City Council will consider a request by Mr. Manny Lafarga for a Temporary Extension of Premises to the Series 12 Restaurant License to sell all spirituous liquors at Manny's Restaurant to be used in conjunction with a Cinco de Mayor event scheduled for Saturday, May 5, 2012 from 5:00 pm to 1:00 am. The Council will take appropriate action.

4 **PUBLIC HEARING AND RESOLUTION 3038-412 - APPROVING THE 2012-2013 ANNUAL ACTION PLAN**

City Council will hold a public hearing and consider a resolution approving the 2012/2013 Annual Action Plan portion of the 2010-2014 Consolidated Plan and authorizing its submission to the U.S. Department of Housing and Urban Development for receipt of CDBG Funds. The Council will take appropriate action.

5 **CONTRIBUTIONS ASSISTANCE PROGRAM AND SUB-COMMITTEE APPOINTMENT**

City Council will consider a request to approve the Contributions Assistance Program funding guidelines and appoint a sub-committee to review applications and make funding recommendations. The Council will take appropriate action.

6 **LEASE AGREEMENT - CNC PEBBLE CREEK, LLC FOR THE SOUTHWEST FAMILY ADVOCACY CENTER**

City Council will consider a request to approve a lease agreement with CNC Pebble Creek, LLC., for the relocation of the Southwest Family Advocacy Center to 2333 N. Pebble Creek Parkway, in Goodyear and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

7 **PROPOSED INTERGOVERNMENTAL AGREEMENT WITH LITCHFIELD PARK REGARDING WIGWAM CREEK SOUTH**

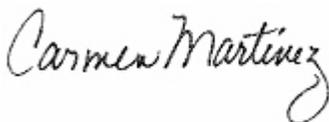
City Council will consider the proposed elements of an intergovernmental agreement with the City of Litchfield Park for the purpose of proceeding with the annexation of Wigwam Creek South. For information, discussion and direction.

8 **ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM SUMMARY**

City Council will receive a summary report regarding the Energy Efficiency and Conservation Block Grant (EECBG) Program. For information and discussion only.

9 **ADJOURNMENT**

Respectfully submitted,



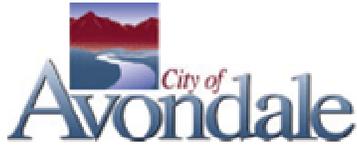
Carmen Martinez  
City Clerk

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. § 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. § 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. § 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a dar su consentimiento antes de que el Estado o cualquier otra entidad política haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes éstos aparezcan en estos videos o grabaciones de audio. Los padres puedan ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los niños no estén presentes durante la grabación de la junta. Si hay algún menor de edad presente durante la grabación, la Ciudad dará por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. § 1-602.A.9.



# CITY COUNCIL REPORT

**SUBJECT:**  
APPROVAL OF MINUTES

**MEETING DATE:**  
April 16, 2012

**TO:** Mayor and Council  
**FROM:** Carmen Martinez, City Clerk (623) 333-1214  
**THROUGH:** Charlie McClendon, City Manager

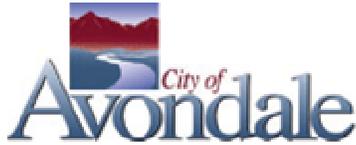
**PURPOSE:**

1. Work Session of April 2, 2012
2. Regular Meeting of April 2, 2012

**ATTACHMENTS:**

[Click to download](#)

No Attachments Available



# CITY COUNCIL REPORT

**SUBJECT:**

Liquor License – Rio's Bar

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council

**FROM:** Carmen Martinez, City Clerk (623) 333-1214

**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is recommending approval of a request from Ms. Adriana Angela Torres-Patterson for a Series 7 On-sale retailers license to sell beer and wine at Rio's Bar located at 11011 West Buckeye Road.

**DISCUSSION:**

The City Clerk's Department has received an application for a person to person transfer of the Series 7 On-sale retailer's license to sell beer and wine from Ms. Adriana Angela Torres-Patterson/

The required fees totaling \$950.00 have been paid. As required by state law and city ordinance, the application was posted at the location on March 22, 2012 and a notice was published in the West Valley View on April 6 and 10, 2012. No comments were received.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Development Services, Finance, Fire, and Police Departments have reviewed the application and are recommending approval. Their comments are attached.

**RECOMMENDATION:**

Staff is recommending approval of a request from Ms. Adriana Angela Torres-Patterson for a Series 7 On-sale retailers license to sell beer and wine at Rio's Bar located at 11011 West Buckeye Road.

**ATTACHMENTS:**

Click to download

- [Application](#)
- [Department Review](#)
- [Photos](#)
- [Vicinity Map](#)

Arizona Department of Liquor Licenses and Control  
 800 West Washington, 5th Floor  
 Phoenix, Arizona 85007  
 www.azliquor.gov  
 602-542-5141

12 MAR 1 04:16: PM '2008

**APPLICATION FOR LIQUOR LICENSE**  
 TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

**SECTION 1** This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 11, 13, 15, 16*
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 12, 13, 15, 16*
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE  
*Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)*
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

**SECTION 2** Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain)

**SECTION 3** Type of license and fees LICENSE #(s): 07070139

1. Type of License(s): #7 - Beer and Wine Bar

2. Total fees attached: \$

Department Use Only  
 \$ 2240

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.**

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

**SECTION 4** Applicant

1. Owner/Agent's Name: Mr. Torres-Patterson Adriana Angela  
(Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: \_\_\_\_\_  
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Rio's Bar  
(Exactly as it appears on the exterior of premises)
4. Principal Street Location 11011 West Buckeye Road Avondale Maricopa 85329  
(Do not use PO Box Number) City County Zip
5. Business Phone: 623 643 9477 Daytime Contact: \_\_\_\_\_
6. Is the business located within the incorporated limits of the above city or town?  YES  NO
7. Mailing Address: \_\_\_\_\_
8. Price paid for license only bar, beer and wine, or liquor store: Type #7 \$12,000.00 Type \$ \_\_\_\_\_

**DEPARTMENT USE ONLY**

Fees: 10000 10000 \_\_\_\_\_ 240 \_\_\_\_\_  
 Application Interim Permit Agent Change Club Finger Prints \$ 2240  
**TOTAL OF ALL FEES**

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete?  YES  NO

Accepted by: AC Date: 3/1/2012 Lic. # 07070139

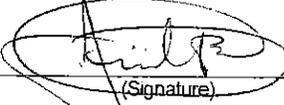
**SECTION 5 Interim Permit:**

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. 07070139
4. Is the license currently in use?  YES  NO If no, how long has it been out of use? \_\_\_\_\_

12 MAR 1 11:41 AM '12

**ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.**

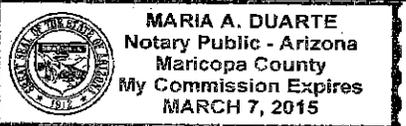
I, Jose Israel Barahona, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER, MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

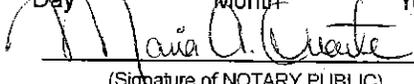
X   
(Signature)

State of Arizona County of Maricopa  
The foregoing instrument was acknowledged before me this

My commission expires on: 03-07-2015

28<sup>th</sup> day of 02, 2012  
Day Month Year



  
(Signature of NOTARY PUBLIC)

**SECTION 6 Individual or Partnership Owners:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip
Torres-Patterson	Adriana	A.	100		

Partnership Name: (Only the first partner listed will appear on license) \_\_\_\_\_

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
<input type="checkbox"/> <input type="checkbox"/>						
<input type="checkbox"/> <input type="checkbox"/>						
<input type="checkbox"/> <input type="checkbox"/>						
<input type="checkbox"/> <input type="checkbox"/>						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

2. Is any person, other than the above, going to share in the profits/losses of the business?  YES  NO  
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES  
**BAR**  
AND CONTROL  
ALCOHOLIC BEVERAGE LICENSE

License 07070139

Issue Date: 10/27/2009

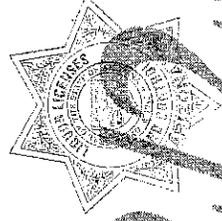
Expiration Date: 2/28/2013

Issued To:  
JOSE ISRAEL BARAHONA, Owner

Beer & Wine Bar

Location:  
RIO'S BAR  
11011 W BUCKEYE RD  
AVONDALE, AZ 85329

Mailing Address:  
JOSE ISRAEL BARAHONA  
RIO'S BAR  
P O BOX 357  
CASHION, AZ 85329



**EXP 2/28/2013**

POST THIS LICENSE IN A CONSPICUOUS PLACE

**SECTION 7 Corporation/Limited Liability Co.:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

- CORPORATION **Complete questions 1, 2, 3, 5, 6, 7, and 8.**
- L.L.C. **Complete 1, 2, 4, 5, 6, 7, and 8.**

1. Name of Corporation/L.L.C.: \_\_\_\_\_  
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: \_\_\_\_\_ State where Incorporated/Organized: \_\_\_\_\_
3. AZ Corporation Commission File No.: \_\_\_\_\_ Date authorized to do business in AZ: \_\_\_\_\_
4. AZ L.L.C. File No: \_\_\_\_\_ Date authorized to do business in AZ: \_\_\_\_\_
5. Is Corp./L.L.C. Non-profit?  YES  NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

**SECTION 8 Club Applicants:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

1. Name of Club: \_\_\_\_\_ Date Chartered: \_\_\_\_\_  
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit?  YES  NO
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

**SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:**

- 1. Current Licensee's Name: \_\_\_\_\_  
(Exactly as it appears on license) Last First Middle
- 2. Assignee's Name: \_\_\_\_\_  
Last First Middle
- 3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_ Date of Last Renewal: \_\_\_\_\_
- 4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

**SECTION 10 Government: (for cities, towns, or counties only)**

- 1. Governmental Entity: \_\_\_\_\_
- 2. Person/designee: \_\_\_\_\_  
Last First Middle Contact Phone Number

**A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.**

**SECTION 11 Person to Person Transfer:**

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

- 1. Current Licensee's Name: Barahona Jose Israel Entity: individual  
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: \_\_\_\_\_  
(Exactly as it appears on license)
- 3. Current Business Name: Rio's Bar  
(Exactly as it appears on license)
- 4. Physical Street Location of Business: Street 11011 West Buckeye Road  
City, State, Zip Avondale, AZ 85329
- 5. License Type: #7 - Bar License Number: 07070139
- 6. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
- 7. Current Mailing Address: Street \_\_\_\_\_  
(Other than business) City, State, Zip \_\_\_\_\_
- 8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer?  YES  NO
- 9. Does the applicant intend to operate the business while this application is pending?  YES  NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

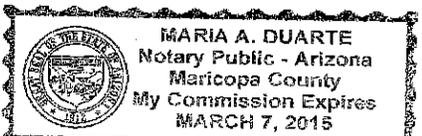
10. I, Jose Israel Barahona, hereby authorize the department to process this application to transfer the privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, Jose Israel Barahona, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

[Signature]  
(Signature of CURRENT LICENSEE)

State of Arizona County of Maricopa  
The foregoing instrument was acknowledged before me this 28<sup>th</sup> February 2012  
Day Month Year  
[Signature]  
(Signature of NOTARY PUBLIC)

My commission expires on: 03-07-2015



12 MAR 1 11:16 AM '12

**SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)** Liq. Lic. PM 2 58  
**APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE**

1. Current Business: Name \_\_\_\_\_  
 (Exactly as it appears on license) Address \_\_\_\_\_
2. New Business: Name \_\_\_\_\_  
 (Physical Street Location) Address \_\_\_\_\_
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
4. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
5. What date do you plan to move? \_\_\_\_\_ What date do you plan to open? \_\_\_\_\_

**SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):**

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- c) Government license (§ 4-205.03)
- b) Hotel/motel license (§ 4-205.01)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 2500 ft. Name of school Littleton Elementary School  
 Address 1252 South Avondale Boulevard, Avondale, AZ 85323  
 City, State, Zip \_\_\_\_\_
2. Distance to nearest church: 500 ft. Name of church La Mission Asamblea De Dios  
 Address 11147 West Buckeye Road, Avondale, AZ 85329  
 City, State, Zip \_\_\_\_\_
3. I am the:  Lessee  Sublessee  Owner  Purchaser (of premises)
4. If the premises is leased give lessors: Name Ramon and Elvia Olivarez  
 Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_
- 4a. Monthly rental/lease rate \$ 1550.00 What is the remaining length of the lease 5 yrs. \_\_\_\_\_ mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other eviction \_\_\_\_\_  
 (give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 12,000.00  
 Please list debtors below if applicable.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
Olivarez	Ramon		12,000.00				

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? bar

SEE  
AMENDMENT

**SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)**

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE.

1. Current Business: Name \_\_\_\_\_  
 (Exactly as it appears on license) Address \_\_\_\_\_
2. New Business: Name \_\_\_\_\_  
 (Physical Street Location) Address \_\_\_\_\_
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
4. What date do you plan to move? \_\_\_\_\_ What date do you plan to open? \_\_\_\_\_

**SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):**

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

12 MAR 15 11:49 AM '12 LIC #M1042

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 2100 ft. Name of school Underdown Middle School  
Littleton Elementary School District #65  
 Address 1600 S-107<sup>th</sup> Ave. Avondale, AZ 85323  
 City, State, Zip
2. Distance to nearest church: 500 ft. Name of church La Mission Asambla De Dios  
 Address 1147 West Buckeye Road, Avondale, AZ 85329  
 City, State, Zip
3. I am the:  Lessee  Sublessee  Owner  Purchaser (of premises)
4. If the premises is leased give lessors: Name Ramon and Elvia Olivarez  
 Address \_\_\_\_\_  
 City, State, Zip
- 4a. Monthly rental/lease rate \$ 1550.00 What is the remaining length of the lease 5 yrs. \_\_\_\_\_ mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other eviction  
 (give details - attach additional sheet if necessary)
5. What is the total business indebtedness for this license/location excluding the lease? \$ 12,000.00  
 Please list debtors below if applicable.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
Olivarez	Ramon		12,000.00				

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? bar

By: <sup>5</sup> Adriana A. Torres-Patterson

**AMENDMENT**

**SECTION 13 - continued**

- 7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?  
 YES  NO If yes, attach explanation.
- 8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business?  YES  NO
- 9. Is the premises currently licensed with a liquor license?  YES  NO If yes, give license number and licensee's name:

License # 07070139 (exactly as it appears on license) Name Jose Israel Barahona

**SECTION 14 Restaurant or hotel/motel license applicants:**

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location?  YES  NO  
 If yes, give the name of licensee, Agent or a company name:

\_\_\_\_\_ and license #: \_\_\_\_\_  
Last First Middle

- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this  hotel/motel  restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

\_\_\_\_\_  
applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit [www.azliquor.gov](http://www.azliquor.gov) and click on the "Information" tab.

\_\_\_\_\_  
applicants initials

**SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)**

- 1. Check ALL boxes that apply to your business:  
 Entrances/Exits     Liquor storage areas    Patio:  Contiguous  
 Service windows     Drive-in windows     Non Contiguous
- 2. Is your licensed premises currently closed due to construction, renovation, or redesign?  YES  NO  
 If yes, what is your estimated opening date? \_\_\_\_\_  
month/day/year
- 3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.
- 4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).
- 5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

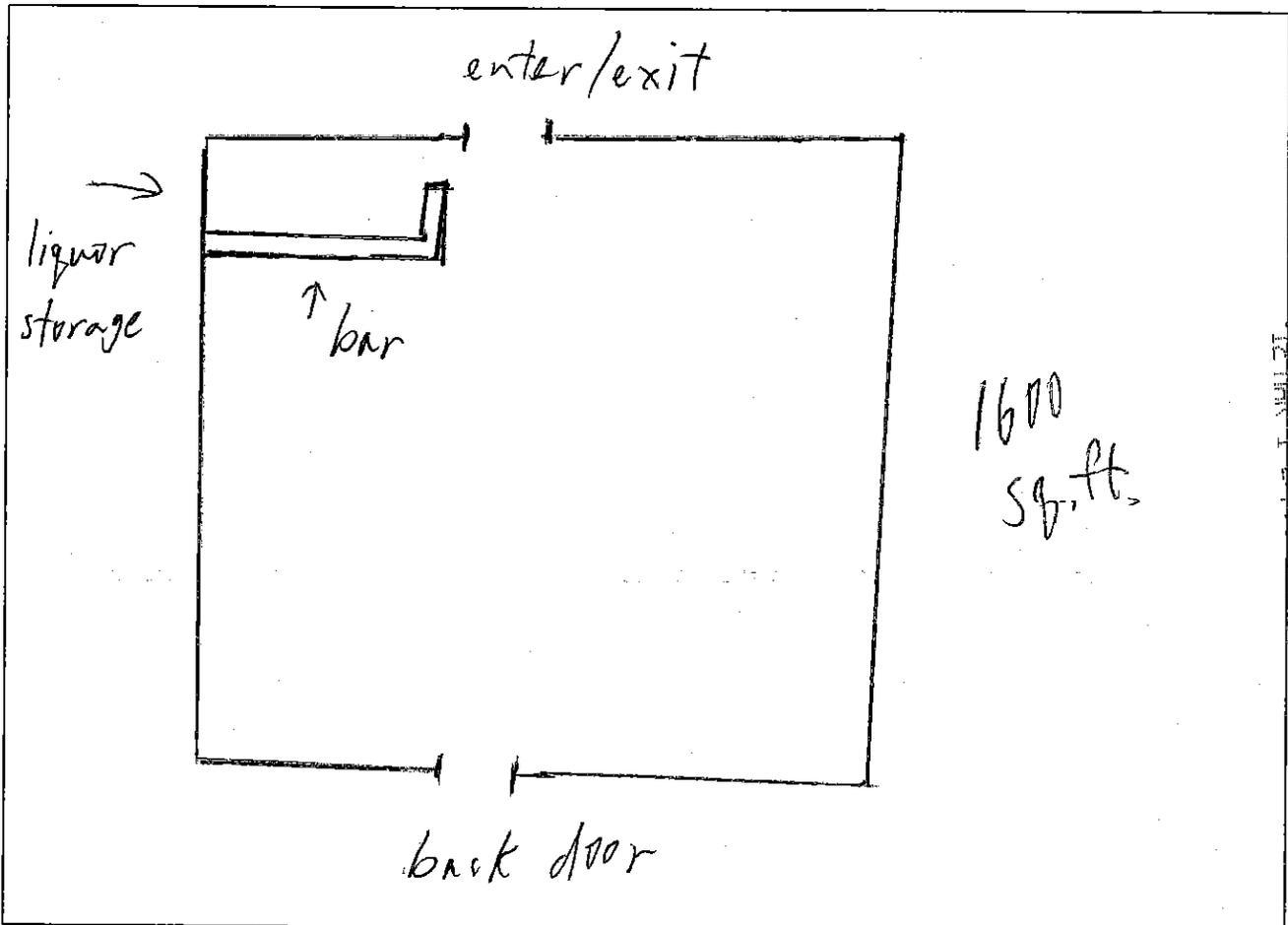
  
applicants initials

JAN 1 10 16 AM '08

**SECTION 15 Diagram of Premises**

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

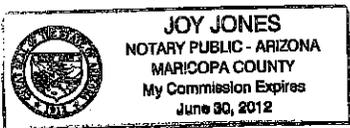
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



**SECTION 16 Signature Block**

I, Adriana Angela Torres-Patterson, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X *Adriana Torres-Patterson*  
(signature of applicant listed in Section 4, Question 1)



State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

27 of February, 2012

Day Month Year

*Joy Jones*  
signature of NOTARY PUBLIC

My commission expires on: 30 06 2012  
Day Month Year

12 MAR 1 11:25 AM

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor  
Phoenix AZ 85007-2934  
(602) 542-5141

QUESTIONNAIRE

802-789  
AC 66712

Attention all Local Governing Bodies: Social Security and Birthdate information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK. An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT D.L.C. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY D.L.C. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a \$24.00 processing fee for each fingerprint card submitted.

Liquor License #

07070139

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

(If the location is currently licensed)

1. Check appropriate box →  Controlling Person  Agent  Manager (Only)  
(Complete Questions 1-19) (Complete All Questions except # 14, 14a & 21)  
Controlling Person or Agent must complete #21 for a Manager Controlling Person or Agent must complete # 21

2. Name: Torres Patterson Last First Middle Adriana Angela Date of Birth: / / (NOT a Public Record)

3. Social Security Number: (NOT a public record) Drivers License #: (NOT a public record) State: AZ

4. Place of Birth: Meoqui Mexico City State Country (not county) Height: 5'3 Weight: 150 Eyes: BR Hair: BR

5. Marital Status  Single  Married  Divorced  Widowed Daytime Contact Phone: \_\_\_\_\_

6. Name of Current or Most Recent Spouse: Santiago Armando Last First Middle Maiden Date of Birth: / / (NOT a public record)

7. You are a bona fide resident of what state? AZ If Arizona, date of residency: \_\_\_\_\_

8. Telephone number to contact you during business hours for any questions regarding this document. \_\_\_\_\_

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: Rio's Bar Premises Phone: 623 643 9477

11. Physical Location of Licensed Premises Address: 11011 West Buckeye Road Avondale Maricopa 85329  
Street Address (Do not use PO Box #) City County Zip

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. List most recent 1st.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
08/2008	CURRENT	teacher	CartwrightSchoolDistrict, 7070 West Heatherbrae Dr., Phoenix, AZ 85033
08/2006	08/2008	teacher	Page Unified School District, 817 Aqua Ave., Page, AZ 86040

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address	City	State	Zip
06/2009	CURRENT	own				
06/2008	06/2009	rent	14463 West Weldon Avenue	Goodyear	AZ	85395
06/1999	06/2008	own				

Statement for Personal Questionnaire of Adriana Angela Torres-Patterson:

Question 12:

The house on Weldon Avenue was rented. I do not recall the name, address or telephone number of the landlord.

12 MAR 1 09:46 PM '99

**SEE  
AMENDMENT**

Statement for Personal Questionnaire of  
Adriana Angela Torres-Patterson;

Question 13:

The house on Weldon Avenue was rented. I donot recall  
the name, address or telephone number of the  
landlord.

*Adriana Torres-Patterson*

12 MAR 15 11:42 LIC. #11042

AMENDMENT

If you checked the Manager box on the front of this form skip to # 15

14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?  
If you answered YES, how many hrs/day? 4, and **answer #14a below**. If NO, skip to #15.  YES  NO
- 14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof)  
**If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.**  YES  NO

15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)?  YES  NO
16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved?  YES  NO
17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state?  YES  NO
18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?  YES  NO
19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state?  YES  NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement.  
Give complete details including dates, agencies involved, and dispositions.  
**SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED**

12 MAR 1 11:41 AM '12

20. I, Adriana Angela Torres-Patterson, hereby declare that I am the APPLICANT/REPRESENTATIVE  
(print full name of Applicant)  
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

x *Adriana Torres-Patterson*  
(Signature of Applicant)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this  
30 day of February, 2012  
Month Year



30 06 2012  
Day Month Year

*Joy Jones*  
(Signature of NOTARY PUBLIC)

**COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION**

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license. The manager named must be at least 21 years of age.

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this

x \_\_\_\_\_  
Signature of Controlling Person or Agent (circle one)

\_\_\_\_\_ day of \_\_\_\_\_  
Month Year

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

My commission expires on: \_\_\_\_\_  
Day Month Year

70991

Arizona Department of Liquor Licenses and Control  
800 West Washington, 5th Floor  
Phoenix, Arizona 85007  
www.azliquor.gov  
602-542-5141

12 MAR 1 11:14 AM '09

**CERTIFICATE OF TITLE 4 TRAINING COMPLETION**

Do Not Duplicate This Form

Certificates must be completed by a state-approved training course provider, in black ink, on an original form.

AURIANA TORRES-PATTERSON  
Full Name (please print)

\_\_\_\_\_  
Signature

FEB 25, 2017  
Training Completion Date

FEB 25, 2017  
Certificate Expiration Date  
(MANAGEMENT - 5 years from completion date)  
(BASIC - 3 years from completion date)

Type of Training Completed (check Yes or No)

- |   |                             |            |   |  |          |
|---|-----------------------------|------------|---|--|----------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | BASIC      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | ON SALE  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | MANAGEMENT | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | OFF SALE |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | BOTH       | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | OTHER    |

If Trainee Is Employed By A Licensee

<u>FRID'S BAR</u> Name of Licensee	<u>FRID'S BAR</u> Business Name	<u>07070139</u> Liquor License #
---------------------------------------	------------------------------------	-------------------------------------

**Alcohol Training Program Provider Information**

ARIZONA BUSINESS COUNCIL FOR ALCOHOL EDUCATION

Company or Individual Name (please print)

77 EAST COLUMBUS AVENUE, SUITE 102

Address

<u>Phoenix</u> City	<u>AZ</u> State	<u>85012</u> Zip	<u>( 602 ) 285-1396</u> Daytime Contact Phone #
------------------------	--------------------	---------------------	--

I certify the above named individual has successfully completed the training specified above in accordance with Arizona Revised Statute, Arizona Administrative Code, and the training course curriculum approved by the Department of Liquor Licenses and Control:

FRED MALCAIRE  
Name of Trainer (please print)

Fred Malcaire  
Trainer Signature

02-25-12  
Date

Pursuant to A.R.S. § 4-112(G)(2), mandatory Title 4 liquor law training is required prior to the issuance of all new liquor license applications submitted after November 1, 1997.

The persons(s) required to attend both the BASIC and MANAGEMENT Title 4 liquor law training, on- or off-sale, will include all of the following:  
Owner(s)  
Licensee/agent or manager(s) actively involved in daily business operation

A valid (not expired) Certificate of Title 4 Training Completion must be submitted to the Department of Liquor Licenses and Control before a liquor license application is considered complete.

Before acceptance of a manager's questionnaire and/or agent change for an existing liquor license, proof of attendance for the BASIC and MANAGEMENT Title 4 liquor law training (on- or off-sale) is required.



**DEPARTMENTAL REVIEW FORM**

**TYPE OF LICENSE: PERSON TRANSFER**

**ROUTING:**

- OFF TRACK BETTING
- LIQUOR LICENSE SERIES # 07
- EXTENSION OF PREMISES
- ACQUISITION OF CONTROL

- DEVELOPMENT SERVICES
- FIRE DEPARTMENT
- FINANCE DEPARTMENT
- POLICE DEPARTMENT

**APPLICANT'S NAME: ADRIANA ANGELA TORRES-PATTERSON**

**BUSINESS NAME: RIO'S BAR**

**ADDRESS: 11011 WEST BUCKEYE ROAD**

**CITY: AVONDALE      STATE: AZ      ZIP CODE: 85329**

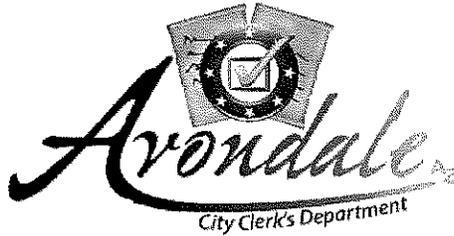
**DEPARTMENTAL COMMENTS:**

- APPROVED
- DENIED

  
\_\_\_\_\_  
SIGNATURE  
*Assistant Chief of Police*  
\_\_\_\_\_  
TITLE

*3-14-2012*  
\_\_\_\_\_  
DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: APRIL 16, 2012**  
**PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: MARCH 19, 2012**



**DEPARTMENTAL REVIEW FORM**

**TYPE OF LICENSE: PERSON TRANSFER**

**ROUTING:**

- OFF TRACK BETTING
- LIQUOR LICENSE SERIES # 07
- EXTENSION OF PREMISES
- ACQUISITION OF CONTROL

- DEVELOPMENT SERVICES
- FIRE DEPARTMENT
- FINANCE DEPARTMENT
- POLICE DEPARTMENT

**APPLICANT'S NAME: ADRIANA ANGELA TORRES-PATTERSON**

**BUSINESS NAME: RIO'S BAR**

**ADDRESS: 11011 WEST BUCKEYE ROAD**

**CITY: AVONDALE      STATE: AZ      ZIP CODE: 85329**

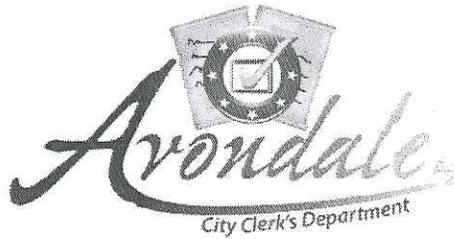
**DEPARTMENTAL COMMENTS:**

- APPROVED
- DENIED

Jose G. Gomez  
SIGNATURE  
Fire Inspector  
TITLE

3/22/12  
DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: APRIL 16, 2012  
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: MARCH 19, 2012**



**DEPARTMENTAL REVIEW FORM**

**TYPE OF LICENSE: PERSON TRANSFER**

**ROUTING:**

- OFF TRACK BETTING
- LIQUOR LICENSE SERIES # 07
- EXTENSION OF PREMISES
- ACQUISITION OF CONTROL

- DEVELOPMENT SERVICES
- FIRE DEPARTMENT
- FINANCE DEPARTMENT
- POLICE DEPARTMENT

---

**APPLICANT'S NAME: ADRIANA ANGELA TORRES-PATTERSON**

**BUSINESS NAME: RIO'S BAR**

**ADDRESS: 11011 WEST BUCKEYE ROAD**

**CITY: AVONDALE      STATE: AZ      ZIP CODE: 85329**

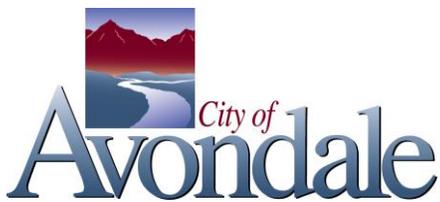
**DEPARTMENTAL COMMENTS:**

- APPROVED
- DENIED

  
\_\_\_\_\_  
SIGNATURE  
*Zoning Specialist*  
\_\_\_\_\_  
TITLE

*3/20/12*  
\_\_\_\_\_  
DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: APRIL 16, 2012**  
**PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: MARCH 19, 2012**



## DEVELOPMENT SERVICES

### MEMORANDUM

---

---

**DATE:** March 20, 2012

**TO:** Carmen Martinez, City Clerk

**PREPARED BY:** Jennifer Fostino, Zoning Specialist

**SUBJECT:** Transfer of Ownership – Series 7 Bar Beer and Wine License  
Rio's Bar – 11011 West Buckeye Road

The site is generally located south of Buckeye Road and West of 107<sup>th</sup> Avenue. The building is existing.

State Statute requires a minimum separation of 300 feet from school or church buildings. It also requires 300 feet from fenced recreational areas that are part of a school building. This requirement does not apply to transfer ownership of a Series 7 liquor license.

The General Plan designates the property as Commercial. The site is zoned R1-6 (Single Family Residential). A bar use is not a permitted use in the R1-6 District. The bar was established at this location prior to annexation.

Staff recommends approval of this request.

Attachment: 2011 Aerial Photography



## Aerial Photograph 2011



**Subject Property**





**DEPARTMENTAL REVIEW FORM**

**TYPE OF LICENSE: PERSON TRANSFER**

**ROUTING:**

- OFF TRACK BETTING
- LIQUOR LICENSE SERIES # 07
- EXTENSION OF PREMISES
- ACQUISITION OF CONTROL

- DEVELOPMENT SERVICES
- FIRE DEPARTMENT
- FINANCE DEPARTMENT
- POLICE DEPARTMENT

**APPLICANT'S NAME: ADRIANA ANGELA TORRES-PATTERSON**

**BUSINESS NAME: RIO'S BAR**

**ADDRESS: 11011 WEST BUCKEYE ROAD**

**CITY: AVONDALE      STATE: AZ      ZIP CODE: 85329**

**DEPARTMENTAL COMMENTS:**

- APPROVED
- DENIED

*Laura B. Noa*  
SIGNATURE  
*Priv. Tax Auditor*  
TITLE

*3/19/12*  
DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: APRIL 16, 2012**  
**PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: MARCH 19, 2012**

# RIO'S BAR

OPEN

11011

11011

NOTICE  
...  
...  
...  
...  
...

03.22.2012 13:55



## NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES  
DATE POSTED: MARCH 22, 2012

A HEARING ON A LIQUOR LICENSE APPLICATION  
SHALL BE HELD BEFORE THE AVONDALE CITY COUNCIL.

LOCATION: 11465 WEST CIVIC CENTER DRIVE  
DATE: MONDAY, APRIL 16, 2012  
AT 7:00 PM.

(HEARING DATES SUBJECT TO CHANGE.  
TO VERIFY CALL: 602-333-1000)

### \*\*SERIES 07: BEER AND WINE BAR \*\*

THE LOCAL GOVERNING BODY SHALL BE REFERENCED TO THE STATE LIQUOR BOARD.  
WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD  
SHALL MAKE A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL  
GOVERNING BODY. ANY PERSON INTERESTED IN OBTAINING OR LEASING PROPERTY  
WITHIN A ONE MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD BY WRITING  
TO REQUEST A HEARING. IT IS THE POLICY OF THE BOARD TO HOLD HEARINGS REGULARLY  
DURING BUSINESS HOURS.

#### Ric's Bar

11011 West Buckeye Road  
Avondale, AZ 85329

THIS APPLICATION CONVEYS A THREE YEAR LICENSE TO BE IN AVONDALE CITY  
FLOOR, INCIDENT, AZ STATE LIQUOR DEPT. 800-342-8788  
INDIVIDUALS REQUIRING A LICENSE SHOULD CALL THE  
CITY CLERK AT 602-333-1000

Application for License to Sell Alcoholic Beverages

Application Number: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

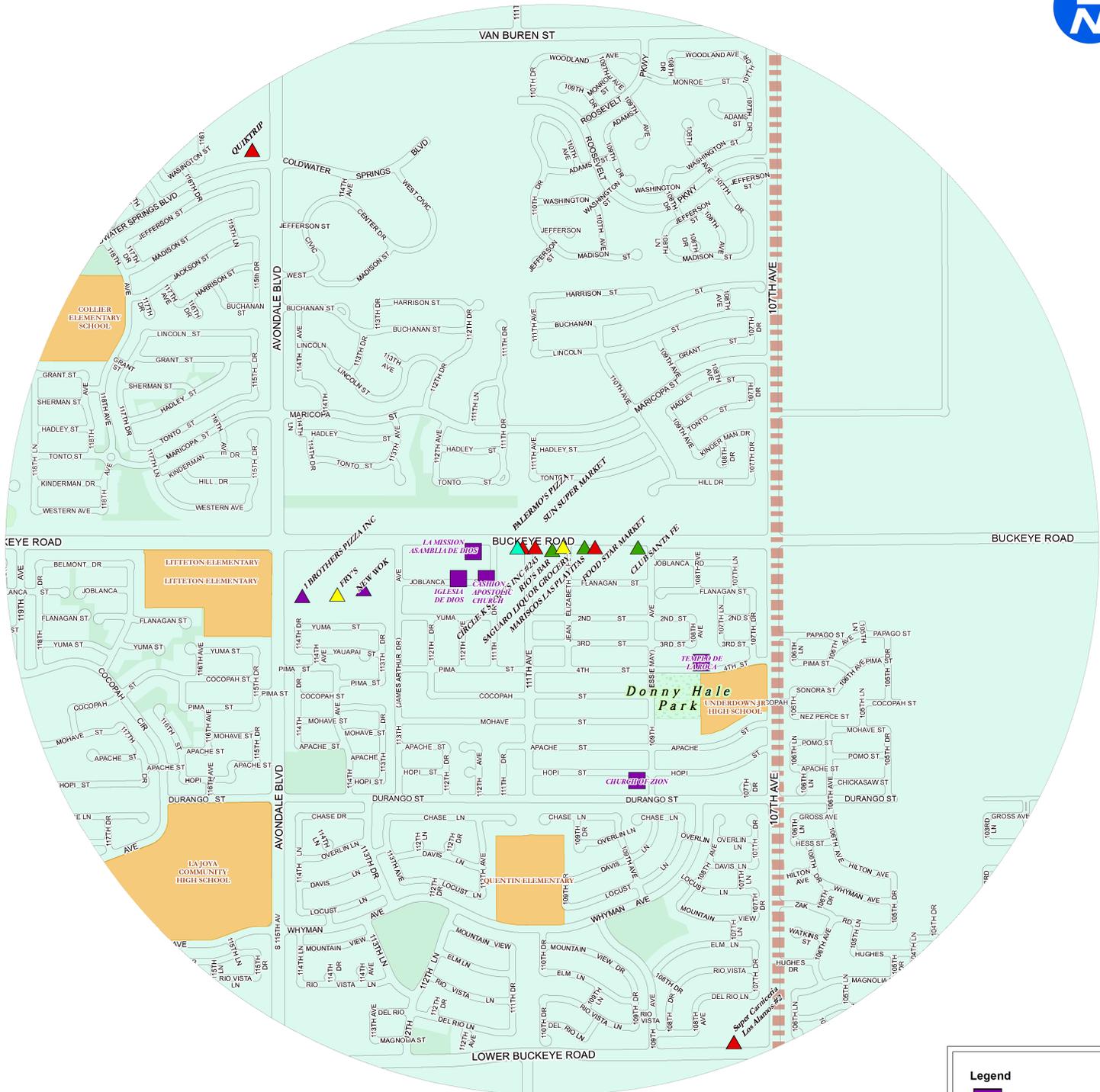
Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

City Clerk: \_\_\_\_\_

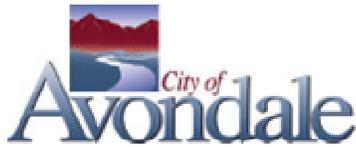
03.22.2012 13:54



**Rio's Bar**  
**11011 W Buckeye Rd**  
**1 Mile Buffer**

**Legend**

- PLACE OF WORSHIP
- LIQUOR SERIES
  - SERIES 5
  - SERIES 6
  - SERIES 7
  - SERIES 9
  - SERIES 10
  - SERIES 12
  - SERIES 14
  - SERIES 15
  - SERIES 16
- SCHOOLS



# CITY COUNCIL REPORT

**SUBJECT:**

Approval of Purchase Order Issuance - Microsoft Enterprise Agreements

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council  
**FROM:** Rob Lloyd, CIO/IT Director (623) 333-5011  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

The purpose of this agreement is to secure early approval of Microsoft Enterprise Agreements for the City's operating system, office productivity, server, and collaboration software from City Council.

**BACKGROUND:**

The City of Avondale signed its current three-year Microsoft Enterprise Agreement in 2009. It expires in June 2012. Enterprise Agreements lock in upgrade rights and set costs for computer operating system, office productivity, server, and collaboration software for three-year terms. This includes Microsoft Windows, Windows Server, SQL Server, Office, SharePoint, and similar products.

Funding for this item is included in the Information Technology Department's budget and is part of the department's Budget Submittal for Fiscal Year 2013.

**DISCUSSION:**

Microsoft is offering an 8% discount on 2013-2015 Enterprise Agreements when a purchase order is issued by the end of April 2012. The Information Technology Department is requesting special Council approval to commit early to obtain savings of approximately \$17,000 for the City. While the purchase order would be issued in April, it would still be paid for in July, which is the fiscal year in which services will be received. The Microsoft Enterprise Agreement would be purchased through Software House International as the State of Arizona contract holder for software resale.

As negotiated, the new agreement moves part of the City's licenses to an Education Agreement, reducing computer license costs by about \$22,000 per year, or \$66,000 over the three-year term of the agreement. This cost avoidance will be applied to increasing the total license counts, as well as to correct the City's mix of server licenses. These steps allow the Information Technology Department to assemble server licensing that supports moving to server virtualization, ensuring license compliance for the computers used by the City, and accomplishing these items without requesting additional funding. The new Enterprise Agreement also includes provisions to convert to cloud-based office productivity and email services in the future.

**BUDGETARY IMPACT:**

For Fiscal Year 2013, the City has a proposed budget of \$215,000 to cover the Microsoft Enterprise Agreements and Education Agreement. Final costs are still being negotiated, but will not exceed \$225,000.

Whereas the purchase order for this item would be issued in April 2012, payment would not occur until July 2012, after City Council approves the City's Fiscal Year 2013 budget.

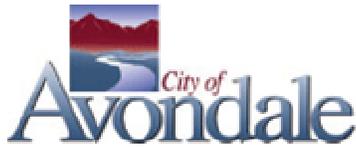
**RECOMMENDATION:**

Staff recommends the City Council approve the Microsoft Enterprise Agreements for early issuance of a Purchase Order of up to \$225,000. Staff further recommends City Council authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**ATTACHMENTS:**

[Click to download](#)

No Attachments Available



# CITY COUNCIL REPORT

**SUBJECT:**  
Cooperative Purchasing Agreement - Kronos  
Incorporated

**MEETING DATE:**  
April 16, 2012

**TO:** Mayor and Council  
**FROM:** Cherlene Penilla, Human Resources Director and Rob Lloyd, CIO/IT Director  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

The purpose of this item is to obtain City Council authorization for the use of contingency funds in the amount of \$90,226.28 and approval for a Cooperative Purchasing Agreement with Kronos Incorporated to purchase software licensing and implementation services for Absence Management.

**BACKGROUND:**

The City of Avondale signed its original Kronos Software Licensing, Services, and Support Agreements in 2008 under contract number KR-100107 "Services Agreement" and KR-040405 "Support Services Agreement". An addendum to these agreements was executed in 2010. The solution provides the automated employee time and attendance management used by the City to administer employee time entry, accrual use, and time approvals for payroll. In addition to improving workforce management, the Kronos system has helped the City reduce its labor costs substantially since implementation.

Based on the City's success with the Kronos Time and Attendance solution, the Human Resources Department has recommended adding the Absence Management module for City use. The features will allow the City to create interfaces that will allow time management to meet the public safety union contracts approved by City Council to start with the coming 2013 Fiscal Year. Absence Management will help Human Resources and supervisory staffs to automate the necessary pay types, time entry, attendance, and leave policies, and compliance with applicable federal and state laws.

**DISCUSSION:**

Purchase of Absence Management is a critical tool to executing the leave and pay components of the public safety union contracts approved for implementation in July 2012. As a proven tool for workforce time management, Human Resources staff is experienced with Kronos and can integrate existing processes with the new module. In addition, the new module will provide alerts and reporting that will help the City better adhere to the Family Medical Leave Act and the organizations' leave policies.

The cost of the software licensing and implementation services for Absence Management will be \$90,226.28, including taxes and travel expenses. As structured, costs break downs are estimated as follows:

Software Licensing	\$29,900.00
Increased Maintenance and Support	\$5,980.00
Training Services	\$5,060.00

Project and Implementation Services	\$46,380.00
Taxes	\$2,906.28

Project and Implementation Services are emphasized in this project to successfully implement the public safety union contract terms successfully in a tight timeframe. Kronos will provide staff with strong experience in implementing Absence Management with those types of contracts and requirements, helping avoid as many transitional issues as possible.

**BUDGETARY IMPACT:**

For fiscal years 2012 and 2013, the City will need to expend \$90,226.28 in the 101-5700-00-6325 budget line to fund the purchase, implementation and support of the Absence Management module. Council authorization to transfer the necessary funds from contingency to this line item is required. The Human Resources Department anticipates paying for any additional costs from salary savings. Ongoing maintenance and support will be funded from the Human Resources 101-5700-00-6325 budget line.

**RECOMMENDATION:**

Staff recommends City Council authorization for the use of contingency funds in the amount of \$90,226.28, approval for a Cooperative Purchasing Agreement with Kronos Incorporated to purchase software licensing and implementation services for Absence Management and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**ATTACHMENTS:**

Click to download

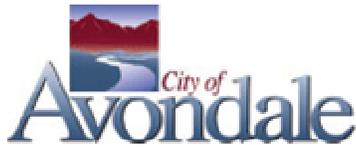
 [CPA](#)

Item #3d

COOPERATIVE PURCHASING AGREEMENT – KRONOS INCORPORATED

This document has been posted to the City's website separately due to its large size.

[Please click here to view document](#)



# CITY COUNCIL REPORT

**SUBJECT:**

First Amendment to Professional Services Agreement - M&M Public Safety Psychology Services

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council  
**FROM:** Cherlene Penilla, HR Director (623) 333-2218  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is recommending approval of the First Amendment to the Professional Services Agreement with M&M Public Safety Psychology Services P.L.L.C. to provide psychological testing services for police, fire and other recruitments and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

The City of Avondale entered into Professional Services Agreement #12594 dated April 11, 2008, with M&M Public Safety Psychology Services P.L.L.C to provide psychology services for the City of Avondale public safety positions (i.e., police and fire recruitments) and other positions within the City.

The Agreement was extended from October 31, 2011, for an additional one-year term for the period of April 11, 2011, through and including April 11, 2012.

**DISCUSSION:**

The services to be performed are: (1) Screening and evaluation of police officers, non-sworn public safety positions, i.e., dispatchers, records clerk, court personnel and firefighters (candidates and employees) provided by a licensed psychologist or psychiatrist. (2) Candidate pre-employment screening, including psychological testing, measurement to test problem-solving abilities, employment history, education, criminal, drug use, etc. (3) Preparation of a pre-employment screening report that outlines testing instruments and results, the clinical interview, any desirable or disqualifying factors. This report shall also provide recommendations regarding the candidate's ability to perform all duties of a public safety employee including the candidate's ability to use deadly force and carry a weapon in a safe and reliable manner. (4) Providing evaluation of an individual's job related ability to perform the essential function of the job as requested by the City. These evaluations shall include a clinical interview, review of relevant department reports and direct consultation with the supervisor who requested the evaluation and final report. Psychological testing may be an appropriate part of these evaluations.

**BUDGETARY IMPACT:**

The City shall pay Consultant a price not to exceed \$28,000 per year for the Services set forth in the Fee Proposal attached.

**RECOMMENDATION:**

Staff recommends that the City Council approve the first amendment to the Professional Services Agreement with M&M Public Safety Psychology Services, P.L.L.C to provide psychology assessment

services for public safety positions (i.e., police and fire recruitments) and non-sworn public safety positions to extend the term of the agreement until April 11, 2013.

**ATTACHMENTS:**

Click to download

 [First Amendment](#)

**FIRST AMENDMENT  
TO  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE CITY OF AVONDALE  
AND  
M & M PUBLIC SAFETY PSYCHOLOGY SERVICES, P.L.L.C.**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (this "First Amendment") is made as of April 16, 2012, between the City of Avondale, an Arizona municipal corporation (the "City") and M & M Public Safety Psychology Services, P.L.L.C., an Arizona professional limited liability company (the "Consultant").

RECITALS

A. The City and Consultant entered into a Professional Services Agreement dated April 11, 2008, Contract No. 12594 (the "Original Agreement") for the Consultant to provide psychological assessment services on an as-required basis (the "Services").

B. The Original Agreement was subsequently renewed twice to (i) extend the term and (ii) provide for additional compensation to the Consultant for continued Services. The Original Agreement and the subsequent renewals are collectively referred to herein as the "Agreement."

C. The City has determined that the Services are necessary for an additional term (the "Additional Services").

D. The City and the Consultant desire to enter into this First Amendment to (i) extend the term of the Agreement, (ii) modify the Scope of Work to include the Additional Services and (iii) increase the compensation to the Consultant for the Additional Services.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Consultant hereby agree as follows:

1. Term of Agreement. The term of the Agreement is hereby extended and shall remain in full force and effect until April 11, 2013, unless terminated as otherwise provided pursuant to the terms and conditions of the Agreement.

2. Scope of Work. The Consultant shall provide the Additional Services under the terms and conditions set forth in the Scope of Work of the Original Agreement, as amended.

3. Compensation. The City shall pay Consultant an aggregate amount not to exceed \$28,000.00 as compensation for the Additional Services in accordance with the unit rates as set forth in the Amended Fee Proposal attached hereto as Exhibit 1 and incorporated herein by reference.

4. Effect of Amendment. In all other respects, the Agreement is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

5. Non-Default. By executing this First Amendment, the Consultant affirmatively asserts that (i) the City is not currently in default, nor has been in default at any time prior to this First Amendment, under any of the terms or conditions of the Agreement and (ii) any and all claims, known and unknown, relating to the Agreement and existing on or before the date of this First Amendment are forever waived.

6. Conflict of Interest. This First Amendment and the Agreement may be canceled by the City pursuant to ARIZ. REV. STAT. § 38-511.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first set forth above.

“City”

CITY OF AVONDALE, an Arizona  
municipal corporation

\_\_\_\_\_  
Charles P. McClendon, City Manager

ATTEST:

\_\_\_\_\_  
Carmen Martinez, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA        )  
  ) ss.  
COUNTY OF MARICOPA    )

This instrument was acknowledged before me on \_\_\_\_\_, 2012, by Charles P. McClendon, the City Manager of the CITY OF AVONDALE, an Arizona municipal corporation, on behalf of the City of Avondale.

\_\_\_\_\_  
Notary Public in and for the State of Arizona

(affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

**“Consultant”**

M & M PUBLIC SAFETY PSYCHOLOGY  
SERVICES, P.L.L.C., an Arizona professional  
limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

(ACKNOWLEDGMENT)

STATE OF ARIZONA        )  
  ) ss.  
COUNTY OF MARICOPA    )

This instrument was acknowledged before me on \_\_\_\_\_, 2012,  
by \_\_\_\_\_ as \_\_\_\_\_ of M & M PUBLIC  
SAFETY PSYCHOLOGY SERVICES, P.L.L.C., an Arizona professional limited liability  
company, on behalf of the company.

\_\_\_\_\_  
Notary Public in and for the State of Arizona

(affix notary seal here)

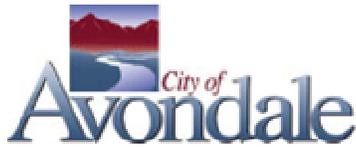
EXHIBIT 1  
TO  
FIRST AMENDMENT  
TO  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE CITY OF AVONDALE  
AND  
M & M PUBLIC SAFETY PSYCHOLOGY SERVICES, P.L.L.C.

[Amended Fee Proposal]

See following page.

Avondale PD – Proposed Pricing 4/11/12

Pre-employment psychological screening of applicants	\$ 375.00 ea.
Special Selections for SWAT/TOU teams	\$ 375.00 ea.
Fee for applicants who do not show, do not continue after written psychological testing, or who are canceled with less than 24 hours notice for their oral interview appointment (this fee covers the cost of written materials, scoring fees and the time set aside for the appointment)	\$ 175.00 ea.
Fee for 45-minute therapy hour for post-critical incident and loss of life one-to-one meetings	\$ 175.00 ea.
Fee for no show or cancellation without 24 hours notice for post-critical incident and loss of life one-to-one counseling	\$ 175.00 ea.
Fee per psychologist responding to call outs	\$ 175.00 per psychologist per 60 minute hour with fee starting and ending with travel time from point of origin
Fee per psychologist for training/teaching presentations	\$175.00 per psychologist per 60 minute hour for course preparation and provision of training plus \$15 flat fee per attendee for materials cost
Legal fees	\$250 per 60 minute hour for preparation, deposition and court time per psychologist
Meetings with Avondale	Quarterly meetings at no charge, phone consultation regarding work performed at no charge, additional meetings billed at \$150 per 60 minute hour per psychologist and at minimum to include both partners, Drs. Moran and McCutcheon



# CITY COUNCIL REPORT

**SUBJECT:**

Cooperative Purchasing Agreement - Insight Public Sector, Inc. for disaster recovery and business resumption services

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council  
**FROM:** Rob Lloyd, CIO/IT Director (623) 333-5011  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is requesting that the City Council approve a contract with Insight Enterprises in the amount of \$54,052.58 for the purchase of a hardware and software solution supporting the City's disaster recovery and business resumption goals and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

Under the City's Information and Communication Technologies Policy, the Information Technology Department is required to maintain appropriate disaster planning where it impacts the business systems used by City departments. The program would allow the City to reconstitute critical systems, files, and work process in the event of a disaster affecting City Hall.

The City currently has a simple backup solution that only saves electronic information to a local storage system located at the City Data Center at City Hall. This solution provides disaster recovery only in the event of simple system failures. The City currently does not have a solution in place to store the data off site in the event of disasters such as fires, floods, and other events that prevent operations from City Hall. The City's previous offsite storage solution was decommissioned in 2010 after repeated issues with data corruptions.

**DISCUSSION:**

This purchase is for a hardware and software solution that saves electronic information to meet disaster recovery and business resumptions goals set in the City's Information and Communication Technologies Policy. The Business Resumption Program is a critical IT Department function as it allows the City to recover critical information and supports core municipal operations that depend on business systems.

This solution quoted was selected as it integrates with the City's existing servers and NetApp network storage systems, extending the solution to an off-site physical location with management tools to administer across the storage systems. Critical file and database backups will then be actively copied and updated to designated locations. In the event of a disaster at City Hall, the City would thus have the ability to recover information, rebuild its computing environment, and reconstitute municipal services that depend on information systems. Implementing this disaster recovery solution will also fill a hole in the City's existing computing environment, supporting recovery in cases ranging from localized hardware failures to disasters affecting all of City Hall.

**BUDGETARY IMPACT:**

Funding for this purchase will be out of the IT Department's approved budget, 101-5121-00-8012, for the amount of \$54,052.58. The purchase will use the US Communities group purchasing vehicle to achieve the most advantageous cost. Purchase price includes three-year priority support. Delivery and implementation will be completed by the end of June 2012.

**RECOMMENDATION:**

Staff recommends that the City Council approve a contract with Insight Enterprises in the amount of \$54,052.58 for the purchase of a hardware and software solution supporting the City's disaster recovery and business resumption goals and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**ATTACHMENTS:**

Click to download

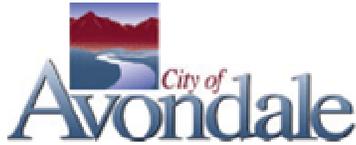
 [CPA](#)

Item #3f

COOPERATIVE PURCHASING AGREEMENT – INSIGHT PUBLIC SECTOR, INC.  
FOR DISASTER RECOVERY AND BUSINESS RESUMPTION SERVICES

This document is 1,174 pages and has been posted separately on the City's website.

[Please click here to view document.](#)



# CITY COUNCIL REPORT

**SUBJECT:**

Liquor License Temporary Extension of Premises -  
Manny's Mexican Restaurant

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council  
**FROM:** Carmen Martinez, City Clerk (623) 333-1214  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is recommending approval of a request by Mr. Manny Lafarga for a Temporary Extension of Premises to the Series 12 Restaurant License to sell all spirituous liquors at Manny's Restaurant to be used in conjunction with a Cinco de Mayor event scheduled for Saturday, May 5, 2012 from 5:00 pm to 1:00 am.

**DISCUSSION:**

Manny's Mexican Restaurant has held a Series 12 Restaurant License to sell all spirituous liquors since early 2005.

Last year Mr. Lafarga obtained a special event liquor license for a Cinco de Mayo event. This year Mr. LaFarga is requesting council approval of a temporary extension of premises. This year's Cinco de Mayo event is scheduled for Saturday, May 5, 2012 from 5:00 pm to 1:00 am. Staff has reviewed the application and is recommending approval.

**RECOMMENDATION:**

Staff is recommending approval of a request from Mr. Manny Lafarga for a Temporary Extension of Premises to the Series 12 Restaurant License to sell all spirituous liquors at Manny's Restaurant to be used in conjunction with a Cinco de Mayor event scheduled for Saturday, May 5, 2012 from 5:00 pm to 1:00 am.

**ATTACHMENTS:**

Click to download

-  [Application](#)
-  [Department Review](#)

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
www.azliquor.gov
(602) 542-5141

APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT

THIS APPLICATION MUST BE RETURNED TO THE DEPARTMENT OF LIQUOR

Permanent change of area of service - Give specific purpose of change:
Temporary change for date(s) of: May 5th 2012 Cinco De Mayo

- 1. Licensee's Name: Lafarga Manuel
2. Mailing Address: 12345 W Indian School Avondale AZ 85392
3. Business Name: Manny's Mexican Restaurant LICENSE #: 12076072
4. Business Address: 12345 W Indian School Avondale AZ 85392
5. Business Phone: (602) 935 3406 Residence Phone:
6. Do you understand Arizona Liquor Laws and Regulations? YES
7. Have you received approved Liquor Law Training? YES When? 2006
8. What security precautions will be taken to prevent liquor violations in the extended area? Licensed Security
9. Does this extension bring your premises within 300 feet of a church or school? NO
10. IMPORTANT: ATTACH THE REVISED FLOOR PLAN CLEARLY DEPICTING YOUR LICENSED PREMISES AND WHAT YOU PROPOSE TO ADD.

After completing sections 1-9, take this application to your local Board of Supervisors, City Council or Designate for their recommendation. This recommendation is not binding on the Department of Liquor.

This change in premises is RECOMMENDED by the local Board of Supervisors, City Council or Designate:

(Authorized Signature)

(Title)

(Agency)

I, Manuel Lafarga, being first duly sworn upon oath, hereby depose, swear and declare, under penalty of perjury, that I am the APPLICANT making the foregoing application. I have read this application and the contents and all statements are true, correct and complete.

Signature of Owner or Agent: [Signature]
AMAPOLA ARREOLA
State of Arizona County of Maricopa
SUBSCRIBED IN MY PRESENCE AND SWORN TO before me this date
My Comm. Expires May 11, 2014
Day Month Year: 11 April 2012

My commission expires on: May 11, 2014
[Signature]
(Signature of NOTARY PUBLIC)

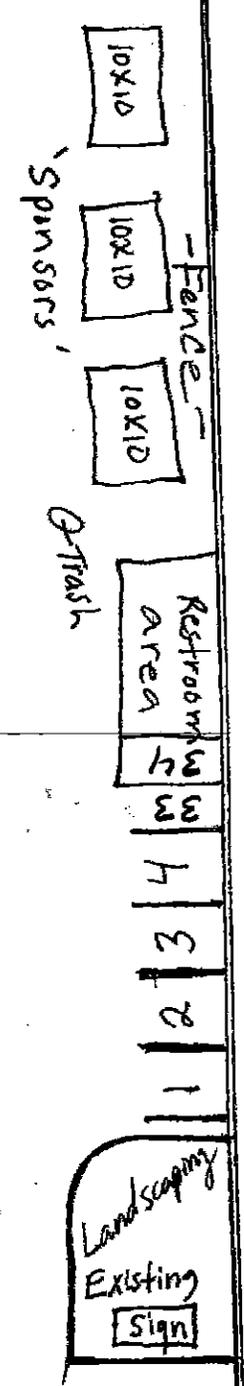
Investigation Recommendation [ ] Approval [ ] Disapproval by: Date:

Director Signature required for Disapprovals: Date:

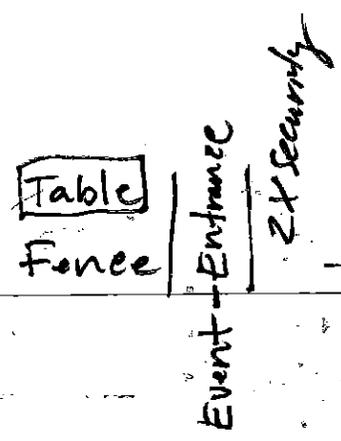
Valley Golf Center Parking

East →

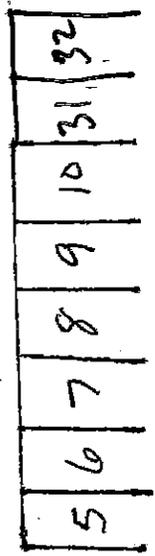
E1 Mirage Rd



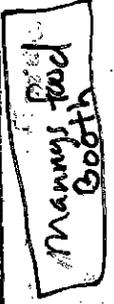
Special Event area



Parking is numbered



Side walk entrance to Restaurant



Exit

Security

Restaurant



Trash

West ←

Entrance to Dirt parking

Dirt area

Light house

Lighthouse Sports Bar  
12351 W Indian School  
Avondale, Arizona  
85392  
Robert Clayton, Owner  
April 12, 2012

To Whom It May Concern:

Manny's Restaurant may have use of any available parking space that the Lighthouse Sports Bar has for his cinco de mayo event.



Robert Clayton

## Sandra Tomsic

---

**From:** Kevin Kotsur  
**Sent:** Thursday, April 12, 2012 1:12 PM  
**To:** Carmen Martinez; Sandra Tomsic; Memo Espinoza  
**Cc:** Dale Nannenga  
**Subject:** RE: RE: Extension of Premises/Mannys Restaurant-Cinco De Mayo

The request for an extension of premises is approved.

Kevin Kotsur  
Chief of Police  
City of Avondale  
11485 W. Civic Center Drive  
Avondale, AZ 85323  
Phone: 623-333-7001

---

**From:** Carmen Martinez  
**Sent:** Thursday, April 12, 2012 11:59 AM  
**To:** Kevin Kotsur; Sandra Tomsic; Memo Espinoza  
**Cc:** Dale Nannenga  
**Subject:** RE: RE: Extension of Premises/Mannys Restaurant-Cinco De Mayo

Chief,

We spoke with Manny and he said he will have two friends of his who are licensed and have provided security for his events in the past and also work for other companies such as PRO EM. He will have additional staff providing security but are not licensed.

*Carmen Martinez*

City Clerk  
City of Avondale  
11465 W Civic Center Drive  
Avondale, AZ 85323  
623-333-1214 – phone / 623-333-0120 – fax  
[cmartinez@avondale.org](mailto:cmartinez@avondale.org)

---

**From:** Kevin Kotsur  
**Sent:** Thursday, April 12, 2012 11:50 AM  
**To:** Sandra Tomsic; Memo Espinoza  
**Cc:** Carmen Martinez; Dale Nannenga  
**Subject:** RE: RE: Extension of Premises/Mannys Restaurant-Cinco De Mayo

Who is providing security for this event?

Kevin Kotsur  
Chief of Police  
City of Avondale  
11485 W. Civic Center Drive

Avondale, AZ 85323  
Phone: 623-333-7001

---

**From:** Sandra Tomsic  
**Sent:** Thursday, April 12, 2012 11:41 AM  
**To:** Kevin Kotsur; Memo Espinoza  
**Cc:** Carmen Martinez  
**Subject:** RE: Extension of Premises/Mannys Restaurant-Cinco De Mayo

Good afternoon,

Attached is an Extension of Premises Application for Manny's Restaurant that is scheduled to go to Council this Monday, April 16, 2012.

Please review and send back any comments/approvals as soon as possible.

Thank you.

*Sandra Tomsic*  
City Clerk Assistant II  
Phone: 623-333-1212  
Fax: 623-333-0120

## Sandra Tomsic

---

**From:** Roger Parker  
**Sent:** Thursday, April 12, 2012 1:11 PM  
**To:** Sandra Tomsic  
**Subject:** RE: RE: Extension of Premises-Manny's Restaurant

Fire approves.

---

**From:** Sandra Tomsic  
**Sent:** Thursday, April 12, 2012 11:47 AM  
**To:** Teresa Hunsaker; Roger Parker; Jesse Gomez  
**Cc:** Carmen Martinez  
**Subject:** RE: Extension of Premises-Manny's Restaurant

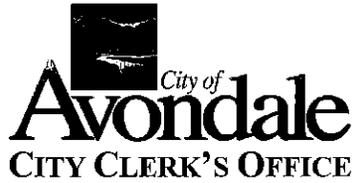
Good afternoon,

Attached is an Extension of Premises Application for Manny's Restaurant that is scheduled to go to Council this Monday, April 16, 2012.

Please review and send back any comments/approvals as soon as possible.

Thank you.

*Sandra Tomsic*  
City Clerk Assistant II  
Phone: 623-333-1212  
Fax: 623-333-0120



**DEPARTMENTAL REVIEW FORM**

**TYPE OF LICENSE:**

EXTENSION OF PREMISES

**ROUTING:**

- FINANCE DEPARTMENT
- POLICE DEPARTMENT
- FIRE DEPARTMENT
- DEVELOPMENT SERVICES

**APPLICANT'S NAME:** MANNY LAFARGA

**BUSINESS NAME:** MANNY'S RESTAURANT

**ADDRESS:** 12345 W. INDIAN SCHOOL

**CITY:** AVONDALE      **STATE:** AZ      **ZIP CODE:** 85323

**PURPOSE OF EXTENSION:** TEMPORARY CHANGE FOR "CINCO DE MAYO"

**DEPARTMENTAL COMMENTS:**

- APPROVED
- DENIED

*Jerrod Aguilar*

SIGNATURE

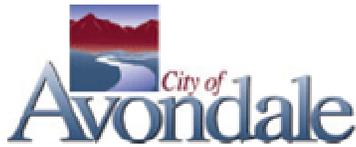
*4/12/12*

DATE

*Priv. Tax Auditor*

TITLE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: APRIL 16, 2012  
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: ASAP**



# CITY COUNCIL REPORT

**SUBJECT:**

Public Hearing and Resolution 3038-412 -  
Approving the 2012-2013 Annual Action Plan

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council

**FROM:** Gina Montes, Neighborhood & Family Services Director (623) 333-2727

**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

HUD is expected to allocate \$603,568 in Community Development Block Grant (CDBG) funds and \$140,952 in HOME Investment Partnership (HOME) funds to the City of Avondale for Fiscal year 2012/13 which begins on July 1, 2012 and extends through June 30, 2013. To be eligible to receive the funds the City of Avondale must complete and submit the Annual Action Plan. Staff is seeking council approval of the Annual Action Plan which contains recommended budget allocations for CDBG and HOME funds by activity. Council is requested to hold a public hearing on the plan.

**BACKGROUND:**

The City of Avondale receives annual allocations of HOME and CDBG funds from the U.S. Department of Housing and Urban Development (HUD). The federal objective of the CDBG program is to "develop viable urban communities by providing decent housing, a suitable living environment and economic opportunities for low-moderate income persons." The objective of the HOME program is to "create affordable housing opportunities for low-income persons." City of Avondale goals and objectives with respect to CDBG and HOME are defined in the 5- Year Consolidated Plan which was approved by City Council in April 2010.

**DISCUSSION:**

Neighborhood and Family Services (NFS) held an extensive public participation process to receive input for the Annual Action Plan. The first public meeting was held on November 1, 2011. The CDBG Subcommittee of the Neighborhood and Family Services Commission also reviewed and provided input on the plan on February 15, 2012. The proposed plan was then taken to the full commission on February 22, 2012 and March 28, 2012. Following the earlier of these forums a draft Annual Action Plan was made available to the public for a 30-day comment period which began on March 1, 2012 and ended April 1, 2012. Data gathered from the public participation process did not reflect a change in community priorities which remain as follows: preserve the existing affordable housing stock, increase homeownership opportunities, affirmatively further fair housing in Avondale, support organizations that assist the City's special needs population, support new construction and rehabilitation of affordable rental development, improve public infrastructure and economic conditions in low-income, economically-challenged neighborhoods and to reduce lead based paint hazards in residential dwellings in Avondale. On April 2, 2012 staff presented the proposed Annual Action Plan to the Council with the following recommended allocations:

**CDBG funding:**

- 1) Street Reconstruction \$241,427
- 2) Emergency Home Repair \$121,427
- 3) Revitalization Area Small Business Assistance \$60,000
- 4) Youth Services \$60,000

5) Administration \$120,714

HOME funding:

1) Substantial Rehabilitation \$133,904

2) Administration \$7,048.

**BUDGETARY IMPACT:**

The use of \$140,952 in HOME funds will require a 25% non-federal match from the City of Avondale of approximately \$35,250, which was included in the 2012-13 budget. CDBG funds do not require match.

**RECOMMENDATION:**

Staff recommends that Council hold a public hearing and adopt the Resolution approving the 2012/2013 Annual Action Plan and authorize its submission to HUD.

**ATTACHMENTS:**

Click to download

 [Resolution 3038-412](#)

## **RESOLUTION NO. 3038-412**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE 2012/2013 ANNUAL ACTION PLAN PORTION OF THE 2010-2014 CONSOLIDATED PLAN AND AUTHORIZING ITS SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR RECEIPT OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

**WHEREAS**, Title 1 of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Block Grant (“CDBG”) program for the purpose of developing viable urban communities by providing decent housing and a suitable living environment, expanding economic opportunities and preventing and/or eliminating conditions of slum and blight, principally for persons of low and moderate income; and

**WHEREAS**, the City of Avondale (the “City”) desires to receive CDBG funds and to continue to carry out CDBG-funded programs; and

**WHEREAS**, the U.S. Department of Housing and Urban Development (“HUD”) is prepared to provide \$603,568 in CDBG funds to the City for Fiscal Year 2012/2013; and

**WHEREAS**, the Code of Federal Regulations, 24 CFR Part 91 (issued by HUD) requires the submission to HUD and subsequent approval by HUD of a multi-year Consolidated Plan and an Annual Action Plan as a condition of receiving CDBG funds; and

**WHEREAS**, the City of Avondale 2010-2014 Consolidated Plan (the “Consolidated Plan”) was approved by Council of the City of Avondale (the “City Council”) on April 19, 2010 and by HUD in June, 2010; and

**WHEREAS**, the City prepared an updated 2012/2013 Annual Action Plan element of the Consolidated Plan listing activities to be funded in the 2012/2013 program year (the “2012/2013 Annual Action Plan”); and

**WHEREAS**, the City has completed public participation requirements in accordance with 24 CFR Part 91, including (i) public hearings held on November 1, 2011, February 22, 2012, and March 28, 2012, at which an opportunity for public comment was available, (ii) a 30-day comment period beginning March 1, 2012 and extending through April 1, 2012, during which time comments were able to be received from City residents for incorporation into the 2012/2013 Annual Action Plan and (iii) an additional public hearing held by the City Council on April 16, 2012.

**NOW, THEREFORE, BE IT RESOLVED** BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The 2012/2013 Annual Action Plan portion of the 2010-2014 Consolidated Plan and the allocation of funding to the activities to be undertaken described below are hereby approved and authorized for submission to HUD.

2012/2013 CDBG Annual Action Plan Allocations	
Activity	Amount Proposed
Administration	\$120,714
Street Improvements	\$241,427
Emergency Home Repair	\$121,427
Youth Public Services	\$60,000
Western Avenue Revitalization/Small Business Asst.	\$60,000
Total Grant	\$603,568

SECTION 2. The City Council hereby finds that expenditures as set forth in the 2012/2013 Annual Action Plan are necessary and appropriate and further, that said expenditures for the CDBG program will serve to assist low- and moderate-income individuals/families (no less than 70 percent as described in federal regulations) and/or serve to prevent or eliminate conditions of slum or blight in the community.

SECTION 3. The Mayor, the City Manager or authorized designee, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Council of the City of Avondale, April 16, 2012.

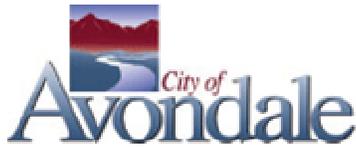
\_\_\_\_\_  
Marie Lopez Rogers, Mayor

ATTEST:

\_\_\_\_\_  
Carmen Martinez, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew J. McGuire, City Attorney



# CITY COUNCIL REPORT

**SUBJECT:**

Contributions Assistance Program and Sub-committee Appointment

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council

**FROM:** Gina Montes, Neighborhood & Family Services Director, (623) 333-2727

**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is requesting that the City Council approve the Contributions Assistance Program funding guidelines. Contributions Assistance funding of \$50,000 as included in the fiscal year 2012-2013 budget will be used for distribution to eligible non-profit agencies to provide health and human services to the residents of Avondale. Staff is also requesting that Council appoint a sub-committee to review applications and make funding recommendations.

**BACKGROUND:**

The Contributions Assistance Program allocates funding to non-profit agencies that provide health and human services to residents of Avondale. In fiscal year 2012, the program provided funding to fourteen west valley agencies who provide a wide range of human services to Avondale residents.

**DISCUSSION:**

Funding recommendations will be based on a composite of staff technical review of the submitted applications and selection by the Council sub-committee members of the activities they believe best meet local community needs. Fiscal year 2012 sub-committee members requested a more qualitative review of applications be provided by staff in addition to the technical review. The following is the recommended minimum requirements for applicants to be considered:

1. Applicants must provide direct services which improve the health and welfare of Avondale residents.
2. Applicants that received previous funding must be current in their reporting and have submitted timely and accurate quarterly reports.
3. Applicants must demonstrate the ability to generate revenue from other sources.
4. Requests must be for funding that supports direct and measurable services.

**BUDGETARY IMPACT:**

A total of \$50,000 was included in the fiscal year 2012-2013 budget for the Contributions Assistance Program.

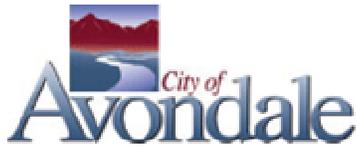
**RECOMMENDATION:**

Staff recommends that City Council approve the Contributions Assistance Program funding criteria. Staff is also requesting that Council appoint a sub-committee to review applications and make funding recommendations.

## ATTACHMENTS:

[Click to download](#)

No Attachments Available



# CITY COUNCIL REPORT

**SUBJECT:**

Lease Agreement - CNC Pebble Creek, LLC for the Southwest Family Advocacy Center

**MEETING DATE:**

April 16, 2012

**TO:** Mayor and Council  
**FROM:** Kevin Kotsur, Police Chief (623) 333-7201  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff is requesting that the City Council approve a lease agreement between the City of Avondale and CNC Pebble Creek, LLC., for the Southwest Family Advocacy Center in the amount of \$291,810 annually and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**BACKGROUND:**

The Southwest Family Advocacy Center (SWFAC) is a multidisciplinary facility developed and funded by the Police Departments of the City of Avondale, the Town of Buckeye, and the City of Goodyear. The term of the center's current lease began in 2007, and was for five years; it expires September 30, 2012. The current square footage is 12,348 square feet and there is no space available for the expansion of services and partnerships with other agencies. Also, the current lease was obtained at a time when the economy supported a healthy rate per square foot and therefore, the current lease and building site is not economically advantageous nor meeting the needs of the staff. The current lease rate began at \$33.50 per square foot (\$413,658 annually) but in 2010, was negotiated to the current rate of \$29.50 per square foot (\$364,266 annually), for an equally shared monthly rent of \$30,355.50 or \$10,118.50 per agency.

**DISCUSSION:**

Staff began researching new locations for the SWFAC in anticipation of the expiration of the lease in the fall of 2012. They located suitable space at 2333 N. Pebble Creek Parkway that provides for an increase in square footage (15,159) and allows for expansion of services and partner agencies while significantly decreasing our costs. This site includes the entire second floor of the building and suite A-102 and a portion of suite A-103 on the first floor. The lease is a Full Service Lease that includes electricity, gas, water, sewer, property taxes, common area maintenance fees, building maintenance and janitorial service. The owner agrees to pay for and construct all of the build-out of the premises. Tenant is responsible for all IT infrastructure.

The cost associated with transferring to a new location is estimated to be \$170,000.00 as follows; \$60,000 for new building security, \$80,000 for revised audio visual equipment, and \$30,000 to transfer all equipment and set up at the new location. With an estimated fund balance of \$200,000 at the end of fiscal year 2011/2012 and an on-going lease cost reduction of \$72.456 per year, the cost of transferring to a new location will be recovered in just over two years.

In 2007, the City of Avondale was selected as the jurisdiction responsible for managing all administrative functions associated with operating the SWFAC. One of these functions is to review and approve the lease agreement for the location where the SWFAC operates.

The Avondale, Buckeye and Goodyear Police Chiefs have reviewed and agreed that the recommended site for the center at 2333 N. Pebble Creek Parkway, is cost effective, allows for expansion and is a centralized location for all partner agencies. If approved, the term of the lease is seventy-five (75) months (6 years and 3 months) beginning October 1, 2012, and ending December 31, 2018. The base rate per square foot is \$19.25 for an annual rent of \$291,810; an equally shared monthly rent of \$24,317 or \$8,105 per agency.

**BUDGETARY IMPACT:**

Funding for Avondale's portion of this partnership is available in the 2012-2013 operational budget.

**RECOMMENDATION:**

Staff recommends that the City Council approve a lease agreement between the City of Avondale and CNC Pebble Creek, LLC., for the Southwest Family Advocacy Center in the amount of \$291,810 annually and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**ATTACHMENTS:**

Click to download

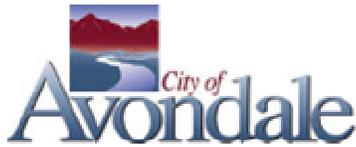
 [Lease Agreement](#)

Item #6

LEASE AGREEMENT – CNC PEBBLE CREEK, LLC FOR THE SOUTHWEST FAMILY ADVOCACY CENTER

This document has been posted to the City's website separately due to its large size.

[Please click here to view document](#)



# CITY COUNCIL REPORT

**SUBJECT:**  
Proposed Intergovernmental Agreement with  
Litchfield Park Regarding Wigwam Creek South

**MEETING DATE:**  
April 16, 2012

**TO:** Mayor and Council  
**FROM:** Rogene E. Hill, Assistant City Manager (623) 333-1012  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

The Wigwam Creek South Community Association Board representatives continue to seek the annexation of their community into the City of Avondale. Litchfield Park and Avondale staff have developed the elements of an Intergovernmental Agreement (IGA) that lays out the steps each city would take in consideration of this annexation request. The agreement would include a commitment to the exchange of property between the two cities in accordance with Arizona State law.

**BACKGROUND:**

Wigwam Creek South (WWC South) developed in the County in early 2000 with the bulk of the building completed in 2003. According to the County Assessor's records there are 1266 Single Family Homes and one 300 unit Apartment Complex.

Number of Homes	1,266
Est. Population	4,051
Avg. Home Value	142,000
Est. Assessed Valuation	17,977,200

In 2008, officers of the Wigwam Creek South Community Association approached the City to explore the possibility of being annexed. The WWC South Board had at that time obtained letters of interest signed by approximately 51% of the property owners. The resident's primary interest is in securing Police and Fire protection from the City of Avondale.

As a county island, the residents currently purchase fire protection from Rural Metro. Police service is provided by the County Sheriff. Water and sewer is provided by Liberty Water. Sanitation services are purchased from a variety of private haulers.

In 2010, finance staff used the assessed valuation data from the county and rental data to estimate revenues. The original revenue estimates are as follows.

Primary Property Tax	\$96,926
State Shared (GF) \$444.8 per home	\$563,117
HURF \$163.2 per home	\$206,611
Secondary Property Tax \$92.60 per home	\$141,864
Sanitation @\$20/month	\$303,840
Potential Annual Revenue	\$1,390,349

Staff estimates at that time projected revenues would cover the cost of providing Police, Fire and Sanitation services. The anticipated revenues would advance the staffing of the Northwest Fire Station. However, an updated revenue and cost analysis will be completed once the annexation petition process is underway and before the Council takes action on the proposed annexation.

**DISCUSSION:**

The proposed IGA will provide the WWC South Community Association with a pathway to pursue their goal of being annexed into Avondale. The Community Association will be responsible for organizing and executing an annexation petition campaign.

The proposed IGA would require Litchfield Park to take the first step by removing a portion of their strip annexation along Indian School in accordance with state law to allow the required contiguity of WWC South with Avondale.

Litchfield Park will take this action with the assurance provided by the IGA that Avondale will release to Litchfield Park the Post Office Plaza. In exchange for the Post Office Parcel, Litchfield Park would release to Avondale Monument Point Business Park located at Camelback and El Mirage.

After Litchfield Park removes the strip and the contiguity requirement is satisfied, Avondale can file a blank petition to open the annexation process. The WWC South Community Board will have one year to collect the required 51% of property owners' signatures for annexation. If the annexation petition drive is not successful, the process ends. Litchfield Park can re-establish its strip along Indian School.

If the petition drive is successful, the Avondale City Council will consider the petition to annex WWC South. If the Council denies the request, the process ends. If Council approves the annexation, the two cities will take a series of legislative actions to affect the additional land swaps. The additional parcel swaps of the Post Office Plaza and Monument Point Business Park will occur only if the petition process is successful AND the Avondale City Council approves the annexation request.

The IGA will specify via legal descriptions and maps the specific exchange of land between Avondale and Litchfield Park. It will also describe the sequence of legislative actions each city will take to complete the land swaps in accordance with state law. The IGA represents an agreed upon method and sequence of actions that will give the WWC South Community Association confidence to invest the financial and physical resources needed to mount an annexation petition drive.

Litchfield Park would retain two commercial corners, one at Dysart and Indian School, the second at Camelback and Dysart. Avondale could annex the Monument Point Business Park, at El Mirage and Camelback, which has land use entitlements in place. The draft IGA also requires each city to remit to the other 1.5% of the 2.5% construction sales tax, if the parcel received develops within the next 25 years.

Once the annexation petition process is underway and before the Avondale City Council is asked to consider the annexation request, staff will update the cost of service and revenue projections associated with the annexation of Wigwam Creek South and Monument Point Business Park.

The IGA which will detail the legal descriptions of the land exchanges and the specific sequence of legislative actions that will be required will be scheduled for action on a future agenda.

**BUDGETARY IMPACT:**

No immediate budgetary impact

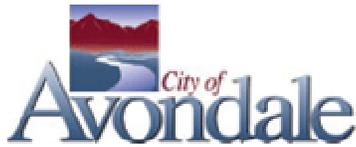
**RECOMMENDATION:**

For information, discussion and direction

## ATTACHMENTS:

[Click to download](#)

No Attachments Available



# CITY COUNCIL REPORT

**SUBJECT:**  
Energy Efficiency and Conservation Block Grant  
Program Summary

**MEETING DATE:**  
April 16, 2012

**TO:** Mayor and Council  
**FROM:** Rogene E. Hill, Assistant City Manager (623) 333-1012  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

Staff will provide a summary of the Energy Efficiency and Conservation Block Grant (EECBG) Program.

**BACKGROUND:**

The Department of Energy (DOE) established the Energy Efficiency and Conservation Block Grant (EECBG) to meet the national goals of saving energy, reducing greenhouse gases and creating jobs. DOE established a formula allocation for entitlement cities such as Avondale. The City applied for and was granted its full formula allocation of \$706,600; of that \$631,600 was allocated to DOE approved activities and \$75,000 was set aside for program administration.

The program activities began in February 2010 and will end by November 2012. Staff is awaiting final DOE approval of the last activity, a small solar demonstration and education project that will consume the remaining \$113,974. Unfortunately, the administration allocation used to fund a part-time staff person will be exhausted on April 16, 2012. Each activity made a unique contribution to the overall program goals.

**DISCUSSION:**

Southwest Valley Sustainability Fair \$4,759

Neighboring communities joined with Avondale to sponsor two fairs held at Estrella Mountain Community College. Conservation, protection of the environment, awareness of renewable energy and sustainability practices, and education were the themes. Over 1100 people attended and the events captured 2,306 pounds of electronic waste. Proceeds from 56 vendor fees collected \$6,300 to fund the event and sponsor a \$2,000 Sustainability Scholarship at EMCC. Some of the seminars presented were: Retrofitting Your House to be More Green, Carbon Footprint 101, Composting Made Easy, How to Save Some Green on Your Utility Bills, Hybrid Vehicles and Wetland Conservation.

Friendship Park, Civic Center and LED Sign Retrofits \$246,230

These lighting projects replaced the energy consuming lighting at Friendship Park and the Civic Center Campus with 168 energy efficient LED lighting systems. The project improved the quality of the lighting while producing energy savings, increasing demand for the manufacture of these products and provided employment for the installer. Projected annual parts, materials and labor savings with these longer lasting fixtures is \$36,750 and energy savings of \$11,300.

The Civic Center building signs are currently backlit with neon lights. These signs will be retrofit with LED modules for both energy savings and reduced maintenance costs. The sign project was delayed awaiting a waiver from the Buy American Provision of the grant due to the unavailability of these unique modules from U.S. manufacturers.

#### Energy Efficiency Reporting System \$7,279

Portfolio Manager is a web-based tool that would compare the energy performance of each of the city's buildings with benchmarked buildings and generate an Energy Star performance score for the various building types. The grant funds were needed to install the necessary metering devices and associated software modifications and updates. This project is not yet completed.

#### City and Community Audits & Residential Rebate Incentives \$71,574

Energy audits set the baseline for determining future energy savings and identifying energy saving opportunities. The City partnered with APS and SRP to leverage these funds and to reduce the administrative burden. Over 350 energy activities were funded that included 16 Central AC upgrades or replacements, 131 duct testing, repair and sealings, 20 air sealing, 113 energy audits w/o work done, 63 insulation upgrades and 10 shade screen projects.

The program ran for approximately 1 year and issued rebates for 130 residences. The program was designed to leverage the SRP and APS energy audit and rebate programs.

#### Staff Training \$9,779

Staff was trained through the Sonoran Sustainable Building Advisor Program, the Sustainability in Public Works Conference, and the Arizona Building Officials classes on the 2012 International Building Code. The grant also paid for membership in the AZ U.S. Green Building Council. In addition to these staff trainings, appropriate reference books and manuals were purchased to support staff development.

#### Historic Avondale Business Energy Audits \$5,000

Funds are currently being offered to businesses in Historic Avondale to have an energy audit performed that would identify energy saving projects for these small businesses.

#### Solar Demonstration & Education Project \$113,974

The parking structures at Civic Center will be evaluated to determine a suitable PV system that can be tied to an education kiosk display. This project is awaiting approval from DOE to extend the encumbrance deadline before staff can proceed. It is the final project to be undertaken.

#### Energy Retrofit for 525 Central \$173,000

Through energy audits and system evaluations energy retrofit items were identified and the energy renovation of the former City Hall was completed. Annual energy savings are projected at \$14,700. However, the biggest benefit was the improvement in the quality of life for building occupants. The former building occupants found the overall environment very challenging through the oppressive summer AZ heat.

The project replaced the building AC systems with one 13.25 SEER TRANE Condensers and one 15.1 SEER TRANE Heat Pump. The system upgrades addressed the furnace cooling coils, breakers and new electrical panels to accommodate the new HVAC units. These systems also required new tubing. The water fountains were also replaced. A major upgrade was the new windows and interior lighting packages. The energy retrofit turned this marginal facility into a City asset that will be the home of Gangplank, and a place where new jobs will be created and the community served.

These program activities funded by EECBG allowed the City and many individual property owners to obtain energy saving upgrades and retrofits that would otherwise not have been attainable.

#### **BUDGETARY IMPACT:**

None.

#### **RECOMMENDATION:**

For information.

## ATTACHMENTS:

[Click to download](#)

No Attachments Available