

CITY COUNCIL AGENDA

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

WORK SESSION
March 18, 2013
6:00 PM

CALL TO ORDER BY MAYOR ROGERS

1 ROLL CALL BY THE CITY CLERK

2 GANGPLANK AVONDALE UPDATE

City Council will receive an update from staff and Gangplank Collective regarding the past year's activities of Gangplank Avondale and discuss initiatives and programs for the coming year. For information and discussion only.

3 PROPOSED AMENDMENTS TO CITY CODE, CHAPTER 4 - BUILDINGS AND BUILDING REGULATIONS

City Council will review proposed amendments to Chapter 4 of the City Code, Buildings and Building Regulations, the 2012 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the international Energy Conservation Code, the 2011 Edition of the National Electric Code, and the Avondale Amendments to these codes.

4 ADJOURNMENT

Respectfully submitted,

Carmen Martinez
City Clerk

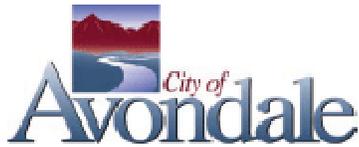
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Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando 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:
Gangplank Avondale Update

MEETING DATE:
March 18, 2013

TO: Mayor and Council
FROM: Daniel Davis, Economic Development Director (623) 333-1411
THROUGH: Charlie McClendon, City Manager

PURPOSE:

Economic Development staff and representatives of Gangplank Collective will update the Council on the past year's activities of Gangplank Avondale (GPA) and discuss initiatives and programs for the coming year.

BACKGROUND:

On March 20, 2012, the City and Gangplank Collective officially opened Gangplank Avondale after extensive renovation of the City's former City Hall into a open work and meeting space. In the past year, the anchors, regulars and Gangplank Collective staff have worked to develop programming and introduce the community to the space.

GPA is a growing community of entrepreneurs with seven (7) anchor companies representing web development, coaching, training, early childhood education, design, and product development. In addition to the anchor companies, there are approximately 15 individuals that regularly work out of GPA. Anchor companies and regulars live in various cities around the West Valley including, Avondale, Goodyear, Phoenix, Sun City West, El Mirage, and Surprise.

Because community engagement is a central theme of the City's partnership with Gangplank Collective, Gangplank has worked to develop the weekly brownbag and Gangplank Jr programs, and evening hours. Weekly brownbags have been held since the grand opening and have included topics ranging from making websites accessible to the physically challenged to business ethics.

Since launching in January 2013, GPA has hosted 10 Gangplank Junior events intended to promote experiential education, creativity, entrepreneurship, and hands on experience in technology related fields. Classes offered included intro to HTML, intro to CSS, videography, stop motion animation, and LEGO robotics. Parents and students expressed enthusiasm over the content of these courses.

The City and Gangplank Collective have received regional and national recognition for our unique partnership including a 2012 MAG Desert Peaks Award for public/private partnership and an invitation to present at the upcoming Transforming Local Government conference in Atlanta in April.

DISCUSSION:

With City Council's approval of the lease and professional services agreement (PSA) with Gangplank Collective in August 2011, the City entered into a five year agreement for Gangplank to provide services to grow the Southwest Valley's technology-focused entrepreneurial and small business footprint. The scope of work approved with the 2011 PSA and the recommended 2013 scope are enclosed for your reference. The Economic Development Department is pleased to report that the first full year of operation has seen many of the scope of work's commitments accomplished or in process including the following:

- Provide an open workspace for software, gaming, web design companies and others;
- Host open public weekly evening event;
- Provide a minimum of 10 services and programs free of charge to P-20 students;
- Work with local school districts to foster educational opportunities including hosting an annual education summit; and
- Host a minimum of one conference annually focused on timely and technology issues.

The 2013 scope of work contains many of the same commitments as the 2012 scope with the following additions:

- Provide assistance to the Neighborhood and Family Services Department to define and investigate activities, events and/or opportunities to energize the Historic Avondale area; and
- Assist the Economic Development Department to begin to define community interest in a fabrication laboratory or community workshop.

BUDGETARY IMPACT:

Funding in the amount of \$60,000 for year two of the City's five year partnership commitment with Gangplank is budgeted in the Economic Opportunities Fund.

RECOMMENDATION:

For information and discussion.

ATTACHMENTS:

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[2011-2012 Scope of Work](#)

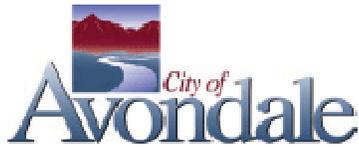
[2013-2014 Scope of Work](#)

Scope of Work

- Provide an annual report of activities to the Economic Development Department by March 1 of each year
- Commit to providing the following services out of Gangplank Avondale:
 - Provide an open workspace for software, gaming, Web design companies and others to connect entrepreneurs with focused teams with a proven track record of executing to completion.
 - Manage an open collaborative coworking forum available to companies and entrepreneurs.
 - Work with Economic Development and Community Relations to brand Avondale as a premier innovation hub and to assist in recruiting new innovative companies.
 - Host an open public weekly evening event that provides the ability for entrepreneurs and technology workforce to connect, share ideas and launch new ventures to recruit new technology ideas into the City of Avondale.
 - Provide a monthly hour long educational series focusing on timely and relevant topics that are open to the public, free of charge to attendees to be held a minimum of 12 times per year.
 - Over 50% of the space is to remain designated coworking/open.
 - Provide assistance to Economic Development and Community Relations on social media issues and outreach using technology for the benefit of the City.
 - Work with programs and committees within the city to provide Web advisement and social media services to highlight businesses, venues and opportunities to increase sales tax into the City.
 - Provide service and programs free of charge to P-20 students that encourage real world, hands on learning and discussion with people in the industry about new paths for creative and technical fields. Classroom opportunities should also include basic code writing, Web development and basic game design. Public programs are to be held a minimum of 10 times per year.
 - Work with local school districts to foster educational opportunities to further the 2020 workforce requirements. Host an annual Referendum for Education Summit to be held in each spring that includes West Valley School districts, community colleges, leading companies, Economic Development organizations and City government.
 - Work with local non-profits to provide educational services and activities to their clients. Also work with local non-profits to identify technology needs and work towards solutions to those technology needs.
 - Implements and host a minimum of one conference annually located in the City of Avondale focusing on timely and technology issues.

Scope of Work – March 2013 to March 2014

- Provide an annual report of activities to the Economic Development Department by March 1 of each year
- Commit to providing the following services out of Gangplank Avondale:
 - Provide an open workspace for software, gaming, Web design companies and others to connect entrepreneurs with focused teams with a proven track record of executing to completion.
 - Manage an open collaborative coworking forum available to companies and entrepreneurs.
 - Work with Economic Development and Community Relations to brand Avondale as a premier innovation hub and to assist in recruiting new innovative companies.
 - Host an open public weekly evening event that provides the ability for entrepreneurs and technology workforce to connect, share ideas and launch new ventures to recruit new technology ideas into the City of Avondale.
 - Provide a monthly hour long educational series focusing on timely and relevant topics that are open to the public, free of charge to attendees to be held a minimum of 12 times per year.
 - Over 50% of the space is to remain designated coworking/open.
 - Provide assistance to Economic Development and Community Relations on social media issues and outreach using technology for the benefit of the City such as highlighting businesses, venues and opportunities to increase sales tax and investment in the City.
 - Provide service and programs free of charge to P-20 students that encourage real world, hands on learning and discussion with people in the industry about new paths for creative and technical fields. Classroom opportunities should also include basic code writing, Web development and basic game design. Public programs are to be held a minimum of 10 times per year.
 - Work with local school districts to foster educational opportunities to further the 2020 workforce requirements. Host an annual Referendum for Education Summit to be held in each spring that includes West Valley School districts, community colleges, leading companies, Economic Development organizations and City government.
 - Work with local non-profits to provide educational services and activities to their clients. Also work with local non-profits to identify technology needs and work towards solutions to those technology needs.
 - Implements and host a minimum of one conference annually located in the City of Avondale focusing on timely and technology issues.
 - Provide assistance to the Neighborhood and Family Services Department to define and investigate activities, events and/or opportunities to energize the Historic Avondale area.
 - Assist the Economic Development Department to begin to define community interest in a fabrication laboratory or community workshop.



CITY COUNCIL REPORT

SUBJECT:

Proposed Amendments to City Code, Chapter 4 -
Buildings and Building Regulations

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Tracy Stevens, Planning Manager (623) 333-4012

THROUGH: Charlie McClendon, City Manager

PURPOSE:

The purpose of this item is to discuss with the City Council amendments to Chapter 4 of the City Code, Buildings and Building Regulations, the 2012 Editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the international Energy Conservation Code, the 2011 Edition of the National Electric Code, and the Avondale Amendments to these codes. This item is for discussion purposes only.

BACKGROUND:

The Codes are developed by International Code Council and combined efforts of various affected parties including the Arizona Building Officials, the National Association of Home Builders, the Federal Emergency Management Agency (FEMA) and the American Institute of Architects. The most recent version available for adoption is the 2012 series. The National Electric Code is developed through a consensus process involving 20 committees comprised of over 400 industry professionals. These committees make recommendations that are then provided for public comment and then acted upon. To help promote statewide uniformity, the Arizona Building Officials, Inc. subcommittee, Code Review and Development, consisting of members from across the state met regularly throughout 2012 to formulate a uniform set of code amendments. This committee encouraged input from design professionals, code officials, and interested parties across the state, and developed a set of recommendations that have been presented to the MAG Building Codes Committee for a recommended set of amendments to be used. It is anticipated the MAG Building Codes Committee will be recommending these uniform amendments as a MAG standard in the coming months. The City will be hosting a Neighborhood meeting in the near future, to take open comment on proposed amendments and the Codes as a whole. Invitations will also be sent to The Home Builders Association, and other interested parties via Facebook, Twitter, and e-mail.

DISCUSSION:

The City periodically updates its building codes to stay current with industry standards and be consistent with the building regulations throughout the region. Currently the City Code incorporates the 2009 family of the International codes for Building (commercial), Residential, Plumbing, Mechanical, Fuel Gas, and Energy Efficiency, along with the 2008 National Electric Code, and the Avondale amendments to these codes. These codes were adopted by the City of Avondale in February 2011. The proposed ordinance will amend Chapter 4, article II section 4-16, Article III Sections 4-31, Article IV Section 4-46 Article V Sections 4-61, Article VI Sections 4-76, Article VII Section 4-91 and Article XI Section 4-151 of the City Code. The effective date of the ordinance is proposed for May 20, 2013 to allow for the 30-day notice required before implementation on July 1, 2013. This date will also give developers time to adjust their building plans as necessary. Some Cities in the region, Peoria, Glendale, Paradise Valley, and Scottsdale, have already adopted the

2012 family of International codes and the 2011 National Electric Code. Phoenix is stating their adoption to be finalized and effective July 1, 2013. Many Cities across the state are anticipating adoption of the same codes in 2013. Staff will provide the City Council with a summary of significant code revisions.

BUDGETARY IMPACT:

When adopted the new codes will include changes to the valuations used in the formula for determining building permit and plan review fees. Staff has received training on the upcoming codes over the last year and continues to attend educational sessions as identified in the existing budget.

RECOMMENDATION:

This item is for Council discussion and direction, Staff proposes to request City Council approval of the new building codes at the May 20, 2013 City Council meeting.

ATTACHMENTS:

Click to download

[Code Amendments](#)

**THE AVONDALE AMENDMENTS TO
THE 2012 INTERNATIONAL BUILDING CODE,
THE 2012 INTERNATIONAL RESIDENTIAL CODE,
THE 2012 INTERNATIONAL MECHANICAL CODE
THE 2012 INTERNATIONAL PLUMBING CODE
THE 2011 NATIONAL ELECTRICAL CODE
THE 2012 INTERNATIONAL FUEL GAS CODE
THE 2012 INTERNATIONAL ENERGY CONSERVATION
CODE**

**AVONDALE AMENDMENTS
TO THE 2012 INTERNATIONAL BUILDING CODE**

The International Building Code, 2012 Edition, is amended in the following respects:

Section 101.1 is amended as follows:

[A] **Section 101.1 Title.** Insert the words “City of Avondale” as the name of jurisdiction.

Section 101.2.1 is deleted in its entirety and replaced with the following:

[A] **Section 101.2.1 Appendices.** The following appendices are adopted by the City of Avondale: Appendices B, C, I and J.

Section 101.4 is deleted in its entirety and replaced with the following:

[A] **Section 101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. If another code is referenced elsewhere in this code and has not been adopted, then that section shall be considered invalid.

Section 101.4.3 is amended as follows:

[A] **Section 101.4.3 Plumbing.** Delete the last sentence “The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems”.

Section 101.4.4 is amended as follows:

[A] **Section 101.4.4 Property Maintenance.** ~~Delete entire section~~

Section 105.3.2 is amended as follows:

[A] **Section 105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of ~~last completed review for correction or approval~~, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 109.3 is amended as follows:

[A] **Section 109.3 Building Permit Valuation.** The following shall be added after the last sentence:

For the purposes of determining valuations, the following chart, titled “Valuation Chart”, shall be used. This “Valuation Chart” shall be updated on January 1st of each year with the Cost per Square Foot.

VALUATION CHART

Group 2012 International Building Code		Types of Construction, Cost per Square Foot								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, Theaters, with stage	211	203	198	190	178	173	183	162	156
A-1	Assembly, Theaters, without stage	193	185	180	172	160	155	165	145	138
A-2	Assembly, nightclubs	163	158	154	148	138	135	142	126	121
A-2	Assembly, restaurant, bars, banquet hall	162	157	152	147	136	134	141	124	120
A-3	Assembly, churches	195	187	182	174	162	157	167	146	140
A-3	Assembly, general, community halls, libraries, museums	163	156	150	142	129	125	135	114	108
A-4	Assembly, arenas	192	184	178	171	158	154	164	143	137
B	Business	164	158	153	145	132	127	139	116	110
E	Educational	176	170	165	158	146	138	152	127	123
F-1	Factory and industrial, moderate hazard	97	93	87	84	75	72	80	62	58
F-2	Factory and industrial, low hazard	96	92	87	83	75	71	79	62	57
H-1	High hazard, explosive	91	87	82	78	70	66	74	57	N.P.
H-234	High hazard	91	87	82	78	70	66	74	57	51
H-5	HPM	164	158	153	145	132	127	139	116	110
I-1	Institutional, supervised environment	164	159	154	147	135	132	144	121	117
I-2	Institutional, hospitals	277	271	265	258	243	N.P.	252	227	N.P.
I-2	Institutional, nursing homes	193	187	171	174	160	N.P.	168	144	N.P.
I-3	Institutional, restrained	187	181	176	168	156	150	162	140	133
I-4	Institutional, day care facilities	164	159	154	147	135	132	144	121	117
M	Mercantile	121	116	111	106	96	94	100	84	80
R-1	Residential, hotels	166	160	155	149	137	133	145	123	119
R-2	Residential, multiple family	139	133	129	122	111	107	119	97	92
R-3	Residential, one and two family	131	127	124	121	116	113	117	108	101
R-4	Residential, care/assisted living facilities	164	159	154	147	135	132	144	121	117
S-1	Storage, moderate hazard	90	86	80	77	68	65	73	55	51
S-2	Storage, low hazard	89	85	80	76	68	64	72	55	50
U	Utility, miscellaneous	71	67	62	59	52	49	56	41	39

VALUATION CHART FOR OTHER

Other Types of Construction	Cost per Square Foot
Tenant Improvement - Vanilla Shell	\$ 20.00
Tenant Improvement - Office	\$ 20.00
Tenant Improvement - Restaurant	\$ 40.00
Tenant Improvement - Medical	\$ 50.00
Residential Patio addition, etc.	\$ 7.00
Residential Room Addition, Remodel etc	\$ 20.00

Section 109.4 is amended as follows:

[A] Section 109.4 Work Commencing Before Permit Issuance. The following shall be added after the last sentence:

This fee shall be equal to double the amount of the Building, Plan Review, Electric, Plumbing and Mechanical permit fees required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements, nor from the penalty prescribed by law.

Section 109.6 is deleted in its entirety and replaced with the following:

[A] Section 109.6 Refunds. The building official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. **No refund shall be made once an (any) inspection has been conducted under the permit.**

The building official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any **plan reviewing has taken place.**

The building official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee **not more than 180** days after the date of fee payment.

Section [A] 112.3 Authority to disconnect is relabeled as 112.4 and replaced with the following section:

[A] 112.3 LOCK OUT/TAG OUT SAFETY PROGRAM

Prior to the approval of temporary power in any form on a construction site, a letter containing the following information shall be on site at the time of the temporary power inspection. The letter shall be from the contractor or property owner and shall include:

01. Address and permit number
02. Description of equipment being energized

03. The name and phone number of a responsible party or parties.
04. What method of safety is to be implemented on the project to ensure the safety of personnel on the site.
05. Acknowledgment that the safety plan implemented will be maintained and monitored by the responsible parties.

The letter shall be distributed to all trade personnel and posted on site. The letter shall notify all trade personnel working on site of the electrical system becoming energized, and what method of safety is being employed. Trade personnel shall acknowledge the receipt of the letter by signing a copy of the letter, which will be kept in the construction office, or other convenient place on site.

An original signed and dated letter shall be retained by the city of Scottsdale until the project is accepted and under a Certificate of Occupancy.

Section 201.3 is deleted in its entirety.

Section 201.4 is deleted in its entirety and replaced with the following:

Section 201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

Section 202 Definitions add the term **Custodial Care** as defined below:

Custodial Care- Non-medical care that helps individuals with his or her activities of daily living, preparation of special diets and self-administration of medication not requiring constant attention of medical personnel. Providers of custodial care are not required to undergo medical training.

Section 901.1 Scope. Is amended as follows:

Section 901.1 Scope. Add the following paragraph:

Code sections preceded by [F] shall be considered to be maintained and administered under the International Fire code. Where there is a conflict regarding fire suppression systems and/or alarms between this code and the Fire Code, the Fire Code shall prevail.”

Section 901.5 is amended as follows:

Section 901.5 Acceptance tests. Delete the last sentence and replace with the following:

“It shall be unlawful to use, occupy, or furnish any portion of a structure until the fire protection systems of the structure have been tested and approved.”

Section 1004.3 is amended as follows:

1004.3 Posting of occupant load. Every room or space that is an assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access doorway* from the room or space. The sign shall be printed in letters not less than 3/4" brush stroke on a contrasting background and read: "Maximum Occupant Load ____ People". Posted signs shall be maintained by the owner or authorized agent. The number of people occupying the room shall not exceed the maximum occupant load posted on the sign.

Chapter 11 is amended as follows:

Section 1101.1 delete in its entirety and replace with the following:

Section 1101.1 Scope. The provisions of this chapter and the Arizona Revised Statutes (ARS) Section 41-1492 through 41-1492.12 shall control the design and construction of facilities for accessibility to physically disabled persons.

Section 1101.2 is deleted in its entirety and replace with the following:

Section 1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code. ICC A117.1, and the "Arizonans with Disabilities Act" (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the "Arizonans with Disabilities Act Implementing Rules" (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal "2010 Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities," and shall apply to new construction.

Section 1103.2.6 is amended by adding the following sentences:

"The public portions of temporary sales offices/trailers are required to be accessible. There shall be accessible parking and an accessible route from the accessible parking aisle to the sales office/trailer and throughout the public portion of the sales office/trailer, including the design center. Accessible toilet rooms shall be provided according to this code."

Section 1109.2.2 is amended by adding the following sentence:

"A baby changing station shall not be located within a water closet stall"

Revision to Table 1607.1

Revise Table 1607.1 as follows:

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
25. Residential One-and two-family dwellings Uninhabitable attics with storage ^{i,j,k.}	20 40	

Habitable attics and sleeping areas ^k (no other changes in item 25)	30 <u>40</u>	
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Section 1705.4 is amended as follows.

Section 1705.4 Masonry Construction: The following Exceptions shall be added:

Exception 4: Masonry fences six feet or less in height above grade.

Exception 5: Masonry retaining walls four feet or less in height from bottom of footing to top of wall unless supporting a surcharge or impounding flammable liquids.

Section 3109 is deleted in its entirety and replaced with the following:

Section 3109 Swimming Pool Enclosures and Safety Devices. Swimming pool enclosures and safety devices shall be installed pursuant to Arizona Revised Statutes § 36-1681.

APPENDIX I revision:

Section I104.2 Footings: is deleted in its entirety.

**AVONDALE/MAG AMENDMENTS
TO THE 2012 INTERNATIONAL RESIDENTIAL CODE**

The International Residential Code 2012 edition is amended as follows:

Section R101.1 is amended as follows:

Section R101.1 Title. Insert the words “City of Avondale” as the name of jurisdiction.

Section R102.5 is deleted in its entirety and replaced with the following:

102.5 Appendices. Provisions in the appendices shall not apply unless specifically adopted. The following appendices are adopted:

- | | |
|------------|---|
| Appendix A | SIZING AND CAPACITIES OF GAS PIPING |
| Appendix B | SIZING OF VENTING SYSTEMS SERVING APPLIANCES
EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES,
AND APPLIANCES LISTED FOR USE AND TYPE B VENTS |
| Appendix C | EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT
VENTING SYSTEMS |
| Appendix D | RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN
EXISTING APPLIANCE INSTALLATION |
| Appendix E | MANUFACTURED HOUSING USED AS DWELLINGS |
| Appendix H | PATIO COVERS |
| Appendix I | PRIVATE SEWAGE DISPOSAL |
| Appendix J | EXISTING BUILDINGS AND STRUCTURES |
| Appendix K | SOUND TRANSMISSION |

Section R105.3.2 is deleted in its entirety and replaced with the following:

Section R 105.3.2 Time Limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Before such work recommences, the extension will be granted provided no changes have been made or will be made in the original construction documents for such work and provided further that such suspension or abandonment has not exceeded one year.

Section R108.6 Work commencing before permit issuance: The following shall be added after the last sentence:

This fee shall be equal to double the amount of the Building, Plan Review, Electric, Plumbing and Mechanical permit fees required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements, nor from the penalty prescribed by law.

Section R201.4 is deleted in its entirety and replaced with the following:

Section R201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster’s Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

Table R301.2(1) is deleted in its entirety and replaced with the following:

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Speed ⁶ (mph)	Seismic Design Category ⁹	Subject To Damage From				Winter Design Temp ^f	Ice Shield Under-Layment Required ⁱ	Flood Hazards ^h	Air Freezing Index ^j	Mean Annual Temp ^k
			Weathering ⁸	Frost Line Depth ^b	Termite ^c	Decay ^d					
N/A	90 mph Exposure C	B	Moderate	N/A	Moderate to Heavy	None to Slight	24°F		Jurisdiction Specific		

(Footnotes to remain unchanged)

Table R301.5 is amended to modify the following:

USE	LIVE LOAD
Attics with limited storage ^{b,e}	20 <u>40</u>
Habitable attics and attics served with fixed stairs	30 <u>40</u>
Sleeping rooms	30 <u>40</u>

(Remainder of Section to remain unchanged)

Section R312.2 is amended as follows:

Section R312.1.2 Guard opening limitations. The following sentence is added to the end of the first paragraph:

Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.

Section R314.3 is amended by adding the following subsection:

4. Where the ceiling height of a room open to the hallway servicing bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallways and in the adjacent room.

Section N1102.4.1.2.1 is added as follows:

R1102.4.1.2.1 RESNET Testing & Inspection Protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections N1102.4.1.1, N1102.4.1.2 and N1103.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. 402.4.1.1 –Building Envelope – Thermal and Air Barrier Checklist
 - b. R402.4.1.2 –Testing – Air Leakage Rate
 - c. R403.2.2 – Sealing – Duct Tightness
4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

Section N1103.9.3 is deleted in its entirety and replaced with the following:

N1103.9.3 Motors-Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four hour cycle without resetting to the default setting

Section M1503.1 General. Is amended to read as follows:

Section M1503.1 Range hoods shall discharge to the outdoors through a single wall duct. The duct serving the hood shall have a smooth interior surface, shall be airtight, and shall be equipped with a backdraft damper, and shall be independent of all other exhaust systems. Changes in size or direction shall be accomplished with an approved transition fitting. Ducts serving range hoods shall not terminate in an attic or crawl space or areas inside the building.

Section G2415.12 is amended as follows:

Section G2415.12 (IFGC404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade for metal piping and 18 inches (457mm) for plastic piping.

Delete Section G2415.12.1 Individual outside appliances is deleted in its entirety:

Reason: The elimination of the section addressing individual outside appliances is because the risks are the same whether the line serves multiple appliances or a single appliance. With similar risks, similar depths should be required.

Revision to Section P2803.6.1

Revise number 2 of Section P2803.6.1 to read as follows:

2. Discharge through an air gap located in the same room as the water heater except where the discharge is to the outdoors, not subject to freezing and the piping terminates not less than 6 inches (152 mm) and not more than 12 inches (305mm) above grade.

Add number 14 to read:

14. Direct the discharge in a downward direction.

APPENDIX H is amended as follows:

Section AH106.1 Footings: is deleted in its entirety.

APPENDIX E is deleted in its entirety and replaced with the following:

APPENDIX E See State office of Manufactured Housing Regulations.

APPENDIX I is deleted in its entirety and replaced with the following:

APPENDIX I See State Department of Environmental Quality Regulations.

**AVONDALE/MAG AMENDMENTS
TO THE 2011 NATIONAL ELECTRICAL CODE**

The National Code, 2011 Edition, is amended in the following respects:

Section 80 Administration and Enforcement, is deleted in its entirety.

Section 90.1 is amended as follows:

Section 90.1(E) Practical Safeguarding. The following is added after the first paragraph:

Any and all electrical work for light, heat, power or any other purposes shall be installed in conformity with the rules and regulations as set forth in this Code and that document titled the National Electrical Code, 2011 Edition and in conformity with the rules and regulations as set forth by the Building Official.

Section 90.1 is amended by adding the following subsections:

(E) The International Building Code, 2012 Edition, Chapter One, as adopted by the City of Avondale and amended from time to time, shall be considered the Administrative Code for this sub-section.

Section 90.6 is deleted in its entirety and replaced with the following:

Section 90.6 Formal interpretations. To promote uniformity of interpretation and application of the provisions of this Code, Section 112, "Board of Appeals", of the International Building Code, 2012 Edition, as adopted by the City and amended from time to time, shall provide established procedures for appeals of interpretation under this Section.

ARTICLE 230 is amended by adding the following section:

Section 230.63 Location. All service equipment rated 1000 amperes or more located inside a building shall be enclosed within a room or space separated from the rest of the building by not less than one-hour fire-resistive occupancy separation or fire barrier installed in compliance with the building code.

Section 250.118 is amended as follows:

Section 250.118 Types of equipment grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

FPN: For effective ground-fault current path, see 250.2 Definition.

(1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.

(2) Rigid metal conduit.

(3) Intermediate metal conduit.

(4) Electrical metallic tubing with an additional equipment grounding conductor.

(5) Listed flexible metal conduit with an additional equipment grounding conductor, and meeting all the following conditions:

a. The conduit is terminated in listed fittings.

b. The combined length of flexible metal conduit and liquidtight flexible metal conduit in the same ground return path does not exceed 1.8 m (6 ft) for feeders and 15 m (50 ft) for branch circuits

c. The additional equipment grounding conductor is terminated at each termination or junction point.

(6) Listed liquidtight flexible metal conduit meeting all the following conditions:

a. The conduit is terminated in listed fittings.

b. For metric designators 12 through 16 (trade sizes $\frac{3}{8}$ through $\frac{1}{2}$), the circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.

c. For metric designators 21 through 35 (trade sizes $\frac{3}{4}$ through 1-1/4), the circuit conductors contained in the conduit are protected by overcurrent devices rated not more than 60 amperes and there is no flexible metal conduit, flexible metallic tubing, or liquidtight flexible metal conduit in trade sizes metric designators 12 through 16 (trade sizes $\frac{3}{8}$ through $\frac{1}{2}$) in the grounding path.

d. The combined length of flexible metal conduit and flexible metallic tubing and liquidtight flexible metal conduit in the same ground return path does not exceed 1.8 m (6 ft).

e. Where used to connect equipment where flexibility is necessary after installation, an equipment grounding conductor shall be installed.

(7) Listed liquidtight flexible metal conduit with an additional equipment grounding conductor and meeting all the following conditions:

a. The conduit is terminated in listed fittings.

b. The combined length of liquidtight flexible metal conduit and flexible metal conduit in the same ground return path does not exceed 15 m (50 ft) for branch circuits and 1.8 m (6 ft) for feeders.

c. The additional equipment grounding conductor is terminated at each termination or junction point.

(8) Flexible metallic tubing where the tubing is terminated in listed fittings and meeting the following conditions:

a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20 amperes or less.

b. The combined length of flexible metal conduit and flexible metallic tubing and liquidtight flexible metal conduit in the same ground return path does not exceed 1/8 m (6 ft).

(9) Armor of Type AC cable with an additional equipment grounding conductor and as provided in 320.108.

(10) The copper sheath of mineral-insulated, metal-sheathed cable.

(11) Type MC cable where listed and identified for grounding in accordance with the following:

a. The combined metallic sheath and grounding conductor of interlocked metal tape-type MC cable.

b. The metallic sheath or the combined metallic sheath and grounding conductors of the smooth or corrugated tube-type MC cable.

(12) Cable trays as permitted in 392.3 and 392.7.

(13) Cablebus framework as permitted in 370.3.

(14) Other listed electrically continuous metal raceways and listed auxiliary gutters.

(15) Surface metal raceways listed for grounding.

Section 334.10 is amended as follows:

Section 334.10 Uses Permitted. Subsection 1 is deleted in its entirety and replaced with the following:

(1) One- and two-family dwellings, multi-family dwellings and other residential accessory structures.

Section 334.12 is amended as follows:

Section 334.12(A) Types NM, NMC and NMS. Subsections (2), (3), (4), (5), (6), (7), (8) and (9) are deleted in their entirety.

Section 358.10(B) is deleted in its entirety and replaced with the following:

Section 358.10(B) Corrosion Protection. Ferrous or nonferrous EMT, elbows, couplings and fittings shall be permitted to be installed in concrete, that is not in direct contact with the earth or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition.

Section 358.12 is amended to add a subsection as follows:

(7) Ferrous or nonferrous EMT, elbows, couplings, and fittings shall not be permitted to be installed in concrete, in the earth, or in areas subject to severe corrosive influences.

**AVONDALE AMENDMENTS
TO THE 2012 INTERNATIONAL MECHANICAL CODE**

The International Mechanical Code, 2012 Edition, is amended in the following respects:

[A] **Section 101.1** is amended as follows:

Section 101.1 Title. Insert the words “City of Avondale” as the name of jurisdiction.

[A] **Section 106.4.4** is deleted in its entirety and replaced with the following:

Section 106.4.4 Extensions. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

[A] **Section 106.5.2** is deleted in its entirety and replaced with the following:

[A] Section 106.5.2 Fee schedule. All fees shall be in accordance with Chapter One of the International Building Code as adopted by the City of Avondale and amended from time to time.

[A] **Section 106.5.3** is deleted in its entirety and replaced with the following:

[A] Section 106.5.3 Fee refunds. The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The code official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] **Section 108.4** is deleted in its entirety.

[A] **Section 108.5** is amended as follows:

[A] Section 108.5 Stop work order. The last sentence is amended to read as follows:

Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Avondale.

Section 201.4 is deleted in its entirety and replaced with the following:

Section 201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

Section 505.1 Domestic Systems is amended as follows:

Section 505.1 Domestic Systems Where domestic range hoods and domestic appliances equipped with downdraft exhaust are located within dwelling units, such hoods and appliances shall discharge to the outdoors through sheet metal ducts constructed of galvanized steel, stainless steel, aluminum, or copper. Such ducts shall have smooth inner walls, shall be air tight, shall be equipped with a backdraft damper, and shall be independent of all other exhaust systems. Changes in size or direction shall be accomplished with an approved transition fitting.

Section 1004.1 Standards is amended as follows:

Section 1004.1 Standards Oil-fired boilers and their control systems shall be listed and labeled in accordance with UL 726. Electric boilers and their control systems shall be listed and labeled in accordance with UL 834. ~~Solid-fuel-fired boilers shall be listed and labeled in accordance with UL 2523. Boilers shall be designed and constructed in accordance with the requirements of ASME CSD-1 and as applicable, the ASME Boiler and Pressure Vessel Code, Section I or IV; NFPA 8501; NFPA 8502 or NFPA 8504.~~ Boilers shall be designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code, and Arizona Boiler Rules, Title 20 Chapter 5.

**AVONDALE AMENDMENTS
TO THE 2012 INTERNATIONAL PLUMBING CODE**

The International Plumbing Code, 2012 Edition, is amended in the following respects:

[A] **Section 101.1** is amended as follows:

[A] **Section 101.1 Title.** Insert the words “City of Avondale” as the name of jurisdiction.

Add a new Section 101.5 to read as follows:

[A] **Section 101.5 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

The following Appendices of the 2012 International Plumbing Code are included in the adoption of this code:

APPENDIX B – Rainfall Rates

APPENDIX E – Water Sizing Systems

[A] **Section 106.5.4** is deleted in its entirety and replaced with the following:

[A] **Section 106.5.4 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

[A] **Section 106.6.3** is deleted in its entirety and replaced with the following:

[A] **106.6.3 Fee refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The code official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code

The code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] **Section 108.4** is deleted in its entirety,

[A] **Section 108.5** is amended as follows:

[A] **Section 108.5 Stop work orders.** The last sentence is amended to read as follows:

Any person who shall continue any work on the system after having been served by a stop work order except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Avondale.

Section 201.4 is deleted in its entirety and replaced with the following:

Section 201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

Section 305.4.1 is amended as follows:

Section 305.4.1 Sewer Depth insert 12in (305mm) where applicable

Section 405.3.1 is amended as follows:

Section 405.3.1 Water closets, urinals, lavatories and bidets
Exception: Side Clearances for accessible or ambulatory water closets shall comply with ICC/ANSI A117.1.

Section 410.1 is amended as follows:

Section 410.1 Approval. Delete the last sentence and replace with the following:

“In other occupancies, where drinking fountains are required, bottle water dispensers or water coolers shall be permitted to be substituted.”

Section 504.6 Requirements for discharge piping is amended as follows:

Revise #2 to read as follows:

2. Discharge through an air gap located in the same room as the water heater except where the discharge is to the outdoors, not subject to freezing and the piping terminates not less than 6 inches (152mm) and not more than 12 inches (305mm) above grade.

Add # 14 to read as follows:

14. Direct the discharge in a downward direction.

Section 603.1 Size of water service pipe is amended as follows:

603.1 Size of water service pipe The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The water service pipe shall be not less than 1 inch (25 mm). The replacement of existing water service pipe shall not be less in size than the size of the pipe being replaced.

Section 1202 Medical Gases. Add a new section, as follows:

Section 1202.1.1 Level 3 dental facilities. Vacuum piping installed under an on grade floor shall be installed in compliance with recommendations and drawings prepared by a registered design professional and contained within the dental equipment manufacturer's specifications and details, and with the otherwise applicable provisions of NFPA99- 2005. All drawings and specifications shall be sufficiently comprehensive as to provide prescriptive installation criteria. Special inspection in accordance with IBC Section 1704.1 shall be provided.

**AVONDALE AMENDMENTS
TO THE 2012 INTERNATIONAL FUEL GAS CODE**

The International Mechanical Code, 2012 Edition, is amended in the following respects:

[A] **Section 101.1** is amended as follows:

[A] **Section 101.1 Title.** Insert the words “City of Avondale” as the name of jurisdiction.

[A] **Section 106.5.4** is deleted in its entirety and replaced with the following:

[A] **Section 106.5.4 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

[A] **Section 106.6.2** is deleted in its entirety and replaced with the following:

[A] **Section 106.6.2 Fee schedule.** All fees shall be in accordance with Chapter One of the International Building Code as adopted by the City of Avondale and amended from time to time.

[A] **Section 106.6.3** is deleted in its entirety and replaced with the following:

[A] **Section 106.6.3 Fee refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The code official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permitted not later than 180 days after the date of fee payment.

[A] **Section 108.4** is deleted in its entirety.

[A] **Section 108.5** is amended as follows:

[A] **Section 108.5 Stop work order.** The last sentence is amended to read as follows:

Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Avondale.

Section 201.4 is deleted in its entirety and replaced with the following:

Section 201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

Section 404.12 Minimum burial depth. Is revised to read as follows:

Section 404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305mm) below grad for metal piping and 18 inches (457mm) for plastic piping.

Section 404.12.1 Is deleted in its entirety.

**AVNODALE AMENDMENTS
TO THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE**

The International Energy Conservation Code, 2012 Edition, is amended in the following respects:

C Section 101.1 is amended as follows:

Section 101.1 Title. Insert the words “City of Avondale” as the name of jurisdiction.

R Section 101.1 is amended as follows:

Section 101.1 Title. Insert the words “City of Avondale” as the name of jurisdiction.

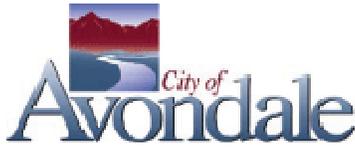
Section R102.1 is revised as follows:

Section R102.1 RESNET Testing & Inspection Protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - d. 402.4.1.1 –Building Envelope – Thermal and Air Barrier Checklist
 - e. R402.4.1.2 –Testing – Air Leakage Rate
 - f. R403.2.2 – Sealing – Duct Tightness
4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

Section 40393 is deleted in its entirety and replaced with the following:

Section R403.9.3 Motors Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four hour cycle without resetting to the default setting.



CITY COUNCIL AGENDA

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

REGULAR MEETING
March 18, 2013
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

Regular Meeting of March 4, 2013

b. RESCHEDULING OF CITY COUNCIL MEETING

City Council will consider a request to reschedule the regularly scheduled Council meeting of April 15, 2013 from 7:00 pm to 6:00 pm to allow ample time for the presentation and discussion of the proposed FY13/14 operating budget. The Council will take appropriate action.

c. SPECIAL EVENT LIQUOR LICENSES - RACEWAY ELKS - FUNDRAISING EVENTS

City Council will consider three special event liquor license applications submitted by Mr. William Veith on behalf of the Raceway Elks #2852 to be used with fundraising events on April 13, 14 and 20, 2013 at the Masonic Temple located at 1015 N. 8th St. in Avondale. The Council will take appropriate action.

d. LIQUOR LICENSE SERIES 7 (BEER AND WINE BAR) – CLUB SANTA FE

City Council will consider a request from Mr. Samuel Rodriguez Contreras for approval of an application for a Series 7 Beer and Wine Bar license at Club Santa Fe located at 10907 W Buckeye Road in Cashion. The Council will take appropriate action.

e. LIQUOR LICENSE SERIES 9 (LIQUOR STORE) - CVS PHARMACY # 10229

City Council will consider a request from Mr. Jason Barclay Morris for approval of an application for a Series 9 Liquor Store license to sell all spirituous liquors at CVS Pharmacy #10229 located at the southwest corner of Avondale Blvd. and Van Buren St. The Council will take appropriate action.

f. LIQUOR LICENSE SERIES 10 (BEER AND WINE STORE) - ZOOMTOWN MARKET

City Council will consider a request from Mr. Michael Korzeniowski for approval of a application for a Series 10 Beer and Wine Store liquor license at ZOOMTOWN Market located within PIR at 7602 S. Avondale Blvd. The Council will take appropriate action.

g. PROFESSIONAL SERVICES AGREEMENT - ENTELLUS, INC. FOR GPS VERIFICATION PROJECT FOR GIS

City Council will consider a request to approve a Professional Services Agreement with Entellus, Inc. for the purpose of improving the accuracy and updating of water and sewer assets in the GIS database for an amount not to exceed \$149,910 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. PROFESSIONAL SERVICES AGREEMENT – TY LIN INTERNATIONAL – 107TH AVENUE, VAN BUREN STREET TO MCDOWELL ROAD

City Council Will consider a request to approve a Professional Services Agreement with TY LIN International (TYLIN) to provide transportation engineering design services along 107th Avenue from Van Buren Street to McDowell Road in the amount of \$91,243.49 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. FIRST AMENDMENT TO AGREEMENT - ACCELA, INC. FOR SOFTWARE MAINTENANCE AND SUPPORT

City Council will consider a request to approve the first amendment to the agreement with Accela, Inc., to extend maintenance and support services for the software system used to administer the City's development review processes for a total maximum aggregate amount of \$326,451.57 over five years and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. LEASE AGREEMENT WITH ANDERSON INSTITUTE OF MUSIC AND PERFORMING ARTS

City Council will consider a request to approve a Lease Agreement with Anderson Institute of Music and Performing Arts, LLC and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

k. RESOLUTION 3096-313 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY EMERGENCY MANAGEMENT

City Council will consider a Resolution approving an Intergovernmental Agreement with Maricopa County for Regional Emergency Operations Management and Disaster Services and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

4 PUBLIC HEARING - CONDITIONAL USE PERMIT - MONEY MART (#PL-12-0213)

City Council will hold a public hearing and consider a request by Ms. Kim Love-McLendon for approval of a Conditional Use Permit for Money Mart located at 13045 W Rancho Santa Fe Blvd. to allow the existing non-chartered financial institution to purchase and pawn jewelry, gold, and other precious metals. The Council will take appropriate action.

5 PUBLIC HEARING - CONDITIONAL USE PERMIT FOR MONOPALM PWSF ON UTI CAMPUS (PL-12-0203)

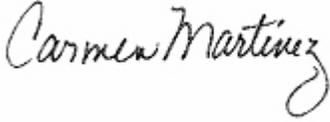
City Council will hold a public hearing and consider a request by Mr. Reg Destree, Reliant Land Services on behalf of Verizon Wireless, to approve a Conditional Use Permit allowing for construction of a 65' freestanding PWSF (Personal Wireless Service Facility) monopalm in the Griffith Planned Area Development Zoning District, on the campus of Universal Technical Institute. The property is located at the southeast corner of 107th Avenue and Pierce Street. The Council will take appropriate action.

6 RESOLUTION 3095-313 - ADOPTING THE SMALL BUSINESS PILOT LENDING PROGRAM POLICIES AND PROCEDURES

City Council will consider a resolution adopting the policies and procedures for the Small Business Pilot Lending Program designed to give small businesses in Historic Avondale access to an alternative source of small financing. The Council will take appropriate action.

7 ADJOURNMENT

Respectfully submitted,



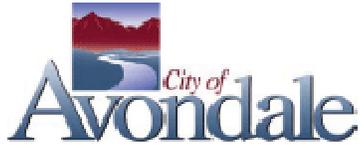
Carmen Martinez
City Clerk

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:
March 18, 2013

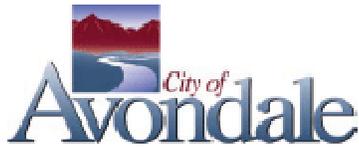
TO: Mayor and Council
FROM: Carmen Martinez, City Clerk (623) 333-1214
THROUGH: Charlie McClendon, City Manager

PURPOSE:
Regular Meeting of March 4, 2013

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY COUNCIL REPORT

SUBJECT:
Rescheduling of City Council Meeting

MEETING DATE:
March 18, 2013

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 to reschedule the regularly scheduled City Council meeting of April 15, 2013 from 7:00 pm to 6:00 pm in order to allow ample time for the presentation and discussion of the proposed 2013-2014 operating budget.

BACKGROUND:

The Council Rules of Procedure state that any change in time and place of a regularly scheduled meeting shall be approved by the City Council and a notice shall be published in the newspaper of general circulation within the City of Avondale.

DISCUSSION:

The proposed operating budget for the City is usually presented to the City Council in April during a work session on the second Monday of the month.

Scheduling conflicts will not allow for staff to follow that schedule this year, so staff is proposing to make said presentation during the regular council meeting of April 15, 2013. However, in order to allow for ample time for presentation and discussion of the proposed budget, staff is proposing to start the meeting at 6:00 pm instead of 7:00 pm.

If approved by Council, a notice of the time change for the meeting of April 15th will be published in the West Valley View on April 8, 2013.

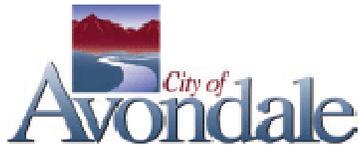
RECOMMENDATION:

Staff is recommending approval of a request to reschedule the City Council meeting of April 15, 2013 from 7:00 pm to 6:00 pm in order to allow ample time for the presentation and discussion of the proposed 2013-2014 operating budget.

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY COUNCIL REPORT

SUBJECT:
Special Event Liquor Licenses - Raceway Elks -
Fundraising Events

MEETING DATE:
March 18, 2013

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

PURPOSE:

Staff is recommending approval of three special event liquor license applications submitted by Mr. William Veith on behalf of the Raceway Elks #2852 to be used in conjunction with fundraising events on April 13, April 14 and April 20, 2013 at the Masonic Temple located at 1015 North 8th Street in Avondale.

DISCUSSION:

The City Clerk's Department has received three special event liquor license applications from Mr. William Veith, on behalf of the Raceway Elks #2852, to be used in conjunction with the following charitable fundraiser events to be held at the Masonic Temple located at 1015 North 8th Street in Avondale, AZ.

April 13, 2013	Officers' Ball Charitable Fundraiser	2:00 to 11:00 PM
April 14, 2013	Officers' Lunch Meeting Fundraiser	12:00 to 5:00 PM
April 20, 2013	Appreciation Night Fundraiser	5:00 to 11:00 PM

The required fees have been paid. Staff has determined that the applicant is not requesting any city support other than normal city services. The Police and Fire Departments have reviewed the applications and are recommending approval. Their comments are attached.

Staff reviewed the applications using the 14 factors set forth in Ordinance 1031-04. The findings are as noted below:

1. The event will be restricted to members only
2. Criminal history of the applicant - A background check of the representative, Mr. William Veith, revealed no contact with the Avondale Police Department
3. The event is a charitable fundraiser
4. Security measures taken by the applicant - The Police Department has reviewed the security plan and determined it to be sufficient
5. All spirituous liquors will be served
6. Beverages will be dispensed in disposable cups and cans
7. There were no neighborhood disturbances associated with the most recent event held on January 26, 2013
8. Event activities will be confined to the Masonic Temple so there is no potential for problems in the neighborhood in terms of noise, hours and time of the event
9. The April 13th event will last nine hours, the April 14th event will last five hours and the April 20th event will last six hours

10. Sanitary facilities are available at the temple
11. Zoning is C-2 Community Commercial and Development Services staff has indicated that the proposed use will not result in incompatible land uses
12. Anticipated total daily attendance is 80 people at each one of the events
13. A disc jockey will use his own sound amplification system at the April 13th event. The April 14th and April 20th events will not feature any music
14. Per the Police Department, traffic control measures will not be necessary

RECOMMENDATION:

Staff is recommending approval of three special event liquor license applications submitted by Mr. William Veith on behalf of the Raceway Elks #2852 to be used in conjunction with fundraising events on April 13, April 14 and April 20, 2013 at the Masonic Temple located at 1015 North 8th Street in Avondale.

ATTACHMENTS:

Click to download

- [State Application - 4/13/13 event](#)
- [Review by Departments - 4/13/13 event](#)
- [State Application - 4/14/13 event](#)
- [Review by Departments - 4/14/13 event](#)
- [State Application - 4/20/13 event](#)
- [Review by Departments - 4/20/13](#)

10. Has the applicant been convicted of a felony in the past five years, or had a liquor license revoked?

YES NO (attach explanation if yes)

11. This organization has been issued a special event license for 2 days this year, including this event (not to exceed 10 days per year).

12. Is the organization using the services of a promoter or other person to manage the event? YES NO
If yes, attach a copy of the agreement.

13. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds.
THE ORGANIZATION APPLYING MUST RECEIVE 25% OF THE GROSS REVENUES OF THE SPECIAL EVENT LIQUOR SALES.

Name RACEWAY ELKS #2852 100%
Percentage

Address 1015 N. 8th PL AVONDALE, AZ 85323

Name _____ Percentage

Address _____
(Attach additional sheet if necessary)

14. Knowledge of Arizona State Liquor Laws Title 4 is important to prevent liquor law violations. If you have any questions regarding the law or this application, please contact the Arizona State Department of Liquor Licenses and Control for assistance.

NOTE: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT PREMISES."

15. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

____ # Police Fencing
____ # Security personnel Barriers

THE BUILDING IS ENCLOSED WITH A CHAIN LINK FENCE WITH AN ENTRANCE + EXIT THROUGH A GATE. THE OFFICERS WILL CHECK MEMBERSHIP CARDS AT THE GATE/DOOR SINCE ONLY MEMBERS WILL ATTEND

16. Is there an existing liquor license at the location where the special event is being held? YES NO

If yes, does the existing business agree to suspend their liquor license during the time period, and in the area in which the special event license will be in use? YES NO

(ATTACH COPY OF AGREEMENT)

Name of Business () Phone Number

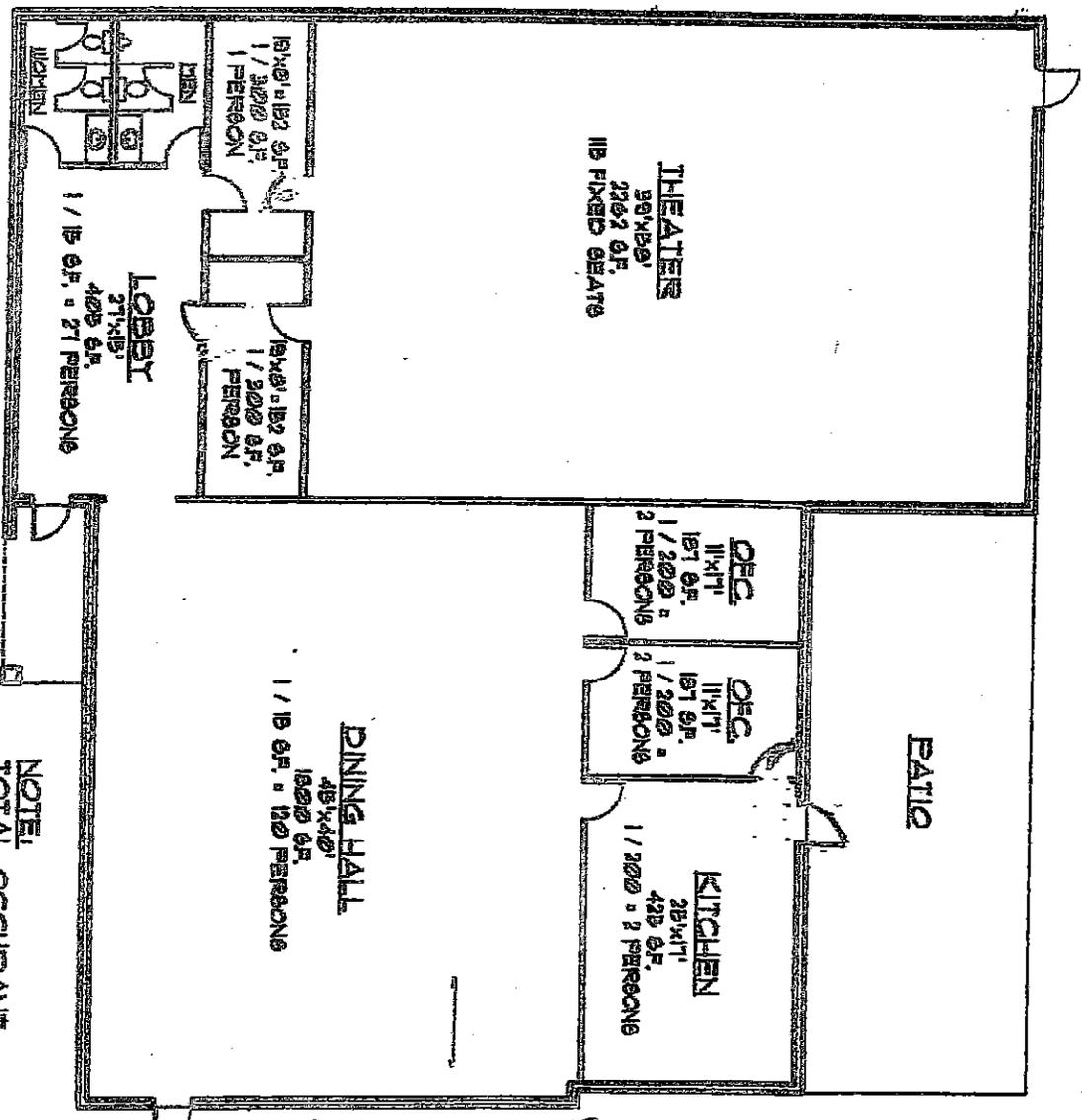
17. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

SPECIAL EVENT LICENSED PREMISES DIAGRAM
 (This diagram must be completed with this application)

Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)
 NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.

N

CHAIN LINK FENCE



FENCE

DDCA

DUNCAN-COOR ARCHITECTS, LLC
 3723 W BARNES LANE PHOENIX, AZ 85051

Direct: 602.841.1984
 Cell: 602.478.3378
 Fax: 602.841.7517

Bill Duncan
 Principal
 Project Manager



FLOOR PLAN

N.T.S.

NOTE:
 TOTAL OCCUPANT
 LOAD = 270

ADDRESS:
 1015 N. 51st ST.
 AVONDALE, AZ 85323

THIS SECTION TO BE COMPLETED ONLY BY AN OFFICER, DIRECTOR OR CHAIRPERSON OF THE ORGANIZATION NAMED IN QUESTION #1

18. I, DAVID A. ELIA, declare that I am an Officer/Director/Chairperson appointing the applicant listed in Question 6, to apply on behalf of the foregoing organization for a Special Event Liquor License.

x David A. Elia CHAIRPERSON 11-8-12
(Print full name) (Title/Position) (Date) (Phone #)
State of ARIZONA County of NAVJO
The foregoing instrument was acknowledged before me this 8th November 2012
Day Month Year
My Commission expires on: 9/21/2014
(Date) Dee M. Murray
(Signature of NOTARY PUBLIC)

THIS SECTION TO BE COMPLETED ONLY BY THE APPLICANT NAMED IN QUESTION #6

19. I, WILLIAM B. VEITH, declare that I am the APPLICANT filing this application as listed in Question 6. I have read the application and the contents and all statements are true, correct and complete.

William B. Veith
Notary Public - Arizona
Maricopa County
My Commission Expires
September 21, 2014
My commission expires on: 9/21/2014
(Date)
State of ARIZONA County of NAVJO
The foregoing instrument was acknowledged before me this 8th November 2012
Day Month Year
Dee M. Murray
(Signature of NOTARY PUBLIC)

You must obtain local government approval. City or County MUST recommend event & complete item #20. The local city or county jurisdiction may require additional applications to be completed and additional licensing fees before approval may be granted.

LOCAL GOVERNING BODY APPROVAL SECTION

20. I, _____ hereby recommend this special event application
(Government Official) (Title)
on behalf of _____
(City, Town or County) (Signature of OFFICIAL) (Date)

FOR DLLC DEPARTMENT USE ONLY

Department Comment Section:

(Employee) (Date)

APPROVED DISAPPROVED BY: _____
(Title) (Date)



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

- POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

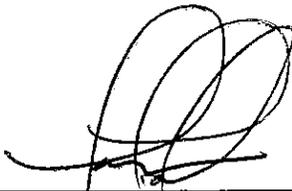
CITY: AVONDALE **STATE:** AZ **ZIP CODE:** 85323

PURPOSE OF EVENT: OFFICERS BALL- FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



SIGNATURE
Chief of Police

TITLE

3/23/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB.28, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: OFFICERS BALL- FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

Jesse G. Gomez
SIGNATURE

2/25/13
DATE

Fire Inspector
TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB.28, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: OFFICERS BALL- FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

Jennifer Foster

SIGNATURE
Zoning Specialist

TITLE

2/27/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB.28, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: OFFICERS BALL- FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

Paul Whitcomb

SIGNATURE

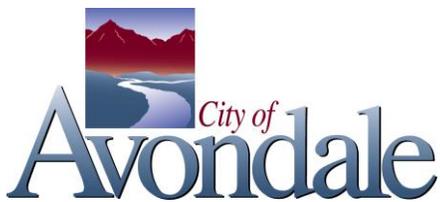
Building Official

TITLE

2/26/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB.28, 2013



DEVELOPMENT SERVICES

MEMORANDUM

DATE: February 27, 2013

TO: Carmen Martinez, City Clerk

PREPARED BY: Jennifer Fostino, Zoning Specialist 623-333-4022

SUBJECT: Raceway Elks – Officers Ball Fundraiser
Series 15 Liquor License – Special Event Liquor License
1015 N 8th St

The site is located on the northeast corner of 8th Street and Jackson Street. The building is existing.

A Series 15 Liquor License is exempt from the 300 foot separation requirement from a church, school, or fenced school recreational area.

The General Plan designates the property as Commercial. The site is currently zoned Community Commercial (C-2). A social/private club is permitted with conditions within the C-2 zoning district.

Staff recommends approval of this request.

Attachment: 2012 Aerial Photography
Zoning Vicinity Map

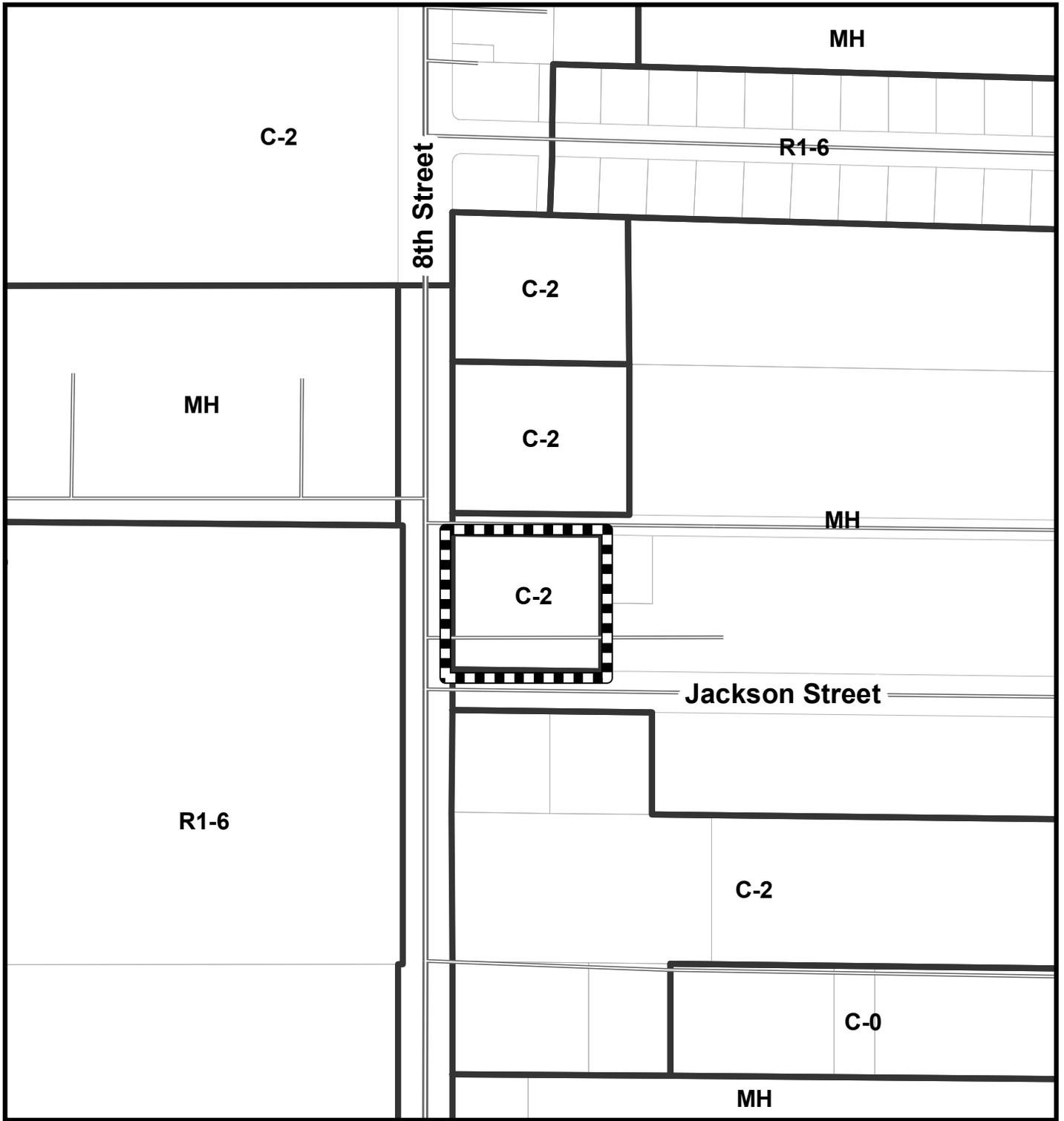


2012 AERIAL MAP



Subject Property



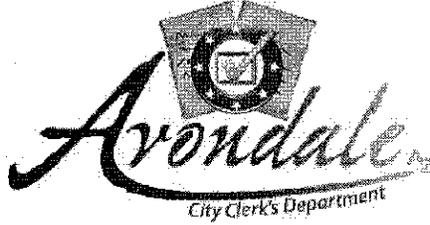


Zoning Vicinity Map



Subject Property





DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

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

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: OFFICERS BALL- FUND RAISER

DEPARTMENTAL COMMENTS:

- APPROVED
- DENIED



SIGNATURE

2/25/13
DATE

Tax Audit Supervisor

TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB.28, 2013**

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

APPLICATION FOR SPECIAL EVENT LICENSE

Fee = \$25.00 per day for 1-10 day events only
A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

NOTE: THIS DOCUMENT MUST BE FULLY COMPLETED OR IT WILL BE RETURNED.
PLEASE ALLOW 10 BUSINESS DAYS FOR PROCESSING.

**Application must be approved by local government before submission to Department of Liquor Licenses and Control. (Section #20)

DLLC USE ONLY
LICENSE #

1. Name of Organization: RALEWAY ELKS #2852

2. Non-Profit/I.R.S. Tax Exempt Number: 80-01329241

3. The organization is a: (check one box only)

- Charitable
- Fraternal (must have regular membership and in existence for over 5 years)
- Civic
- Religious
- Political Party, Ballot Measure, or Campaign Committee

4. What is the purpose of this event? on-site consumption off-site consumption (auction) both

OFFICERS LUNCH MEETING FUND RAISER

5. Location of the event: 1015 N. 8th PL AVONDALE, AZ MARICOPA 85323
Address of physical location (Not P.O. Box) City County Zip

Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Question #1. (Signature required in section #18)

6. Applicant: VEITH WILLIAM B.
Last First Middle Date of Birth

7. Applicant's Mailing Address: _____
Street City State Zip

8. Phone Numbers: () _____
Site Owner # Applicant's Business # Applicant's Home #

623 2547 2852

9. Date(s) & Hours of Event: (Remember: you cannot sell alcohol before 10:00 a.m. on Sunday)

	Date	Day of Week	Hours from A.M./P.M.	To A.M./P.M.
Day 1:	<u>4.14.13</u>	<u>SUNDAY</u>	<u>12:00 pm</u>	<u>5:00 pm</u>
Day 2:	_____	_____	_____	_____
Day 3:	_____	_____	_____	_____
Day 4:	_____	_____	_____	_____
Day 5:	_____	_____	_____	_____
Day 6:	_____	_____	_____	_____
Day 7:	_____	_____	_____	_____
Day 8:	_____	_____	_____	_____
Day 9:	_____	_____	_____	_____
Day 10:	_____	_____	_____	_____

*Disabled individuals requiring special accommodations, please call (602) 542-9027

10. Has the applicant been convicted of a felony in the past five years, or had a liquor license revoked?

YES NO (attach explanation if yes)

11. This organization has been issued a special event license for 3 days this year, including this event (not to exceed 10 days per year).

12. Is the organization using the services of a promoter or other person to manage the event? YES NO
If yes, attach a copy of the agreement.

13. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds.
THE ORGANIZATION APPLYING MUST RECEIVE 25% OF THE GROSS REVENUES OF THE SPECIAL EVENT LIQUOR SALES.

Name RACEWAY ELKS #2852 100%
Percentage

Address 1015 N. 8th PL AVONDALE, AZ. 85323

Name _____ Percentage

Address _____

(Attach additional sheet if necessary)

14. Knowledge of Arizona State Liquor Laws Title 4 is important to prevent liquor law violations. If you have any questions regarding the law or this application, please contact the Arizona State Department of Liquor Licenses and Control for assistance.

NOTE: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT PREMISES."

15. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police Fencing
_____ # Security personnel Barriers

THE BUILDING IS ENCLOSED WITH A CHAIN LINK FENCE WITH AN ENTRANCE + EXIT THROUGH A GATE. THE OFFICERS WILL CHECK MEMBERSHIP CARDS AT THE GATE / DOOR SINCE ONLY MEMBERS WILL ATTEND

16. Is there an existing liquor license at the location where the special event is being held? YES NO
If yes, does the existing business agree to suspend their liquor license during the time period, and in the area in which the special event license will be in use? YES NO

(ATTACH COPY OF AGREEMENT)

Name of Business () Phone Number

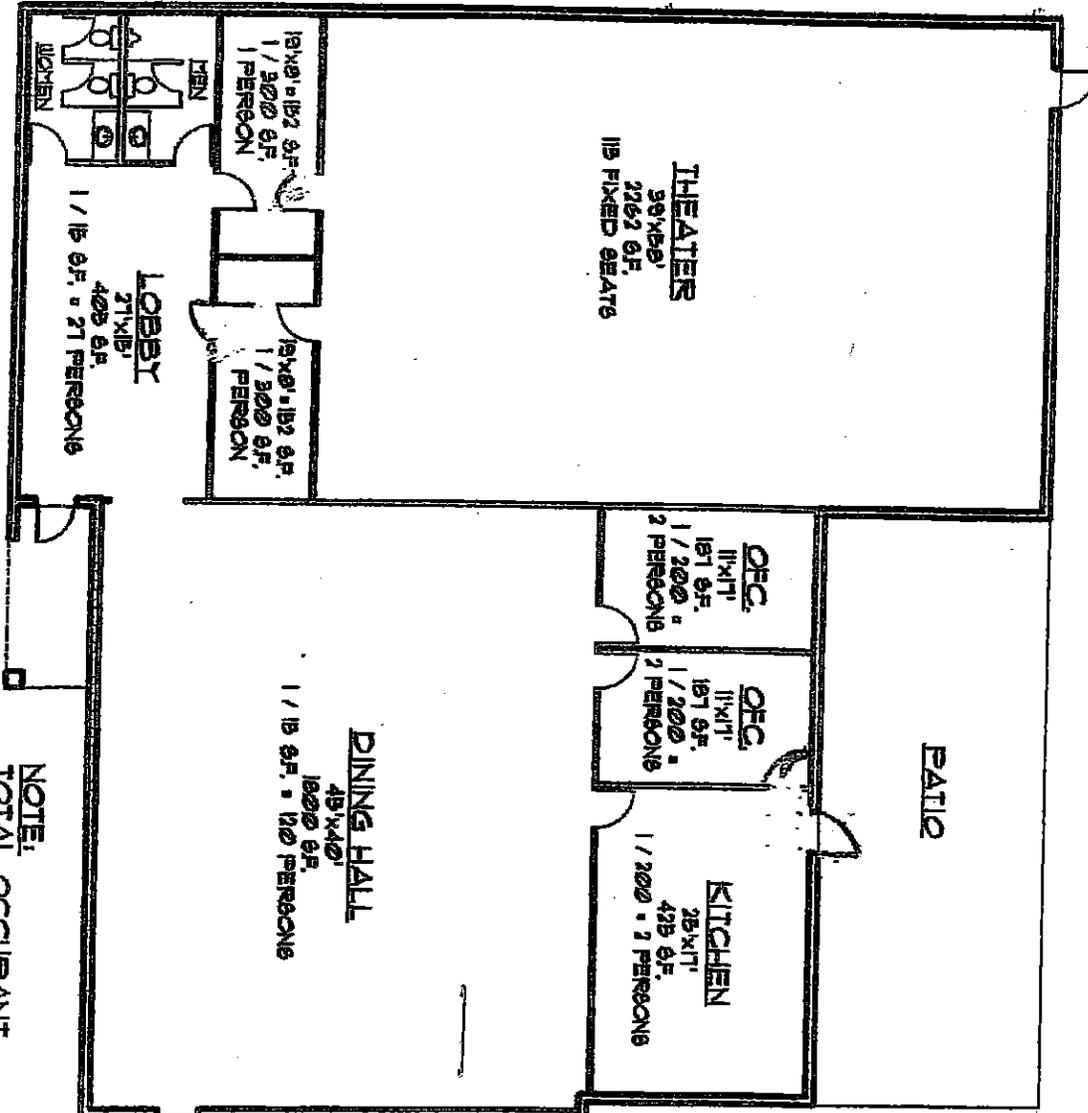
17. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

SPECIAL EVENT LICENSED PREMISES DIAGRAM
 (This diagram must be completed with this application)

Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)
 NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.

N

CHAIN LINK FENCE



NOTE:
 TOTAL OCCUPANT
 LOAD = 210

DCCA

Bill Duncan
 Principal
 Project Manager



FLOOR PLAN

N.T.S.

DUNCAN-COOR ARCHITECTS, LLC
 3723 W BARNES LANE PHOENIX, AZ 85051
 Direct: 602.841.1284
 Cell: 602.478.3378
 Fax: 602.841.7517

ADDRESS:
 1015 N. 54th ST.
 AVONDALE, AZ 85323

THIS SECTION TO BE COMPLETED ONLY BY AN OFFICER, DIRECTOR OR CHAIRPERSON OF THE ORGANIZATION NAMED IN QUESTION #1

18. I, DAVID A. ELIA, declare that I am an Officer/Director/Chairperson appointing the applicant listed in Question 6, to apply on behalf of the foregoing organization for a Special Event Liquor License.

x David A. Elia CHAIRPERSON 11-8-12
 (Print full name) (Title/Position) (Date) (Phone #)
 State of ARIZONA County of Maricopa
 The foregoing instrument was acknowledged before me this
8th November 2012
 Day Month Year
 My Commission expires on: 9/21/2014 (Date)
Diane M. Hernandez (Signature of NOTARY PUBLIC)

THIS SECTION TO BE COMPLETED ONLY BY THE APPLICANT NAMED IN QUESTION #6

19. I, William B. Veith, declare that I am the APPLICANT filing this application as listed in Question 6. I have read the application and the contents and all statements are true, correct and complete.

William B. Veith
 Notary Public - Arizona
 Maricopa County
 My Commission Expires
 September 21, 2014
 My commission expires on: 9/21/2014 (Date)
 State of ARIZONA County of Maricopa
 The foregoing instrument was acknowledged before me this
8th November 2012
 Day Month Year
Diane M. Hernandez (Signature of NOTARY PUBLIC)

You must obtain local government approval. City or County MUST recommend event & complete item #20. The local city or county jurisdiction may require additional applications to be completed and additional licensing fees before approval may be granted.

LOCAL GOVERNING BODY APPROVAL SECTION

20. I, _____ hereby recommend this special event application
 (Government Official) (Title)
 on behalf of _____
 (City, Town or County) (Signature of OFFICIAL) (Date)

FOR DLLC DEPARTMENT USE ONLY

Department Comment Section:

 (Employee) (Date)

APPROVED DISAPPROVED BY: _____

 (Title) (Date)



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

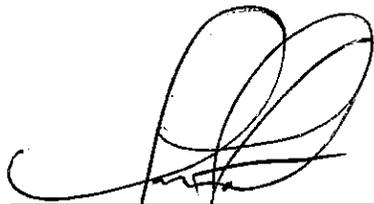
CITY: AVONDALE **STATE:** AZ **ZIP CODE:** 85323

PURPOSE OF EVENT: BUSINESS MEETING FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



SIGNATURE
Chief of Police

TITLE

3/29/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB. 28, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: BUSINESS MEETING FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

June Y. Gomez
SIGNATURE

2/25/13
DATE

FIRE INSPECTOR
TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB.28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: BUSINESS MEETING FUND RAISER

DEPARTMENTAL COMMENTS:

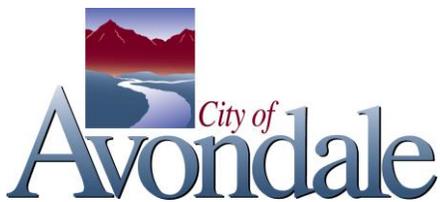
APPROVED

DENIED

William Forth
SIGNATURE
Zoning Specialist
TITLE

2/27/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEVELOPMENT SERVICES

MEMORANDUM

DATE: February 27, 2013

TO: Carmen Martinez, City Clerk

PREPARED BY: Jennifer Fostino, Zoning Specialist 623-333-4022

SUBJECT: Raceway Elks – Business Meeting Fundraiser
Series 15 Liquor License – Special Event Liquor License
1015 N 8th St

The site is located on the northeast corner of 8th Street and Jackson Street. The building is existing.

A Series 15 Liquor License is exempt from the 300 foot separation requirement from a church, school, or fenced school recreational area.

The General Plan designates the property as Commercial. The site is currently zoned Community Commercial (C-2). A social/private club is permitted with conditions within the C-2 zoning district.

Staff recommends approval of this request.

Attachment: 2012 Aerial Photography
Zoning Vicinity Map

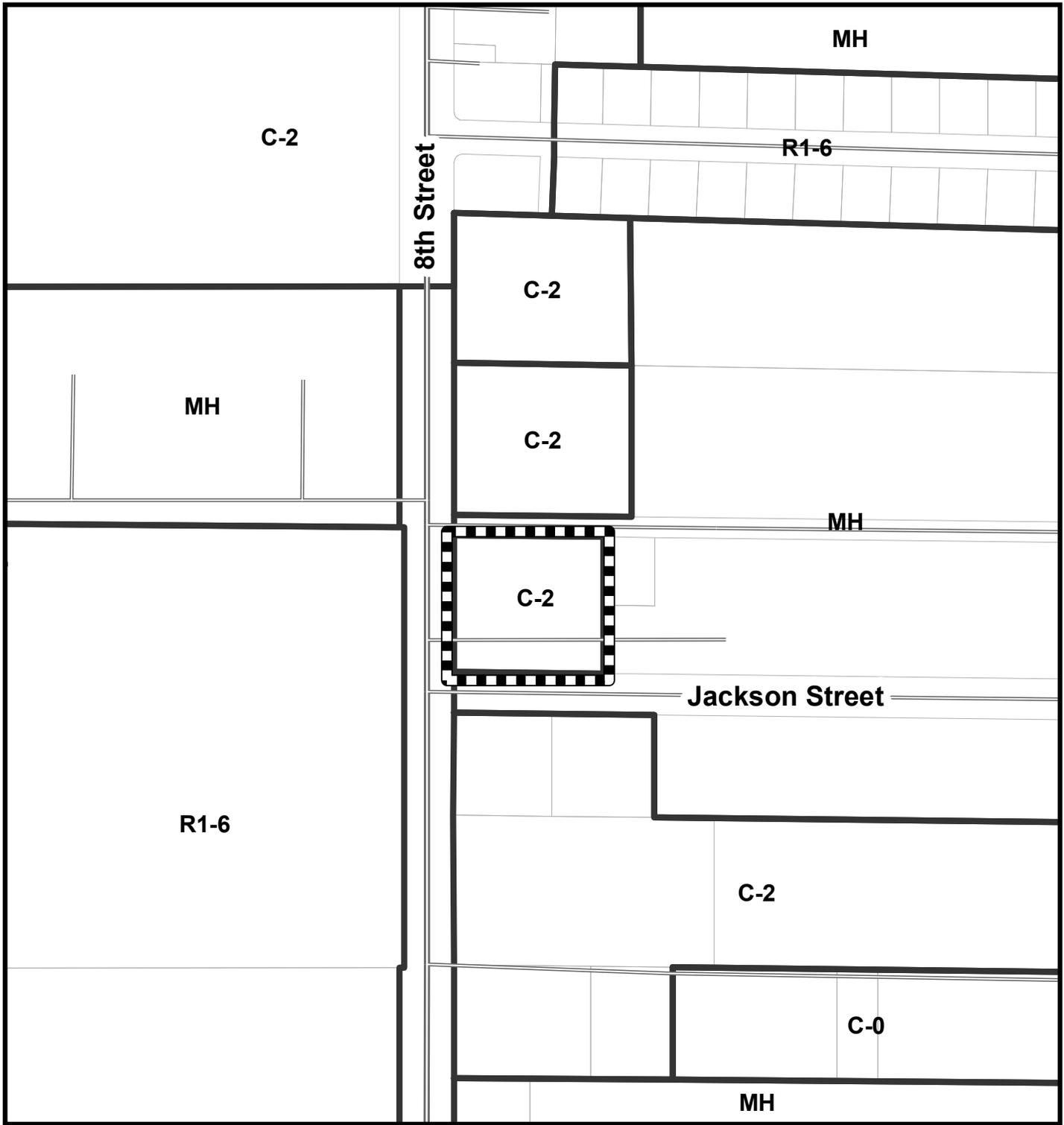


2012 AERIAL MAP



Subject Property





Zoning Vicinity Map



Subject Property





DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: BUSINESS MEETING FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

SIGNATURE

Building Official

TITLE

2-26-13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013

PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB.28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

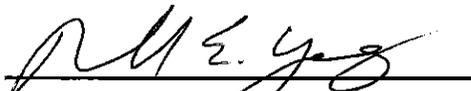
CITY: AVONDALE **STATE:** AZ **ZIP CODE:** 85323

PURPOSE OF EVENT: BUSINESS MEETING FUND RAISER

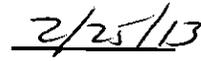
DEPARTMENTAL COMMENTS:

APPROVED

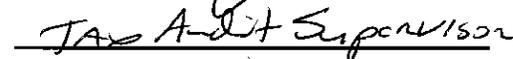
DENIED



SIGNATURE



DATE



TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

APPLICATION FOR SPECIAL EVENT LICENSE

Fee = \$25.00 per day for 1-10 day events only
A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

NOTE: THIS DOCUMENT MUST BE FULLY COMPLETED OR IT WILL BE RETURNED.
PLEASE ALLOW 10 BUSINESS DAYS FOR PROCESSING.

**Application must be approved by local government before submission to Department of Liquor Licenses and Control. (Section #20)

DLLC USE ONLY
LICENSE #

1. Name of Organization: RACEWAY ELKS #2852
2. Non-Profit/I.R.S. Tax Exempt Number: 80-01329241
3. The organization is a: (check one box only)

- Charitable Fraternal (must have regular membership and in existence for over 5 years)
- Civic Religious Political Party, Ballot Measure, or Campaign Committee

4. What is the purpose of this event? on-site consumption off-site consumption (auction) both

APPRECIATION NIGHT FUND RAISER

5. Location of the event: 1015 N. 8th PL AVONDALE, AZ MARICOPA 85323
- Address of physical location (Not P.O. Box) City County Zip

Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Question #1. (Signature required in section #18)

6. Applicant: VEITH WILLIAM B _____
- Last First Middle Date of Birth

7. Applicant's Mailing Address: _____
- Street City State Zip

8. Phone Numbers: () _____ 623.547.2852 _____
- Site Owner # Applicant's Business # Applicant's Home #

9. Date(s) & Hours of Event: (Remember: you cannot sell alcohol before 10:00 a.m. on Sunday)

	Date	Day of Week	Hours from A.M./P.M.	To A.M./P.M.
Day 1:	<u>4.20.13</u>	<u>SATURDAY</u>	<u>5:00 pm</u>	<u>11:00 pm</u>
Day 2:	_____	_____	_____	_____
Day 3:	_____	_____	_____	_____
Day 4:	_____	_____	_____	_____
Day 5:	_____	_____	_____	_____
Day 6:	_____	_____	_____	_____
Day 7:	_____	_____	_____	_____
Day 8:	_____	_____	_____	_____
Day 9:	_____	_____	_____	_____
Day 10:	_____	_____	_____	_____

*Disabled individuals requiring special accommodations, please call (602) 542-9027

10. Has the applicant been convicted of a felony in the past five years, or had a liquor license revoked?
 YES NO (attach explanation if yes)
11. This organization has been issued a special event license for 4 days this year, including this event
(not to exceed 10 days per year).
12. Is the organization using the services of a promoter or other person to manage the event? YES NO
If yes, attach a copy of the agreement.
13. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds.
THE ORGANIZATION APPLYING MUST RECEIVE 25% of the gross revenues of Alcoholic Beverage Sales.

Name	Address	Percentage
RACEWAY ELKS	1015 N. 8 th PL AVONDALE, AZ 85323	100%

(Attach additional sheet if necessary)

14. Knowledge of Arizona State Liquor Laws Title 4 is important to prevent liquor law violations. If you have any questions regarding the law or this application, please contact the Arizona State Department of Liquor Licenses and Control for assistance.

NOTE: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT PREMISES."

15. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

Police Fencing
 # Security personnel Barriers

THE BUILDING IS ENCLOSED WITH A CHAIN LINK FENCE WITH AN ENTRANCE + EXIT THROUGH A GATE. IT WILL BE MANNED BY OFFICER OF THE ELKS

16. Is there an existing liquor license at the location where the special event is being held? YES NO
If yes, does the existing business agree to suspend their liquor license during the time period, and in the area in which the special event license will be in use? YES NO
(ATTACH COPY OF AGREEMENT)

Name of Business () Phone Number

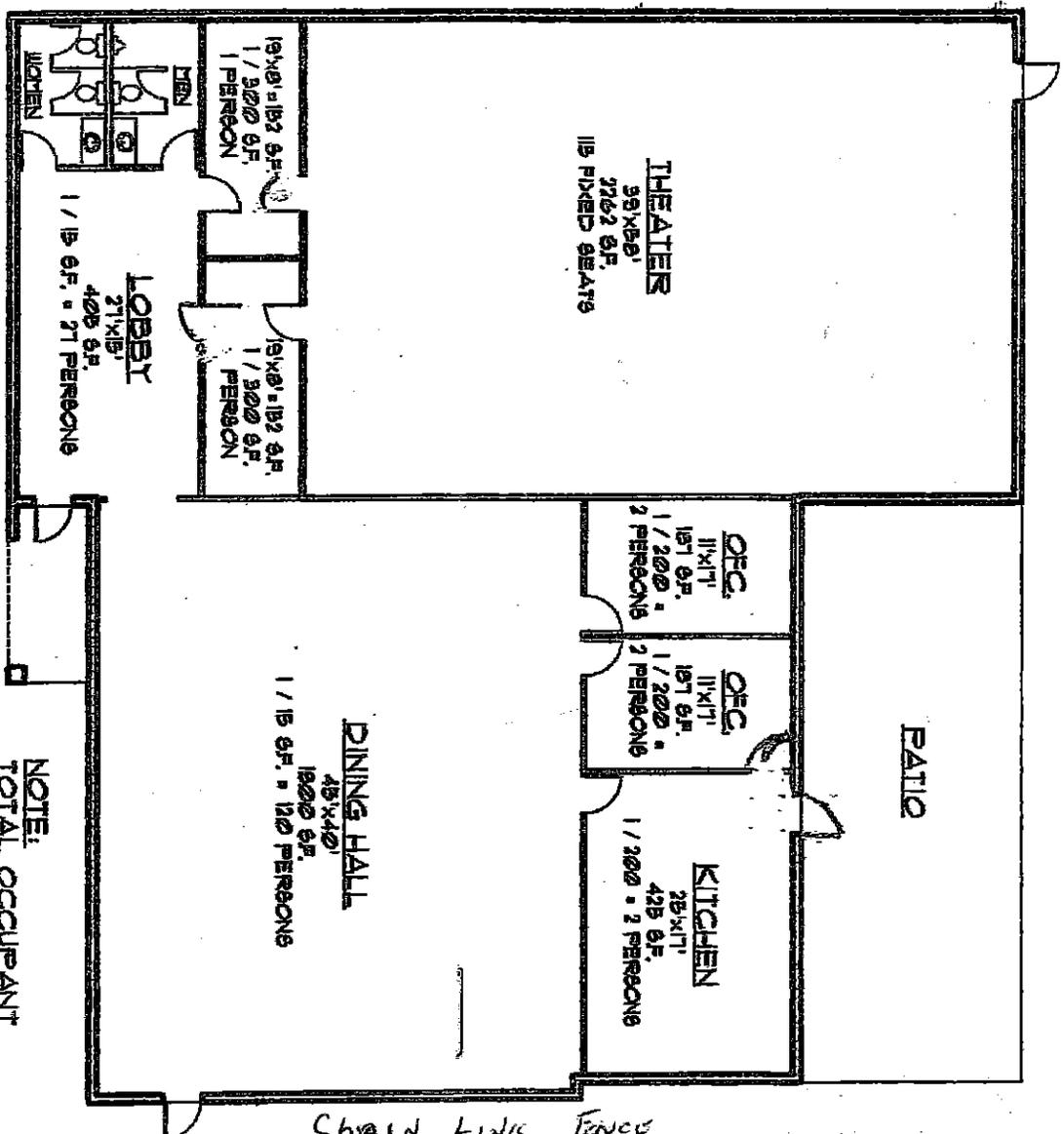
17. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

SPECIAL EVENT LICENSED PREMISES DIAGRAM
 (This diagram must be completed with this application)

Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)
 NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.

N

CHAIN LINK FENCE



FENCE

CHAIN LINK FENCE

NOTE:
 TOTAL OCCUPANT
 LOAD = 270

DCCA
 DUNCAN-COOR ARCHITECTS, LLC
 3723 W BARNES LANE PHOENIX, AZ 85051
 Bill Duncan
 Principal
 Project Manager
 Direct: 602.841.1284
 Cell: 602.478.3378
 Fax: 602.841.7517
 BDuncan@DuncanCoorArchitects.Com



FLOOR PLAN

NTS.

ADDRESS:
 1015 N. 84th ST.
 AVONDALE, AZ 85323

THIS SECTION TO BE COMPLETED ONLY BY AN OFFICER, DIRECTOR OR CHAIRPERSON OF THE ORGANIZATION NAMED IN QUESTION #1

18. I, DAVID A. ELIA, declare that I am an Officer/Director/Chairperson appointing the applicant listed in Question 6, to apply on behalf of the foregoing organization for a Special Event Liquor License.

x Wanda A. Pina CHAIRPERSON 11-8-12
 (Print full name) (Title/Position) (Date) (Phone #)
 State of ARIZONA County of Maricopa
 The foregoing instrument was acknowledged before me this
8th November 2012
 Day Month Year
 My Commission expires on: 9/21/2014
 (Date) Dee M. Hernandez
 (Signature of NOTARY PUBLIC)

THIS SECTION TO BE COMPLETED ONLY BY THE APPLICANT NAMED IN QUESTION #6

19. I, William B. Veith, declare that I am the APPLICANT filing this application as listed in Question 6. I have read the application and the contents and all statements are true, correct and complete.

William B. Veith
 (Print full name)
 State of ARIZONA County of Maricopa
 The foregoing instrument was acknowledged before me this
8th November 2012
 Day Month Year
 My Commission expires on: 9/21/2014
 (Date) Dee M. Hernandez
 (Signature of NOTARY PUBLIC)

You must obtain local government approval. City or County MUST recommend event & complete item #20. The local city or county jurisdiction may require additional applications to be completed and additional licensing fees before approval may be granted.

LOCAL GOVERNING BODY APPROVAL SECTION

20. I, _____ hereby recommend this special event application
 (Government Official) (Title)
 on behalf of _____
 (City, Town or County) (Signature of OFFICIAL) (Date)

FOR DLLC DEPARTMENT USE ONLY

Department Comment Section:

 (Employee) (Date)

APPROVED DISAPPROVED BY: _____

 (Title) (Date)



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

- POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

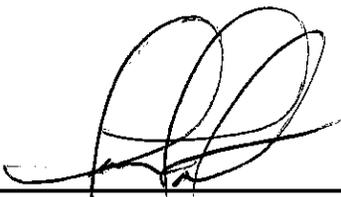
EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: APPRECIATION NIGHT FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED



SIGNATURE
Chief of Police

TITLE

3/25/17

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB.28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: APPRECIATION NIGHT FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

Jose Y. Gomez

SIGNATURE

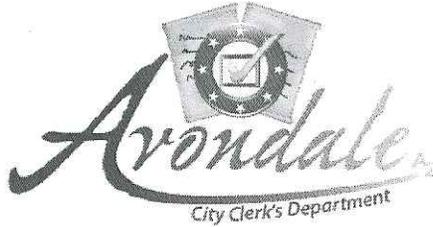
2/25/13

DATE

Fire Inspector

TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB. 28, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: APPRECIATION NIGHT FUND RAISER

DEPARTMENTAL COMMENTS:

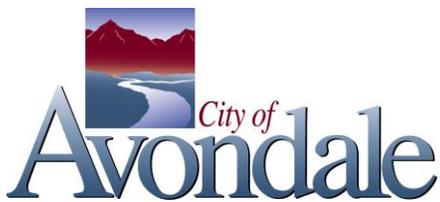
APPROVED

DENIED

Jonny Fastino
SIGNATURE
Zoning Specialist
TITLE

2/27/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEVELOPMENT SERVICES

MEMORANDUM

DATE: February 27, 2013

TO: Carmen Martinez, City Clerk

PREPARED BY: Jennifer Fostino, Zoning Specialist 623-333-4022

SUBJECT: Raceway Elks – Appreciation Nigh Fundraiser
Series 15 Liquor License – Special Event Liquor License
1015 N 8th St

The site is located on the northeast corner of 8th Street and Jackson Street. The building is existing.

A Series 15 Liquor License is exempt from the 300 foot separation requirement from a church, school, or fenced school recreational area.

The General Plan designates the property as Commercial. The site is currently zoned Community Commercial (C-2). A social/private club is permitted with conditions within the C-2 zoning district.

Staff recommends approval of this request.

Attachment: 2012 Aerial Photography
Zoning Vicinity Map

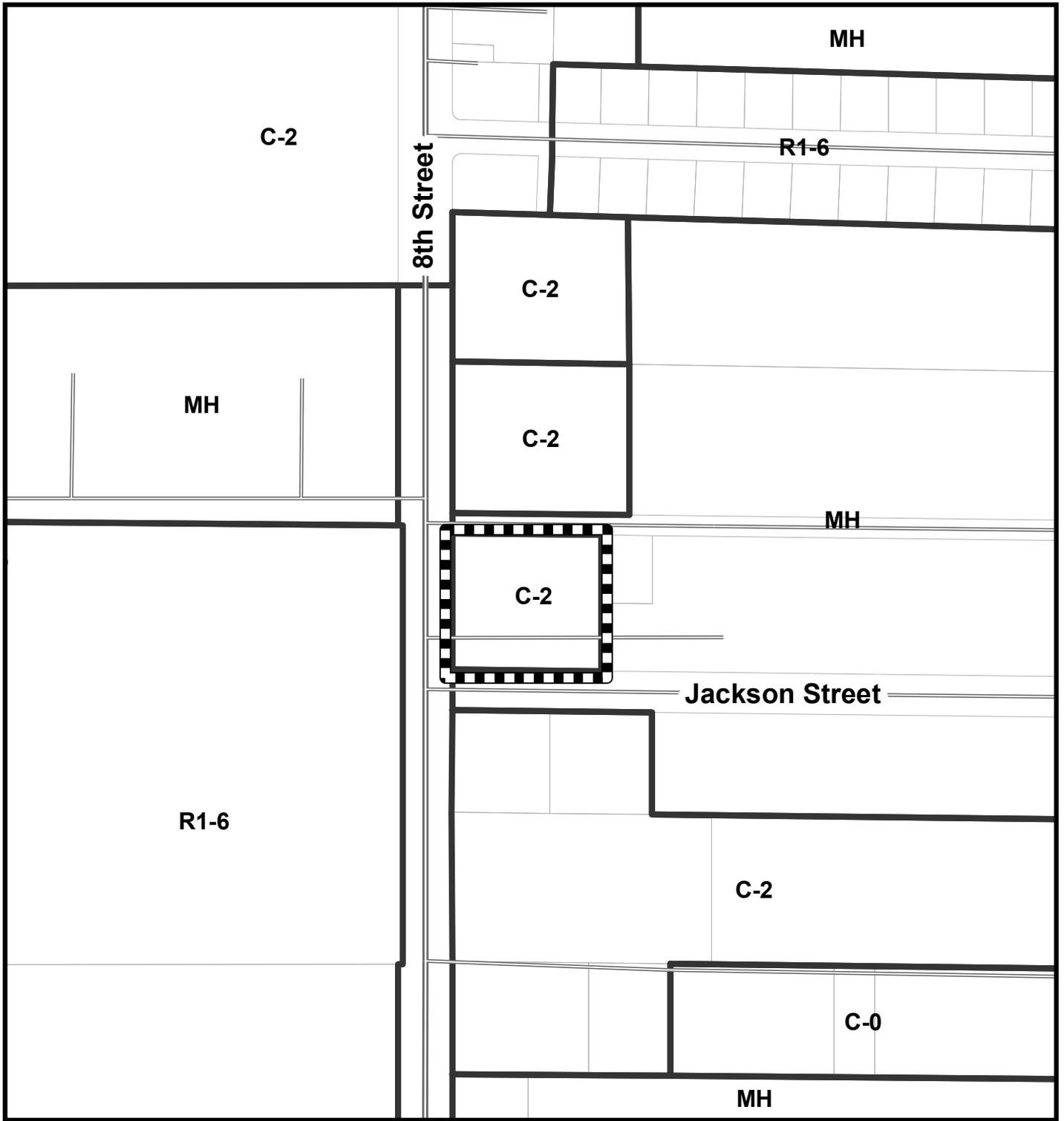


2012 AERIAL MAP



Subject Property





Zoning Vicinity Map



Subject Property





DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

EVENT ADDRESS: 1015 N. 8TH STREET

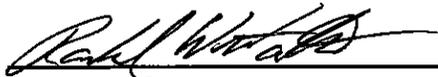
CITY: AVONDALE **STATE:** AZ **ZIP CODE:** 85323

PURPOSE OF EVENT: APPRECIATION NIGHT FUND RAISER

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



SIGNATURE

Building Official

TITLE

2/24/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SPECIAL EVENT LIQUOR LICENSE

ROUTING:

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

APPLICANT'S NAME: WILLIAM B. VEITH

ORGANIZATIONS NAME: RACEWAY ELKS LODGE #2852

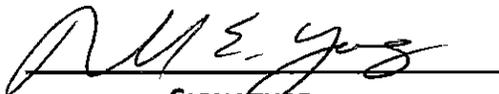
EVENT ADDRESS: 1015 N. 8TH STREET

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

PURPOSE OF EVENT: APPRECIATION NIGHT FUND RAISER

DEPARTMENTAL COMMENTS:

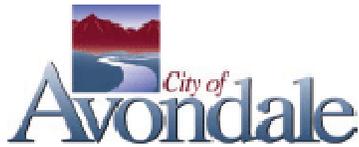
- APPROVED
- DENIED


SIGNATURE

2/25/13
DATE

Tax Audit Supervisor
TITLE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB.28, 2013



CITY COUNCIL REPORT

SUBJECT:

Liquor License Series 7 (Beer and Wine Bar) –
Club Santa Fe

MEETING DATE:

March 18, 2013

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

PURPOSE:

Staff is recommending approval of an application submitted by Mr. Samuel Rodriguez Contreras for a Series 7 Beer and Wine Bar license at Club Santa Fe located at 10907 W Buckeye Road in Cashion.

DISCUSSION:

The City Clerk's Department has received an application from Mr. Samuel Rodriguez Contreras for a Series 7 Beer and Wine Bar license at Club Santa Fe located at 10907 West Buckeye Road in Cashion. The required fees in the amount of \$1,150.00 have been paid.

This application is being submitted due to a person to person transfer of the liquor license currently held at the location by Ms. Mercedes De La Mora and Ms. Nora Rodriguez who are transferring ownership of the establishment to Mr. Contreras. As required by state law and city ordinance, the application was posted for the required period of time starting February 26, 2013 and a notice was published in the West Valley View on March 8 and March 12, 2013. No comments were received.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete.

The Development Services, Police, and Fire Departments have reviewed the application and are recommending approval. While not required by the ordinance, the application was also reviewed by the Finance Department which has determined that the business is in good financial standing with the City. Department comments are attached.

RECOMMENDATION:

Staff is recommending approval of an application submitted by Mr. Samuel Rodriguez Contreras for a Series 7 Beer and Wine Bar license at Club Santa Fe located at 10907 W Buckeye Road in Cashion.

ATTACHMENTS:

Click to download

- [Application](#)
- [Review by Departments](#)
- [Posting photos](#)
- [Vicinity Map](#)

Arizona Department of Liquor Licenses and Control

800 West Washington, 5th Floor

Phoenix, Arizona 85007

www.azliquor.gov

602-542-5141

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): 07070310

1. Type of License(s): SERIES 7

2. Total fees attached:

Department Use Only \$ 2200

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. CONTRERAS SAMUEL RODRIGUEZ
(Insert one name ONLY to appear on license) Last First Middle

2. Corp./Partnership/L.L.C.: SILLY, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: CLUB SANTA FE
(Exactly as it appears on the exterior of premises)

4. Principal Street Location 10907 W BUCKEYE ROAD CASHION MARICOPA 85329
(Do not use PO Box Number) City County Zip

5. Business Phone: PENDING Daytime Phone: Email: NONE

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 \$ Type \$

DEPARTMENT USE ONLY

Fees: Application 1000 Interim Permit 1000 Site Inspection 220 Finger Prints 2200
TOTAL OF ALL FEES

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

Accepted by: AC Date: 1/30/2013 Lic. # 07070310

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. 07070310
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

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

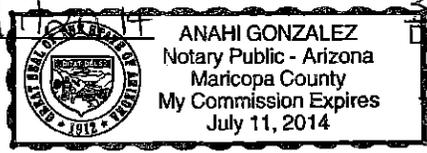
I, ELIZABETH NORA RODRIGUEZ, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER, MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

x Nora Rodriguez
(Signature)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

My commission expires on: 07/11/2014 30th day of January, 2013
Day Month Year



[Signature]
(Signature of NOTARY PUBLIC)

13 JAN 30 11 AM '13

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip

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"/>								

) Y R A S S E C E N F I T

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#

Mar. 6. 2013 11:45AM City of Avondale 623-333-0120

No. 4744 P. 2

BILL OF SALE

IN CONSIDERATION OF \$125,000.00 (One Hundred Twenty-Five Thousand dollars), and other valuable consideration, receipt of which is hereby acknowledged, the SELLER:

N & M CLUBS, LLC

Hereby grants, bargains, sell, and transfer unto the Buyer and his, her or their, personal representatives, or assigns, to have and to hold forever, the following described personal property, goods, or chattels: ALL FURNISHINGS, TABLES, CHAIRS AND OTHER MISCELLANEOUS FURNISHINGS ASSOCIATED WITHIN THE BUSINESS KNOWN AS CLUB SANTA FE LOCATED AT 10907 W. BUCKEYE RD. CASHION, ARIZONA 85329 AND:

STATE OF ARIZONA SERIES #7 LIQUOR LICENSE # 07070310

FURTHERMORE, SELLER warrants that HE, SHE, OR THEY ARE 100% LAWFUL OWNER OF SAID GOODS AND HEREBY CERTIFIES, UNDER OATH, THE HE, SHE, OR THEY HAVE GOOD RIGHT TO SELL THE SAME AS AFORESAID, AND THAT THE ABOVE DESCRIBED PROPERTY IS FREE AND CLEAR OF ALL CLAIMS, LIENS, AND OTHER ENCUMBRANCES WHATSOEVER. Seller further agrees to warrant and defend same against the lawful claims and demands of all persons whomsoever. If there are any outstanding taxes owed prior to the date of this sales transaction, all outstanding taxes shall be paid in full by the Seller.

DATED THIS 30th day of JANUARY, 2013

SELLER:

N & M CLUBS, LLC

By:

Its: MEMBER

AMENDMENT

State of Arizona

County of Maricopa

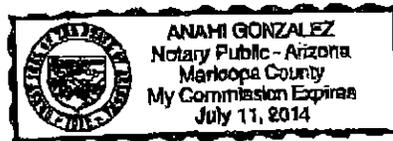
)
) ss
)

On the 30th day of JANUARY, 2013 before me, the undersigned Notary Public,

personally appeared Nora Elizabeth Rodriguez and that he being duly authorized to do so,

executed the foregoing instrument for the sole purpose contained therein.

[Signature]
Notary Public
03/11/2014
My Commission Expires



13 MAR 6 11:45 AM '13

DATED AND ACCEPTED THIS 30th DAY OF JANUARY, 2013

BUYER:

Silly, LLC

By:

Samuel Rodriguez Contreras
Samuel Rodriguez Contreras, Manager/Member

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES
BAR
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 07070310

Issue Date: 8/7/2008

Expiration Date: 2/28/2013

Issued To:
NORA ELIZABETH RODRIGUEZ, Agent
N & M CLUBS LLC, Owner

Beer & Wine Bar

Mailing Address:

NORA ELIZABETH RODRIGUEZ
N & M CLUBS LLC
CLUB SANTA FE
1844 E CHILTON DR
TEMPE, AZ 85283

Location:
CLUB SANTA FE
10907 W BUCKEYE RD
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 \$22 PROCESSING FEE FOR EACH CARD.

- CORPORATION *Complete questions 1, 2, 3, 5, 6, 7, and 8.* NO. JAN 30 Lic. Lic. #1212
 L.L.C. *Complete 1, 2, 4, 5, 6, 7, and 8.*

1. Name of Corporation/L.L.C.: SILLY, LLC
 (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 10/27/2009 State where Incorporated/Organized: ARIZONA
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: L-1560832-0 Date authorized to do business in AZ: 11/04/2009
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
CONTRERAS	SAMUEL	RODRIGUEZ	MGR/MEM		

(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
CONTRERAS	SAMUEL	RODRIGUEZ	100%		

(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 \$22 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: RODRIGUEZ NORA Elizabeth Entity: OWNER/AGENT
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: N & M CLUBS, LLC
(Exactly as it appears on license)
- 3. Current Business Name: CLUB SANTA FE
(Exactly as it appears on license)
- 4. Physical Street Location of Business: Street 10907 W. BUCKEYE RD.
City, State, Zip CASHION ARIZONA 85329
- 5. License Type: SERIES 7 License Number: 07070310
- 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, NORA E. RODRIGUEZ, hereby authorize the department to process this application to transfer the
(print full name)

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.

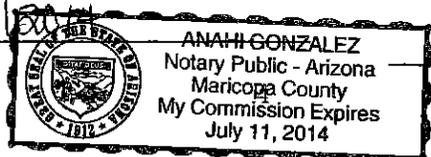
I, NORA E. RODRIGUEZ, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)

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
30th Day January Month 2013 Year

My commission expires on: 07/11/2014



[Signature]
(Signature of NOTARY PUBLIC)

13 JAN 30 09:46 PM 2013

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. 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)
- 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: 2,112 ft. Name of school Underdown Jr High School
Address 1642 S 107th Ave, Tolleson, AZ 85353
City, State, Zip _____

2. Distance to nearest church: 1,373 ft. Name of church St. Williams Catholic Church
Address 1001 W 3rd St, Avondale, AZ 85323
City, State, Zip _____

3. I am the: Lessee Sublessee Owner Purchaser (of premises)

4. If the premises is leased give lessors: Name GUILLERMO LUA
Address _____
City, State, Zip _____

4a. Monthly rental/lease rate \$ 3,800.00 What is the remaining length of the lease 5 yrs. 0 mos.

4b. What is the penalty if the lease is not fulfilled? \$ 3,000 or other OTHER LANDLORD REMEDIES
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? \$ _____
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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

JAN 30 09:15 AM '13

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 # 07070310 (exactly as it appears on license) Name ELIZABETH NORA RODRIGUEZ

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 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.

 NR
applicants initials

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 ↑.

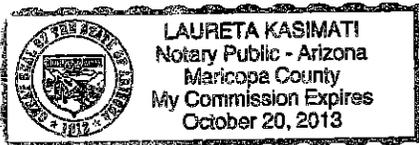
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, SAMUEL RODRIGUEZ CONTRERAS, 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 *Sam Rodriguez Contreras*
(signature of applicant listed in Section 4, Question 1)



State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

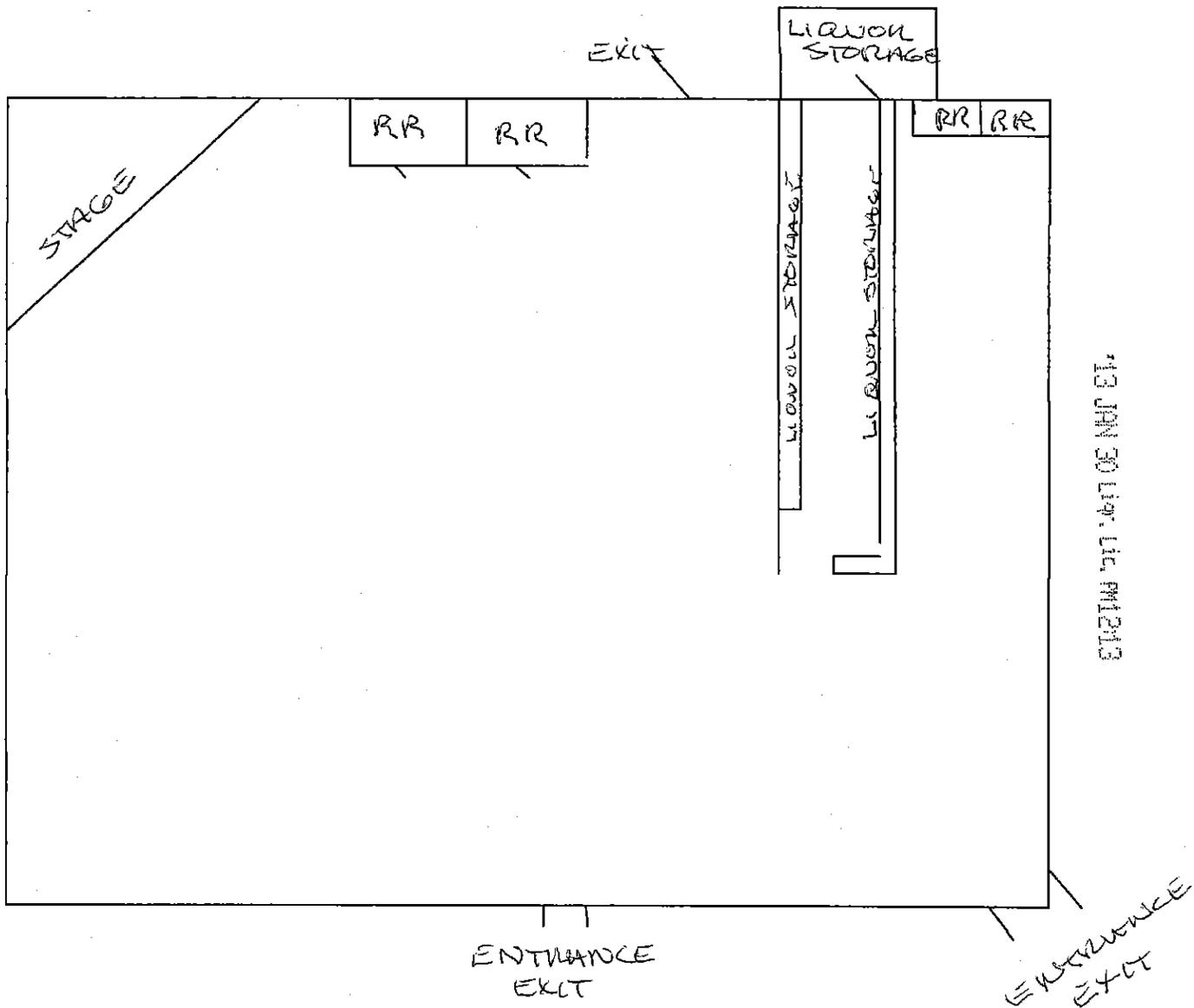
27th of December, 2012.
Day Month Year

Laureta Kasimati
signature of NOTARY PUBLIC

My commission expires on : 10 20 2013
Day Month Year

DIAGRAM OF LICENSED PREMISES

CLUB SANTA FE



TOTAL SQ FT 3,996

802-930

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE.

In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
07070310

(If the location is currently licensed)

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

2. Name: CONTRERAS SAMUEL RODRIGUEZ Date of Birth: (NOT a Public Record)

3. Social Security Number: Drivers License #: State:

4. Place of Birth: DURANGO DURANGO MEXICO Height: 508 Weight: 180 Eyes: BRO Hair: BK

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: OLAGUEZ MARIA VIRGINA MARTINEZ Date of Birth: (NOT a public record)

7. You are a bona fide resident of what state? ARIZONA 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: CLUB SANTA FE Premises Phone: PENDING

11. Physical Location of Licensed Premises Address: 10907 W BUCKEYE RD. CASHION MARICOPA 85329

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.

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 11 OR 13

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

Table with 6 columns: FROM Month/Year, TO Month/Year, Rent or Own, RESIDENTIAL Street Address, City, State, Zip

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? YES NO
 If you answered YES, how many hrs/day? 5, and **answer #14a below**. If NO, skip to #15.
- 14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) YES NO
If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.
15. Have you been 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? YES NO
 In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol or drug-related.
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? Include only criminal traffic tickets and complaints. 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

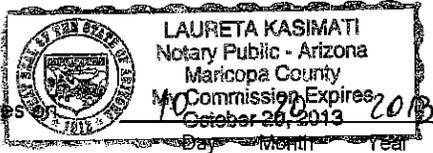
If any answer to Questions 15 through 19 is "YES" **YOU MUST** attach a signed statement.
 Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

15 JAN 30 10:14 AM 2013

20. I, SAMUEL RODRIGUEZ CONTRERAS, 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 Samuel Rodriguez Contreras
(Signature of Applicant)

State of Arizona County of Maricopa



The foregoing instrument was acknowledged before me this
27th day of December, 2012
Month Year

Laureta Kasimati
(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

_____ day of _____, _____
Month Year

x _____
 Signature of Controlling Person or Agent (circle one)

(Signature of NOTARY PUBLIC)

 Print Name

My commission expires on: _____
Day Month Year

ADDENDUM TO QUESTIONNAIRE
SAMUEL ROGRIGUEZ CONTRERAS

Question 17:

In 2010, Mr. Loza applied for a liquor license at El Dorado Bar and did not disclose me as a partner. Subsequently, the Arizona Department of Liquor fined Mr. Loza \$1,500 for not disclosing me as a partner.

Question #19:

Since March 2010, I was part owner of El Dorado Sports Bar 07070862. I am currently 100% owner of the bar. I have had no liquor violations.

Respectfully,



Samuel Rodriguez Contreras

13 JAN 30 14 PM 213

34127

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

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.

Samuel Rodriguez Contreras
Full Name (please print)
Samuel Rodriguez Contreras
Signature

3-20-10
Training Completion Date

8/20/13 (b), 3/20/15 (m)
Certificate Expiration Date
(MANAGEMENT - 5 years from completion date)
(BASIC - 3 years from completion date)

Type of Training Completed (check Yes or No)
 Yes No BASIC
 Yes No MANAGEMENT
 Yes No BOTH
 Yes No ON SALE
 Yes No OFF SALE
 Yes No OTHER

If Trainee Is Employed By A Licensee

El Dorado Sports Bar
Name of Licensee Business Name 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

Phoenix AZ 85012 (602) 285-1396
City State Zip 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:

JESUS ALTAMIRANO

Name of Trainer (please print)

Jesus Altamirano
Trainer Signature

3/20/10
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.

13 JAN 30 10 47 AM 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 07: BEER AND WINE BAR
(PERSON TRANSFER)

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: SAMUEL RODRIQUEZ CONTRERAS

BUSINESS NAME: CLUB SANTA FE

BUSINESS ADDRESS: 10907 W. BUCKEYE ROAD

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

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED



SIGNATURE
Chief of Police

TITLE

3/23/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

**SERIE 07: BEER AND WINE BAR
(PERSON TRANSFER)**

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: SAMUEL RODRIQUEZ CONTRERAS

BUSINESS NAME: CLUB SANTA FE

BUSINESS ADDRESS: 10907 W. BUCKEYE ROAD

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

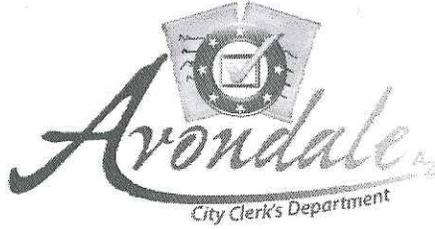
DEPARTMENTAL COMMENTS:

APPROVED
 DENIED

Jane Y. Young
SIGNATURE
Fire Inspector
TITLE

2/25/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 07: BEER AND WINE BAR
(PERSON TRANSFER)

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: SAMUEL RODRIQUEZ CONTRERAS

BUSINESS NAME: CLUB SANTA FE

BUSINESS ADDRESS: 10907 W. BUCKEYE ROAD

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

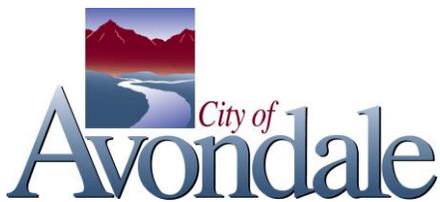
DEPARTMENTAL COMMENTS:

APPROVED
 DENIED

Lonny Fastino
SIGNATURE
Zoning Specialist
TITLE

2/25/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: **MAR. 18, 2013**
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: **FEB. 28, 2013**



DEVELOPMENT SERVICES

MEMORANDUM

DATE: February 25, 2013

TO: Carmen Martinez, City Clerk

PREPARED BY: Jennifer Fostino, Zoning Specialist (623) 333-4022

SUBJECT: Interim Permit and New Series 7 Liquor License
Club Santa Fe
10907 W. Buckeye Rd

The site is located just west of the southwest corner of 109th Avenue and Buckeye Road. The structure is complete.

A Series 10 Liquor License was approved in December of 1991. A change in ownership triggered the application for a new liquor license. An Interim Permit is also being applied for to allow the business to continue operating without interruption.

Having met the State statute requiring a minimum separation of 300 feet from schools, school recreational areas, and churches back in 1991 and with no disruption between licenses, the current application is exempt from having to meet this requirement now.

The General Plan designates the property as Commercial. The property is zoned R1-6 (Single Family Residential). The site is currently being used as Club Santa Fe. The use is legal nonconforming.

Staff recommends approval of this request.

Attachment: 2012 Aerial Photo
Zoning Vicinity Map

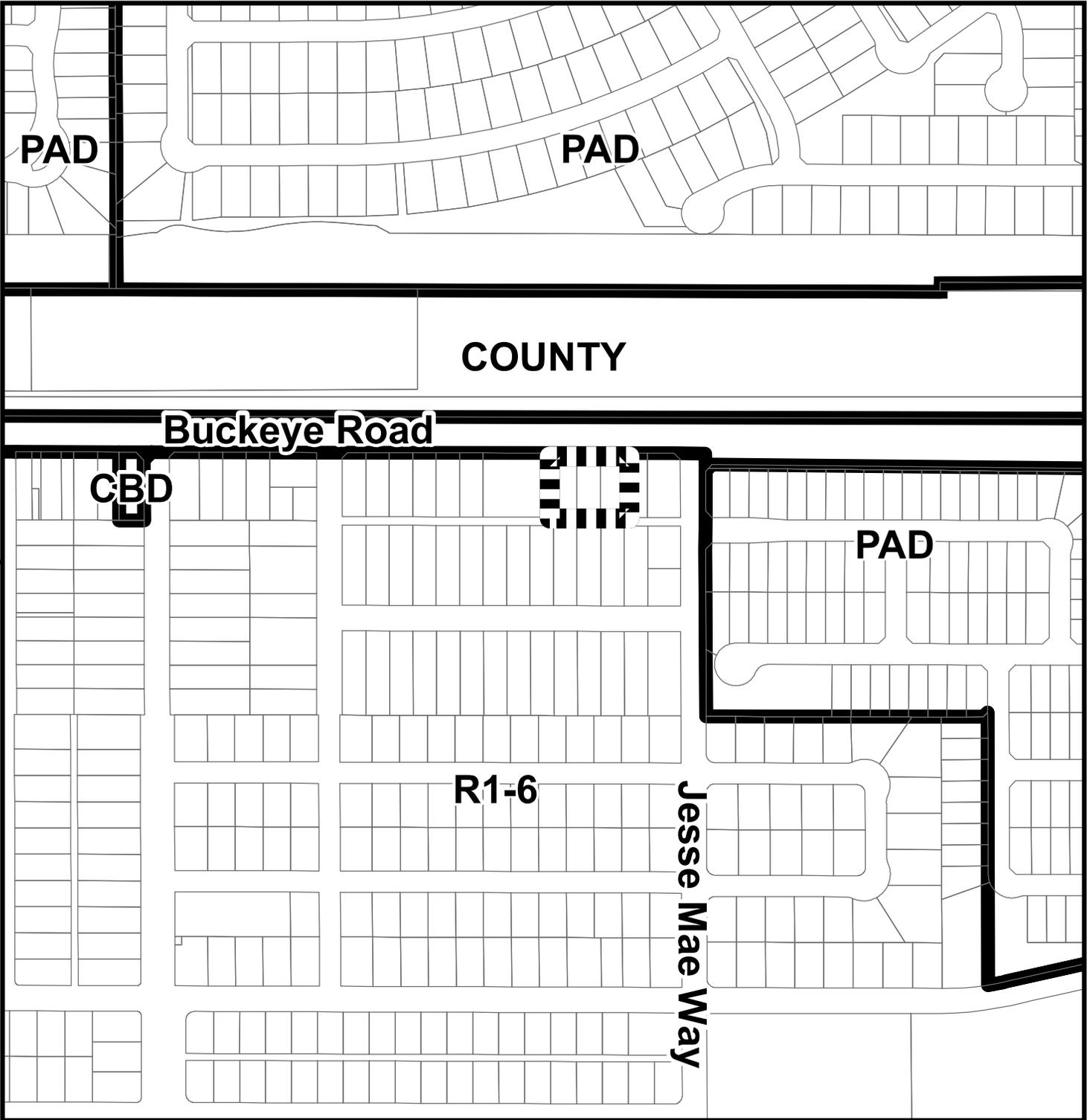


2012 Aerial Photograph



Subject Property

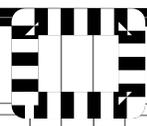




COUNTY

Buckeye Road

CBD

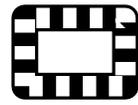


PAD

R1-6

Jesse Mae Way

Zoning Vicinity Map



Subject Property





DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

**SERIE 07: BEER AND WINE BAR
(PERSON TRANSFER)**

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: SAMUEL RODRIQUEZ CONTRERAS

BUSINESS NAME: CLUB SANTA FE

BUSINESS ADDRESS: 10907 W. BUCKEYE ROAD

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

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED

Neil E. Gray
SIGNATURE
Tax Audit Supervisor
TITLE

2/27/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013

 **CLUB SANTA FE** 

10907

OPEN



02.26.2013 12:13

NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES
DATE POSTED: FEBRUARY 26, 2013

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

LOCATION: 11465 WEST CIVIC CENTER DRIVE
DATE: **MONDAY, MARCH 18, 2013**
AT 7:00 PM.

(HEARING DATES SUBJECT TO CHANGE,
TO VERIFY CALL: 623-333-1200)

SERIES 07: BEER AND WINE BAR

THE LOCAL GOVERNING BODY WILL RECOMMEND TO THE STATE LIQUOR BOARD WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD MAY HOLD A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL GOVERNING BODY. ANY PERSON RESIDING OR OWNING OR LEASING PROPERTY WITHIN A ONE-MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD IN WRITING TO REGISTER AS A PROTESTER. TO REQUEST INFORMATION REGARDING PROCEDURES BEFORE THE BOARD AND NOTICE OF ANY BOARD HEARINGS REGARDING:

Club Santa Fe
10907 W. Buckeye Road
Cashion, AZ. 85329

THIS APPLICATION, CONTACT: STATE LIQUOR BOARD - 800 W. WASHINGTON, 5TH FLOOR, PHOENIX, AZ 85007 STATE LIQUOR DEPT: (602) 542-9789
INDIVIDUALS REQUIRING ADA ACCOMMODATIONS CALL THE CITY CLERK AT: 623-333-1200.

02.26.2013 12:14

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

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, all Owners, Agents, Partners, Officers, or Managers who are 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 3 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, 7, 14, 15, 16
 PERSON TRANSFER (Bare & Liquid State ONLY)
Complete Sections 2, 3, 4, 7, 13, 15, 16
 LOCATION TRANSFER (Bare and Liquid State ONLY)
Complete Sections 2, 3, 4, 12, 14, 15, 16
 PROBATE WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 7, 13, 15 (Fee not required)
 GOVERNMENT Complete Sections 2, 3, 4, 10, 13, 15, 16
 OTHER Complete Section 6

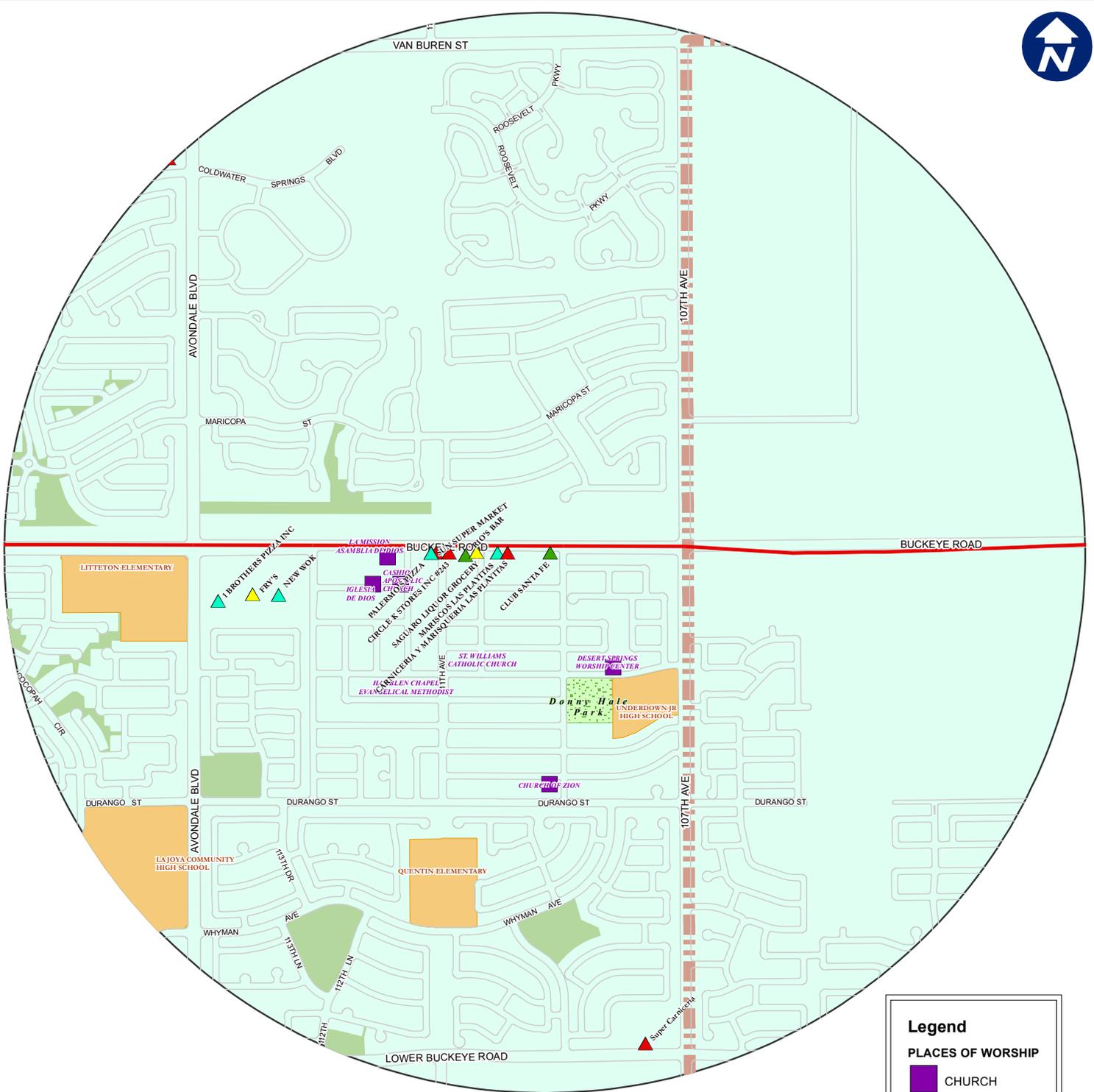
SECTION 2 Type of ownership:
 J.T.W.R.O.S. Complete Section 6
 INDIVIDUAL Complete Section 6
 PARTNERSHIP Complete Section 6
 CORPORATION Complete Section 6
 LIMITED LIABILITY CO. Complete Section 7
 CLUBS Complete Section 8
 GOVERNMENT Complete Section 10
 TRUST Complete Section 6
 OTHER (Explain)

SECTION 3 Type of license and fees
1. Type of License(s): SERIES 7 LICENSE # (s): 07070310
2. Total fees attached: \$ 100.00 (copy)

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
The fees allowed under A.R.S. 44-6822 will be charged for all unreturned checks.

SECTION 4 Applicant
1. Owner/Agent's Name: M. CONTRERAS
(print one name ONLY to appear on license)
2. Corp./Partnership/L.C. - S.L.L.C. Last SAMUEL First RODRIGUEZ Middle
3. Business Name: CLUB SANTA FE
(Clearly as it appears on Articles of Inc. or Articles of Org.)
4. Principal Street Location: 10907 W BUCKEYE ROAD
(Do not use PO Box Number) CASHION MARICOPA 85329
5. Business Phone: PENDING (Do not use PO Box Number) City Maricopa County
6. Is the business located within the incorporated limits of the above city or town? Email: NONE
7. Mailing Address: 8036 W AVONDALE DRIVE PHOENIX ARIZONA 85033 State: AZNO
8. Price paid for license only bar, beer and wine, or liquor license. Rate \$ 100.00 Fee \$ 0.00 Type \$ 0.00
Type \$ 0.00

Fees: Application 100.00 DEPARTMENT USE ONLY



Legend

PLACES OF WORSHIP

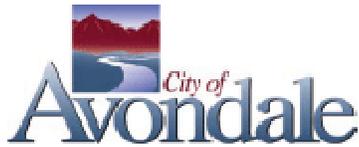
- CHURCH (Purple square)

Liquor License

- SERIES 5 (Light green triangle)
- SERIES 11 (Light blue triangle)
- SERIES 6 (Orange triangle)
- SERIES 7 (Green triangle)
- SERIES 9 (Yellow triangle)
- SERIES 10 (Red triangle)
- SERIES 12 (Cyan triangle)
- SERIES 15 (Blue triangle)
- SERIES 16 (Purple triangle)
- SCHOOLS (Orange square)

CLUB SANTA FE
10907 W BUCKEYE RD
1 Mile Buffer





CITY COUNCIL REPORT

SUBJECT:

Liquor License Series 9 (Liquor Store) - CVS
Pharmacy # 10229

MEETING DATE:

March 18, 2013

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

PURPOSE:

Staff is recommending approval of an application submitted by Mr. Jason Barclay Morris for a Series 9 Liquor Store license to sell all spirituous liquors at CVS Pharmacy #10229 to be located at the southwest corner of Avondale Blvd. and Van Buren Street.

DISCUSSION:

The City Clerk's Department has received an application From Mr. Jason Barclay Morris for a Series 9 Liquor Store license to sell all spirituous liquors at the yet to be constructed CVS Pharmacy #10229 to be located at the southwest corner of Avondale Blvd. and Van Buren Street. The required fees totaling \$1,150.00 have been paid.

It should be noted that even though the request for approval of the site plan for this location has yet to be submitted and considered by the City Council, the applicant may secure the liquor license at this time. CVS expects to complete construction of this store before the end of the year.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete. As required by state law and city ordinance, the application was posted at the location for the required period of time starting February 14, 2013 and a notice was published in the West Valley View on March 8 and March 12, 2013. No comments have been received.

The Development Services, Police, and Fire Departments have reviewed the application and are recommending approval. While not required by the ordinance, the application was also reviewed and approved by the Finance Department. Department comments are attached.

RECOMMENDATION:

Staff is recommending approval of an application submitted by Mr. Jason Barclay Morris for a Series 9 Liquor Store license to sell all spirituous liquors at CVS Pharmacy #10229 to be located at the southwest corner of Avondale Blvd. and Van Buren Street.

ATTACHMENTS:

Click to download

- [Application](#)
- [Review by Departments](#)
- [Posting photos](#)
- [Vicinity Map](#)

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

**SEE
 AMENDMENT**

13 JAN 24 11:11 AM 1040

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): 09070454

1. Type of License(s): Series 9 - Liquor Store

2. Total fees attached:

\$ 2000 Department Use Only

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

- Owner/Agent's Name: Mr. Morris Jason Barclay
(Insert one name ONLY to appear on license) Last First Middle
- Corp./Partnership/L.L.C.: German Dobson CVS, LLC B1032870
(Exactly as it appears on Articles of Inc. or Articles of Org.)
- Business Name: CVS pharmacy # 10229
(Exactly as it appears on the exterior of premises)
- Principal Street Location 510 N. Avondale Blvd Avondale Maricopa 85323
(Do not use PO Box Number) City County Zip
- Business Phone: pending Daytime Contact: Jason Barclay Morris 602 230 0600
- Is the business located within the incorporated limits of the above city or town? YES NO
- Mailing Address: 2525 E Arizona Biltmore Cr., A-212, Phoenix, AZ 85016
City State Zip
- Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY				
Fees:	<u>9000</u>			
Application	Interim Permit	Agent Change	Club	Finger Prints \$ <u>2000</u>
TOTAL OF ALL FEES				
Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? <input type="checkbox"/> YES <input type="checkbox"/> NO				
Accepted by:	<u>PC</u>	Date:	<u>1/24/2013</u>	lic. # <u>09070454</u>

13 FEB 7 Liq. Lic PM 3 02

Arizona Department of Liquor Licenses and Control

800 West Washington, 5th Floor

Phoenix, Arizona 85007

www.azliquor.gov

602-542-5141

AMENDMENT

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 8
- OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 09070454

1. Type of License(s): Series 9

2. Total fees attached: \$

Department Use Only

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. Ms. _____
(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: _____
(Exactly as it appears on the exterior of premises)
- 4. Principal Street Location SWC of Avondale Blvd and Van Buren Avondale Maricopa, 85323
(Do not use PO Box Number) City County Zip
- 5. Business Phone: _____ Daytime Phone: _____ Email: _____
- 6. Is the business located within the incorporated limits of the above city or town? YES NO
- 7. Mailing Address: _____
City State Zip
- 8. Price paid for license only bar, beer and wine, or liquor store: Type \$ _____ Type \$ _____

DEPARTMENT USE ONLY

Fees: Application Interim Permit Site Inspection Finger Prints \$ TOTAL OF ALL FEES

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

Accepted by: _____ Date: _____ Lic. # _____

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. _____
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

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

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
 (Print full name)
 MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

State of _____ County of _____

X _____
 (Signature)

The foregoing instrument was acknowledged before me this

_____ day of _____, _____
 Day Month Year

My commission expires on: _____

 (Signature of NOTARY PUBLIC)

13 JAN 24 14:14 PM 1040

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip

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"/>						

) Y R A S S E C E N F I T

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#

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 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.: German Dobson CVS, LLC
 (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 10/02/2011 State where Incorporated/Organized: AZ
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: L-10044614 Date authorized to do business in AZ: 10/02/2011
5. Is Corp./L.L.C. Non-profit? YES NO
6. List all directors, officers and members in Corporation/L.L.C.:

*13 JAN 24 11:47:11C #10044614

Last	First	Middle	Title	Mailing Address	City	State	Zip
CVS Pharmacy, Inc			member	One CVS Drive, Woonsocket, RI 02895			
see attached list							

(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
CVS Pharmacy, Inc			100	One CVS Drive, Woonsocket, RI 02895			
see attached list							

(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 \$22 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)

ENTITY NAME: German Dobson CVS, LLC
 0% Ownership for all Officers

Personnel Name	Management Title	Home Address	Business Address	SS #	Driver License	DOB	Phone
Thomas S. Moffatt	President		One CVS Drive, Woonsocket, RI 02895	(
Carol A. DeNale	Senior Vice President/Treasurer		One CVS Drive, Woonsocket, RI 02895				
Melanie K. Luker	Secretary		One CVS Drive, Woonsocket, RI 02895				
Linda M. Cimbron	Assistant Secretary		One CVS Drive, Woonsocket, RI 02895	(
Jeffrey E. Clark	Assistant Treasurer		One CVS Drive, Woonsocket, RI 02895				
Jason D. Desrochers	Assistant Treasurer		One CVS Drive, Woonsocket, RI 02895				

13 JAN 24 11:41 AM '10

ENTITY NAME: CVS Pharmacy, Inc.

Personnel Name	Management Title	Home Address	Business Address	Phone
Mark S. Cosby	President		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Carol A. DeNale	Senior Vice President/Treasurer		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Thomas S. Moffatt	Vice President/ Secretary		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Linda M. Cimbron	Assistant Secretary		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Melanie K. Luker	Assistant Secretary		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Jeffrey E. Clark	Assistant Treasurer		One CVS Drive, Woonsocket, RI 02895	401-765-1500
Jason D. Desrochers	Assistant Treasurer		One CVS Drive, Woonsocket, RI 02895	401-765-1500

STOCKHOLDER: CVS CAREMARK CORPORATION
100%



SAME OFFICERS LISTED ABOVE

NO ONE PERSON OR ENTITY OWNS 10% OR MORE
OF CVS CAREMARK CORPORATION

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).

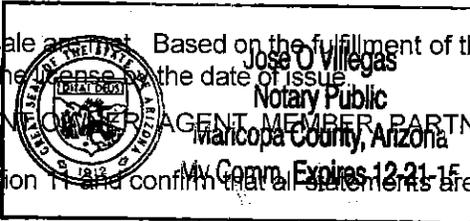
- 1. Current Licensee's Name: RUIZ-GOMEZ CARLOS B. Entity: AGENT
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: CRG LTD, LLC
(Exactly as it appears on license)
- 3. Current Business Name: CARNICERIA'S RANCHO GRANDE
(Exactly as it appears on license)
- 4. Physical Street Location of Business: Street 4227 S. CENTRAL AVENUE
City, State, Zip PHOENIX, AZ 85040
- 5. License Type: LIQRSTOR License Number: 09070454
- 6. If more than one license to be transfered: License Type: _____ License Number: _____
- 7. Current Mailing Address: Street 4227 S. CENTRAL AVENUE
(Other than business) City, State, Zip PHOENIX, AZ 85040
- 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, CARLOS RUIZ-GOMEZ, hereby authorize the department to process this application to transfer the
(print full name)

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 as of the date of issue.

I, CARLOS RUIZ-GOMEZ, declare that I am the CURRENT LICENSEE AGENT MEMBER, PARTNER
(print full name) Maricopa County, Arizona

STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.



Carlos Ruiz

(Signature of CURRENT LICENSEE)

State of ARIZONA County of MARICOPA
The foregoing instrument was acknowledged before me this
17th August 2012
Day Month Year
[Signature]
(Signature of NOTARY PUBLIC)

My commission expires on: 12-21-15

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 13 JAN 24 Lic. Lic. #1040

1. Current Business: Name Carniceria's Rancho Grande
 (Exactly as it appears on license) Address 4227 S. Central Avenue, Phoenix AZ 85040
2. New Business: Name CVS/pharmacy # 10229
 (Physical Street Location) Address 510 N. Avondale Blvd, Avondale AZ 85323
3. License Type: Series 9 License Number: 09070454
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? 2013 What date do you plan to open? 2013

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: 2,736 ft. Name of school Collier Elementary School
~~El Estero~~
 Address 350 118th Avenue
~~1252 S. Avondale Blvd, Avondale AZ 85323~~
 City, State, Zip

2. Distance to nearest church: 1.1 miles ft. Name of church La Mision Asamblea De Dios
 Address 1147 West Buckeye Rd, Avondale AZ 85323
 City, State, Zip

3. I am the: Lessee Sublessee Owner Purchaser (of premises)

4. If the premises is leased give lessors: Name _____
 Address _____
 City, State, Zip

4a. Monthly rental/lease rate \$ _____ What is the remaining length of the lease ___ yrs. ___ mos.

4b. What is the penalty if the lease is not fulfilled? \$ _____ or other _____
 (give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? \$ _____
 Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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

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. 13 JAN 24 Liq. Lic. #M1040

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)
- 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: _____ ft. Name of school _____
Address _____
City, State, Zip _____
2. Distance to nearest church: _____ ft. Name of church _____
Address _____
City, State, Zip _____
3. I am the: Lessee Sublessee Owner Purchaser (of premises)
4. If the premises is leased give lessors: Name _____
Address _____
City, State, Zip _____
- 4a. Monthly rental/lease rate \$ _____ What is the remaining length of the lease ___ yrs. ___ mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ _____ or other _____
(give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ _____
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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

13 JAN 24 11:49 AM 01040

BILL OF SALE

THE STATE OF ARIZONA)

) KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MARICOPA)

THAT Enchanté Spirits, LLC, a New Mexico limited liability company ("Seller"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Seller in hand paid by German Dobson CVS, L.L.C., an Arizona limited liability company ("Buyer"), the receipt and sufficiency of which are hereby acknowledged and confessed, has bargained, sold, assigned and delivered, and by these presents does bargain, sell, assign and deliver unto Buyer, all of the Seller's right, title and interest in and to all of the following described personal property in Maricopa County, Arizona, to wit:

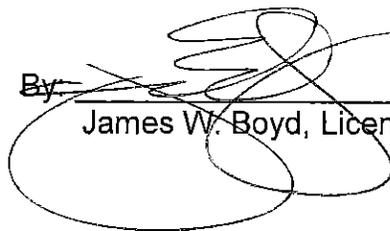
Arizona Liquor License No. 09070454

This Bill of Sale shall be binding on Seller, its successors and assigns, and shall inure to the benefit of Buyer, its successors and assigns.

EXECUTED this 3rd day of December, 2012.

SELLER:

ENCHANT'E SPIRITS, LLC,
an New Mexico limited liability company

By 

James W. Boyd, Licensing Director

BILL OF SALE

THE STATE OF ARIZONA)

) KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MARICOPA)

THAT CRG Ltd, LLC ("Seller"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Seller in hand paid by Enchante Spirits, LLC, a New Mexico limited liability company authorized to do business in the State of Arizona ("Buyer"), the receipt and sufficiency of which are hereby acknowledged and confessed, has bargained, sold, assigned and delivered, and by these presents does bargain, sell, assign and deliver unto Buyer, all of the Seller's right, title and interest in and to all of the following described personal property in Maricopa County, Arizona, to wit:

ARIZONA LIQUOR LICENSE NO. 09070454

FURTHERMORE, Seller warrants that it is the lawful owner of said goods and hereby certifies, under oath, that it has good right to sell the same as aforesaid, and that the above described property is free and clear of all claims, liens, and other encumbrances whatsoever. Seller further agrees to warrant and defend same against the lawful claims and demands of all persons claiming by, through or under Seller whomsoever which shall arise prior to the date hereof.

This Bill of Sale shall be binding on Seller, its successors and assigns, and shall inure to the benefit of Buyer, its successors and assigns.

EXECUTED this 17th day of August, 2012.

SELLER:

CRG LTD, LLC

By: *Carlos Ruiz-Gomez*
Carlos Ruiz-Gomez, Member

13 JAN 24 LFP: LC 01040

[NOTARY PAGE FOLLOWS]

	Jose O Villegas
	Notary Public
	Maricopa County, Arizona My Comm. Expires 12-21-15

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 09070454

Issue Date: 9/26/1996

Expiration Date: 12/31/2012

Issued To:
CARLOS B RUIZ-GOMEZ, Agent
CRG LIMITED LLC, Owner

Location:
CARNICERIA RANCHO GRANDE
4227 S CENTRAL AVE
PHOENIX, AZ 85040

Liquor Store

Mailing Address:

CARLOS B RUIZ-GOMEZ
CRG LIMITED LLC
CARNICERIA RANCHO GRANDE
928 S VELLA RD
PALM SPRINGS, CA 92264

INACTIVE



EXP 12/31/2012

POST THIS LICENSE IN A CONSPICUOUS PLACE

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 # _____ (exactly as it appears on license) Name _____

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 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? JUNE 2013
 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.

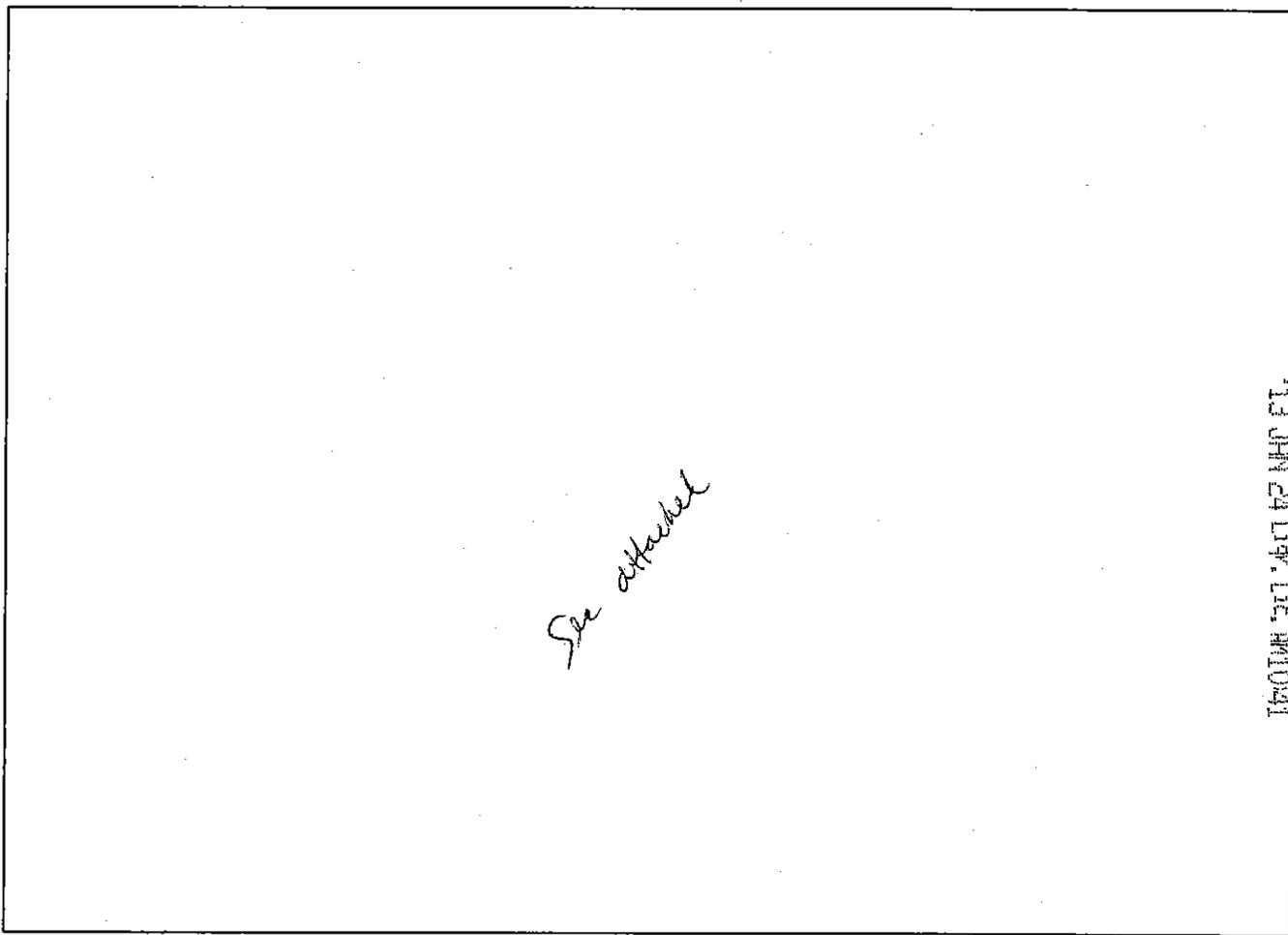
Jmc
 applicants initials

13 JAN 24 09:15 AM 040

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 ↑.

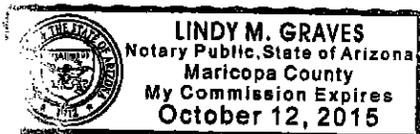
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, Jason Barclay Morris, 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 [Signature]
(signature) of applicant listed in Section 4, Question 1)



State of AZ County of Maricopa

The foregoing instrument was acknowledged before me this 17 of Dec, 2012

[Signature]
signature of NOTARY PUBLIC

My commission expires on: 12 Oct 15
Day Month Year

FP Warrant
9/2011

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 03790
DPS

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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE. In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
09070454
(if the location is currently licensed)

1. Check appropriate box →

Controlling Person <input checked="" type="checkbox"/> Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21
--	--

2. Name: Morris Jason Barclay Date of Birth: 1/1/1979

Last First Middle (NOT a Public Record)

3. Social Security Number: _____ Drivers License #: _____ State: AZ

(NOT a public record) (NOT a public record)

4. Place of Birth: Miami Beach FL USA Height: 5'11" Weight: 170 Eyes: Bl Hair: Br

City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Morris Paulina Vasquez Date of Birth: 1/1/1979

(List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden (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: CVS/pharmacy # 0229 Premises Phone: pending

11. Physical Location of Licensed Premises Address: 510 N. Avondale Blvd Avondale Maricopa 85323

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)
7/00	CURRENT	partner/attorney	Withey Morris PLC, 2525 E. Arizona Biltmore Cr., A-212, Phoenix AZ 85016

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	RESIDENTIAL Street Address (if rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
3/02	CURRENT	Own				

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? YES NO
- If you answered YES, how many hrs/day? _____, and answer #14a below. If NO, skip to #15.
- 14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) YES NO
- If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.
15. Have you been 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? YES NO
- In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol or drug-related.
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? Include only criminal traffic tickets and complaints. 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

13 JAN 24 10:16 AM

20. I, Jason Barclay Morris, 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 [Signature]
(Signature of Applicant)

State of AZ County of Maricopa

The foregoing instrument was acknowledged before me this
17 day of Dec, 2012
Month Year
[Signature]
(Signature of NOTARY PUBLIC)



My commission expires on: _____
Day Month Year

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

ATTACHMENT

Question 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, I was the representing agent for Mesa Marketplace Swapmeet as part of Liquor License No. 07070223 in 1995.

I was also listed as the representing agent for the Las Sendas Golf Course for liquor licenses No. 07070041 and No. 12073302.

I am also listed as the representing agent for CVS/pharmacy's across the valley.
Liquor License No's:

3143	9070021	9	990 E. Warner (Warner & McQueen)	Chandler
3268	9070452	9	765 S. Lindsay Rd (Lindsay & Warner)	Gilbert
3272	9070609	9	2371 E Guadalupe (Greenfield & Guadalupe)	Gilbert
3965	9070041	9	5975 W. Chandler (Chandler & Kyrene)	Chandler
3436	9070249	9	2809 S. Sossoman (Sossoman & Guadalupe)	Mesa
3491	10074426	10	9546 E. Riggs (Riggs & Dobson)	Sun Lakes
3749	9074005	9	2840 N. Dysart (Thomas & Dysart)	Goodyear
3264	9070504	9	3210 E. Union Hills (32nd St & Union Hills)	Phoenix
5026	9070298	9	1212 S. Greenfield (Southern & Greenfield)	Mesa
3625	9070324	9	8245 W. Thomas (83rd Ave & Thomas)	Phoenix
3745	9070067	9	10727 W. Olive (107th Ave & Olive)	Peoria
4795	9070016	9	6015 E Brown (Brown & Recker)	Mesa
5315	9070390	9	2005 N. Dobson (Dobson & Warner)	Chandler
5477	9070633	9	15474 W. Greenway	Surprise
5303	9070266	9	9152 E Brown (Brown & Ellsworth)	Mesa
5814	9070109	9	9950 E. Guadalupe (Crimson & Guadalupe)	Mesa
5812	9070254	9	5954 E. McDowell (Recker & McDowell)	Mesa
5794	9070494	9	9069 W. Lake Pleasant Pkwy	Peoria
5779	9070538	9	360 N. Val Vista (Val Vista & University)	Mesa
32	9071018	9	5400 N. Carefree	Carefree
3967	9070364	9	3990 W. Ray (Ray & McClintock)	Chandler
5039	10074936	10	30 E. Williams Field Rd (Gilbert & Chandler)	Gilbert
5791	9074010	9	4890 N. Litchfield (Litchfield & Camelback)	Litchfield Part
5891	9077008	9	3170 S. Higley (Higley & Pecos)	Gilbert
5950	9070065	9	855 E. Elliot (Rural & Elliot)	Tempe
6719	9110029	9	44274 W. SmithEnke (SmithEnke & Maricopa)	Maricopa
7837	10074938	10	2807 N. Power (Power & McDowell)	Mesa
7852	9070915	6	28138 N. Tatum (Tatum & Dynamite)	Phoenix
7867	9100265	9	5100 E. Grant	Tucson
7	9070505	9	9901B W. Thunderbird (99th Ave & T-Bird)	Sun City

713 JAN 24 04: 12 PM 1041

5029	9070276	9	9230 E. Broadway	Mesa
5849	9077004	9	990 E. Pecos	Chandler
17	9070570	9	18591 N. 59th Ave	Glendale
7859	9105002	9	6370 N. Campbell #120	Tucson
7872	10075018	10	7499 W. Bethany Home (75th Ave & B.H.)	Glendale
7860	9070125	9	1615 E. Baseline	Phoenix
6862	9075009	9	1850 W. Dunlap	Phoenix
6718	10075040	10	5835 W. Indian School	Phoenix
5038	9070401	9	2010 S. Dobson	Chandler
7849	9070667	9	1015 E. Ray	Chandler
7115	10075034	10	7530 W. Cactus	Peoria
7078	9070563	9	3303 S. Rural	Tempe
1716	10075037	10	21087 W. Main	Buckeye
86	9110046	9	1686 E. Florence	Casa Grand
7855	9104004	9	2601 S Houghton Rd	Tucson
7262	9071017	9	18460 N. 7th Street	Phoenix
7075	9077007	9	2995 E. Chandler Heights	Chandler
7841	9104003	9	4365 N Oracle Rd	Tucson
8420	9105003	9	7740 N. Cortaro	Marana
9339	9070104	9	21001 N Tatum Blvd #82	Phoenix
9290	9070526	9	4430 E Ray Road	Phoenix
9230	9070682	9	19602 N R H Johnson Blvd	Sun City We
7264	9077005	9	39510 W. Gavilan Parkway (Anthem)	Anthem
7116	9077001	9	1855 W. Thunderbird	Phoenix
1744	9077000	9	6650 W. Lower Buckeye	Phoenix
5892	9077003	9	5050 W. Baseline	Laveen
1743	9075005	9	13870 W. Greenway Rd	Surprise
5937	9074006	9	6030 N. 43rd Avenue	Glendale
7862	9070506	9	10160 E. Bell Road	Scottsdale
9222	9070559	9	4275 W Thomas Rd	Phoenix
1720	9070299	9	21201 E. Ocotillo	Queen Creek
3383	9070311	9	7550 S 19th Ave	Phoenix
193	9075008	9	4990 S. Arizona Ave	Chandler
7022	9080021	9	75 N Lake Havasu Ave	Lake Havasu
1719	9070296	9	7587 S. Power	Queen Creek
3500	9070465	9	1625 N 44th St (McDowell & 44th)	Phoenix
7263	9070679	9	10707 W. Camelback	Phoenix
9283	9070685	9	180 N Dobson Road	Chandler
9205	9070518	9	802 South Mill Ave	Tempe
9309	9080038	9	4744 South Highway 95	Ft. Mohave
89	9070290	9	10010 N Scottsdale Rd	Scottsdale
69	9070278	9	8332 W. Thunderbird Road	Peoria
52	9075007	9	4657 E. Chandler Blvd	Phoenix
1759	9075006	9	10 E. Dunlap Ave	Phoenix
33	9070532	9	1750 E Broadway Rd	Tempe
9225	9070510	9	2406 East Thomas Road	Phoenix
8366	9070914	6	1610 E. Camelback Rd (Bar license transfer)	Phoenix
5983	9135001	9	3025 N Windsong	Prescott Valle
9256	9070519	9	3560 W Peoria Ave	Phoenix
8977	9085000	9	3501 Stockton Hill Rd.	Kingman
8914	9070731	9	50 W. Jefferson St	Phoenix
9347	9077009	9	1525 N. Central	Phoenix
8365	9077002	9	2428 S. Val Vista Dr	Gilbert
8365	10074860	10	2428 S. Val Vista Dr	Gilbert

8983	9077006	9	5125 W. Olive Avenue	Glendale
9327	9070061	9	6021 S Central Ave	Phoenix
40	9070301	9	1424 W. Baseline Road	Tempe
9223	9080507	9	3320 N 7th Ave	Phoenix
9293	9110045	9	325 W Apache Trl	Apache Junction
9278	9140063	9	1555 S Avenue B	Yuma
8802	9150002	9	131 W Riverside Dr	Parker
9207	9100197	9	865 E Grant Rd	Tucson
9304	9070728	9	7434 W Indian School Rd, Phoenix	Phoenix
9314	9070508	9	3440 W Glendale Ave	Phoenix
9273	9100004	9	3785 W Ina Rd	Marana
9374	9100001	9	1900 W Valencia Rd	Tucson
9254	9100014	9	240 W Continental Rd	Green Valle
9232	9100011	9	4748 E Sunrise	Tucson
8828	9020002	9	2090 E Fry Blvd	Sierra Vista
9274	9100034	9	615 N Alvernon Way	Tucson
9336	9100080	9	7901 E Golf Links Rd	Tucson
9272	9100003	9	7499 E Broadway Blvd	Tucson
9302	9100009	9	8920 E Tanque Verde	Tucson
9211	9100196	9	6484 N Oracle Rd	Tucson
9312	9070513	9	4323 E Bell Rd	Phoenix
9279	9070286	9	16545 E Palisades	Fountain Hills
9231	9030035	9	3506 E Rt 66	Flagstaff
9266	9135000	9	522 Finnie Flat Rd #A	Campe Verde
9297	9070553	9	6002 N 7th St	Phoenix
9202	9070517	9	4742 E Indian School Rd	Phoenix
9264	9070332	9	23215 N Pima Rd	Scottsdale
9319	9130035	9	1179 S Hwy 260	Cottonwood
9245	9070512	9	12409 N Tatum Blvd	Phoenix
9334	9140031	9	2800 S 4th Ave	Yuma
9270	9070683	9	2033 W Wickenburg Way	Wickenburg
9210	9070019	9	10653 N Scottsdale Rd	Scottsdale
9213	9070022	9	305 E Brown Rd	Mesa
9237	9070541	9	9856 W Peoria Ave	Peoria
9328	9070400	9	7901 E Thomas Rd	Scottsdale
2412	9090044	9	60 E. Deuce of Clubs	Phoenix
9343	9130037	9	506 Miller Valley Road	Prescott
9340	9071003	9	3610 W Anthem Way	Phoenix
9252	9070244	9	14672 N Frank Lloyd Wright Blvd	Scottsdale
7839	9070629	9	32331 N. Scottsdale Rd	Scottsdale
9306	9070279	9	19505 N Sunrise Blvd	Surprise
9217	9070018	9	10720 W Bell Rd	Sun City
8826	9080007	9	2350 Miracle Mile Rd	Bullhead City
9294	9070555	9	9172 W Union Hills	Peoria
2372	9070053	9	Thunderbird & 40th St	Phoenix
9218	9070511	9	1137 S Dobson Rd, Ste 10	Mesa
9277	9100234	9	6895 E Sunrise Dr	Tucson

Signed,
Jason Barclay Morris

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? _____, 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 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

13 JAN 24 09:11 AM 1041

20. I, Linda Marie Cimbron, 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 *Linda M. Cimbron*
(Signature of Applicant)

State of Rhode Island County of Providence

Cathy Tardie Notary Public
State of Rhode Island
My Commission

My commission expires on: Expires 07/06/2015
Day Month Year

The foregoing instrument was acknowledged before me this
2nd day of January, 2013
Month Year
Cathy Tardie
(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

Statement to the Arizona Department of
Liquor Licenses & Control

I, Linda Marie Cimbron am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.

Linda Marie Cimbron

Linda Marie Cimbron
Assistant Secretary

Subscribed before me on this 2nd day of January, 2013

Cathy Tardie

(Notary Public)

Cathy Tardie Notary Public
State of Rhode Island
My Commission
Expires 07/06/2015

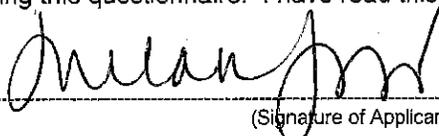
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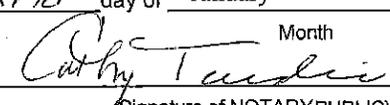
If you checked the Manager box on the front of this form skip to # 15

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? _____, 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)
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15. Have you been 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

20. I, Melanie Kathleen Luker, 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 
(Signature of Applicant)

State of Rhode Island County of Providence
The foregoing instrument was acknowledged before me this
2nd day of January, 2013
Month Year

(Signature of NOTARY PUBLIC)

My commission expires on:
Cathy Tardie Notary Public
State of Rhode Island
My Commission
Expires 07/06/2015 Day Month Year

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
____ day of _____, _____
Month Year

X _____
Signature of Controlling Person or Agent (circle one)

(Signature of NOTARY PUBLIC)

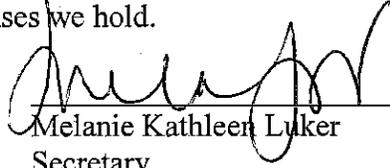
Print Name
My commission expires on: _____
Day Month Year

13 JAN 24 09:11 AM 2013

Statement to the Arizona Department of
Liquor Licenses & Control

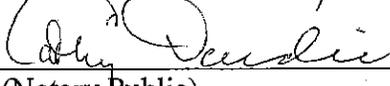
I, Melanie Kathleen Luker am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.



Melanie Kathleen Luker
Secretary

Subscribed before me on this 2nd day of January, 2013



(Notary Public)

Cathy Tardie Notary Public
State of Rhode Island
My Commission
Expires 07/06/2015

13 JAN 24 11:04 AM

13 JAN 24 10:11 AM

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

FP W/Perm
12/2011
A-10501

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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE.

In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
09070454
(If the location is currently licensed)

1. Check appropriate box →

<input checked="" type="checkbox"/> Controlling Person (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Manager (Only) (Complete All Questions <u>except</u> # 14, 14a & 21) Controlling Person or Agent must complete # 21
--	--	--

2. Name: Moffatt Thomas Swift Date of Birth: / /
Last First Middle (NOT a Public Record)

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

4. Place of Birth: Lawrence MA USA Height: 6'4" Weight: 270 Eyes: Blue Hair: Gray
City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Moffatt Alexandra (McDonald-Swift) Date of Birth: / /
(List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden (NOT a public record)

7. You are a bona fide resident of what state? Rhode Island 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: CVS/pharmacy #10229 Premises Phone: pending

11. Physical Location of Licensed Premises Address: 510 North Avondale Blvd Avondale Maricopa 85323
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)
08/1997	CURRENT	Corporate Officer	CVS Pharmacy, Inc., One CVS Drive, Woonsocket, RI 02895

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	RESIDENTIAL Street Address (If rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
05/1998	CURRENT	OWN				

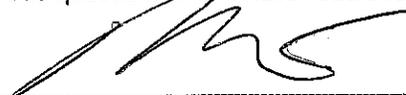
If you checked the Manager box on the front of this form skip to # 15

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? _____, and answer #14a below . If NO, skip to #15.	YES <input checked="" type="checkbox"/> 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 <input type="checkbox"/> NO

15. Have you been 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

20. I, Thomas Swift Moffatt, 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 

(Signature of Applicant)

State of Rhode Island County of Providence

The foregoing instrument was acknowledged before me this
2nd day of January, 2013
Month Year



(Signature of NOTARY PUBLIC)

My commission expires on: Expires 07/06/2015
Day Month Year

**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
____ day of _____
Month Year

X _____
Signature of Controlling Person or Agent (circle one)

Print Name

My commission expires on: _____
Day Month Year

(Signature of NOTARY PUBLIC)

13 JAN 24 11 16 AM '13

Statement to the Arizona Department of
Liquor Licenses & Control

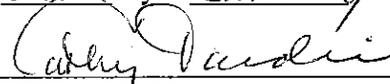
I, Thomas Swift Moffatt am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.



Thomas Swift Moffatt,
President

Subscribed before me on this 2nd day of January, 2013



(Notary Public)

Cathy Tardie Notary Public
State of Rhode Island
My Commission
Expires 07/06/2015

13 JAN 24 09:11 AM 2013

Statement to the Arizona Department of Liquor Licenses & Control

I, Thomas Swift Moffatt, President, do affirm to the Arizona Department of Liquor Licenses & Control, that in February 1984, I was charged with operating a vehicle under the influence of alcohol (a misdemeanor) in Massachusetts District Court, Greenfield, Massachusetts.

In April 1984, I pled no contest to the charge and was sentenced to probation. I was twenty years old, which was the legal drinking age at the time.



Thomas Swift Moffatt
President

Sworn to and subscribed before me
on this 2nd day of January, 2013

Cheryl Tardie
(Notary Public)

Cheryl Tardie Notary Public
State of Rhode Island
My Commission
Expires 07/06/2015

13 JAN 24 1984

13 JAN 24 11:47 AM '12

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

FP Warren
12/2011
09010454

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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE.

In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
09010454
(If the location is currently licensed)

1. Check appropriate box →	<input checked="" type="checkbox"/> Controlling Person (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Manager (Only) (Complete All Questions <u>except</u> # 14, 14a & 21) Controlling Person or Agent must complete # 21
----------------------------	--	--	--

2. Name: DeNale Carol Ann Date of Birth: / /
Last First Middle (NOT a Public Record)

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

4. Place of Birth: McKeesport PA USA Height: 5'8" Weight: 135 Eyes: Hazel Hair: Brown
City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Date of Birth: / /
(List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden (NOT a public record)

7. You are a bona fide resident of what state? Massachusetts 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: CVS/pharmacy # 10229 Premises Phone: pending

11. Physical Location of Licensed Premises Address: 510 North Avondale Blvd Avondale Maricopa 8530
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)
06/1997	CURRENT	Corporate Officer	CVS Pharmacy, Inc., One CVS Drive, Woonsocket, RI 02895

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	RESIDENTIAL Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
05/1999	CURRENT					

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? _____, 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 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

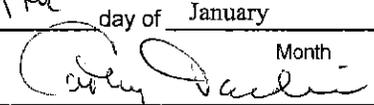
If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement.
Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

13 JAN 24 09:14 AM 1042

20. I, Carol Ann DeNale, 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 
(Signature of Applicant)

State of Rhode Island County of Providence

The foregoing instrument was acknowledged before me this
17th day of January, 2013
Month Year

(Signature of NOTARY PUBLIC)

My commission expires on: 07/06/2015
Notary Public
State of Rhode Island
My Commission
Expires Day Month Year

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

(Signature of NOTARY PUBLIC)

Print Name

My commission expires on: _____
Day Month Year

Statement to the Arizona Department of
Liquor Licenses & Control

13 JAN 24 11:11 AM '13

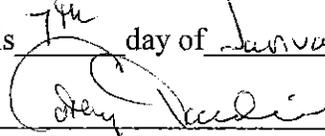
I, Carol Ann DeNale am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.



Carol Ann DeNale
Senior Vice President/ Treasurer

Subscribed before me on this 7th day of January, 2013



(Notary Public)

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

FP written
12/2011

QUESTIONNAIRE

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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE.

In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
09070454
(If the location is currently licensed)

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

2. Name: Desrochers Jason David Date of Birth: / / Last First Middle (NOT a Public Record)

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

4. Place of Birth: Sanford ME USA Height: 5'8" Weight: 160 Eyes: Blue Hair: Brown City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Desrochers Tammy Lynne Dunham Date of Birth: / / Last First Middle Maiden (NOT a public record)

7. You are a bona fide resident of what state? Maine 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: CVS/pharmacy # 10229 Premises Phone: pending

11. Physical Location of Licensed Premises Address: 510 North Avondale Blvd Avondale Maricopa 85333 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.

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip). Row 1: 07/2009, CURRENT, Corporate Officer, CVS Pharmacy, Inc., One CVS Drive, Woonsocket, RI 02895

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

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

Table with 7 columns: FROM Month/Year, TO Month/Year, Rent or Own, RESIDENTIAL Street Address (if rented, attach additional sheet with name, address and phone number of landlord), City, State, Zip. Row 1: 02/2004, CURRENT, OWN, [blank], [blank], [blank], [blank]

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? _____, 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 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

JAN 24 11:41 AM '13

20. I, Jason David Desrochers, 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 Jason David Desrochers
(Signature of Applicant)

State of Rhode Island County of Providence

The foregoing instrument was acknowledged before me this
3rd day of January, 2013
Month Year

My commission expires on: 26 03 2013
Day Month Year

Miselle Martin
(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

Statement to the Arizona Department of
Liquor Licenses & Control

I, Jason D. Desrochers am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.



Jason D. Desrochers
Assistant Treasurer

Subscribed before me on this 3rd day of January, 2013



(Notary Public)

13 JAN 24 19:16 AM 1042
13 JAN 24 19:16 AM 1042

13 JAN 24 Lic. Lic. #1057

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

FP W/Ret

12/30/11

QUESTIONNAIRE

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 passing 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 AVAILABLE AT THIS OFFICE. FINGERPRINTS ON FBI-APPROVED CARDS ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES, OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT CHARGES A \$13 FEE.

In addition to other fingerprint fees, a \$22 DPS background check fee will be charged for each fingerprint card.

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

Liquor License #
09070454
(If the location is currently licensed)

1. Check appropriate box →	<input checked="" type="checkbox"/> Controlling Person (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	<input type="checkbox"/> Manager (Only) (Complete All Questions <u>except</u> # 14, 14a & 21) Controlling Person or Agent must complete # 21
----------------------------	--	--	--

2. Name: Clark Jeffrey Edward Date of Birth: / /
Last First Middle (NOT a Public Record)

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

4. Place of Birth: Orange CT USA Height: 5'9" Weight: 175 Eyes: Blue Hair: Brown
City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Clark Jennifer Eden Uniterman Date of Birth: / /
(List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden (NOT a public record)

7. You are a bona fide resident of what state? Massachusetts 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: CVS/pharmacy # 10929 Premises Phone: pending

11. Physical Location of Licensed Premises Address: 510 North Avondale Blvd Avondale Maricopa 85323
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)
07/2007	CURRENT	Corporate Officer	CVS Pharmacy, Inc., One CVS Drive, Woonsocket, RI 02895

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	RESIDENTIAL Street Address (If rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
04/2002	CURRENT	OWN				

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? _____, 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 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?
In addition, please include all traffic tickets and complaints within the last ten (10) years that resulted in a warrant for arrest AND any traffic tickets and complaints that are alcohol 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? Include only criminal traffic tickets and complaints. 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

20. I, Jeffrey Edward Clark, 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 _____
(Signature of Applicant)

State of Rhode Island County of Providence

The foregoing instrument was acknowledged before me this
3rd day of January, 2013
Month Year

My commission expires on: 26 03 2013
Day Month Year

Mirella J. Anthony
(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

*13 JAN 24 11:41 AM 2013

Statement to the Arizona Department of
Liquor Licenses & Control

I, Jeffrey E. Clark am an officer for various CVS entities that currently hold approximately 5400 licenses to sell alcoholic beverages.

CVS has comprehensive measures in place, including training programs, to ensure compliance with all alcohol laws and regulations. From time to time, despite our best efforts, certain CVS store locations across the country have been cited for violations for alcohol sales to minors. Following any violations, we diligently work with local jurisdictions to prevent such violations in the future and have instituted new measures and retrained our staff where necessary. We believe the number of violations CVS has had is low considering the number of licenses we hold.



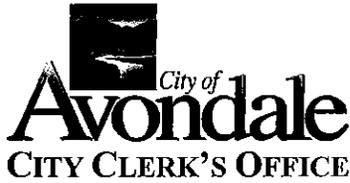
Jeffrey E. Clark
Assistant Treasurer

Subscribed before me on this 3rd day of JANUARY, 2013



(Notary Public)

13 JAN 24 09:14 AM 1057



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

PERSON/LOCATION TRANSFER
SERIES 9

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: JASON BARCLAY MORRIS

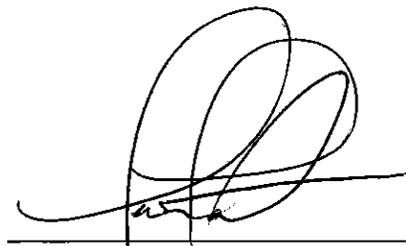
BUSINESS NAME: CVS PHARMACY #10229

ADDRESS: 510 N. AVONDALE BLVD.

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

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED



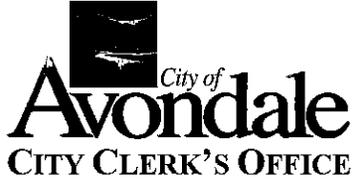
SIGNATURE
Chief of Police

TITLE

2/7/13

DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MARCH 4, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 14, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

PERSON/LOCATION TRANSFER
SERIES 9

ROUTING:

- POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: JASON BARCLAY MORRIS

BUSINESS NAME: CVS PHARMACY #10229

ADDRESS: 510 N. AVONDALE BLVD.

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

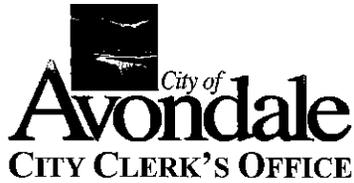
DEPARTMENTAL COMMENTS:

- APPROVED
 DENIED

Jesse Y. Gory
SIGNATURE
Fire Inspector
TITLE

2/19/13
DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MARCH 4, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 14, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

PERSON/LOCATION TRANSFER
SERIES 9

ROUTING:

- POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: JASON BARCLAY MORRIS

BUSINESS NAME: CVS PHARMACY #10229

ADDRESS: 510 N. AVONDALE BLVD.

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

DEPARTMENTAL COMMENTS:

- APPROVED
 DENIED

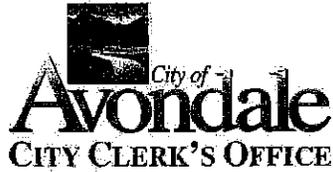
SIGNATURE
Building Official

TITLE

2/7/13

DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MARCH 4, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 14, 2013**



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

PERSON/LOCATION TRANSFER
SERIES 9

ROUTING:

POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: JASON BARCLAY MORRIS

BUSINESS NAME: CVS PHARMACY #10229

ADDRESS: 510 N. AVONDALE BLVD.

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

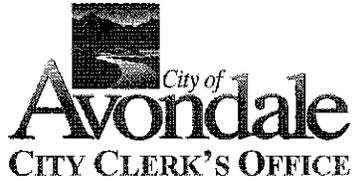
DEPARTMENTAL COMMENTS:

APPROVED
 DENIED

Tommy Fortino
SIGNATURE
Zoning Specialist
TITLE

2/12/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MARCH 4, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 14, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

PERSON/LOCATION TRANSFER
SERIES 9

ROUTING:

- POLICE DEPARTMENT
 FIRE DEPARTMENT
 FINANCE DEPARTMENT
 DEVELOPMENT SERVICES

APPLICANT'S NAME: JASON BARCLAY MORRIS

BUSINESS NAME: CVS PHARMACY #10229

ADDRESS: 510 N. AVONDALE BLVD.

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

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED



SIGNATURE
Tax Audit Supervisor

TITLE

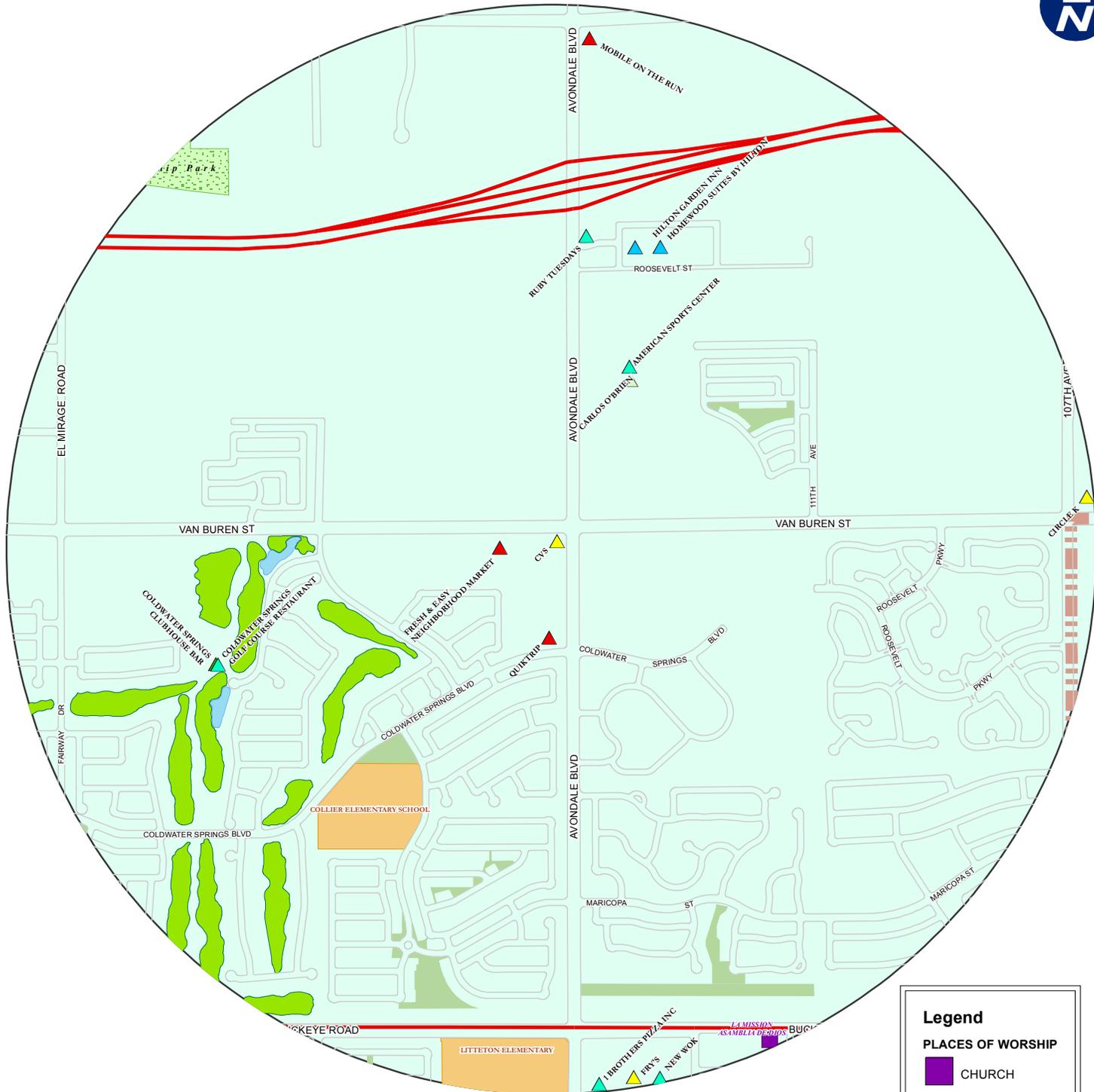
2/11/13

DATE

**THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MARCH 4, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 14, 2013**

NOTICE
[Illegible text follows, including a table with columns for 'Item', 'Quantity', and 'Unit']

02.14.2013 15:31



Legend

PLACES OF WORSHIP

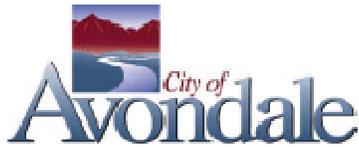
- CHURCH

Liquor License

- SERIES 5
- SERIES 11
- SERIES 6
- SERIES 7
- SERIES 9
- SERIES 10
- SERIES 12
- SERIES 15
- SERIES 16
- SCHOOLS

CVS #9
1 Mile Buffer





CITY COUNCIL REPORT

SUBJECT:

Liquor License Series 10 (Beer and Wine Store) -
ZOOMTOWN Market

MEETING DATE:

March 18, 2013

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

PURPOSE:

Staff is recommending approval of an application submitted by Mr. Michael Korzeniouski for a Series 10 Beer and Wine Store liquor license at ZOOMTOWN Market located within Phoenix International Raceway at 7602 S. Avondale Blvd.

DISCUSSION:

The City Clerk's Department has received an application from Mr. Michael Korzeniouski for a Series 10 Beer and Wine Store liquor license at ZOOMTOWN Market located at 7602 S. Avondale Blvd. within Phoenix International Raceway. The required fees in the amount of \$950.00 have been paid. As required by state law and city ordinance, the application was posted for the required period of time starting February 26, 2013 and a notice was published in the West Valley View on March 8 and March 12, 2013. No comments were received.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete.

The Development Services, Police, and Fire Departments have reviewed the application and are recommending approval. While not required by the ordinance, the application was also reviewed by the Finance Department which has determined that the business is in good financial standing with the City. Department comments are attached.

RECOMMENDATION:

Staff is recommending approval of an application submitted by Mr. Michael Korzeniouski for a Series 10 Beer and Wine Store liquor license at ZOOMTOWN Market locations at 7602 S. Avondale Blvd. within Phoenix International Raceway.

ATTACHMENTS:

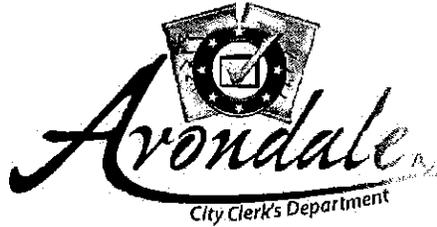
Click to download

- [Zoom Town Application Redacted](#)
- [Review by Departments](#)
- [Posting photos](#)
- [Vicinity Map](#)

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/31829>



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 10: BEER AND WINE STORE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES



APPLICANT'S NAME: MICHAEL KORZENIOWSKI

BUSINESS NAME: ZOOMTOWN MARKET

BUSINESS ADDRESS: 7602 S. AVONDALE BOULEVARD, SUITE B

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

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



SIGNATURE

Asst Chief of Police

TITLE

2/26/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 10: BEER AND WINE STORE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: MICHAEL KORZENIOWSKI

BUSINESS NAME: ZOOMTOWN MARKET

BUSINESS ADDRESS: 7602 S. AVONDALE BOULEVARD, SUITE B

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

DEPARTMENTAL COMMENTS:

APPROVED

DENIED

Jose Y. Gomez
SIGNATURE

Fire Inspector
TITLE

2/25/13
DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 10: BEER AND WINE STORE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: MICHAEL KORZENIOWSKI

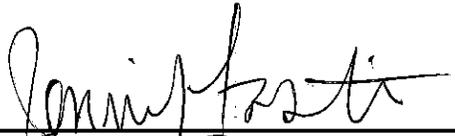
BUSINESS NAME: ZOOMTOWN MARKET

BUSINESS ADDRESS: 7602 S. AVONDALE BOULEVARD, SUITE B

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

DEPARTMENTAL COMMENTS:

APPROVED
 DENIED



SIGNATURE
Zoning Specialist

TITLE

2/25/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 10: BEER AND WINE STORE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: MICHAEL KORZENIOWSKI

BUSINESS NAME: ZOOMTOWN MARKET

BUSINESS ADDRESS: 7602 S. AVONDALE BOULEVARD, SUITE B

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

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



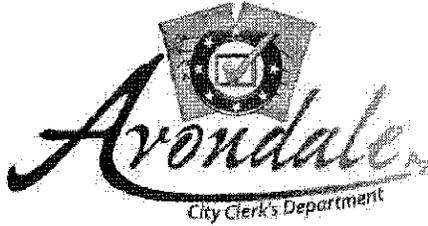
SIGNATURE
Building Official

TITLE

2/22/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013



DEPARTMENTAL REVIEW FORM

TYPE OF LICENSE:

SERIE 10: BEER AND WINE STORE

ROUTING:

POLICE DEPARTMENT

FIRE DEPARTMENT

FINANCE DEPARTMENT

DEVELOPMENT SERVICES

APPLICANT'S NAME: MICHAEL KORZENIOWSKI

BUSINESS NAME: ZOOMTOWN MARKET

BUSINESS ADDRESS: 7602 S. AVONDALE BOULEVARD, SUITE B

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

DEPARTMENTAL COMMENTS:

APPROVED

DENIED



SIGNATURE

Tax Audit Supervisor

TITLE

2/25/13

DATE

THIS LICENSE IS SCHEDULED FOR THE COUNCIL MEETING OF: MAR. 18, 2013
PLEASE RETURN YOUR COMMENTS TO THE CITY CLERK'S OFFICE BY: FEB. 28, 2013

A large banner for Zoomtown Market is displayed on the side of a white tent. The banner has an orange top section with the word 'ZOOMTOWN' in white, bold, sans-serif capital letters. To the right of 'ZOOMTOWN', the word 'Market' is written in a white, cursive script. Below this, a blue horizontal band contains the text 'SNACKS • SODA • BEER • ICE' in white, sans-serif capital letters. The banner is strung across the tent's side, with small, colorful flags hanging from the peak of the tent above it.

ZOOMTOWN *Market*
SNACKS • SODA • BEER • ICE



02.26.2013 11:44

02.26.2013 11:45

NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES
DATE POSTED: FEBRUARY 26, 2013

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

LOCATION: 11465 WEST CIVIC CENTER DRIVE
DATE: MONDAY, MARCH 18, 2013
AT 7:00 PM.

(HEARING DATES SUBJECT TO CHANGE,
TO VERIFY CALL: 623-333-1200)

SERIES 10: BEER AND WINE STORE

THE LOCAL GOVERNING BODY WILL RECOMMEND TO THE STATE LIQUOR BOARD WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD MAY HOLD A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL GOVERNING BODY. ANY PERSON RESIDING OR OWNING OR LEASING PROPERTY WITHIN A ONE-MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD IN WRITING TO REGISTER AS A PROTESTER. TO REQUEST INFORMATION REGARDING PROCEDURES BEFORE THE BOARD AND NOTICE OF ANY BOARD HEARINGS REGARDING:

ZoomTown Market
7602 S. Avondale Boulevard, Suite B
Avondale, AZ. 85323

THIS APPLICATION, CONTACT: STATE LIQUOR BOARD - 800 W. WASHINGTON, 5TH FLOOR, PHOENIX, AZ 85007 STATE LIQUOR DEPT: (602) 542-9789
INDIVIDUALS REQUIRING ADA ACCOMMODATIONS CALL THE CITY CLERK AT: 623-333-1200.

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

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, all owners, partners, shareholders, officers, or managers who are employed in the state by any corporation or the business must attend a Department of Liquor Licenses and Control approved course or provide proof of satisfactory work in the field for one year. See page 3 of the Liquor Licensing Regulations for more information.

SECTION 1 This application is for a:

INSTEAD FROM ONE LICENSE

NEW LICENSE Complete Sections 2, 3, 4, 11, 13, 14, 15, 16

INTERIM PERMIT Complete Section 5

PERSON TRANSFER (Name & Address Changes ONLY) 1812
Complete Sections 2, 3, 4, 11, 13, 15, 16

LOCATION TRANSFER (Name and Address Changes ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16

PROBATIONAL ASSIGNMENT/DIVORCE DECREE

GOVERNMENT Complete Sections 2, 3, 4, 8, 13, 16 (Include ID#)
Complete Sections 2, 3, 4, 10, 13, 15, 16

SECTION 2 Type of ownership:

JTWROS 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 # (if): _____

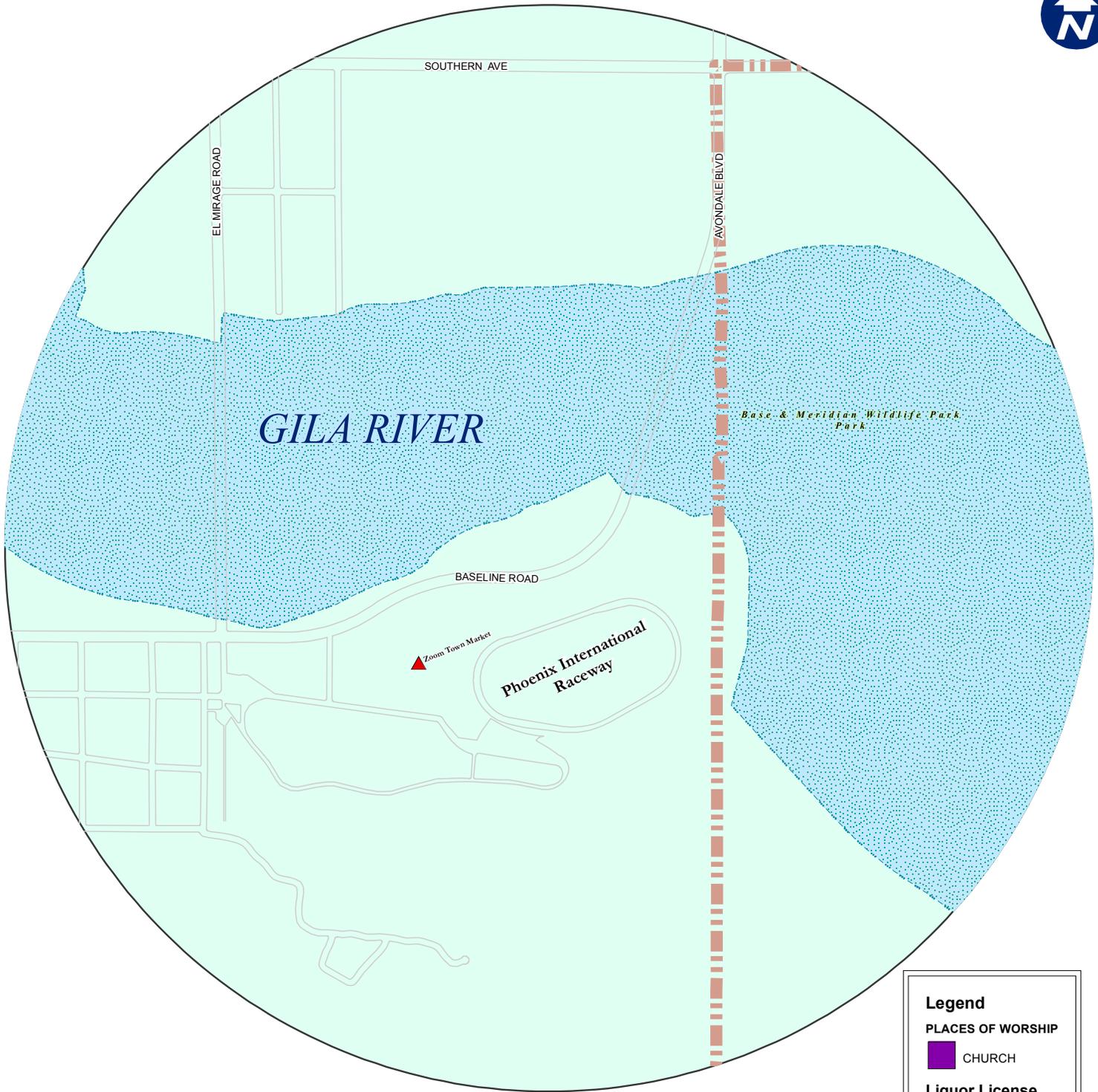
1. Type of License(s) _____ 2. Total fees attached \$ _____ Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE
The fees allowed under A.R.S. 44-882 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Korzeniauskis, Michael M# _____ DOB _____
2. Corp./Partnership/L.C.: _____
3. Business Name: AMENDMENT
4. Principal Street Location: _____ City _____ County _____
5. Business Phone: _____ Daytime Phone _____
6. Is the business located within the incorporated limits of the above city or town? YES
7. Mailing Address: _____
8. Price paid for license only bar, beer and wine, or liquor store: Type _____ \$ _____

DEPARTMENT USE ONLY
Fees: 100. 100. 800.00 200.00



ZOOM TOWN MARKET
7602 S AVONDALE BLVD
SUITE B
1 Mile Buffer

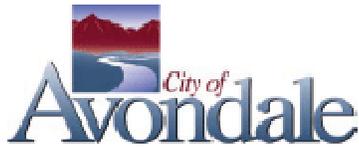
Legend

PLACES OF WORSHIP

- CHURCH

Liquor License

- SERIES 5
- SERIES 11
- SERIES 6
- SERIES 7
- SERIES 9
- SERIES 10
- SERIES 12
- SERIES 15
- SERIES 16
- SCHOOLS



CITY COUNCIL REPORT

SUBJECT:

Professional Services Agreement - Entellus, Inc. for
GPS Verification Project for GIS

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Wayne Janis, P.E., Public Works Director 623-333-4444

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is requesting that the City Council approve a Professional Services Agreement with Entellus, Inc. for the purpose of improving the accuracy and updating of water and sewer assets in the GIS database for an amount not to exceed \$149,910 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

The GIS databases are utilized by several City departments including Engineering, Economic Development, Planning, and Public Works. Currently the City's utility GIS database is based on several different data sources. These include digitizing as-builts, sketches from field staff, and legacy knowledge. There are potential accuracy issues with all of these methods including the accuracy of as-builts, the digitizing method used, and poorly created hand sketches. Another challenge derives from completed jobs for which we never received final plans.

Accuracy of these databases is necessary in order to provide the field and engineering staff with the information they need to be able to perform their daily tasks efficiently and safely without causing physical damage to our infrastructure. In an effort to verify the existence and improve spatial accuracy of these features we need to have the items located and captured by a licensed and qualified survey team.

DISCUSSION:

The proposed Professional Services Agreement establishes a two-year contract that will allow the City to obtain precise locations for an estimated 21,000 water meters, hydrants, valves, vaults and manholes. The data collection process will be done by Entellus' experienced field technicians operating Trimble GPS survey equipment. Horizontal and vertical data will be obtained for each identified feature and will be tied to the City's municipal control network.

BUDGETARY IMPACT:

Entellus was chosen from the City's existing pre-qualified consultant list, the cost for the two year contract is \$149,910. Funding for this item is available in the Water Operating Budget, line item 501-9111-00-6180.

RECOMMENDATION:

Staff recommends that the City Council approve a Professional Services Agreement with Entellus, Inc. for the purpose of improving the accuracy and updating water and sewer assets in the GIS database for an amount not to exceed \$149,910 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

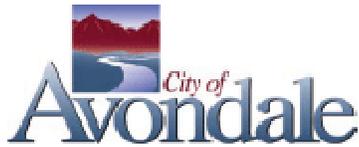
Click to download

[PSA - Entellus](#)

DUE TO ITS SIZE, THIS DOCUMENT
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PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/31804>



CITY COUNCIL REPORT

SUBJECT:

Professional Services Agreement – TY LIN
International – 107th Avenue, Van Buren Street to
McDowell Road

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Charles Andrews, P.E., Assistant City Engineer, 623-333-4216

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is requesting that the City Council approve a Professional Services Agreement with TY LIN International (TYLIN) to provide transportation engineering design services along 107th Avenue from Van Buren Street to McDowell Road in the amount of \$91,243.49 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

The City was allocated funds from SRP for aesthetic enhancements. This funding is set to expire in 2015 and therefore, the City must move a viable project forward. Staff has determined that a viable enhancement project would be located on 107th Avenue from Van Buren Street to Roosevelt Street. The proposed project would allow the existing open channel irrigation channel to be piped and relocated outside the future widening of 107th Avenue.

DISCUSSION:

In order to relocate the power and irrigation facilities (which require dedicated easements), the ultimate geometric design of 107th Avenue between Van Buren Street and McDowell Road (approximately 1-mile) needs to be documented. As part of the project, TYLIN will investigate the utilities which are present within the project area and right-of-way (ROW). This will facilitate future construction. The information obtained will be utilized by the City to determine an ultimate location for the existing SRP power and irrigation facilities that are planned to be relocated in the summer/fall of 2013. The facilities are currently located along the west side of 107th Avenue between Van Buren Street and McDowell Road.

The project study will allow the City to build ultimate improvements at the intersection of 107th Avenue and Van Buren Street which is set-up for the ultimate conditions. Staff will also have a planning document for a future development along the corridor with the right-of-way reserved for transit. Final design construction documents will be prepared for the removal and reconstruction of the private irrigation ditch along the west side of 107th Avenue between Van Buren Street and Roosevelt Street.

Additionally, the proposed roadway geometrics will also account for a future segment of the Valley Metro Light Rail planned to be located within 107th Avenue between McDowell Road and Roosevelt Street, including underneath the I-10/107th Avenue traffic interchange in accordance with the recently adopted General Plan.

This project will allow the City to submit plans to SRP this summer in order to keep to schedule.

SCOPE OF WORK:

The scope of work for this phase will include:

- Data acquisition and base mapping
- Project meetings and coordination
- Development of roadway geometrics for the ultimate conditions along 107th Avenue
- Development of ROW Strip Maps
- Preparation of final private irrigation construction documents

SELECTION PROCESS:

In accordance with the City's Procurement Policy, staff requested proposals from three (3) firms listed on the Professional Consultants Selection List. A committee was formed and the proposals were evaluated. Upon review, it was determined that TYLIN was the best qualified firm to provide engineering design consulting services for this project. Staff contacted references and found that TYLIN is considered to be a competent, knowledgeable, and highly recommended consultant based on similar projects. Staff requested, received, and negotiated a proposal from TYLIN for engineering design services.

SCHEDULE:

A tentative schedule is as follows:

Alternate Concepts - April 2013
15% Final Concept - May 2013
60% Private Irrigation - May 2013
90% Private Irrigation - June 2013
Final Private Irrigation - July 2013

BUDGETARY IMPACT:

Funding is available in CIP Street Fund Line Item 304-1009.

RECOMMENDATION:

Staff recommends that the City Council approve a Professional Services Agreement with TYLIN to provide transportation engineering design services along 107th Avenue from Van Buren Street to McDowell Road in the amount of \$91,243.49 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Click to download

[PSA Agreement TYLin International](#)

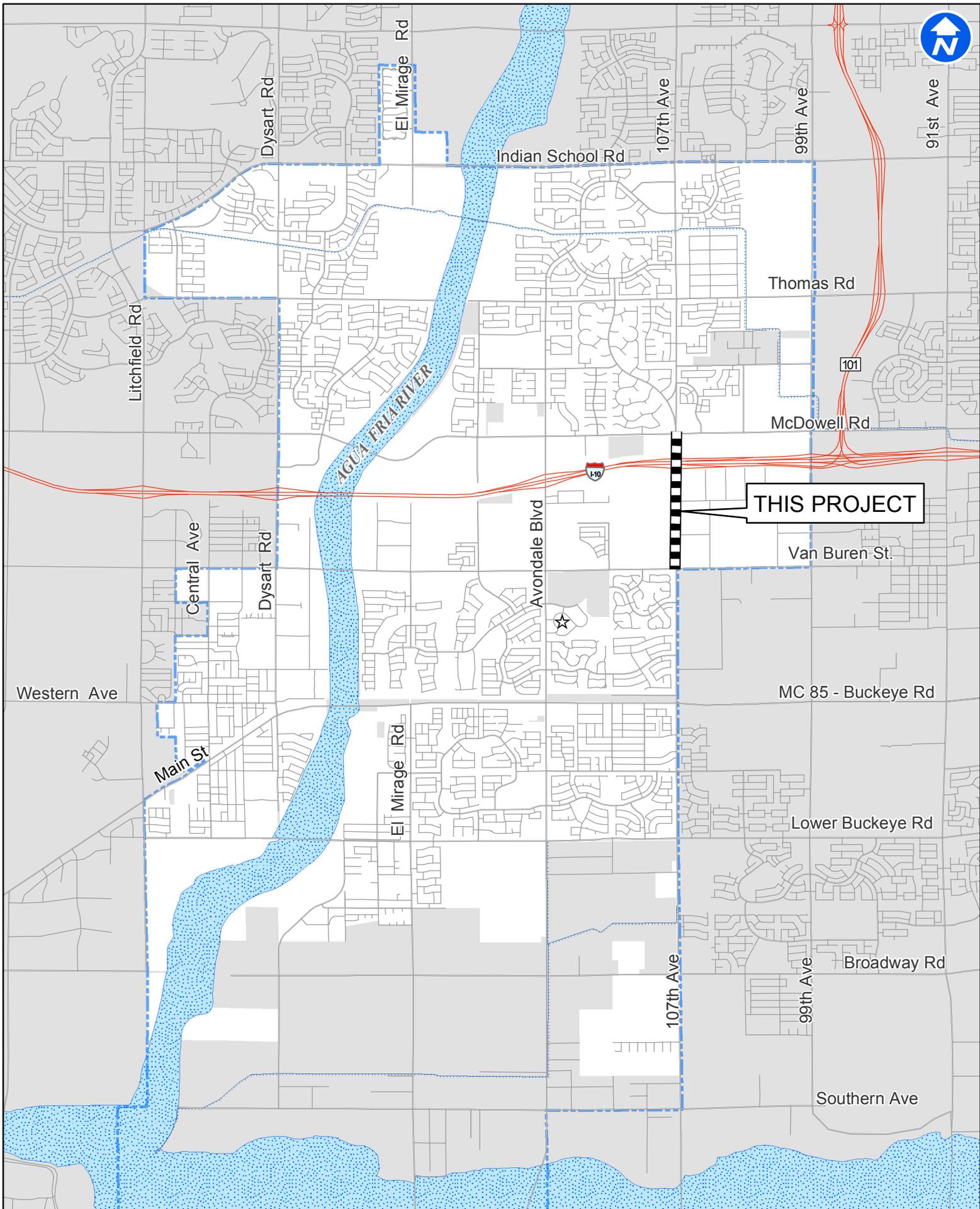
[Vicinity Map](#)

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

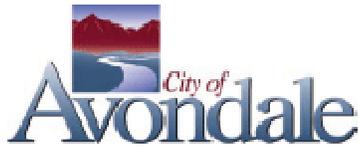
PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/31830>

VICINITY MAP



City of Avondale
107th Ave - Van Buren St to McDowell Rd



CITY COUNCIL REPORT

SUBJECT:

First Amendment to Agreement - Accela, Inc. for Software Maintenance and Support

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Tracy Stevens, Planning Manager (623) 333-4012 and Rob Lloyd, CIO/IT Director (623) 333-5011

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff requests that the Mayor and City Council approve a contract amendment between the City of Avondale and Accela, Inc., to extend maintenance and support services for the software system used to administer the City's development review processes.

BACKGROUND:

In 2008, the City procured a system to improve and administer its development review processes, including planning, inspections, and records management. The City awarded contract 12610c to Accela, Inc., to implement and support the selected system with City staff. The system went live in 2010 and the Development Review and Engineering Department has used it since. Accela allows for faster completion of inspections for construction in the community, is key to complying with State legal requirements for development reviews, and enables City staff to function effectively in the field. The original contract between the City and Accela reaches the end of its first five-year cycle in 2013. An Impractical to Procure determination was approved by the City's Procurement Officer based on the facts that (1) the system continues to perform for the City and (2) a replacement system would cost many times the amount of extending the maintenance and support.

DISCUSSION:

Continuing use and maintenance of Accela is prudent due to its role in the Development Review and Engineering Department. The system performs to expectations, supports the City's work processes, and staff is adept in its use. Conversely, implementing a new system would require procurement, significant additional cost, retraining staff, and would involve considerable risk to execute successfully. As the Development and Engineering Services Department continues to remain competitive in the development industry, enhance plan review services, reduce turn-around times and increase overall customer service levels, it is important that the electronic plan review and tracking system continue to be provided in a consistent and efficient manner. The proposed contract amendment provides maintenance and support services for one year with four one-year renewal options. The agreement also provides up to \$25,000 in consulting services to improve or modify the system over the full term. The inclusion of services is in anticipation of upgrades and responding to new changes the State of Arizona will make to statutes defining review deadlines. Additionally, the City has negotiated terms to reduce license counts to match current staffing and to cap annual increases in maintenance and support to 5% versus higher rates in the previous agreement.

BUDGETARY IMPACT:

The first year of maintenance and support will cost \$58,292.61. The maximum aggregate amount for the Agreement shall not exceed \$326,451.57 over term of the contract, if all renewal options are exercised and including up to \$25,000 for consulting services, as needed, for improvements to the

Accela system. Funding for maintenance and support is located under the Development Services and Engineering budget, within program 5410. City Council will review and decide funding for maintenance and support in future years as part of the annual budget process.

RECOMMENDATION:

Staff recommends that the Mayor and City Council approve the contract amendment with Accela, Inc., providing maintenance, support, and limited consulting services for a total maximum aggregate amount of \$326,451.57 over five years and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Click to download

[Agreement, First Amendment](#)

**FIRST AMENDMENT
TO
AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ACCELA, INC.**

THIS FIRST AMENDMENT TO AGREEMENT (this “First Amendment”) is entered into as of May 31, 2013 (the “Effective Date”), between the City of Avondale, an Arizona municipal corporation (the “City”) and Accela, Inc., a California corporation (the “Consultant”).

RECITALS

A. The City and the Consultant entered into a License Agreement, dated May 20, 2008, for the City to license Accela software (the “License Agreement”).

B. The City and the Consultant entered into a Maintenance Agreement, dated May 20, 2008, for the Consultant to provide support and updates to the software the City licensed with the License Agreement (the “Maintenance Agreement”).

C. The City and the Consultant entered into a Services Agreement, dated May 20, 2008, for services related to the License Agreement (the “Services Agreement” and together with the License Agreement and Maintenance Agreement, the “Agreement”).

D. The term of the Agreement expires on May 30, 2013, and the City has determined that it is necessary to purchase additional software maintenance and consulting services (the “Additional Services”).

E. The City and the Consultant desire to enter into this First Amendment to (i) extend the term of the Agreement; (ii) add a renewal provision to the Agreement; (iii) reduce the number of licenses; and (iv) provide for compensation to the Consultant for the Additional Services, as more particularly set forth below.

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 June 30, 2014 (the “Extended Term”), unless terminated as otherwise provided pursuant to the terms and conditions of the Agreement. After the expiration of the Extended Term, this Agreement may be renewed for up to four successive one-year terms (each, a “Renewal Term”) if (i) it is deemed in the best interests of the City, subject to

availability and appropriation of funds for renewal in each subsequent year and (ii) at least 30 days prior to the end of the then-current term of the Agreement, the City approves the additional one-year term in writing (including any price adjustments approved as part of this Agreement), as evidenced by the City Manager's signature thereon. The Extended Term and any Renewal Term(s) are collectively referred to herein as the "Term." Upon renewal, the terms and conditions of the Agreement shall remain in full force and effect.

2. Licenses. As of the effective date, the City will relinquish 15 user licenses of Accela Automation (Land Management) and five user licenses of Accela GIS.

3. Compensation. The City shall pay Consultant an aggregate amount not to exceed \$58,292.61 for the maintenance component of the Additional Services through June 30, 2014, at the rates as more particularly set forth in the Maintenance Schedule and Fee Proposal attached hereto as Exhibit A and incorporated herein for reference. Consultant agrees to cap annual maintenance price increases at five percent, as set forth in Exhibit A, as long as the City pays the compensation when due. Additionally, during the term of the Agreement, Accela shall provide such additional services as may be requested from time-to-time by City for the consulting component of the Additional Services, for improvements to the Accela system in an amount not to exceed \$25,000. The maximum aggregate amount for this First Amendment shall not exceed \$326,451.57

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.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto have executed this instrument 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 _____, 2013,
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]

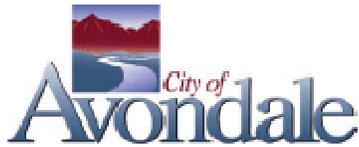
EXHIBIT A
TO
FIRST AMENDMENT
TO
AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ACCELA, INC.

[Maintenance Schedule and Fee Proposal]

See following page.

Avondale, AZ
 Maintenance Schedule
 License Reduction - Maintenance
 February 7, 2013

Product	Qty	Current Term	New Qty	Updated Annual	Pro-rated Term	Year 1	Year 2	Year 3	Year 4	Year 5
		5/31/12 - 5/30/13		5/31/12 - 5/30/13	5/31/13 - 6/30/13	7/1/13 - 6/30/14	7/1/14 - 6/30/15	7/1/15 - 6/30/16	7/1/16 - 6/30/17	7/1/17 - 6/30/18
Land Management	55	38,716.68	40.00	28,157.58	2,511.04	29,565.46	31,043.73	32,595.92	34,225.72	35,937.01
Accela Wireless	5	9,035.92	5.00	9,035.92	805.81	9,487.72	9,962.11	10,460.22	10,983.23	11,532.39
Citizen Access	1	6,184.02	1.00	6,184.02	551.48	6,493.22	6,817.88	7,158.77	7,516.71	7,892.55
Accela GIS	45	8,767.38	40.00	7,793.23	694.99	8,182.89	8,592.03	9,021.63	9,472.71	9,946.35
		<u>62,704.00</u>		<u>51,170.75</u>	\$ 4,563.32	\$ 53,729.29	\$ 56,415.75	\$ 59,236.54	\$ 62,198.37	\$ 65,308.30



CITY COUNCIL REPORT

SUBJECT:

Lease Agreement with Anderson Institute of Music and Performing Arts

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Daniel Davis, Economic Development Director (623) 333-1411

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is requesting that the City Council approve a Lease Agreement with Anderson Institute of Music and Performing Arts, LLC and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

The City of Avondale initiated the development of City Center with the construction of the American Sports Centers-Avondale at the Randall McDaniel Sports Complex and the construction of the retail space that currently features Carlos O'Brien Mexican Restaurant.

DISCUSSION:

Staff has negotiated a lease with the owners of Anderson Institute of Music and Performing Arts who will occupy approximately 9,000 SF of the retail space in the building immediately south of Carlos O'Brien's Restaurant.

Anderson Institute of Music and Performing Arts provides lessons including vocal, instruments such as the guitar, cello, bass, violin and piano. The school also teaches ballet, tap and ballroom dance and several acting classes. The facility will also feature a community theater and stage for performances and recitals. There will also be the opportunity for limited retail sales associated with musical equipment supplies and sheet music.

The initial term of the lease will be ten (10) years with the option to extend the lease for an additional sixty (60) month period. The initial annual lease for the tenant provides an initial six (6) abatement period, and the lease rate over the term of the agreement will range from \$14 - \$22 SF. During the option period, the rate will continue at \$22 SF

The City will provide the tenant an allowance in the amount of \$450,000 that will be used for tenant improvements. The tenant will provide additional improvements for furniture, staging, and lighting and the cost of these improvements will not be less than \$150,000. Any additional costs incurred for building improvements will be solely borne by the tenant. The tenant will also be responsible for all professional design fees associated with the improvements.

The Anderson Institute of Music and Performing Arts plans to proceed through design and construction from April-November of this year. A majority of their classes and programs will begin in January 2014, however if the construction of the tenant improvement is completed before the end of the year, they will plan to occupy the building in December and host their end of the year performances and recitals.

BUDGETARY IMPACT:

Funding in the amount of \$450,000 for the tenant improvements in this lease are budgeted in the Capital Improvement fund account No. 310-1119-00-8210.

RECOMMENDATION:

Staff recommends that the City Council approve a Lease Agreement with Anderson Institute of Music and Performing Arts, LLC and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

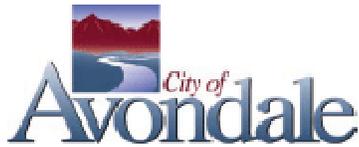
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[Lease Agreement](#)

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/31827>



CITY COUNCIL REPORT

SUBJECT:

Resolution 3096-313 - Intergovernmental Agreement with Maricopa County Emergency Management

MEETING DATE:

March 18, 2013

TO: Mayor and Council

FROM: Mark Gorla, Emergency Management Officer (623) 333-1035

THROUGH: David Fitzhugh, Assistant City Manager

PURPOSE:

Staff requests the City Council approve a resolution authorizing an Intergovernmental Agreement for Regional Emergency Operations Management and Disaster Services between the City of Avondale and Maricopa County and authorize the Mayor or the City Manager and City Clerk to execute the appropriate documents.

BACKGROUND:

The Maricopa County Department of Emergency Management and the City of Avondale currently have an IGA that establishes Maricopa County and City of Avondale obligations for mutual preparedness, coordination, and planning for possible occurrences of disasters of unprecedented size and destructiveness from natural, technological, national security or other causes.

The current IGA will expire on June 30, 2013. The Effective date of the recommended IGA will be July 1, 2013 and continue until June 30, 2018.

DISCUSSION:

The City of Avondale's approach to disaster preparedness is based on the principles of Comprehensive Emergency Management. This approach entails working with local, regional, state and federal partners in preparing, mitigating, responding and recovering from disasters or emergencies that overwhelm local resources. The Maricopa County Department of Emergency Management (MCDEM) is the lead regional partner for local jurisdictions. MCDEM provides planning, training and response resources. One example of resources provided by MCDEM is WebEOC which is a web based program that connects all regional partners in the event of a large scale disaster or emergency that requires coordination and response from regional partners. The recommended IGA will continue the strong partnership between the City of Avondale and the Maricopa County Department of Emergency Management.

BUDGETARY IMPACT:

The annual assessment for services by MCDEM including WebEOC is \$4,670.34

RECOMMENDATION:

Staff recommends the City Council approve a resolution authorizing an Intergovernmental Agreement for Regional Emergency Operations Management and Disaster Services between the City of Avondale and Maricopa County and authorize the Mayor or the City Manager and City Clerk to execute the appropriate documents.

ATTACHMENTS:

Click to download

- [Resolution 3096-313](#)
- [FY 2014 ASSESSMENT](#)

RESOLUTION NO. 3096-313

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO REGIONAL EMERGENCY OPERATIONS MANAGEMENT AND DISASTER SERVICES.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Intergovernmental Agreement with Maricopa County relating to emergency operations management and disaster services (the “Agreement”) is hereby approved in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, March 18, 2013.

Marie Lopez Rogers, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 3096-313

(Agreement)

See following pages.

INTERGOVERNMENTAL AGREEMENT FOR
REGIONAL EMERGENCY OPERATIONS MANAGEMENT AND DISASTER SERVICES
BETWEEN MARICOPA COUNTY, ARIZONA
AND THE
CITY OF AVONDALE

This Regional Disaster and Emergency Management Services Agreement (“Agreement”) goes into effect on the 1st day of July 2013 (the “Effective Date”), by and between Maricopa County, a political subdivision of the State of Arizona (“County”), and the City of Avondale, a public agency of the State of Arizona (the “City” or “Public Agency”).

STATUTORY AUTHORIZATION

County and Public Agency are empowered by ARIZ. REV. STAT. §11-952 et seq. and ARIZ. REV. STAT. § 26-308(B) to enter into this Agreement.

BACKGROUND

WHEREAS, there is an existing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from natural, technological, national security or other causes; and,

WHEREAS, the parties mutually desire that preparation shall be adequate to provide for the common defense against disaster; and,

WHEREAS, the parties mutually desire to assure the coordinated preparation and execution of emergency management programs and plans for the preservation of life and property when disasters occur in accordance with the guidance set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121-5207; Post Katrina Emergency Management Reform Act of 2006, Public Law 109-295 ; applicable Federal Emergency Management Guides and Directives; and applicable State of Arizona Emergency Plans:

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed by and between County and Public Agency as follows:

DEFINITIONS

1. For purposes of this Agreement, the term “Public Agency” shall have the same definition as that contained in ARIZ. REV. STAT. §11-951.
2. “Participating Public Agencies” means those public agencies, which have active agreements for Disaster and Emergency Management Services with County.
3. “Total Budget” means the Maricopa County Department of Emergency Management’s General Fund and Grant Fund expenditure budgets as adopted by the Maricopa County

Board of Supervisors, plus baseline internal/central service charges, for the Preceding Fiscal Year. Budgeted fund balance expenditures, annual maintenance cost for the comprehensive emergency management tool and capital items are not included in the “Total Budgeted” calculation.

4. “Local Budget” means the Total Budget less any contributions or reimbursements to that budget from the federal government.
5. “Preceding Fiscal Year” year immediately proceeding the fiscal year for which a participating public agency’s annual assessment is being determined. Annual Assessments are based on the proceeding year’s Local Budget. For example, a public agency’s annual assessment for FY2013 is based on the Maricopa County Department of Emergency Management’s Local Budget for FY2012.
6. “Capital Items” means fixed assets such as furniture, computers, etc., which shall remain the property of the County. Capital items will physically remain with County, which shall bear the risk of damage thereto or loss thereof.
7. “Population” means the most recent U.S. census figure for each Participating Public Agency. This figure is normally calculated every 10 years, but if a supplementary census is conducted out of the 10 year cycle, the supplementary census numbers will be used, provided that all participating public agencies are included in the supplementary census.

TERMS OF AGREEMENT

1. County Obligations

County shall:

- a. Prepare and maintain a county Emergency Operations Plan or Plans (“EOP”) with due consideration of hazards that affect all areas in the County.
- b. Advise and assist Public Agency in the development, review, publication, and distribution of an EOP developed by Public Agency.
- c. Advise and assist Public Agency in the development, review, publication, and distribution of a Multi-Hazard Mitigation Plan.
- d. Advise and assist Public Agency in development, review, publication, and distribution of a Community Wildfire Protection Plan.
- e. Advise and assist Public Agency with the disaster and emergency management training of such employees as Public Agency shall designate.
- f. Provide and maintain a coordinated countywide emergency management program for extraordinary operational systems not provided for in normal governmental

operations, including: Warning Systems, Communications System, comprehensive emergency management and planning, and an Emergency Operations Center.

- g. Provide and maintain, and issue access to a comprehensive emergency management software tool to expedite the emergency operations center processes.
- h. Develop and maintain a countywide comprehensive electronic interactive resource database of government owned and other resources available for use in the event of a disaster.
- i. Provide assistance in obtaining Federal or State funds available to Public Agency for emergency management and disaster purposes.
- j. Advise and assist Public Agency in the timely preparation of reports and other papers required by the state or federal governments.
- k. Offer coordination assistance to Public Agency in the event of a disaster affecting Public Agency.
- l. That the county EOC may act as a backup EOC for partner cities.
- m. Assist Public Agency in conducting exercises scheduled by Public Agency to test its disaster response capability.
- n. Advise and assist Public Agency with emergency planning, training and exercises for schools and health care facilities.
- o. Advise and assist Public Agency in complying with the provisions of Title 26, Chapter 2, Arizona Revised Statutes, and State policies and procedures.
- p. Advise and assist Public Agency with public awareness and education including but not limited to:
 - (1) providing disaster response pamphlets/handouts to Public Agency emergency management personnel for later distribution to the public.
 - (2) delivering disaster response pamphlets/handouts to libraries, community centers, and senior centers located in Public Agency.
 - (3) giving oral presentations on disaster and emergency-related subjects to schools, civic groups and similar organizations.
 - (4) setting up and staffing information booths at fairs, safety days and similar events.
- q. Notify Public Agency of its annual assessment for each upcoming fiscal year no later than March 1 of the Preceding Fiscal Year.

- r. Assist Public Agency with other disaster and emergency management programs as may be agreed upon.

2. **Public Agency Obligations**

Public Agency shall:

- a. Develop, publish and distribute an EOP which is complementary to and compatible with County's EOP.
 - b. Develop and conduct such emergency management training programs and exercises as it deems necessary.
 - c. The Public Agencies EOC may act as a back up to the County if they need an alternate location.
 - d. Collect and provide disaster and emergency management information when so required by the state or federal government.
 - e. During each fiscal year (July 1 to June 30) of the term of this Agreement, pay to County an annual assessment to be determined as follows:
 - (1) County will pay 50% of the Local Budget plus that portion of the Local budget allocated to Capital Items.
 - (2) The remainder of the Local Budget will be paid by the participating public agencies.
 - (3) Public Agency's annual assessment shall be determined by dividing Public Agency's Population by the Total Population of the participating public agencies and then multiplying the quotient by that portion of the Local Budget allocated to the participating public agencies in the preceding paragraph.
 - (4) Public Agencies will pay a fixed amount based on the actual annual maintenance cost of comprehensive emergency management tool. The total annual maintenance will be divided by all Participating Public Agencies equally.
3. This Agreement supersedes any and all agreements, either written or oral, between the parties hereto with respect to the subject matter contained herein and contains all the covenants and agreements between the parties with respect to the rendering of disaster and emergency management services. Except as otherwise provided herein, any effective modification must be in writing signed by both parties.
4. The parties acknowledge that this Agreement is subject to cancellation pursuant to ARIZ. REV. STAT. §38-511.

5. In the event of any controversy, which may arise out of this Agreement, the parties agree that the matter shall be arbitrated as provided in ARIZ. REV. STAT. §12-1518(A). The method of arbitration and the selection of arbitrators shall be decided by the mutual agreement of the parties at such time as arbitration services are needed. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.
6. The term of this Agreement shall commence on the Effective Date and continue until June 30, 2018, unless sooner terminated as provided herein. The Agreement may be terminated by either party giving written notice of such intention to the other party not less than ninety (90) days prior to June 30 of the year during which the notice is given, which shall be the effective date of the termination.
7. To the extent provisions of ARIZ. REV. STAT. §41-4401 are applicable, all Parties warrant to each Party that they will comply with all Federal Immigration laws and regulations that relate to their employees and that each now complies with the E-Verify Program under ARIZ. REV. STAT. §23-214(A).
 - a. A breach of this warranty will be considered a material breach of this Agreement and may subject the breaching party to penalties up to and including termination of this Agreement.
 - b. All of the Parties retain the legal right to inspect the papers of any employee who works pursuant to this Agreement or any related subcontract to ensure compliance with the warranty given above.
 - c. Any Party may conduct a random verification of the employment records of any other Party to ensure compliance with this warranty.
 - d. A Party will not be considered in material breach of this Agreement if it establishes that it has complied with the employment verification provisions prescribed by 8 USCA §1324(a) and (b) of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by ARIZ. REV. STAT. §23-214(A).
 - e. The provisions of this Article must be included in any contract either Party enters into with any and all of its contractors or subcontractors who provide services under this Agreement.
8. Pursuant to ARIZ. REV. STAT. §§ 35-391.06 and 35-393.06, each Party certifies that it does not have a scrutinized business operation, as defined in ARIZ. REV. STAT. §§ 35-391 and 35-393, in either Sudan or Iran.
9. To the extent permitted by law, each Party does hereby covenant and agree to indemnify, defend, and hold harmless the other Party, their elected officials, appointees, officers, employees, contractees, and agents from and against any and all suits, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature relating to this

Agreement which, are the result of any act or omission of the Party, its officers, employees, contractees, agents, and anyone acting under its direction or control, whether intentional or negligent, in connection with or incident to this Agreement. Failure of a Party to comply with the terms of this Agreement shall not provide the basis of any third party action against any of the Parties.

10. Pursuant to ARIZ. REV. STAT. §23-1022(D), for the purposes of worker's compensation coverage, all employees of each Party covered by this Agreement shall be deemed to be an employee of all Parties. The parent agency shall be solely liable for payment of worker's compensation benefits.
11. Any notices required or permitted to be given hereunder by either party to the other may be given by personal delivery in writing or by registered or certified mail, postage prepaid, with return receipt requested. Notices shall be addressed to the parties at the addresses appearing below, but each party may change such party's address by written notice given in accordance with this paragraph. Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated as of three (3) days mailing. Notices shall be addressed as follows:

To County to the attention of:

To Public Agency to the attention of:

Director
Maricopa County Department of
Emergency Management
5630 East McDowell Rd
Phoenix, AZ 85008

Charles McClendon
City Manager
City of Avondale
11465 W. Civic Center Drive
Avondale, AZ 85323

12. If any provision of this Agreement is held by a court of competent jurisdiction or applicable state or federal law and their implementing regulations to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

Dated this _ day of _____, 20__

Dated this ___ day of _____, 20__

For City:
Marie Lopez Rogers
Mayor

For County:
Andrew Kunasek
Chairman, Board of Supervisors

The undersigned attorneys for the respective parties each hereby certify that they have reviewed this Agreement and find that it is in proper form, and within the power and authority granted to their respective clients under the laws of the State of Arizona.

Andrew J. McGuire
City Attorney

David Benton
Deputy County Attorney

ATTEST:

Carmen Martinez
City Clerk

Fran McCarroll
Clerk of the Board

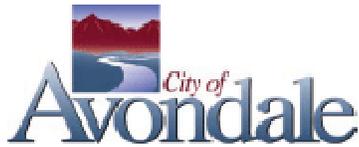


INFORMATIONAL PURPOSE ONLY

**FY 2014 ASSESSMENT (07/01/13 - 06/30/14)
INTERGOVERNMENTAL AGREEMENT WITH
MARICOPA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT**

TO: Mark Gorla
Emergency Management Director
City of Avondale
1825 N 107th Ave
Avondale, AZ 85392

FY 2014 TOTAL IGA ASSESSMENT DUE:	\$ 4,670.34
--	--------------------



DEVELOPMENT SERVICES

SUBJECT:
Public Hearing - Conditional Use Permit - Money
Mart (#PL-12-0213)

MEETING DATE:
March 18, 2013

TO: Mayor and Council
FROM: Tracy Stevens, Planning Manager (623) 333-4012
THROUGH: Charlie McClendon, City Manager

REQUEST: The applicant is requesting approval of a Conditional Use Permit for Money Mart (PL-12-0213) to allow the existing non-chartered financial institution to purchase and pawn jewelry, gold, and other precious metals.

PARCEL SIZE: Approximately 2.54 acres (lease area approximately 1,073 square feet)

LOCATION: 13045 W. Rancho Santa Fe Boulevard at the Palmilla Shopping Center.

APPLICANT: Ms. Kim Love-McLendon, Money Mart, Inc. d/b/a Money Mart, (610) 640-5923

OWNER: Avondale Palmilla Holdings, Phoenix AZ, (602) 648-2001

BACKGROUND:

The subject property is located in the Shops at Palmilla shopping center, which includes LA Fitness and two commercial buildings made up of suites; the Money Mart is in Shops Building A at the west side of the parcel (Exhibit A). The General Plan Land Use Map identifies the subject property as Freeway Commercial (Exhibit B), and the property is zoned C-2, Community Commercial (Exhibit C).

In 1996, approximately 83 acres, which includes the subject parcel, was rezoned from Agriculture (AG) to Community Commercial (C-2), Multi-Family Residential (R-4), and Planned Area Development District (PADD)/Commerce Park (CP). Community Commercial Zoning would cover 57 acres total, 7.45 dedicated to this site, Parcel 8, in the Rezoning.

In May of 2005, a site plan for a new fitness center, LA Fitness, was administratively approved for the subject parcel, which included design review for the two other commercial buildings. In 2011, the property was subdivided into two parcels through a Minor Land Division.

Money Mart has provided financial services to Avondale for over 10 years. Today, they are looking to expand their Avondale business model to include the pawning of gold, jewelry, and precious metals. This use is allowed in C-2 with an approved Conditional Use Permit.

SUMMARY OF REQUEST:

Money Mart, a non-chartered financial institution, is requesting approval of a Conditional Use Permit (CUP) for a proposed pawnshop use in order to purchase and pawn gold, jewelry, and precious metals. According to the Zoning Ordinance, Section 305.F, three conditions must be met prior to consideration of a Conditional Use Permit:

Body piercing studios, tattoo parlors, non-chartered financial services, pawnshops, liquor stores, and plasma centers may be permitted as a conditional use in certain commercial districts provided that:

- 1. The minimum separation between any of the above-listed uses shall be one thousand three hundred twenty (1,320) feet, measured in a straight line from the nearest property line of each property.*
- 2. The above-listed uses shall not be located within one thousand three hundred twenty (1,320) feet of a sexually oriented business as defined by Section 10, bar, night club, or wine bar.*
- 3. The minimum separation required for the above uses shall apply regardless of whether the other use is located within the incorporated area of the City of Avondale or another jurisdiction.*

Per the above, no zoning restrictions are in place to prohibit this use at this location. While Zara Jewelry Store located in the WAM Shopping Center (across Rancho Santa Fe Boulevard) buys and sells gold, it is considered an accessory to the main retail use of jewelry sales, and therefore, the separation requirement does not apply.

Money Mart plans to facilitate the acquisition and disposition of physical precious metals either by buying it from those who wish to dispose of it, or take it for pawning purposes. These items will not be sold back to customers, but sent off site to a smelting company. Money Mart will meet current state and local regulations that require merchandise be held for a certain period of time. Also, they will adhere to all reporting requirements.

Money Mart is requesting to extend its hours of operation. Currently it is open 9:00 AM to 6:00 PM Monday through Thursday, 9:00 AM to 7:00 PM on Friday, and 9:00 AM to 4:00 PM on Saturday. The store is closed on Sunday. The applicant states in the narrative that the store will operate from 9:00 AM to 9:00 PM Monday through Friday, 9:00 AM to 7:00 PM on Saturday, and 10:00 AM to 4:00 PM on Sunday. Therefore, it is extending its hours during the week, and planning to be open on Sundays. This proposed time frame meets current state statute and City requirements for a pawn use.

PARTICIPATION:

The applicant invited 10 property owners and other interested parties to a neighborhood meeting held on January 22, 2013, to discuss the proposal. Invitations consisted of a notice published in the West Valley View, a public notice sign being erected on the subject property, and First Class letters being mailed to each property owner within 500 feet of the subject property, all on or before January 4, 2013. One resident living in the Rio Santa Fe apartment complex, attended the meeting. She expressed safety concerns, specifically with respect to a possible increase in crime, additional signage at the store, and if other locations area allowed once this use is approved. Ms. Lisa Siaki, Money Mart's designated representative for the Neighborhood Meeting explained that Money Mart has not seen an increase in crime in their other neighborhoods when they introduced precious metal purchasing. Also, she explained that Money Mart adheres to all local city and state laws regarding precious metal purchases. Staff explained that if this use is approved, a separation requirement exists that restricts the number of locations throughout Avondale. Another pawn-related business would not be allowed within 1,320 feet.

The public was notified and invited to participate in the public hearing of this application before the Planning Commission on or before February 5, 2013. The public notices consisted of a published ad in the West Valley View, a sign posted on the subject property, and First Class letters mailed to each property owner within 500 feet of the subject property.

PLANNING COMMISSION ACTION:

The Planning Commission conducted a public hearing on February 21, 2013, and voted 4-2 to recommend approval of this request subject to the following stipulations (Exhibit F):

1. The development shall comply with the approved Project Narrative and Floor Plans date stamped February 12, 2013; and
2. The Conditional Use Permit approval shall expire two years from the approval date if the use does not commence from the CUP's approval date.

Commissioner Carrillo was excused from the meeting.

Chair Scibienski and Commissioner Kugler voted “nay,” in part, because in their opinion the separation between uses requirement of Section 305.F of the Zoning Ordinance is applicable to each use on the list. Thus, a non-chartered financial institution use, as the existing Money Mart currently operates, must be separated by a minimum of 1,320 feet from a pawn shop use, which Money Mart is proposing to conduct on the same premises for jewelry, gold, and other precious metals.

ANALYSIS:

In order to grant a Conditional Use Permit, Section 109.B of the Zoning Ordinance lists five findings that must be met. The burden of proof is upon the applicant. The findings and analysis are as follows:

a. That the proposed use (i) is consistent with the land use designation set forth in the General Plan, (ii) will further the City's general guidelines and objectives for development of the area, as set forth in the General Plan, and (iii) will be consistent with the desired character for the surrounding area.

i. The proposed use, a pawnshop, is commercial. The General Plan identifies the subject site as Freeway Commercial, which includes commercial complexes such as the Shops at Palmilla. Therefore this use conforms to the General Plan.

ii. The subject parcel was designed and constructed to meet the City's general guidelines and objectives for development in that area as set forth in the General Plan .

iii. The proposed additional use is consistent with the desired character of the surrounding area, since it is compatible with the current, non-chartered financial use. The site and exterior of the building will not be modified.

b. That the use will be (i) compatible with other adjacent and nearby land uses, and (ii) will not be detrimental to (1) persons residing or working the area, (2) adjacent property, (3) the neighborhood, or (4) the public welfare in general.

i. The remainder of the Shops at Palmilla shopping center was designed and constructed with commercial uses. There is a mix of existing businesses along with LA Fitness within the shopping center; however, many of the shops suites are vacant. However, future uses would need to fall under the list of permitted uses for C-2. This proposed use is compatible with these uses and compatible with the development.

ii. The use will not be detrimental to persons residing or working in the area, on adjacent properties, in the neighborhood, or to the public welfare in general. The project complies with all zoning, traffic, engineering, fire safety, police safety, and building code requirements. The site has always been identified as commercial development, which this use is considered.

c. That the site is adequate in size and shape to accommodate the proposed use, allow safe onsite circulation, and meet all required development standards, including but not limited to setbacks, parking, screening, and landscaping.

The site will not be modified and is an adequate size and shape for the proposed use. It meets all requirements for setbacks, parking, screening, and landscaping, and allows for safe, onsite circulation.

The existing site features adequate parking and was designed to accommodate vehicular circulation for non-chartered financial use. The existing site provides safe and convenient access from Rancho Santa Fe Boulevard and good circulation throughout the site.

d. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

Primary access to the site is off of Rancho Santa Fe Boulevard into this part of the shopping center. No changes are proposed to the approved and constructed points of access to the Shops at Palmilla. The shopping center was designed to accommodate this type of traffic generation.

e. That adequate conditions have been incorporated into the approval to insure that any potential adverse effects will be mitigated.

There are no adverse effects anticipated that would require mitigation for approval of this Conditional Use Permit. Two standard stipulations are included in the recommendation.

Conclusion: Based on the information provided by the applicant, the public input received and the analysis by staff, staff recommends approval of the requested restaurant with night club use. This request meets the required criteria and will conform to the conditions of approval.

FINDINGS:

1. The proposed use (i) is consistent with the land use designation set forth in the General Plan, (ii) furthers the City's general guidelines and objectives for development of the area, as set forth in the General Plan, and (iii) is consistent with the desired character for the surrounding area.
2. The use is (i) compatible with other adjacent and nearby land uses, and (ii) is not be detrimental to (1) person residing or working in the area, (2) adjacent property, (3) the neighborhood, or (4) the public welfare in general.
3. The site is adequate in size and shape to accommodate the proposed use, allow safe onsite circulation, and meets all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.
4. The site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.
5. Adequate conditions have been incorporated into the approval to ensure that any potential adverse effect will be mitigated.

RECOMMENDATION:

Based on the information provided by the applicant, the public input received and the analysis by staff, staff recommends approval of the request to allow for the purchase and pawn of jewelry, gold, and other precious metals at Money Mart, subject to 2 staff recommended conditions of approval.

PROPOSED MOTION:

I move that the City Council accept the findings and recommend APPROVAL of application PL-12-0213, a request to allow an existing non-chartered financial institution, Money Mart, to purchase and pawn jewelry, gold, and other precious metals, subject to the 2 staff recommended conditions of approval.

ATTACHMENTS:

[Click to download](#)

- [Exhibit A - Aerial Photograph](#)
- [Exhibit A.1 - Zoomed Aerial Photograph](#)
- [Exhibit B - Vicinity General Plan Land Use Map](#)
- [Exhibit C - Vicinity Zoning Map](#)
- [Exhibit D - Summary of Related Facts](#)
- [Exhibit - Project Narrative & Floor Plan](#)
- [Exhibit F - Planning Commission Draft Minutes for 2/21/2013](#)

FULL SIZE COPIES (Council Only):

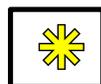
None

PROJECT MANAGER:

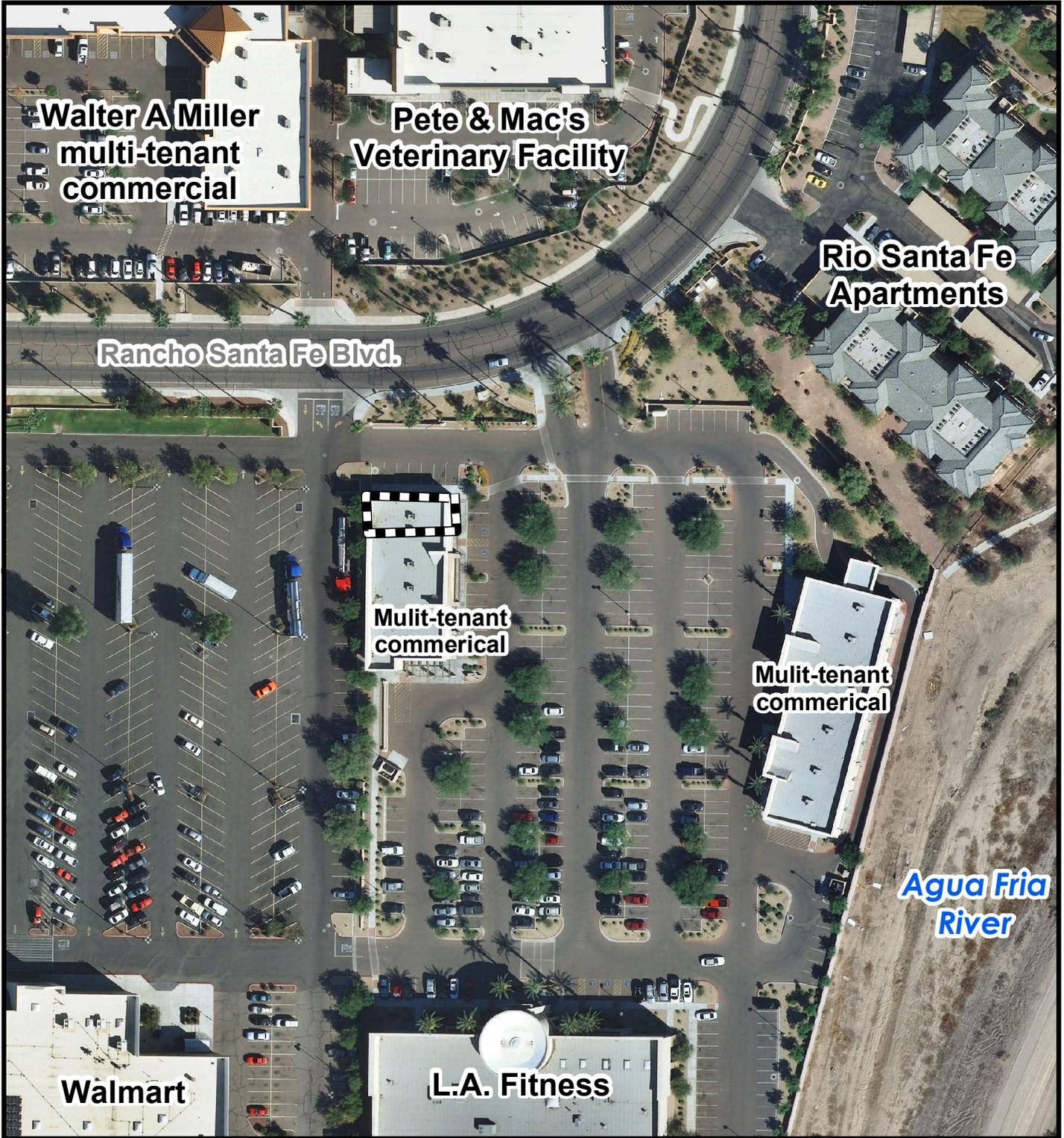
Eric Morgan, Planner II (623) 333-4017



Aerial Photograph - Application PL-12-0213



Subject Property

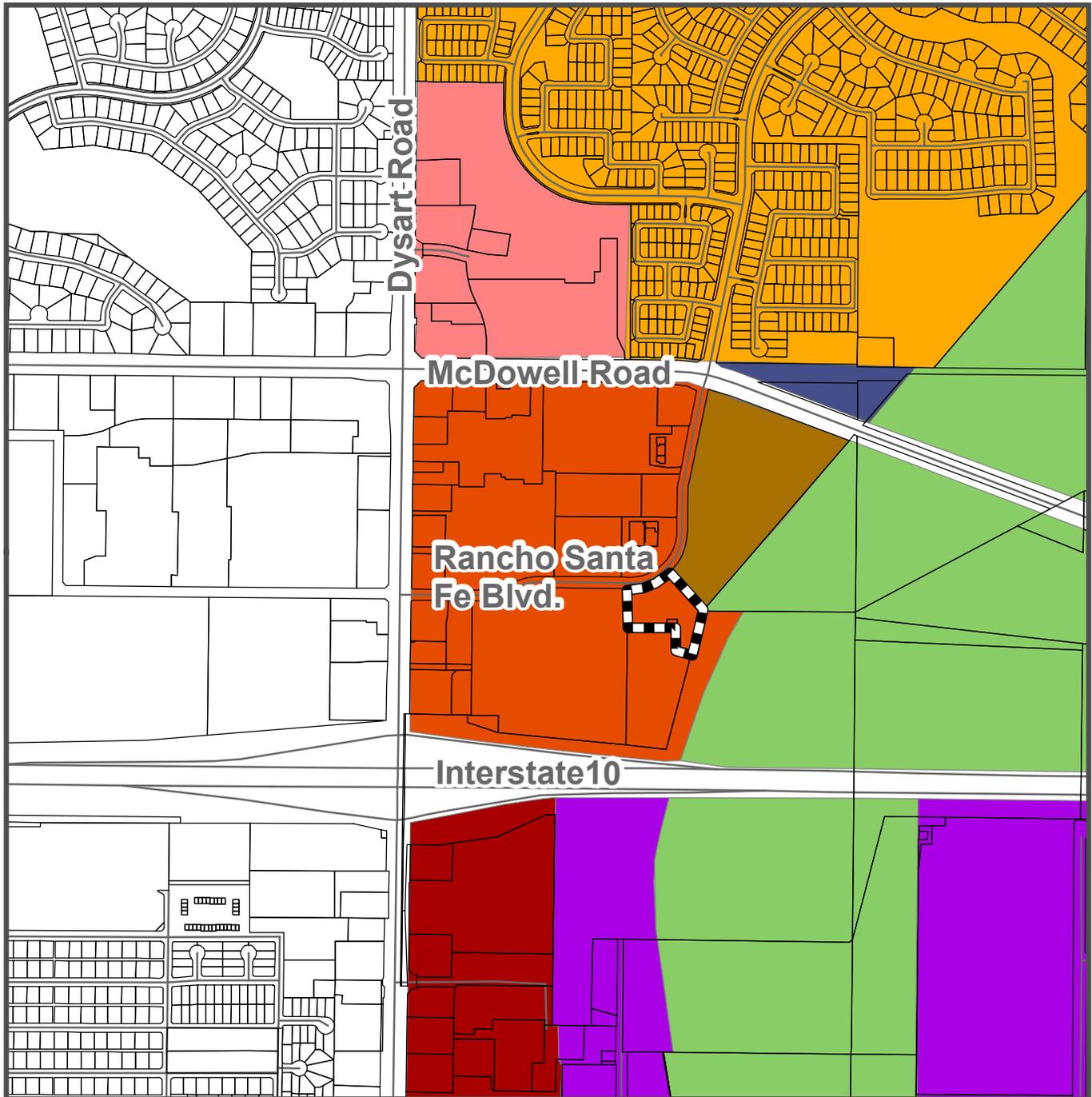


Aerial Photograph January 2012
Money Mart CUP
PL-12-0213



Subject Property



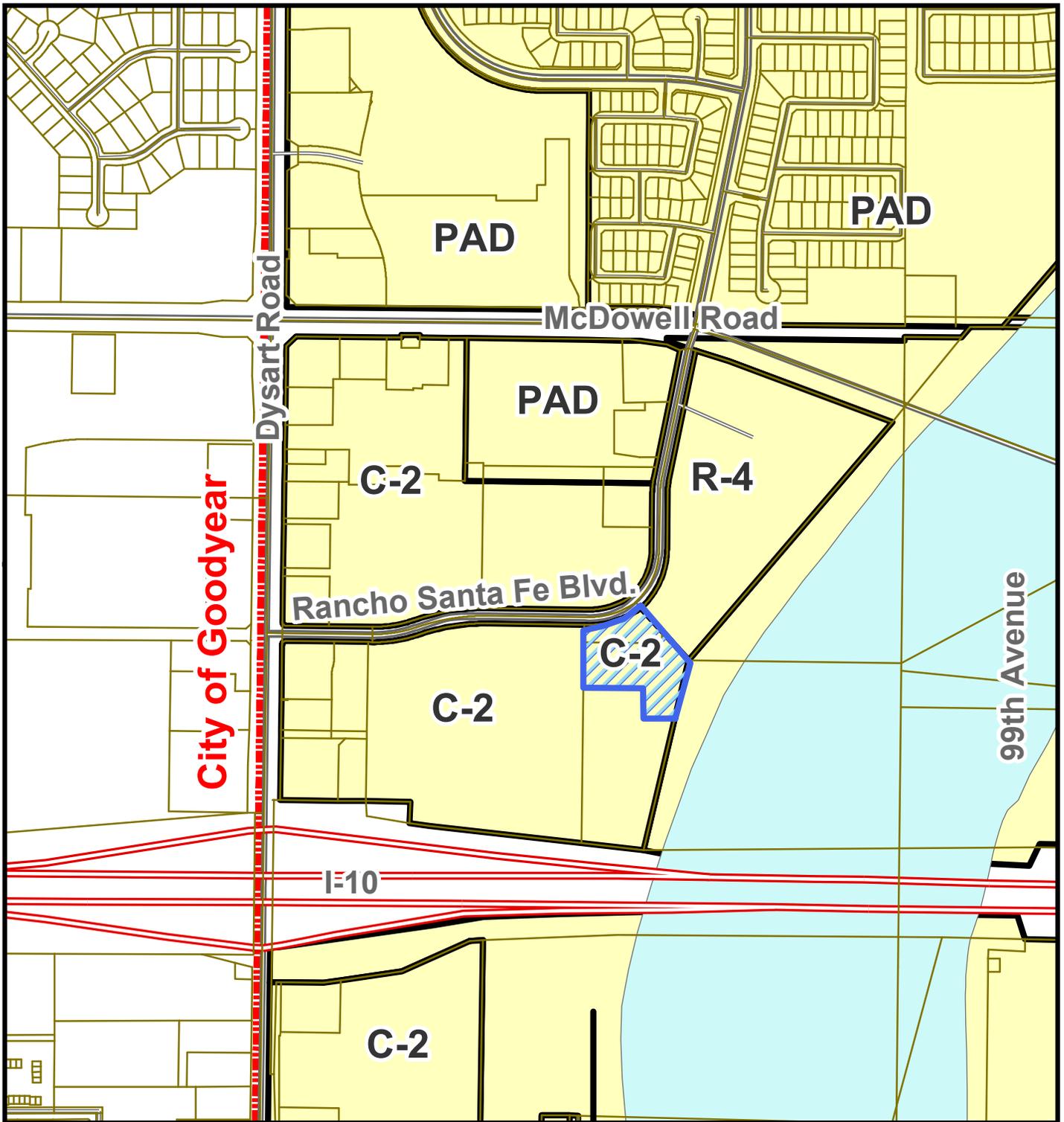


Money Mart Conditional Use Permit PL-12-0213

General Plan Land Use Map

- | | |
|--|--|
|  Medium Density Residential |  Local Commercial |
|  High Density Residential |  Freeway Commercial |
|  Urban Commercial |  Business Park |
|  Subject Property |  Public/Civic |
| |  Open Space and Parks |





**Zoning Vicinity Map
Application PL-12-0213**



Subject Property



*SUMMARY OF RELATED FACTS
APPLICATION PL-12-0213 MONEY MART*

<i>THE PROPERTY</i>	
PARCEL SIZE	2.54 acres
LOCATION	13045 Rancho Santa Fe Boulevard (Shops at Palmilla Shopping Center)
PHYSICAL CHARACTERISTICS	Irregular shape due to Minor Land Division (MLD) and level surface, occupied by 2 commercial buildings.
EXISTING LAND USE	Commercial (Non-chartered Financial Institution)
EXISTING ZONING	C-2, Community Commercial
ZONING HISTORY	Rezoned 1996 from AG to C-2; MLD in 2011.
DEVELOPMENT AGREEMENT	There is no development agreement for this parcel.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	C-2, Community Commercial (WAM Shopping Center)
EAST	R-4, High Density Residential (Rio Santa Fe)
SOUTH	C-2, Community Commercial (Shops at Palmilla/ LA Fitness parcel)
WEST	C-2, Community Commercial (Shops at Palmilla/ Walmart Parcel)

<i>GENERAL PLAN</i>	
The subject property is designated as Freeway Commercial on the General Plan Land Use Map.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Avondale Elementary School District Agua Fria Union High School District
ELEMENTARY SCHOOLS	Lattie Coor Elementary School
HIGH SCHOOL	Agua Fria High School

<i>STREETS</i>	
Rancho Santa Fe Boulevard	
Classification	Minor Collector
Existing half street ROW	40 feet
Standard half street ROW	40 feet
Existing half street improvements	1 vehicular lane, 1/2 turn lane, bike lane, curb and gutter, sidewalk with landscaping and street lights
Standard half street improvements	1 vehicular lane, 1/2 turn lane or median, bike lane, curb and gutter, sidewalk with landscaping and street lights

<i>UTILITIES</i>	
<ul style="list-style-type: none"> The parcel ties into the Wal-Mart parcel to the west which is served by an existing 12" water line along Rancho Santa Fe Boulevard. 	

- There is an existing 8" sewer line along Rancho Santa Fe Boulevard that connects directly to a private line servicing the subject property.



February 12, 2013

City of Avondale
Development Services & Engineering Department
11465 W. Civic Center Drive, #110
Avondale, AZ 85323

Re: Narrative – Adding “Purchasing of Gold/Jewelry/Precious Metals” and “Pawning of Gold/Jewelry/Precious Metals” to Existing Check Cashing Business
Money Mart #2283, 13045 W. Rancho Sante Fe Blvd., Avondale, AZ 85392

Dear Sir/Madam:

Please be advised that Money Mart, Inc. d/b/a Money Mart (“Money Mart”) is a wholly owned subsidiary of the Dollar Financial U.S., Inc. Money Mart is a leading financial services provider, with approximately twelve (12) locations in the State of Arizona, and has been operating for more ten (10) years in a manner which has proven to be valuable to Arizona residents, and specifically, Avondale and its citizens due to services provided along with, employment opportunities and real estate property improvements. Money Mart offers a range of financial services (including, check cashing, money order sales, Western Union, small loans, bill payments, etc.) to the Avondale community.

Explanation of Requested Added Uses

In order to enhance services currently offered to Money Mart customers, we are seeking to add the uses of “Purchasing of Gold/Jewelry/Precious Metals” and “Pawning of Gold/Jewelry/Precious Metals” at our Avondale location listed above. Money Mart will not provide pawning services on general merchandise (currently, Money Mart’s request and pawning will be relative to gold, jewelry and Precious Metals only). Many of Money Mart’s customers hold financial assets in the form of precious metals. Money Mart is looking to facilitate the acquisition and disposition of physical precious metal investments of its customers by either: 1) buying gold/gold jewelry/precious metals from customers who wish to dispose of same; or 2) taking in gold/jewelry/precious metals where money will be loaned on security of personal property left in pawn and pledged as collateral. Pawning customers may redeem their gold/jewelry items should they desire. The items that are purchased from customers will not be sold back to the public, but will be transferred to a smelting company to be smelted off-site. Whether purchased or pawned, items taken in by Money Mart will be held for the time period required in accordance with state and local laws. Money Mart will adhere to all reporting

City of Avondale
February 12, 2013
Page 2

requirements issued by the Avondale Police Department, and all Ordinances of the City of Avondale in relation to this business.

Zoning

Information obtained from the Avondale Planning and Zoning Department reveals that the above-mentioned Money Mart store is located in Zone C-2 and requires the filing of a Conditional Use Permit Application. There are no zoning restrictions which would prohibit the above-mentioned uses at this location.

Site Plan

Money Mart is located within a Strip Mall/Shopping Center that contains all required accommodations, including the following:

- Approximately five hundred & forty (540) parking spaces;
- Three (3) vehicle entry/exit ways for ease of vehicular exists, entries and internal circulation, including emergency and delivery vehicles. Note that special parking and loading locations are provided for businesses within the Strip Mall/Shopping Center.
- Handicap parking spaces and ramps are provided for ease of travel of handicapped individuals;
- Exit-ways are adequately marked for ease of flow of internal traffic to the external traffic; and
- Sidewalk areas are provided along the front of all businesses within the Strip Mall/Shopping Center to allow for pedestrian and alternative vehicle considerations.

See the attached Site Plan, Floor Plan and Photographs. No new or additional construction will be required with addition of the proposed uses.

Hours of Operation

Money Mart's hours of operation are:

- Monday – Friday 9:00 a.m. – 9:00 p.m.
- Saturday – 9:00 a.m. to 7:00 p.m.
- Sunday – 10:00 a.m. to 4:00 p.m.

Money Mart has a full-time Marketing Staff that oversees the appearance and uniformity of our stores' advertising, and a Facility Department that oversees all up-keep of our locations to provide our customers, employees and community with a clean, attractive and secure environment.

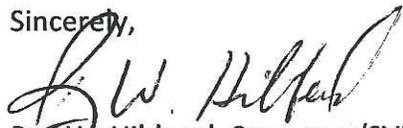
City of Avondale
February 12, 2013
Page 3

The subject use will be so controlled that the public health, safety and general welfare will be protected. Money Mart has conducted business at its location in Avondale for over ten (10) years in a safe, secure and professional manner. Our stores are professional in appearance, well lit (inside and outside), staffed with professional employees and secure. We have a National Loss Prevention Department that oversees the security of our locations, staff and customers. District Managers oversee small store groups and insure that they are in compliance with all State, local and company standards. As stated above, Money Mart will adhere to all holding and reporting requirements issued by the local Police Department.

Money Mart wishes to continue to provide a wide variety of services to its customers by expanding its current business locations to include "Purchase of Gold and/or Gold Jewelry" and "Pawning of Gold/Gold Jewelry/Precious Metals", and will conduct its business as so stated within this Narrative.

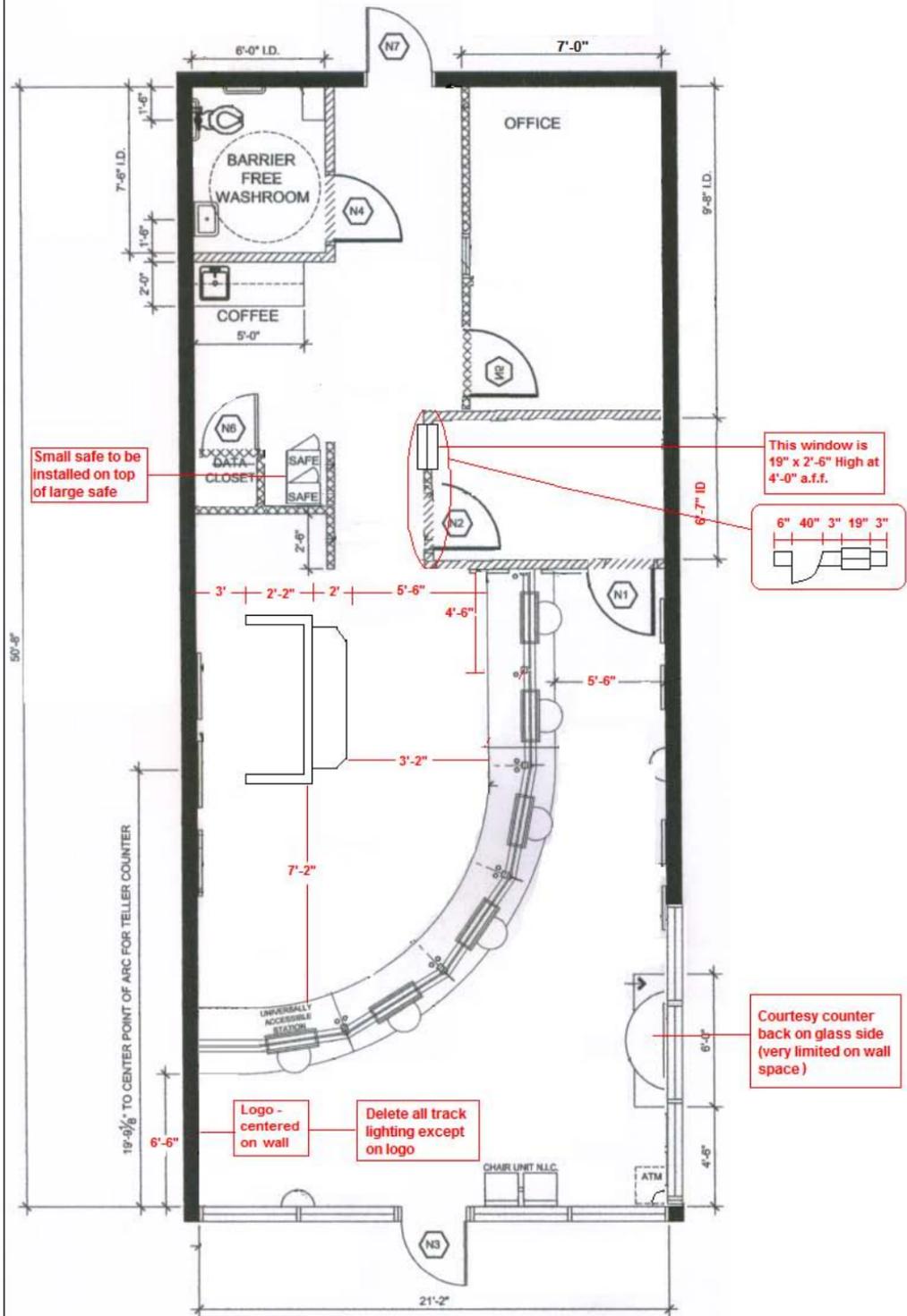
Thank you for your consideration relating to this matter. Please feel free to contact my Paralegal, Kim Love-McLendon, with any further questions or concerns at (610) 640-5923 or email her at Kim.LoveMcLendon@dfg.com.

Sincerely,



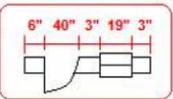
Roy W. Hibberd, Secretary/SVP/General Counsel

RWH/klm



Small safe to be installed on top of large safe

This window is 19" x 2'-6" High at 4'-0" a.f.f.



Courtesy counter back on glass side (very limited on wall space)

Logo - centered on wall

Delete all track lighting except on logo

Drawn By:
 360 Construction Consultants
 1225 Walkley Road
 Ottawa, ON K1V 6P9
 P: (613) 260-9700
 F: (613) 260-1447

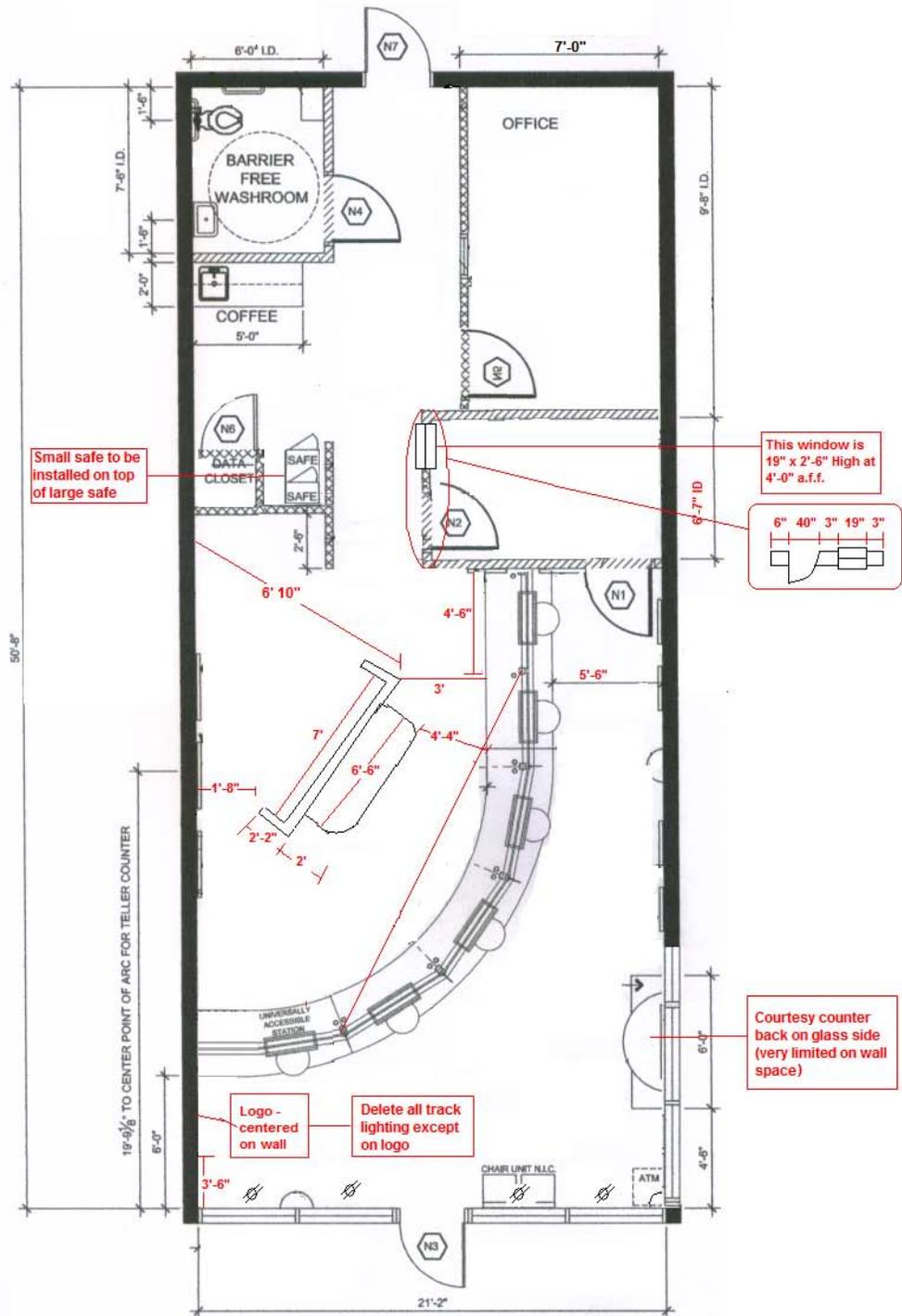
Project: Money Mart - Store 2283
 13045 Rancho Sante Fe
 Avondale, AZ

Project No:
 557

Drawing No.

Date: October 13, 2006

A1



Drawn By: 360 Construction Consultants 1225 Walkley Road Ottawa, ON K1V 6P9 P: (613) 260-9700 F: (613) 260-1447	Project: Money Mart - Store 2283 13045 Rancho Sante Fe Avondale, AZ	Project No: 557
	Date: October 13, 2006	Drawing No. A2



**AGENDA
PLANNING COMMISSION
REGULAR MEETING**

**CITY COUNCIL CHAMBERS
11465 W CIVIC CENTER DRIVE
AVONDALE, AZ 85323**

**Thursday, February 21, 2013
6:30 P.M.**

I. CALL TO ORDER

Chair Scibienski called the Regular Meeting to order at approximately 6:30 p.m.

II. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT

Sean Scibienski, Chair
Michael Demlong, Vice Chair
Lisa Amos, Commissioner
Michael Long, Commissioner
Angela Cotera, Commissioner
Kevin Kugler, Commissioner

COMMISSIONER ABSENT

Grace Carrillo, Commissioner - excused

CITY STAFF PRESENT

Tracy Stevens, Planning Manager, Development Services Department
Chris Schmaltz, Legal Counsel
Ken Galica, Planner II
Eric Morgan, Planner II
Paul Lopez, Engineering Project Manager
Linda Herring, Development Services Representative

VII. PUBLIC HEARING ITEMS3. PL-13-0213

A request by Moneymart, Inc. for a Conditional Use Permit (CUP) to purchase and pawn jewelry, gold, and other precious metals. The property is zoned C-2 (Community Commercial); the C-2 District requires approval of a Conditional Use Permit to allow for pawn-related uses at this location. The project is located at 13045 W. Rancho Santa Fe Boulevard.

This request is for a Conditional Use Permit to add pawning of jewelry and precious metals and buying of jewelry of precious metals to an existing Legally Non-conforming, Non-chartered Financial Use. The existing Non-Chartered Financial Use has been legally operating in this location since 2006. A CUP was not required at the time. There is no proposed change to the exterior of the building, with the exception of a sign change. The pawnshop would only be able to pawn jewelry and precious metals.

Mr. Morgan said the subject property is zoned C-2 Community Commercial. Money Mart has been in business since 2006. Staff finds that all five findings required for a CUP have been met:

1. Pawn use is only allowed in C-2 districts, and C-2 is a viable zoning district within the freeway corridor. There are no other pawn uses in this area, and only one other place to sell gold and jewelry. There is no residential area nearby.
2. Pawn is a service use compatible with the surrounding area. There will be no traffic changes or modifications to the building exterior. Pawnshops are not criminal businesses.
3. There are no requests for any variances or waivers.
4. There is adequate access to the site, and no changes are proposed.
5. Staff proposes no additional conditions to the two standard conditions.

Mr. Morgan reported that a Neighborhood Meeting was held January 22 at City Hall. Only one person attended, and her three areas of concern were crime, additional signage, and licensing and regulations. All questions were answered. Staff recommends approval with two standard stipulations. Commissioner Demlong asked whether the Police Department has confirmed that pawnshops do not attract crime. Mr. Morgan responded that he took the applicant's word that they do not.

Commissioner Kugler noted that the Zoning Ordinance draws two distinct uses between pawnshops and Non-Chartered Financial Institutions, and said Section 305.F says a minimum separation must exist between businesses in the same category as pawnshops. Ms. Stevens, Planning Manager, responded that staff interprets the Ordinance as separate properties and this is one business under one lease. Commissioner Kugler disagreed, saying that the Code refers to the listed uses and makes no mention of properties. Chris Schmaltz, Legal Counsel,

Exhibit F

explained that nothing in the Zoning Ordinance prohibits staff's interpretation. It is a reasonable interpretation, not necessarily the only one. There are some provisions in the Zoning Ordinance that lend themselves to this interpretation because they refer to properties in terms of separation.

Commissioner Cotera inquired about the City's options if the CUP is approved and criminal activity develops. Mr. Morgan said criminal activity is not covered by the Zoning Ordinance. The applicant would have to abide by the conditions of the CUP as they stated in their application. Mr. Schmaltz added that the Zoning Ordinance contains a provision related to revocations of CUPs.

Commissioner Scibienski requested an explanation of why Non-Chartered Financial Institutions were separated from pawnshops. Ms. Stevens explained that they were separated to allow the use, while also ensuring that there were not too many of them in any one location. Commissioner Scibienski said separation would allow two similar operations to exist in the same vicinity, which goes against the intent. Ms. Stevens responded that the intent was to look at separate properties, whereas this application is for one property.

Chair Scibienski opened the public hearing. With no citizens wishing to speak, he closed the public hearing.

Commissioner Long moved that the Planning Commission accept the findings and recommend approval of application PL-12-0213, a request to allow an existing Non-Chartered Financial Institution, Moneymart, to purchase and pawn jewelry, gold and other precious metals, subject to the two staff recommended conditions of approval. Vice Chair Cotera seconded.

ROLL CALL VOTE

Sean Scibienski, Chair	Nay
Michael Demlong, Vice Chair	Aye
Lisa Amos, Commissioner	Aye
Grace Carrillo, Commissioner	Excused
Michael Long, Commissioner	Aye
Angela Cotera, Commissioner	Aye
Kevin Kugler, Commissioner	Nay

The motion carried 4-2.

End



DEVELOPMENT SERVICES

SUBJECT:
Public Hearing - Conditional Use Permit for
Monopalm PWSF on UTI Campus (PL-12-0203)

MEETING DATE:
March 18, 2013

TO: Mayor and Council
FROM: Tracy Stevens, Planning Manager (623) 333-4012
THROUGH: Charlie McClendon, City Manager (623) 333-1015

REQUEST: Approval of a Conditional Use Permit to allow for a 65' freestanding PWSF (Personal Wireless Service Facility) monopalm in the Griffith PAD (Planned Area Development) Zoning District on the campus of Universal Technical Institute (UTI).

PARCEL SIZE: 23.2 acres overall; leased area for this project is 1,338 square feet

LOCATION: Southeast corner of 107th Avenue and Pierce Streets (Exhibits A and B)

APPLICANT: Mr. Reg Destree, Reliant Land Services on behalf of Verizon Wireless, (602) 349-6930

OWNER: Mr. George Mickens, Director of Facilities for Universal Technical Institute, (UTI) (623) 245-4800

BACKGROUND:

The subject property is Lot 6 of the Griffith Commerce Park subdivision. The property was annexed in 1986 and rezoned from AG (Agricultural) to PAD (Planned Area Development) on January 6, 2003. The site plan for Universal Technical Institute (UTI) was approved by the City Council on September 2, 2003 and a 272,000 SF vocational school building has been built in accordance with this approved site plan.

A 60 foot PWSF monopalm facility is already existing along the location's southern property line. The Conditional Use Permit for that monopalm, utilized by T-Mobile, was approved by the City Council in May 2007. Like this proposal, the existing T-Mobile site utilizes two live date palm trees in the vicinity of the monopalm to increase its aesthetic compatibility with the UTI site.

The General Plan land use designation for this property is Business Park. The Griffith Commerce Park PAD is consistent with the Business Park land use designation; PWSF facilities are appropriate in all land use designations.

The property is bordered to the west by 107th Avenue, to the north by Pierce Street, and to the east by 105th Avenue. The uses and current zoning of the surrounding properties are as follows:

- **SOUTH:** 5 parcels totaling approximately 15 acres that are part of the Griffith Commerce Park PAD. The parcels are undeveloped; future development of those parcels will be in line with the C-2 (Community Commercial) Zoning District, which allows for a range of retail, service, and office uses.

- **NORTH:** An approximately 25 acre parcel that is also part of the Griffith Commerce Park PAD. The parcel is undeveloped; future development of that parcel will be in line with the Commerce Park (CP) Zoning District, which allows for a range of light industrial and office uses.
- **EAST:** A 40 acre parcel owned by Maricopa County, zoned AG (Agricultural). Future development of a Court Complex on that site is anticipated but a timetable for development is unknown.
- **WEST:** Roosevelt Park Phase II Planned Area Development (PAD), currently undeveloped. Future development calls for a mix of residential types, including apartments, single-family homes, and townhomes, as well as commercial components.

SUMMARY OF REQUEST:

1. The applicant, Reliant Land Services (representing Verizon Wireless), has identified a gap in service for Verizon Wireless subscribers within Avondale, particularly in the vicinity of 107th Avenue and Van Buren Street. The first preference of both the applicant and the City is to co-locate personal wireless service facilities (PWSFs) on existing vertical elements, such as field lighting, tall buildings, or utility towers. However, according to the applicant's narrative (Exhibit D), all existing vertical elements within a half mile of the site were explored and determined to be less than conducive to co-location.

2. The applicant is requesting Conditional Use Permit approval for a 65 foot freestanding PWSF (70' to the top of fronds) on the campus of Universal Technical Institute (UTI) to provide better wireless service to the surrounding area. Section 708.B.1.a of the Avondale Zoning Ordinance requires a Conditional Use Permit for all freestanding PWSFs 35 feet in height or greater.

3. Zoning Ordinance Section 708.B.1.c requires freestanding PWSFs to be setback from all property lines a minimum distance of one foot for each one foot of the tower's height above finished grade, 65 feet in this particular instance. The proposed location for the PWSF, south of the UTI building directly adjacent to the parking lot area, is located approximately 78 feet from the southern property line and over 450 feet from any other property lines, in conformance with the setback requirement (Exhibit E, Sheet LS-2).

4. Zoning Ordinance Section 708.B.1.d requires freestanding PWSFs to be "Alternative Structure" designs in character with the surrounding area, for example a faux palm tree in an area with mature palm trees. The applicant is proposing a 65 foot "monopalm" PWSF which is designed to mimic the appearance of a date palm tree. Six antennas will be bracketed onto the pole at a height of 65 feet. The antennas will protrude out approximately 2 feet from the pole structure and will be screened by simulated palm fronds. The "trunk" of the monopalm will consist of a metal clad pole textured and colored to accurately portray the trunk of a date palm tree. A similar monopalm, approximately 5 feet shorter than this proposal, is located on the UTI site approximately 200' west of the subject location.

5. There are no existing date palm trees in the immediacy of the proposed monopalm. To bring the monopalm into character with its immediate surroundings, the applicant is proposing two live date palm trees within a fifty foot radius of the monopalm.

6. Zoning Ordinance Section 708.A.5 requires PWSF related ground equipment to be completely screened by a combination of dense landscaping and a masonry enclosure finished to complement the existing buildings in the area. The applicant has proposed an 11'3" tall, 12'x 26' (approximately 312 square feet) shelter with a stucco exterior painted to match the existing UTI building (Exhibit E, Sheet Z-3). The shelter will be enclosed by a 8' wrought iron fence for further protection. As the PWSF site is already located within a heavily landscaped area, the existing landscaping will be relocated around the new facility to satisfy the landscaping requirement.

7.The facility will be unmanned and only require periodic maintenance. Parking for service technicians will be accommodated in the existing UTI parking lot. Internal circulation within the UTI site is unaffected by this proposal.

8.Future co-locations on the monopalm will be prohibited by stipulation. Although the City actively champions wireless co-location, in regards to monopalm designs, multiple antenna arrays mounted at varying heights detracts from the natural appearance of the monopalm and the intent of creating towers which are less likely to be noticed.

PARTICIPATION:

The applicant conducted a neighborhood meeting at 6:00 p.m. on November 20, 2012 at City Hall in the Ocotillo Conference Room. The neighborhood meeting was advertised in the West Valley View on November 2, 2012. The property was posted with a meeting notice sign on October 30, 2012. Notification letters were mailed to 8 property owners within 500 feet of the UTI parcel on October 29, 2012. According to materials provided by the applicant, no citizens attended the neighborhood meeting.

A notice of the Planning Commission hearing was published in the West Valley View on February 5, 2013. The sign on the property was updated to reflect the date and time of the Planning Commission meeting on January 7, 2013. Notification letters were mailed to 8 property owners within 500 feet of the parcel on January 9, 2013. No comments were received and no interested parties spoke on the item at the Planning Commission meeting.

A notice of the March 18, 2013 City Council hearing was published in the West Valley View on February 26, 2013. On February 19, 2013, letters were mailed to the 12 property owners whose parcels were located within 500 feet of the subject property. No additional comments have been received to date.

PLANNING COMMISSION ACTION:

The Planning Commission conducted a public hearing on February 21, 2013, and voted 6-0 to recommend approval of this request subject to four staff recommended stipulations, as follows:

- 1.Development and operation of the PWSF shall conform to the narrative, site plan, elevations, and landscape plan date stamped December 11, 2012, except as modified by these stipulations.
- 2.In accordance with Section 109 of the Zoning Ordinance, the Conditional Use Permit shall expire in two years from the date of approval if the use has not commenced.
- 3.The future co-location of additional equipment on the monopalm PWSF shall be prohibited.
- 4.Site plan approval is required before the City can issue a building permit. The site plan submittal shall address the following outstanding Engineering requirements:
 - a.Revise the drainage report to provide a calculation for the remaining retention volume using the Conic Method.
 - b.Within the drainage report, discuss the required retention volume and assure the proposal is meeting it with 1' of freeboard per the remaining volume calculation. If not, please clarify.
 - c.Provide a Geotechnical Report with Site Plan submittal.
 - d.Provide a detail for the spillway replacement next to retaining wall.
 - e.Discuss erosion control at all areas where concrete meets soil.

Commissioner Carrillo was excused from the meeting.

ANALYSIS:

The Zoning Ordinance, Section 109.B, contains five required findings to be met in order to approve a Conditional Use Permit. These findings, with staff analysis, are as follows:

1. That the proposed use (i) is consistent with the land-use designation set forth in the General Plan, (ii) will further the City's general guidelines and objectives for development of the area, as set forth in the General Plan and (iii) will be consistent with the desired character for the surrounding area.

- The subject property is designated as Business Park on the General Plan Land Use Map. The site is currently zoned PAD (Planned Area Development); the Griffith Commerce Park PAD is consistent with the General Plan designation. Personal Wireless Service Facilities are appropriate in all land use designations if they meet the City's established parameters for setbacks, design, etc.
- General Plan Economic Vitality Goal 3, Policy D is to, "Support new development that accommodates business attraction opportunities. Strong wireless connections are becoming increasingly important in the day-to-day functioning of businesses. Reducing the current signal gap in the Verizon network will make business conditions more favorable in the vicinity of the project.
- The design of the PWSF site is consistent with the character of the surrounding area and furthers the City's general development guidelines. Several measures have been taken to ensure that the proposed monopalm meshes with its immediate surroundings, such as planting live date palms in proximity of the monopalm for context, and designing the equipment enclosure to complement the existing UTI facilities.

2. That the use will be (i) compatible with other adjacent and nearby land uses and (ii) will not be detrimental to (1) persons residing or working in the area, (2) adjacent property, (3) the neighborhood or (4) the public welfare in general.

- The site will not produce noise, light, vibration, or traffic objectionable to current or future residents, students, or employees working in the vicinity.
- Unlike traditional monopole PWSFs which can have a negative effect on the aesthetics of an area, monopalm PWSFs are designed to minimize potentially negative visual impacts to increase compatibility with surrounding land uses. The date palm design is intended to look as natural as possible and will feature simulated "palm fronds" that move in the wind in a manner similar to live palm trees. A photo simulation from the perspective of 107th Avenue and Van Buren Street illustrates the minimal impact the proposed facility will have on the aesthetics of the area (Exhibit F).
- The pole is set back approximately 78 feet from the nearest property line and over 450 feet from any additional property lines. These setbacks ensure that the monopalm will not cast any shadows on adjacent properties or damage adjacent properties in the extremely rare instance of a structural failure.
- The ground equipment needed to support the antennas will be completely screened by a 310 square foot structure designed to blend in with the architecture on the UTI campus. There will be no detrimental visual impact from any exposed mechanical equipment. Existing mature landscaping that is currently located where the enclosure will be constructed will be relocated

around the perimeter of the enclosure for additional screening and aesthetic enhancement.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe onsite circulation, and meet all required development standards including, but not limited to setbacks, parking, screening and landscaping.

- The proposed location of the PWSF will have no impact on circulation within the development.
- Existing UTI parking is unaffected by the proposal. Technicians servicing the PWSF will utilize the existing parking area in the vicinity of the proposed monopalm.
- The existing landscaping on site conformed to the City's requirements at the time the site was master planned. The addition of two live date palm trees will give a more natural context to the proposed monopalm in line with Zoning Ordinance requirements.
- In summary, all required development standards are met by this proposal and the site easily accommodates the PWSF with no effect on safe onsite circulation.

4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

- Primary accesses to the site are from driveway entrances off of 107th Avenue and Pierce Street. No changes are proposed to the existing points of access for UTI site.
- The adjacent streets are fully constructed to ultimate standards and the development is designed to accommodate the traffic generated by the school. The addition of a PWSF will have minimal impact on traffic generation (1-2 trips/month) to the campus.

5. That adequate conditions have been incorporated into the approval to insure that any potential adverse effects will be mitigated.

Four conditions of approval are included in the recommendation, as follows:

- Condition #1 is a standard stipulation tying the approval of the Conditional Use Permit and construction and operation of the facility to the plans and other information that was submitted by the applicant.
- Condition #2 is a standard stipulation that specifies the Conditional Use Permit will expire in two years from the date of approval if the PWSF is not constructed and operational.
- Condition #3 states that future co-locations on the proposed monopalm shall be prohibited. This stipulation is necessary because multiple communications arrays are difficult to mount to a single monopalm without diminishing the pole's appearance as a simulated palm tree.
- Condition #4 requires the applicant to address outstanding drainage issues during the site planning process. These issues exist because the enclosure is encroaching into an existing retention basin. Minor modification of the basin may be required but staff is confident that all issues can be worked out during the next stage of the development process.

Conclusion:

Based on the information provided by the applicant, the public input received and the analysis by staff, staff recommends approval of the requested Conditional Use Permit. This request meets the required criteria and will conform to the conditions of approval.

FINDINGS:

1. The proposed use is consistent with the General Plan and Griffith Commerce Park PAD.
2. The proposed use meets all required findings for a Conditional Use Permit as described in Zoning Ordinance Section 109.
3. The proposed PWSF, with four conditions of approval, conforms to all applicable provisions within the Avondale Zoning Ordinance.

RECOMMENDATION:

The City Council should conduct a public hearing and approve Application PL-12-0203, a request for a Conditional Use Permit for a 65' Monopalm on the campus of UTI, subject to the following four Planning Commission recommended stipulations:

1. Development and operation of the PWSF shall conform to the narrative, site plan, elevations, and landscape plan date stamped December 11, 2012, except as modified by these stipulations.
2. In accordance with Section 109 of the Zoning Ordinance, the Conditional Use Permit shall expire in two years from the date of approval if the use has not commenced.
3. The future co-location of additional equipment on the monopalm PWSF shall be prohibited.
4. Site plan approval is required before the City can issue a building permit. The site plan submittal shall address the following outstanding Engineering requirements:
 - a. Revise the drainage report to provide a calculation for the remaining retention volume using the Conic Method.
 - b. Within the drainage report, discuss the required retention volume and assure the proposal is meeting it with 1' of freeboard per the remaining volume calculation. If not, please clarify.
 - c. Provide a Geotechnical Report with Site Plan submittal.
 - d. Provide a detail for the spillway replacement next to retaining wall.
 - e. Discuss erosion control at all areas where concrete meets soil.

PROPOSED MOTION:

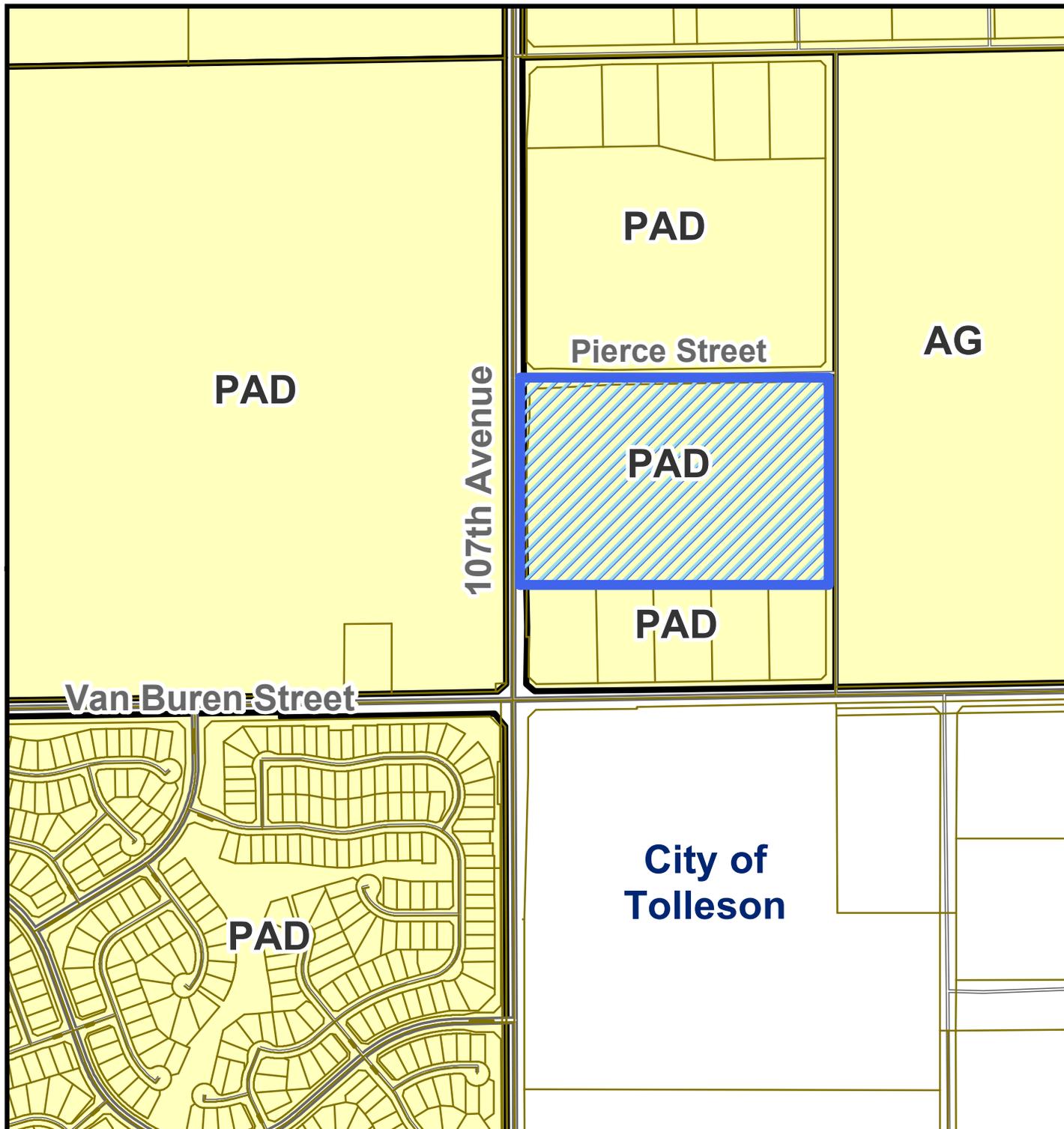
I move that the City Council accept the findings and **APPROVE** Application PL-12-0203, a request for Conditional Use Permit approval of a Personal Wireless Service Facility (PWSF) on the campus of the Universal Technical Institute (UTI), subject to the four stipulations recommended by the Planning Commission.

ATTACHMENTS:

Click to download

- [Exhibit A - Zoning Vicinity Map](#)
- [Exhibit B - Aerial Photograph](#)
- [Exhibit C - Summary of Related Facts](#)
- [Exhibit D - Applicant's Project Narrative, date stamped December 11, 2012](#)
- [Exhibit E - Site Plan, Elevations, and Landscape Plan](#)
- [Exhibit F - Photo Simulation from the perspective of the corner of 107th Avenue and Van Buren](#)
- [Exhibit G - Excerpt of February 21, 2013 Planning Commission Minutes](#)
- [Exhibit H - Verizon Coverage Maps \(Before and After UTI PWSF\)](#)

PROJECT MANAGER:



**Zoning Vicinity Map
Application PL-12-0203**



Subject Property





**Aerial Photograph
Application PL-12-0203**



Subject Property



*SUMMARY OF RELATED FACTS
APPLICATION PL-12-0203*

<i>THE PROPERTY</i>	
PARCEL SIZE	23.2 gross acres
LOCATION	Southeast corner of Pierce Street and 107 th Avenue
PHYSICAL CHARACTERISTICS	None
EXISTING LAND USE	Universal Technical Institute (Vocational College)
EXISTING ZONING	PAD (Planned Area Development)
ZONING HISTORY	Rezoned from AG to PAD in January 2003
DEVELOPMENT AGREEMENT	A Development Agreement was approved in April 2003. There are no outstanding issues related to this site.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	PAD – Griffith Commerce Park; the adjacent property is undeveloped, the PAD allows for CP (Commerce Park) uses on the parcel to the north.
EAST	AG (Agricultural); the property is being used for crop farming.
SOUTH	PAD – Griffith Commerce Park; the adjacent property is undeveloped, the PAD allows for C-2 (Community Commercial) uses on those parcels.
WEST	PAD – Roosevelt Park Phase II; the approved PAD calls for a combination of uses including single-family residential, multi-family residential, office, and commercial uses.

<i>GENERAL PLAN</i>	
The subject property is designated as Business Park by the General Plan 2030 Land Use Map.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton School District, Tolleson School District
ELEMENTARY SCHOOL	Littleton Elementary, Underdown Junior High
HIGH SCHOOL	Westview High School

STREETS	
Van Buren Street	
Classification	Arterial
Existing half street ROW	65 feet
Standard half street ROW	65 feet
Existing half street improvements	One traffic lane in each direction.
Standard half street improvements	2 traffic lanes in each direction with ½ center turn lane, curb, gutter, sidewalk, landscaping and streetlights.

STREETS	
107th Avenue	
Classification	Arterial
Existing half street ROW	33 Feet
Standard half street ROW	55 Feet
Existing half street improvements	1.5 traffic lanes, curb, gutter, sidewalk, landscaping, and streetlights.
Standard half street improvements	3.5 traffic lanes, curb, gutter, sidewalk, landscaping, and streetlights.
Pierce Street	
Classification	Collector
Existing whole street ROW	0 feet
Standard whole street ROW	80 feet
Existing whole street improvements	None
Standard whole street improvements	Two travel lanes, a median, curb and gutter, sidewalks, street lights and landscaping.
105 th Avenue	
Classification	Local
Existing half street ROW	0 feet
Standard half street ROW	40 feet
Existing half street improvements	None
Standard half street improvements	One travel lane, half a median, curb and gutter, sidewalks, street lights and landscaping.

Utilities
There is a 16” waterline along 107 th Avenue and 16” waterline along Van Buren Street.
There is an 18” sewer service line that runs along Van Buren Street.

PROJECT NARRATIVE

FOR

Verizon Wireless PHO Griffith Alt 4 CUP PL-12-0203

10695 W. Pierce St
Avondale, AZ 85323
APN: 102-55-009
Jurisdiction: Avondale
Zoning: PAD (A-02-565)



Submitted by:

Reg Destree

Reliant Land Services, Inc.
3200 N. Hayden Road, Ste. 205
Scottsdale, AZ 85251
602-349-6930 (mobile)
602-453-0002 (fax)
Reg.destree@rlsusa.com

December 10, 2012

Purpose of Application

As part of its ongoing effort to maintain the pre-eminent wireless network in Avondale and the surrounding areas, Verizon Wireless is proposing to place a new Personal Wireless Service Facility at the Universal Technical Institute at 10695 W. Pierce St. This site will improve capacity and coverage in this growing area and allow for provisioning of the latest wireless telecommunications technologies.

Verizon has been receiving complaints of poor call quality, dropped calls and poor data speed in this area. Over the last several years voice and data services offered by Verizon Wireless have become a part of the critical infrastructure needed to support both residential and commercial areas. This proposed new facility will help residents, students and businesses in the area as well as travelers on I-10 while minimizing the visual impact on residential areas by use of thoughtful location and effective stealthing.

Site Description

The subject parcel is a 23 ¼ acre parcel currently used by Universal Technical Institute as a private college campus. The property is within the Griffith Commerce Park and is bounded on the north by Pierce St. on the west by 107th Ave, on the east by 103rd Ave and on the south by undeveloped commercial properties which extend to Van Buren. The site itself is set back over 450' from the nearest roadways.

The proposed location is in the south-central portion of the parcel to minimize visual impact of the site for off-site users. The proposed location is over 450' from the nearest roads (107th Ave & Van Buren). The site is about 200' east of the existing T-Mobile monopalm. The site is located approximately 80' from the neighboring undeveloped commercial property to the south. This is an ideal location for this facility.

Site History

Verizon Wireless has been working on a site in this area for several years. The search area for this site straddles Van Buren and 107th Ave with the majority of the area east of 107th Ave. The original focus of my search was the area at the southeast corner of Van Buren and 107th Avenue within the City limits of Tolleson. The area within Tolleson is an industrial zone, however, due to ongoing development we were unable to move forward with a candidate within the Tolleson industrial area. The areas west of 107th Avenue are existing residential and future development so the focus of the ring shifted to the UTI campus and the parcels just south. We have worked with UTI to find a location that is both effective for Verizon Wireless and provides the best setbacks available from the neighboring streets.

Existing Verticality

During the initial site search existing verticality was considered. This area does not have a large amount of existing verticality. There is a T-Mobile monopalm on the UTI property however it does not work for collocation for Verizon Wireless. There are structural and major aesthetic issues that would result from placement of an additional 9 antennas 10' below the existing T-Mobile antennas and the height of the T-Mobile structure and necessary antenna separation mean that the centerline of the Verizon antennas would be too low to be effective for the necessary coverage.

In addition to the T-Mobile monopalm there are some existing SRP power poles along the west side of 107th Avenue both north and south of Van Buren. The poles south of Van Buren directly abut residences and are therefore not a preferred location. The equipment enclosure would be very close to

both existing homes and the intersection of 107th Avenue & Van Buren. Going north of Van Buren gets away from the existing residential area but the land is set for future development and the ground equipment would again be directly adjacent to 107th Avenue. There are also some issues of canals/ditches located on the west side of 107th Avenue that will interfere with the ground equipment location.

There is not any existing verticality that would offer a less noticeable visual alternative to this proposed monopalm.

Description of Proposal

The proposed site development includes placement of 9 panel antennas on a new 65' stealth monopalm (with fronds extending to 70'). The 65' height will maximize coverage while keeping the visual impact to a minimum. The pole is located over 80' from the south property line and well over 450 feet from all other property lines.

The Verizon radio equipment will be secured in a State-approved pre-manufactured equipment shelter (12' x 26'). The shelter will be textured and painted to match the existing UTI building. This shelter will also house an emergency diesel generator. The interior generator generally runs one hour per month for maintenance and also in cases of emergency where permanent power is lost at the site.

The monopalm tree itself will consist of antennas within the fronds along with a faux bark texture. The antennas can be painted green to match the color of the fronds. The fronds currently used do not tend to break and are not as fade-prone as some older versions. Verizon typically replaces fronds which fall out or become damaged or as requested by a jurisdiction. It is hard to judge exactly what the reasonable life will be of the faux fronds but Verizon will meet requirements to upkeep the appearance of the site and monopalm per the CUP documents.

The shelter and monopalm will be surrounded by a wrought-iron security fence and be within an irregularly shaped polygon with sides of 41', 38', 23', 31' and 13'. This fence will be painted an earth tone in line with the existing building colors on the property. Existing vegetation will be relocated to accommodate the shelter and monopalm. Two thirty foot (30') tall live palm trees will be planted just south of the proposed monopalm to create an oasis effect similar to that at the T-Mobile site. There is also an existing 8' wall on the south end of the property to help conceal the ground equipment from the nearest properties.

Access to the site is via the existing parking lot. Entry will occur on 103rd Avenue at an existing gate and a non-exclusive parking space has been identified on the drawings for the site technician. Utilities will come underground to the site from either 103rd Avenue or 107th Avenue.

Impacts to Existing Site

The proposed communication facility will have a negligible impact on the overall existing site

The proposed site will not impact traffic circulation or parking at this property.

The location will not have a sizeable impact on the existing development's retention capacity, increase off-site water discharge or impact the existing drainage from the parking lot into the drainage area. (For more information on this please see attached Engineer's letter)

Conclusion

This type of Personal Wireless Service Facility, Alternative Structure requires a Conditional Use Permit per the City of Avondale Zoning Ordinance. This proposal meets the letter and intent of the Ordinance and Verizon Wireless is requesting a Conditional Use Permit for this proposed development for the maximum length of time available. This site will benefit residents, students, businesses and travelers in the area.



SITE NAME: PHO GRIFFITH



SITE PHOTO



126 W. GEMINI DR., TEMPE, AZ. 85283

INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE
MICROWAVE SIGNATURE	DATE



4835 E. INDIGO ST., #104 MESA, AZ. 85205
PHONE: (480) 204-1412 FAX: (480) 830-9353

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PROJECT NUMBER	DRWN BY	CHKD BY
11145	BK	BK

REVISIONS		
△	09.10.12	ISSUE TO CLIENT
△	09.14.12	ISSUE FOR SUBMITTAL
△	11.29.12	CITY COMMENTS

SHEET INDEX	
• T-1	PROJECT INFORMATION AND DATA
• LS-1	TOPOGRAPHIC SURVEY
• LS-2	TOPOGRAPHIC SURVEY
• Z-1	SITE PLAN
• Z-2	ENLARGED PLAN
• Z-3	PROJECT ELEVATIONS

CLIENT	
VERIZON WIRELESS 126 W. GEMINI DR. TEMPE, AZ. 85283 CONTACT: BETSY MALUMPHY PHONE: (602) 390-9822	

OWNER	
UNIVERSAL TECHNICAL INSTITUTE 10695 W. PIERCE ST. AVONDALE, AZ. 85323 CONTACT: GEORGE MICKENS PHONE: (623) 245-4600	

SITE ACQUISITION	
RELIANT LAND SERVICES, INC. 3200 N. HAYDEN RD., SUITE #205 SCOTTSDALE, AZ. 85251 CONTACT: REG DESTREE PHONE: (602) 349-6930	

DESIGNER	
BK DESIGN INC. 4835 E. INDIGO ST., SUITE 104 MESA, AZ. 85205 CONTACT: BRYAN KORTE PHONE: (602) 904-2108	

SURVEYOR	
RLF CONSULTING, LLC 6197 SOUTH RURAL ROAD SUITE 101 TEMPE, AZ 85283 CONTACT: RYAN FIDLER PHONE: (480) 510-3668	

SYMBOLS

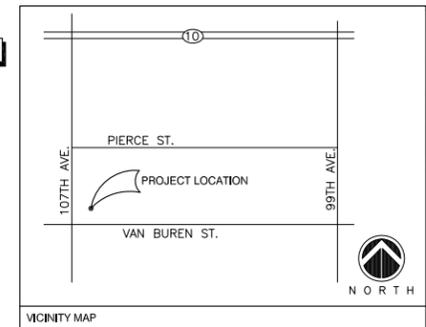
	DETAIL MARK		LEASE LINE
	SECTION MARK		PROPERTY LINE
	REVISION		CHAIN LINK FENCE LINE
	NORTH ARROW		ELEV. 0 ELEVATION DATUM A.F.F.

PROJECT DATA	
LESSEE:	VERIZON WIRELESS
ZONING:	PAD
JURISDICTION:	CITY OF AVONDALE
APN:	102-55-009
BUILDING CODES:	2009 IBC W/ AMENDMENTS 2008 NEC W/ AMENDMENTS 2009 IPC W/ AMENDMENTS 2009 IMC W/ AMENDMENTS 2003 IFC W/ AMENDMENTS
OCCUPANCY:	EQUIPMENT SHELTER B MONOPALM U
CONSTRUCTION TYPE:	EQUIPMENT SHELTER VB MONOPALM N/A
BUILDING AREA:	298 S.F.
LEASE AREA:	1,338 S.F.

PROJECT DESCRIPTION	
THIS PROJECT CONSISTS OF THE PLACEMENT OF A PROPOSED STATE APPROVED EQUIPMENT SHELTER AND NEW ANTENNAS MOUNTED TO A NEW MONOPALM.	
DEVELOPMENT AND CONSTRUCTION OF THIS PROJECT WILL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.	
THIS PROJECT DOES NOT INCLUDE WATER OR SEWER.	
THIS PROJECT INCLUDES PERMANENT TELEPHONE AND ELECTRICAL CONNECTIONS.	
EXISTING PARKING IS NOT AFFECTED BY THIS PROJECT.	

PROJECT UTILITIES	
• POWER COMPANY: SALT RIVER PROJECT PHONE: (602) 236-8833	• TELEPHONE COMPANY: COX COMMUNICATIONS

SITE DIRECTIONS	
FROM 126 W. GEMINI DR., TEMPE — TRAVEL SOUTH ON ASH AVE. TO GUADALUPE AND TURN WEST. TRAVEL ON GUADALUPE RD. TO KYRENE RD. AND TURN NORTH. CONTINUE ON KYRENE RD. TO BASELINE RD. AND TURN WEST. TRAVEL WEST ON BASELINE RD. TO I-10 TOWARDS PHOENIX. CONTINUE ON I-10 FOR APPROX. 16 MILES TO THE 107TH AVE. EXIT — CONTINUE SOUTH ON 107TH AVE. FOR APPROX 1 MILE — TURN EAST ON PIERCE ST. (JUST BEFORE VAN BUREN ST.) AND SITE IS ON THE SOUTH SIDE OF UNIVERSAL TECHNICAL INSTITUTE.	



SITE NAME

PHO GRIFFITH

SITE ADDRESS

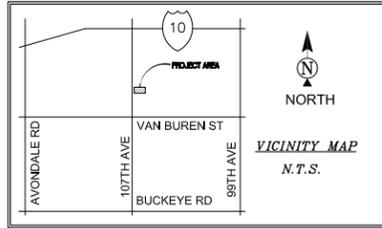
10695 W. PIERCE
AVONDALE, AZ. 85323

SHEET TITLE

PROJECT INFORMATION AND DATA

SHEET NUMBER

T-1



DRIVING DIRECTIONS
 TAKE US-60 WEST TO I-10 WEST, TAKE I-10 WEST TOWARDS LOS ANGELES, EXIT 107TH AVENUE AND TURN LEFT. TAKE 107TH SOUTH TO SITE ON THE LEFT.

LESSOR'S LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP ONE NORTH, RANGE ONE EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE FULLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF SECTION 5, FROM WHICH THE SOUTH QUARTER CORNER BEARS NORTH 88 DEGREES 51 MINUTES 22 SECONDS EAST A DISTANCE OF 2844.32 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 18 SECONDS WEST ALONG THE WEST LINE OF SECTION 5 A DISTANCE OF 1291.36; THENCE NORTH 88 DEGREES 50 MINUTES 12 SECONDS EAST A DISTANCE OF 78.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 50 MINUTES 12 SECONDS EAST A DISTANCE OF 1191.51 FEET; THENCE SOUTH 46 DEGREES 09 MINUTES 48 SECONDS EAST A DISTANCE OF 26.20 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 06 SECONDS EAST A DISTANCE OF 814.41 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 22 SECONDS WEST A DISTANCE OF 1239.11 FEET; THENCE NORTH 01 DEGREES 35 MINUTES 16 SECONDS WEST A DISTANCE OF 181.18 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 18 SECONDS WEST A DISTANCE OF 341.01 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 88.17 FEET; THENCE NORTH 03 DEGREES 58 MINUTES 04 SECONDS EAST A DISTANCE OF 91.88 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 18 SECONDS WEST A DISTANCE OF 107.72 FEET; THENCE NORTH 44 DEGREES 50 MINUTES 42 SECONDS EAST A DISTANCE OF 33.07 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO THE PLAT OF RECORD FOR GRIFFITH COMMERCE PARK RECORDED IN BOOK 670 OF MAPS, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.

SCHEDULE B EXCEPTIONS

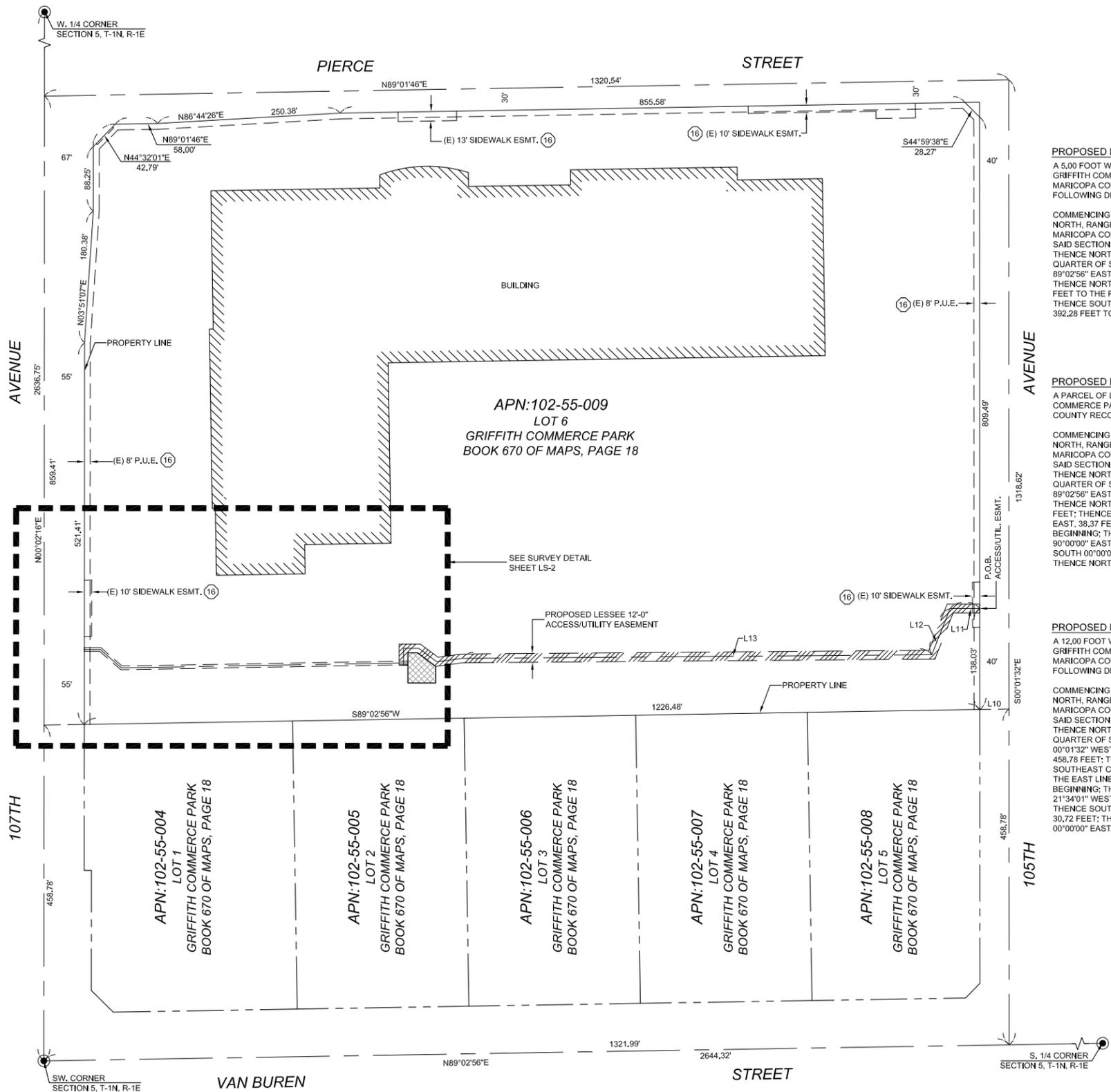
- 6. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS MADE BY SURE-LOCK III, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY DATED AS OF 9/11/2003 RECORDED 9/15/2003 IN INSTRUMENT NO. 20031293866. (BLANKET)
- 16. FINAL PLAT FOR GRIFFITH COMMERCE PARK RECORDED 2/10/2004 IN BOOK 670 PAGE 18 IN INSTRUMENT NO. 2004-0132038. (REFERENCED)

SURVEYOR'S NOTES

1. ALL TITLE INFORMATION IS BASED UPON A COMMITMENT FOR TITLE INSURANCE PREPARED BY US TITLE SOLUTIONS, ORDER NO.: 39910-AZ1206-5030 EFFECTIVE DATE: 05/21/2012.
2. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE.
3. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.
4. SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

PROJECT META DATA

1. ELEVATIONS SHOWN HEREON ARE REPRESENTED IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) ESTABLISHED FROM GPS DERIVED ELLIPSOID HEIGHTS, APPLYING GEOID 09 SEPARATIONS CONSTRAINING TO CITY OF AVONDALE BENCHMARK ROOS 107. ELEVATION = 1011.15
2. BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM ARIZONA STATE PLANE COORDINATE ZONE CENTRAL, DETERMINED BY GPS OBSERVATIONS.
3. FIELD WORK FOR THIS PROJECT WAS PERFORMED ON 08/01/12.



PROPOSED LESSEE UTILITY EASEMENT LEGAL DESCRIPTION

A 5.00 FOOT WIDE STRIP OF LAND SITUATED WITHIN A PORTION OF LOT 6, GRIFFITH COMMERCE PARK, AS RECORDED IN BOOK 670 OF MAPS, PAGE 18, MARICOPA COUNTY RECORDER, LYING 2.50 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 5 BEARS NORTH 00°02'16" EAST A DISTANCE OF 2636.75 FEET; THENCE NORTH 00°02'16" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 458.78 FEET; THENCE NORTH 89°02'56" EAST, 55.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 00°02'16" EAST, ALONG THE WEST LINE OF SAID LOT 6, 102.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°57'44" EAST, 21.89 FEET; THENCE SOUTH 49°05'59" EAST, 38.37 FEET; THENCE NORTH 89°00'26" EAST, 392.28 FEET TO THE POINT OF TERMINUS.

PROPOSED LESSEE LEASE AREA LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED WITHIN A PORTION OF LOT 6, GRIFFITH COMMERCE PARK, AS RECORDED IN BOOK 670 OF MAPS, PAGE 18, MARICOPA COUNTY RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 5 BEARS NORTH 00°02'16" EAST A DISTANCE OF 2636.75 FEET; THENCE NORTH 00°02'16" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 458.78 FEET; THENCE NORTH 89°02'56" EAST, 55.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 00°02'16" EAST, ALONG THE WEST LINE OF SAID LOT 6, 102.40 FEET; THENCE SOUTH 89°57'44" EAST, 21.89 FEET; THENCE SOUTH 49°05'59" EAST, 38.37 FEET; THENCE NORTH 89°00'26" EAST, 392.28 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'00" EAST, 13.84 FEET; THENCE SOUTH 90°00'00" EAST, 13.00 FEET; THENCE SOUTH 53°18'07" EAST, 31.18 FEET; THENCE SOUTH 00°00'00" WEST, 22.71 FEET; THENCE NORTH 90°00'00" WEST, 38.00 FEET; THENCE NORTH 00°00'00" EAST, 27.50 FEET TO THE POINT OF BEGINNING.

PROPOSED LESSEE ACCESS/UTILITY EASEMENT LEGAL DESCRIPTION

A 12.00 FOOT WIDE STRIP OF LAND SITUATED WITHIN A PORTION OF LOT 6, GRIFFITH COMMERCE PARK, AS RECORDED IN BOOK 670 OF MAPS, PAGE 18, MARICOPA COUNTY RECORDER, LYING 6.00 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 5 BEARS NORTH 00°02'16" EAST A DISTANCE OF 2636.75 FEET; THENCE NORTH 89°02'56" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 1321.99 FEET; THENCE NORTH 00°01'32" WEST, ALONG THE CENTERLINE OF 105TH AVENUE, A DISTANCE OF 458.78 FEET; THENCE SOUTH 89°02'56" WEST, A DISTANCE OF 40.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 00°01'32" WEST, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 138.03 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°58'28" WEST, 40.81 FEET; THENCE SOUTH 21°34'01" WEST, 67.87 FEET; THENCE SOUTH 89°32'59" WEST, 643.58 FEET; THENCE SOUTH 82°17'11" WEST, 34.63 FEET; THENCE NORTH 53°18'07" WEST, 30.72 FEET; THENCE SOUTH 90°00'00" WEST, 20.99 FEET; THENCE SOUTH 00°00'00" EAST, 23.16 FEET TO THE POINT OF TERMINUS.



THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE, ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

FIELD BY:	NGS
DRAWN BY:	MJG
CHECKED BY:	RLF

SUBMITTALS		
NO.	DATE	DESCRIPTION
1	08/03/12	PRELIM SUBMITTAL
2	08/09/12	FINAL SUBMITTAL
3	09/06/12	REVISION



PROJECT No.	09001282
SITE NAME:	PHO GRIFFITH
SITE NUMBER:	2010574450
SITE ADDRESS:	10695 W. PIERCE ST. AVONDALE, AZ 85323

SHEET TITLE:
BOUNDARY EXHIBIT & TOPOGRAPHIC SURVEY

SHEET NO.	REVISION:
LS-1	

BOUNDARY DETAIL
 SCALE: 1" = 80'
 NORTH





THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

FIELD BY:	NGS
DRAWN BY:	MJG
CHECKED BY:	RLF

SUBMITTALS		
NO.	DATE	DESCRIPTION
1	08/03/12	PRELIM SUBMITTAL
2	08/09/12	FINAL SUBMITTAL
3	09/06/12	REVISION



PROJECT No.
09001282

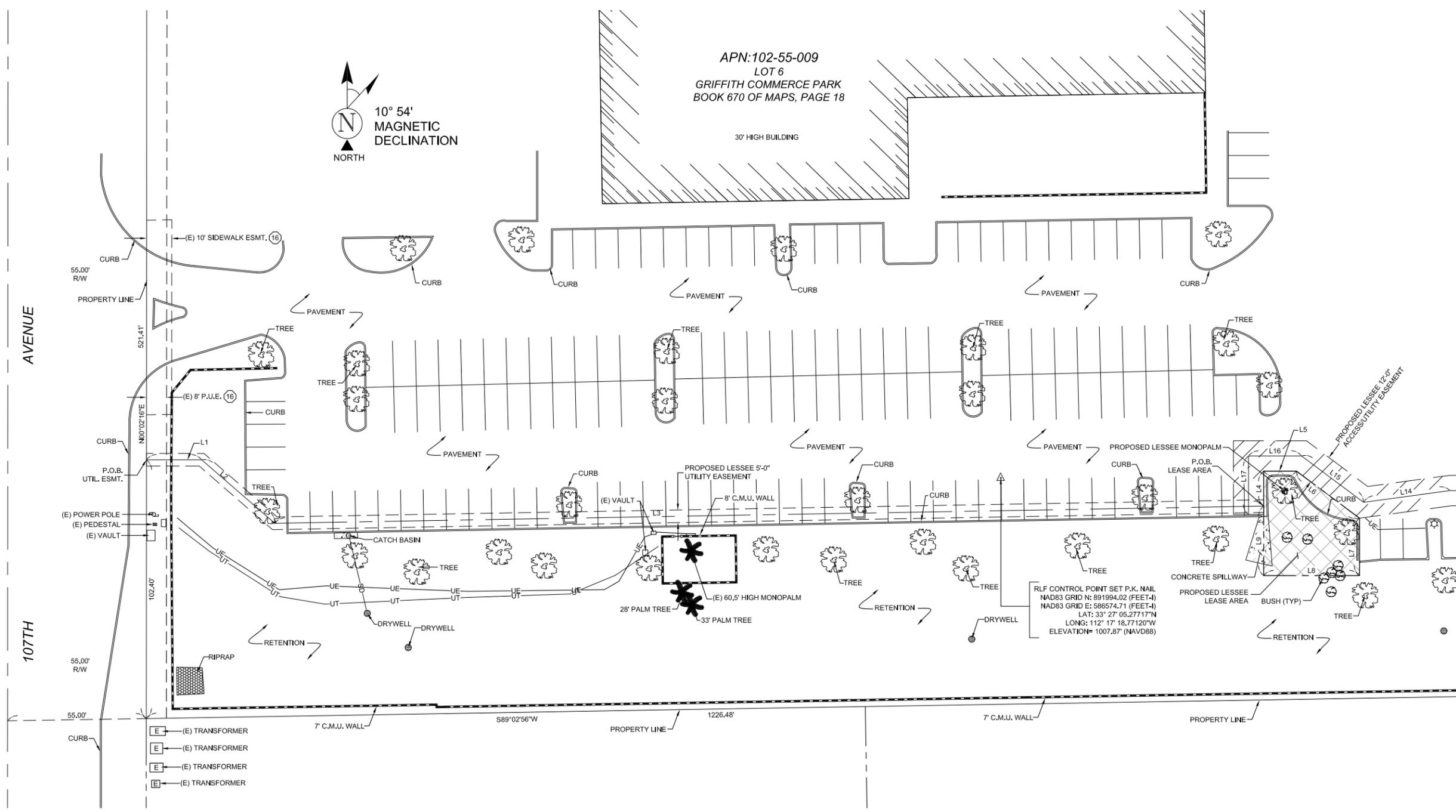
SITE NAME:
PHO GRIFFITH

SITE NUMBER:
2010574450

SITE ADDRESS:
**10695 W. PIERCE ST.
AVONDALE, AZ 85323**

SHEET TITLE:
**BOUNDARY EXHIBIT &
TOPOGRAPHIC SURVEY**

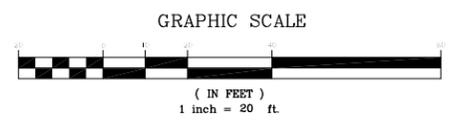
SHEET NO.	REVISION:
LS-2	



RLF CONTROL POINT SET P.K. NAIL
NAD83 GRID N: 891994.02 (FEET+I)
NAD83 GRID E: 588574.71 (FEET+I)
LAT: 33° 27' 05.27717"N
LONG: 112° 17' 18.77120"W
ELEVATION= 1007.87 (NAVD88)

LEGEND

NG	NATURAL GRADE	CLF	CHAIN LINK FENCE
BLDG	TOP OF BUILDING	W	WATER CONTROL VALVE
FC	FACE OF CURB	FH	FIRE HYDRANT
R/W	RIGHT OF WAY	GW	GUY WIRE
AP	ASPHALT	FN	FOUND AS NOTED
D/W	ACCESS DRIVEWAY	PP	POWER POLE
TOP	TOP OF SLOPE	LP	LIGHT POLE
TOE	TOE OF SLOPE	ET	ELECTRICAL TRANSFORMER
WIF	WROUGHT IRON FENCE	A/C	AIR CONDITIONING UNIT
SW	SIDEWALK	TP	TELEPHONE PEDESTAL
TP	TOP OF PARAPET	TW	TELEPHONE VAULT
TW	TOP OF WALL	B	BENCHMARK
B	BENCHMARK	GC	OR POSITION OF GEODETIC COORDINATES
GC	OR POSITION OF GEODETIC COORDINATES	SE	SPOT ELEVATION
SE	SPOT ELEVATION	DA	DISH ANTENNA
DA	DISH ANTENNA	PL	PROPERTY LINE
PL	PROPERTY LINE	PO	PROPERTY LINE (OTHER)
PO	PROPERTY LINE (OTHER)	CL	CENTERLINE
CL	CENTERLINE	EL	EASEMENT LINE
EL	EASEMENT LINE	LS	LEASE LINE
LS	LEASE LINE	UE	U/E ELECTRIC LINE
UE	U/E ELECTRIC LINE	UG	U/G COMMUNICATION LINE
UG	U/G COMMUNICATION LINE		



POSITION OF GEODETIC COORDINATES
LATITUDE 33° 27' 05.231 NORTH (NAD83)
LONGITUDE 112° 17' 17.443" WEST (NAD83)
ELEVATION @ GROUND= 1007.0' (NAVD88)

LINE TABLE

LINE	LENGTH	BEARING
L1	21.89'	S89°57'44"E
L2	38.37'	S49°05'59"E
L3	392.28'	N89°00'26"E
L4	13.84'	N00°00'00"E
L5	13.00'	S90°00'00"E
L6	31.18'	S53°18'07"E
L7	22.71'	S00°00'00"W
L8	38.00'	N90°00'00"W
L9	27.50'	N00°00'00"E
L10	40.00'	S89°02'56"W
L11	40.61'	S89°58'28"W
L12	67.87'	S21°34'01"W
L13	643.58'	S89°32'59"W
L14	34.63'	S82°17'11"W
L15	30.72'	N53°18'07"W
L16	20.99'	S90°00'00"W
L17	23.16'	S00°00'00"E



INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE
MICROWAVE SIGNATURE	DATE



4835 E. INDIGO ST., #104 MESA, AZ. 85205
 PHONE: (480) 204-1412 FAX: (480) 830-9353

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PROJECT NUMBER	DRWN BY	CHKD BY
11145	BK	BK

REVISIONS		
△	09.10.12	ISSUE TO CLIENT
△	09.14.12	ISSUE FOR SUBMITTAL
△	11.29.12	CITY COMMENTS

SITE NAME

PHO GRIFFITH

SITE ADDRESS

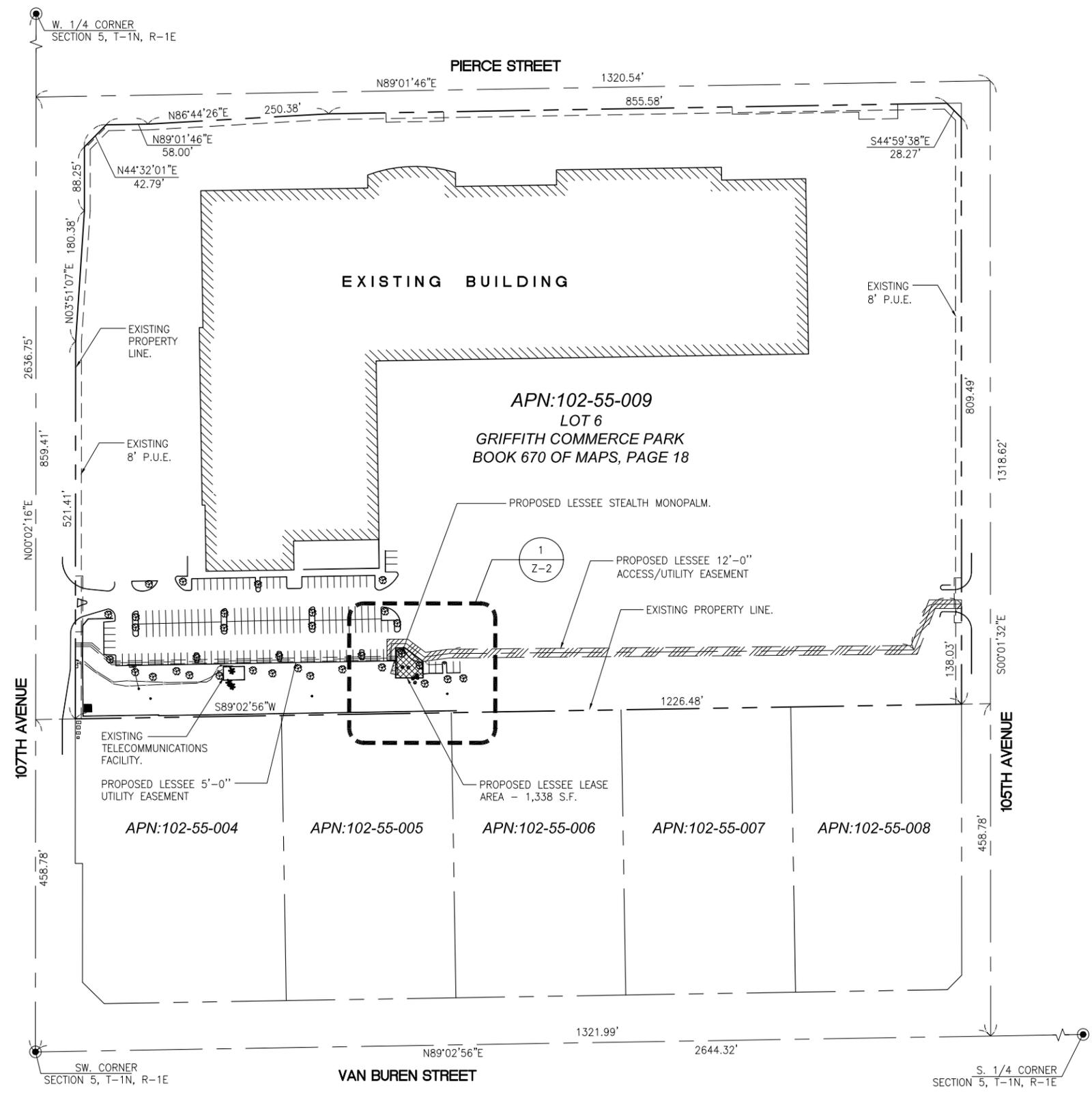
10695 W. PIERCE
 AVONDALE, AZ. 85323

SHEET TITLE

SITE PLAN

SHEET NUMBER

Z-1



LESSEE MONOPALM SETBACK DIMENSIONS FROM NEAREST PROPERTY LINE.

NORTH	747'-2"
SOUTH	82'-7"
EAST	775'-1"
WEST	451'-1"



INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE
MICROWAVE SIGNATURE	DATE



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PROJECT NUMBER	DRWN BY	CHKD BY
11145	BK	BK

REVISIONS		
△	09.10.12	ISSUE TO CLIENT
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△	11.29.12	CITY COMMENTS

SITE NAME

PHO GRIFFITH

SITE ADDRESS

10695 W. PIERCE
AVONDALE, AZ. 85323

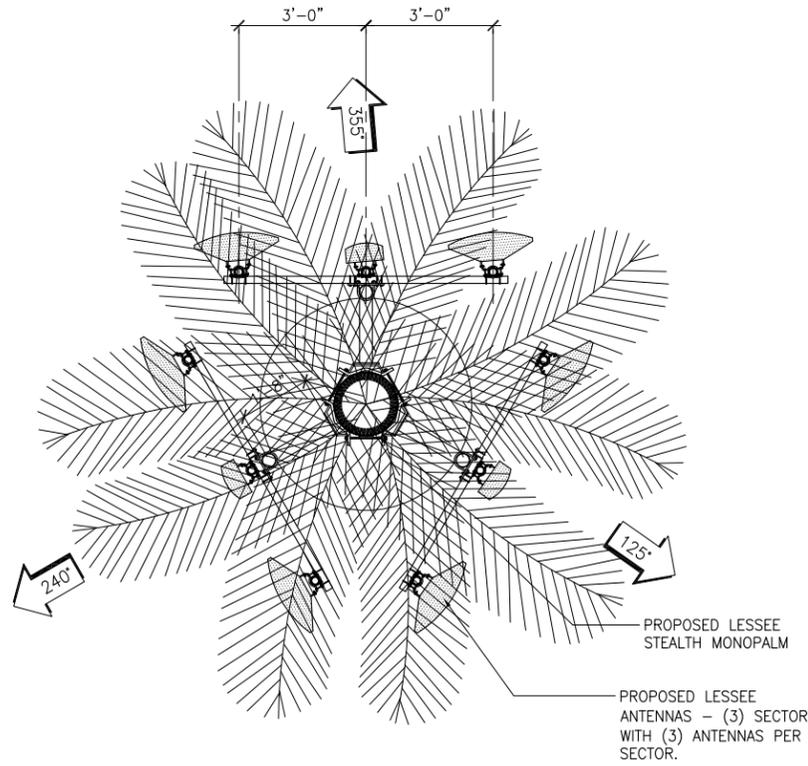
SHEET TITLE

ENLARGED PLAN

SHEET NUMBER

Z-2

SECTOR	AZIMUTH	LENGTH	NO.	SIZE	TYPE
ALPHA	355°	+/- 97'-0"	(4)	7/8"	AVA5-50
			(2)	1 5/8"	AVA7-50
BETA	125°	+/- 97'-0"	(4)	7/8"	AVA5-50
			(2)	1 5/8"	AVA7-50
GAMMA	240°	+/- 97'-0"	(4)	7/8"	AVA5-50
			(2)	1 5/8"	AVA7-50



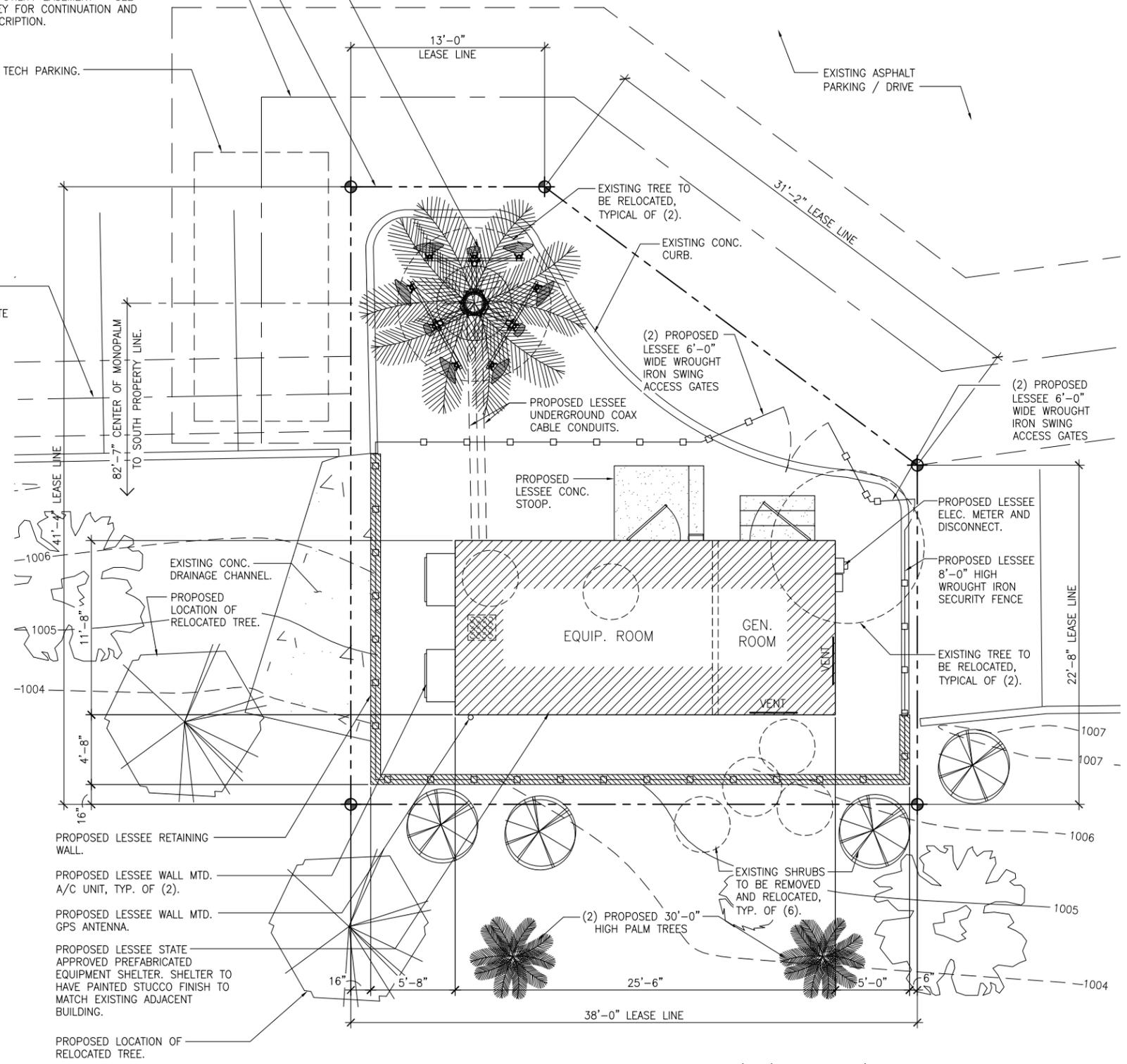
PROPOSED LESSEE ANTENNAS MOUNTED TO PROPOSED STEALTH MONOPALM - SEE ENLARGED PLAN THIS SHEET.

PROPOSED LESSEE LEASE LINE, TYP.

PROPOSED LESSEE 12'-0" WIDE ACCESS / UTILITY EASEMENT - SEE SITE SURVEY FOR CONTINUATION AND LEGAL DESCRIPTION.

PROPOSED TECH PARKING.

PROPOSED LESSEE 5'-0" WIDE UTILITY EASEMENT - SEE SITE SURVEY FOR CONTINUATION AND LEGAL DESCRIPTION.



INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE
MICROWAVE SIGNATURE	DATE



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PROJECT NUMBER	DRWN BY	CHKD BY
11145	BK	BK

REVISIONS		
△	09.10.12	ISSUE TO CLIENT
△	09.14.12	ISSUE FOR SUBMITTAL
△	11.29.12	CITY COMMENTS

SITE NAME

PHO GRIFFITH

SITE ADDRESS

10695 W. PIERCE
AVONDALE, AZ. 85323

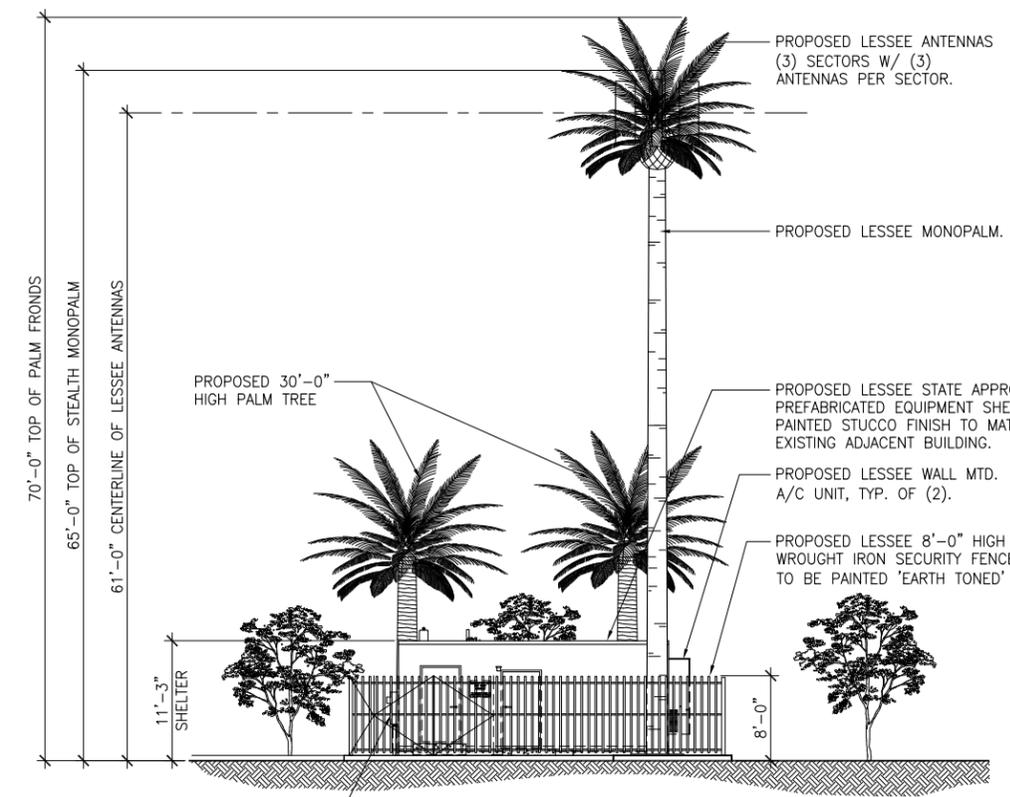
SHEET TITLE

PROJECT ELEVATIONS

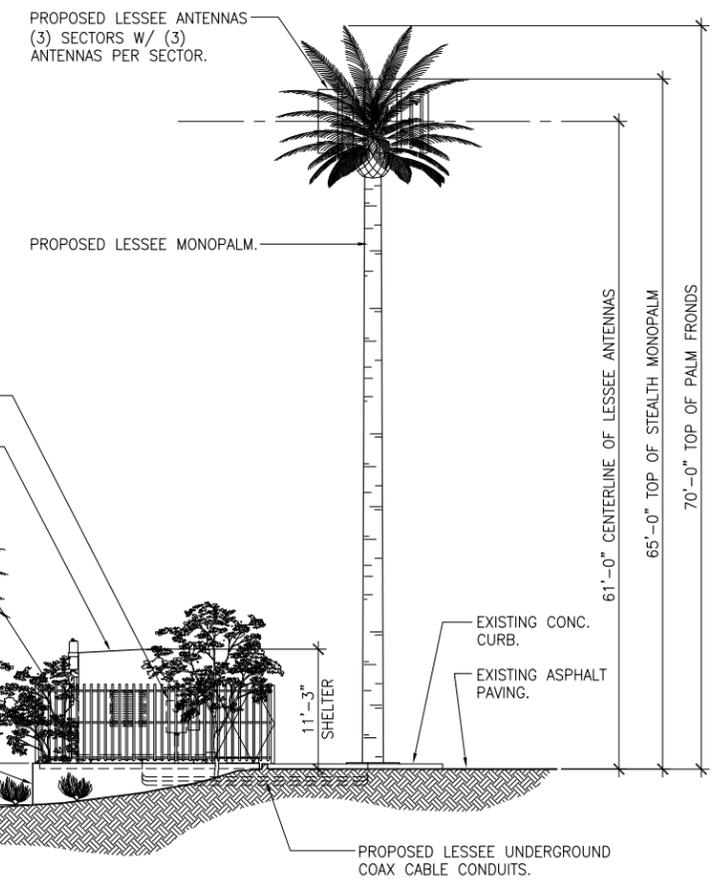
SHEET NUMBER

Z-3

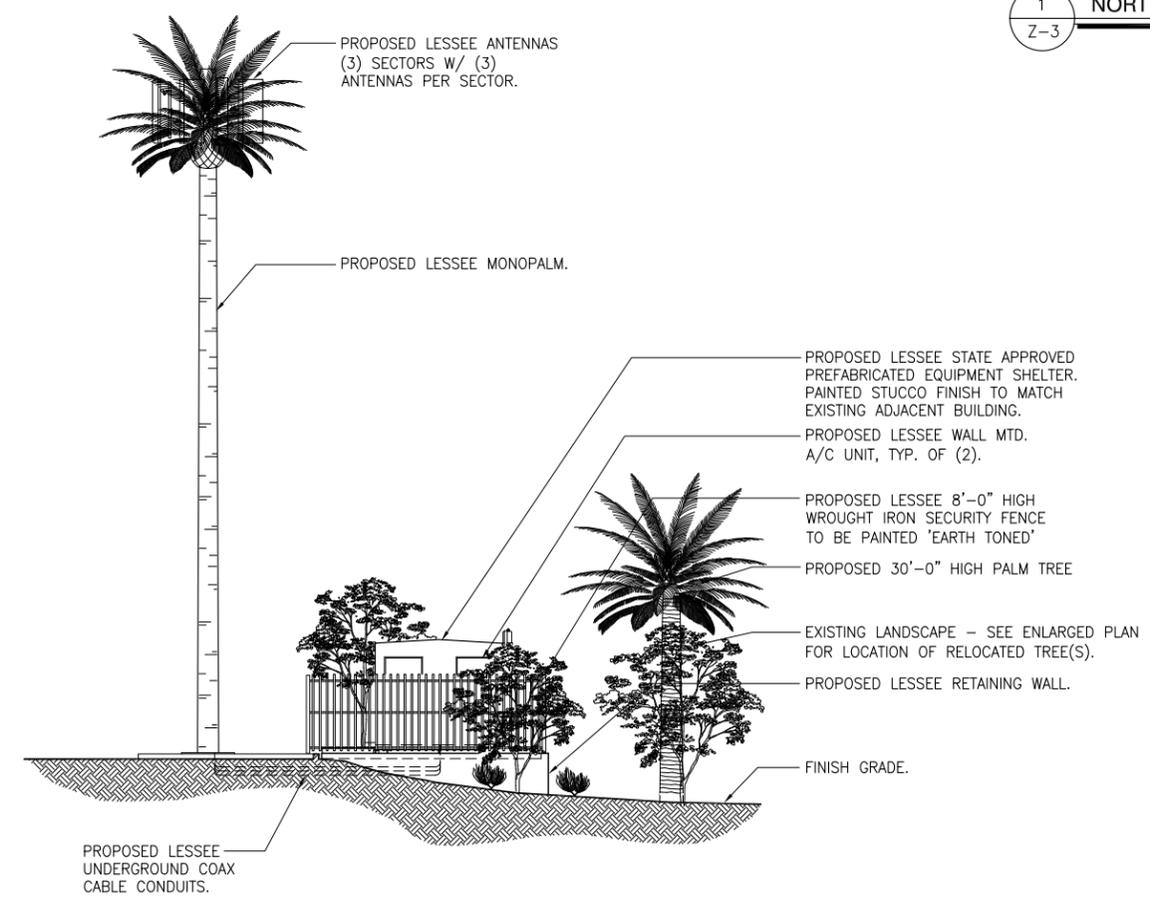
- NOTES:
- PROPOSED LESSEE STATE APPROVED PREFABRICATED EQUIPMENT SHELTER TO HAVE PAINTED STUCCO FINISH TO MATCH EXISTING ADJACENT BUILDING.
 - PROPOSED LESSEE 8'-0" HIGH WROUGHT IRON SECURITY FENCE TO BE PAINTED 'EARTH TONE'
 - FINISH MATERIALS ON THE TRUNK OF THE MONOPALM TO HAVE A FAUX FINISH TO GIVE THE MONOPALM A TRUNK LIKE TEXTURE.



1 NORTH ELEVATION
Z-3
SCALE: 1/8" = 1'-0"
0 2' 4' 10'
1' 3' 5'



2 EAST ELEVATION
Z-3
SCALE: 1/8" = 1'-0"
0 2' 4' 10'
1' 3' 5'



3 WEST ELEVATION
Z-3
SCALE: 1/8" = 1'-0"
0 2' 4' 10'
1' 3' 5'

View from 107th Avenue & Van Buren



- BEFORE -



Verizon Wireless – PHO Griffith

10695 W. Pierce
Avondale, AZ 85323



View from 107th Avenue & Van Buren



- AFTER -



Verizon Wireless – PHO Griffith

10695 W. Pierce
Avondale, AZ 85323



Excerpt of the Minutes of the regular Planning Commission meeting held February 21, 2013 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

Sean Scibienski, Chair
Michael Demlong, Vice Chair
Lisa Amos, Commissioner
Michael Long, Commissioner
Angela Cotera, Commissioner
Kevin Kugler, Commissioner

COMMISSIONERS EXCUSED

Grace Carrillo, Commissioner

CITY STAFF PRESENT

Tracy Stevens, Planning Manager
Chris Schmaltz, Legal Counsel
Ken Galica, Planner II
Eric Morgan, Planner II
Paul Lopez, Engineering Project Manager
Linda Herring, Development Services Representative

APPLICATION NO. PL-12-0203

APPLICANT: Mr. Reg Destree
Reliant Land Services on behalf of Verizon Wireless
(602) 349-6930

PROPERTY OWNER: Mr. George Mickens, Director of Facilities
Universal Technical Institute (UTI)
(623) 245-4800

REQUEST: This is a public hearing before the Planning Commission to review and solicit public input on a request by Mr. Reg Destree, Reliant Land Services, on behalf of Verizon Wireless, for a Conditional Use Permit (CUP) to allow for a 65' freestanding personal wireless service facility (i.e. cell tower) located at 10695 West Pierce Street, on the campus of Universal Technical Institute (UTI). The Avondale Zoning Ordinance requires approval of a Conditional Use Permit for freestanding personal wireless service facilities over 35' in height. The proposed facility would feature a "monopalm" design intended to imitate a date palm tree.

Ken Galica said the application is for a Personal Wireless Service Facility (PWSF) that would be located on the Universal Technical Institute property at 107th Avenue north of Van Buren Street. The zoning is PAD, and has been in place for ten years. This PAD allows for Industrial uses on the majority of the property, with some Commercial. To the east is Agricultural, to the west is Roosevelt Park Phase II, to the south is the City of Tolleson (a mix of residential & commercial).

Mr. Galica reviewed that Zoning Ordinance Section 708 lays out conditions for towers and antennae. Applicants must:

- Demonstrate a coverage gap that the new PWSF would fill
- Demonstrate an inability to co-locate on existing structures
- Provide one paved parking space for maintenance
- Provide a setback of 1 foot in length for each foot of height
- Utilize an alternative PWSF design
- Ensure that ground equipment is screened

Mr. Galica stated that the proposed monopalm would eliminate approximately one square mile of marginal coverage for Verizon Wireless. The leased area for the facility is 78 feet away from the nearest property line, in excess of the setback requirement. T-Mobile has a 60-foot monopalm on the site that was approved in 2007, but a new antenna cannot be co-located there without severely affecting its appearance as a faux palm street. Verizon's ground equipment enclosure will be painted to match the UTI buildings and surrounded by a wrought iron security fence. Two live palm trees will help with blending. The site has ample available parking. The ground facility encroaches slightly into the existing retention area, and a retaining structure is required. The City's Plan Review Engineer has been working with the applicant to ensure that drainage on the site is not negatively affected.

Mr. Galica stated the proposal is consistent with the general plan and character of the area. It is compatible with nearby properties. The site is large enough to allow for safe circulation and meet required development standards. There is appropriate access to public streets. Staff has recommended stipulations to ensure that adverse impacts would be minimized. He recommended approval of PL-12-0203 subject to four stipulations.

Commissioner Demlong asked about the City's ability to enforce maintenance requirements for PWSFs. Mr. Galica explained that Code Enforcement would use the same procedures for any business that violates the property maintenance Code. Commissioner Demlong felt the live palms should be specified as date palms to match the monopalm look, and should be as tall as possible to match the scale.

Chair Scibienski invited the applicant to speak. Mr. Reg Destree, Reliant Land Services, 3200 North Hayden Road, Suite 205, Scottsdale, Arizona 85251, said he has no issues with the four stipulations that staff requested. Chair Scibienski opened the public hearing. With no speakers coming forward, he closed the public hearing.

Commissioner Cotera **MOVED** to accept the findings and recommend approval of application PL-12-0203, a request for conditional use permit approval for a Personal Wireless Service Facility on the campus of the Universal Technical Institute, subject to the four stipulations recommended by staff. Vice Chair Demlong **SECONDED**.

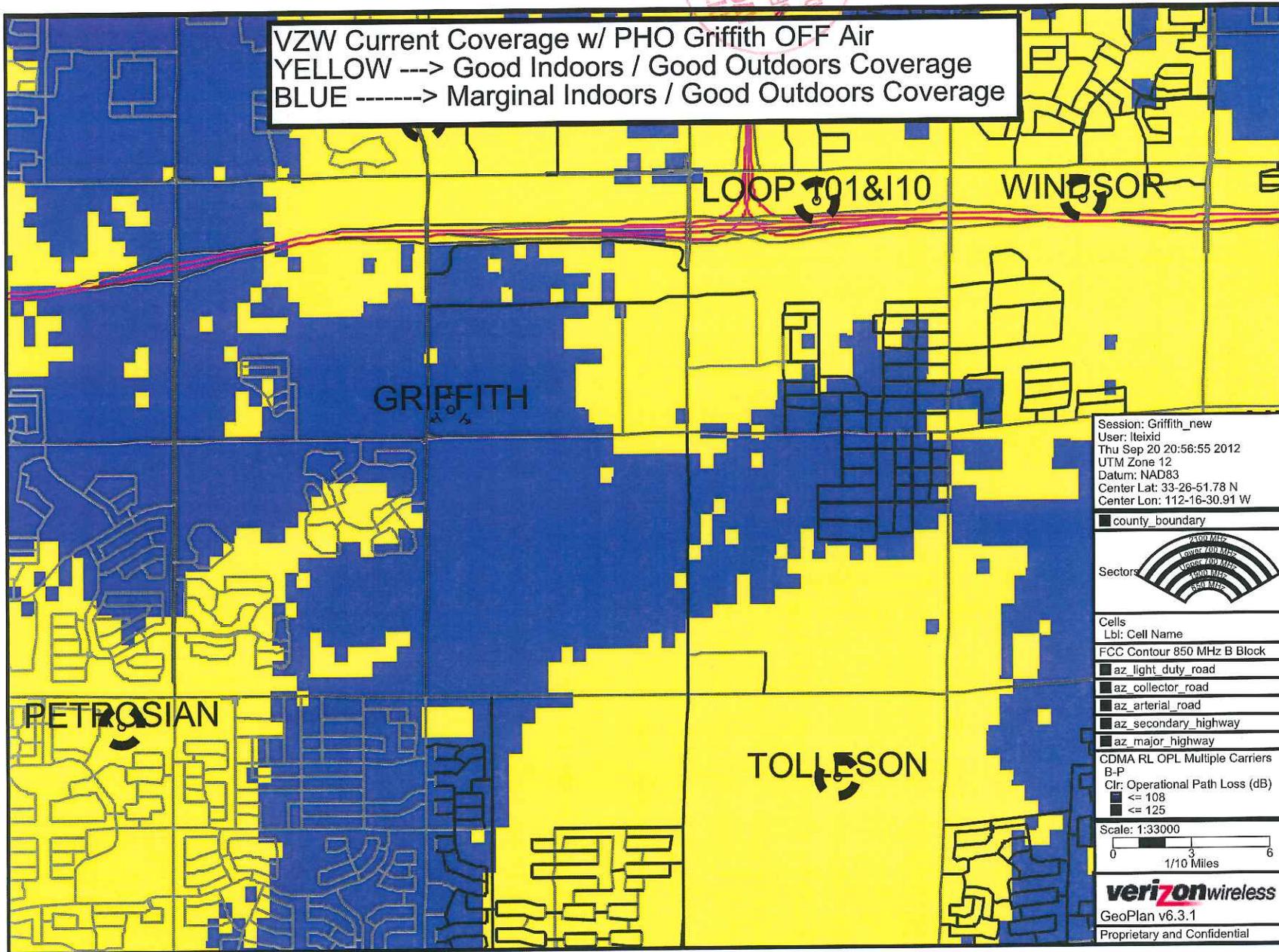
ROLL CALL VOTE

Sean Scibienski, Chair	Aye
Michael Demlong, Vice Chair	Aye
Lisa Amos, Commissioner	Aye
Grace Carrillo, Commissioner	Excused
Michael Long, Commissioner	Aye
Angela Cotera, Commissioner	Aye
Kevin Kugler, Commissioner	Aye

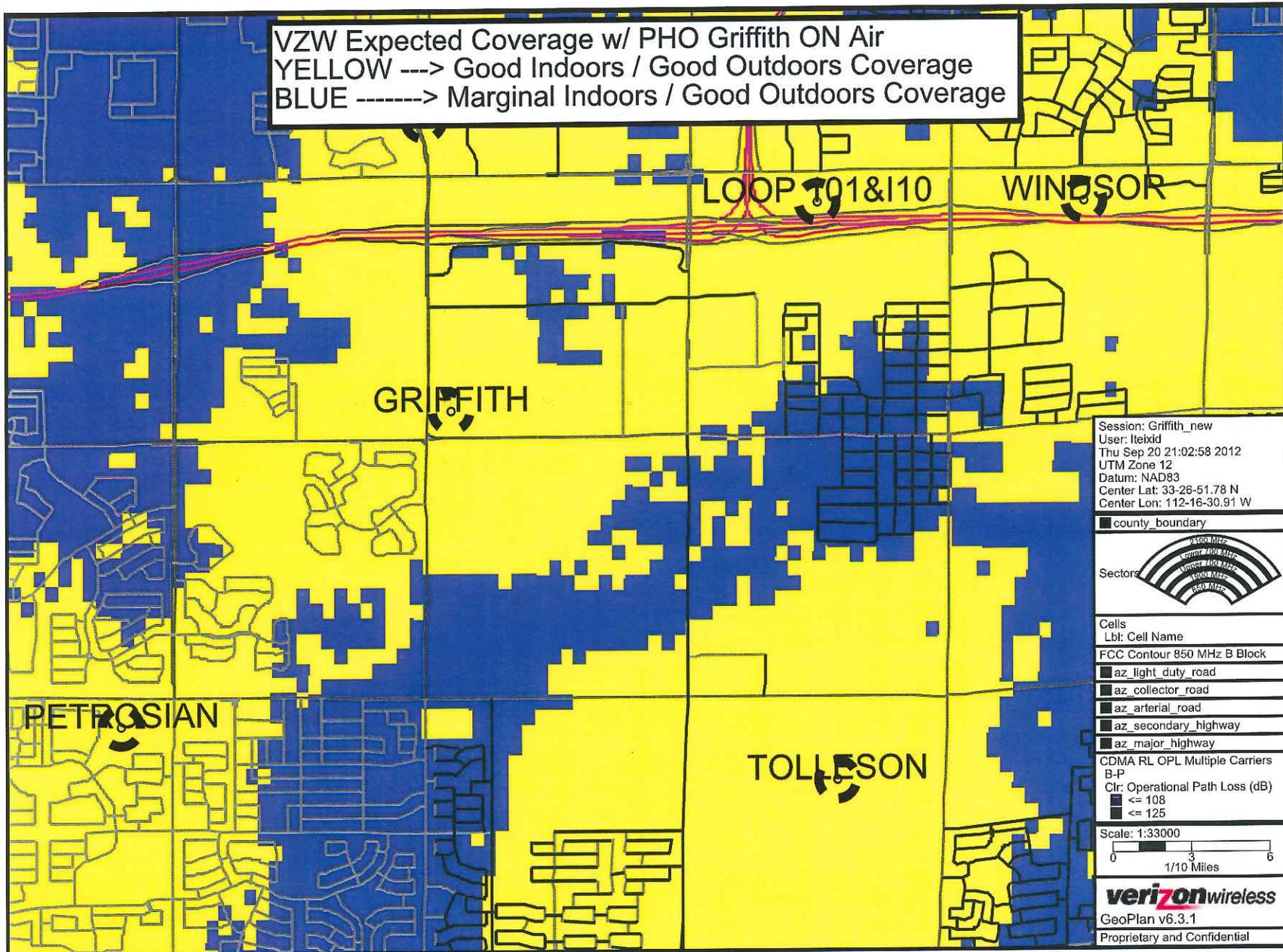
The motion carried unanimously.

CITY OF TONDALE
SEP 27 2012
DEVELOPMENT SERVICES

VZW Current Coverage w/ PHO Griffith OFF Air
YELLOW ---> Good Indoors / Good Outdoors Coverage
BLUE -----> Marginal Indoors / Good Outdoors Coverage



VZW Expected Coverage w/ PHO Griffith ON Air
 YELLOW ---> Good Indoors / Good Outdoors Coverage
 BLUE -----> Marginal Indoors / Good Outdoors Coverage



Session: Griffith_new
 User: ltebxd
 Thu Sep 20 21:02:58 2012
 UTM Zone 12
 Datum: NAD83
 Center Lat: 33-26-51.78 N
 Center Lon: 112-16-30.91 W

■ county_boundary



Cells

Lbt: Cell Name

FCC Contour 850 MHz B Block

■ az_light_duty_road

■ az_collector_road

■ az_arterial_road

■ az_secondary_highway

■ az_major_highway

CDMA RL OPL Multiple Carriers B-P

Clr: Operational Path Loss (dB)

■ <= 108

■ <= 125

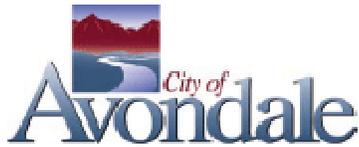
Scale: 1:33000

0 3 6
 1/10 Miles

verizonwireless

GeoPlan v6.3.1

Proprietary and Confidential



CITY COUNCIL REPORT

SUBJECT:

Resolution 3095-313 - Adopting the Small Business Pilot Lending Program Policies and Procedures

MEETING DATE:

March 18, 2013

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 a resolution adopting the policies and procedures for the Small Business Pilot Lending Program designed to give small businesses in Historic Avondale access to an alternative source of financing.

BACKGROUND:

The primary objective of the pilot Small Business Loan Program is to increase economic development in Historic Avondale by giving micro-small businesses in that area access to an alternative source of financing. More specifically, the Program was developed to provide short-term financing for various activities such as, but not limited to, equipment upgrades, building repairs or upgrades, equipment purchases, signage, façade improvements, advertisement or other improvements and activities for small businesses within the Revitalization Area. Loans would be provided by Arizona MultiBank Community Development Corporation and guaranteed by the City of Avondale with Community Development Block Grant (CDBG) funds.

DISCUSSION:

The Program offers an alternative financing tool to conventional mainstream financing, to which many of the Avondale small and microbusiness owners do not have access. The Program aims to provide more flexibility and a quicker response after application submission than traditional lending institutions. In addition, the Program offers unique and customized support mechanisms.

The Program is designed to encourage economic development in the City and, in particular, the Revitalization Area. Specific Program objectives include: 1) Business Development: Expanding existing business capacity and promoting new business Development; 2) Jobs: Creating new jobs and retaining existing jobs; 3) Business Skills: Assisting small business in growing or acquiring new skills to promote future business growth; 4) Upgrading Facilities: Encouraging renovation and upgrades of existing business facilities; 5) Neighborhood: Increasing neighborhood revitalization; 6) Compliance with Code: Bringing older structures up to date and in compliance with City Code; 7) Income Levels: Increasing income levels in the Revitalization Area.

The Policies and Procedures establish guidelines for operating the Program and establishes a Program Advisory Committee comprised of members which will recommend revisions to the program, review loan applications and consider any loan modifications. The Program has set a maximum loan amount of \$5,000 which can be increased at the discretion of the Committee if the investment is consistent with the goals to revitalize and increase economic development in the area. Repayment periods will be between 12 and 36 months. Arizona MultiBank will prepare required loan documentation prior to disbursement of funds and will service the loans. In the event of default, Arizona Multibank will assign the loan to the City, and the borrower will be liable to the City for

repayment of all funds expended through the loan guarantee.

The Program includes pre-loan counseling and advice, assistance in identifying alternative sources for financing outside the Program and technical assistance. The Program is open to small businesses that meet the eligibility requirements which include legal residency, location within the Revitalization Area, having five or fewer employees, having payment capacity and satisfactory credit, among other requirements which are described in the attachment entitled Avondale Small Business Pilot Lending Program and Policies and Procedures.

BUDGETARY IMPACT:

CDBG Funds in the amount of \$30,000 from FY 2012-13 have been set aside for this purpose.

RECOMMENDATION:

Staff recommends that Council approve the Resolution adopting the Avondale Small Business Pilot Lending Program and Policies and Procedures.

ATTACHMENTS:

Click to download

[Resolution 3095-313](#)

RESOLUTION NO. 3095-313

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, ADOPTING THE AVONDALE SMALL BUSINESS PILOT LENDING PROGRAM POLICIES AND PROCEDURES.

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, including special economic development activities; and

WHEREAS, the City of Avondale (the “City”) has received CDBG funds and has allocated a portion of these funds to be used to increase economic development within the City’s Historic Avondale Revitalization Area; and

WHEREAS, the City has coordinated with Arizona MultiBank Community Development Corporation (“MultiBank”) to design the Avondale Small Business Pilot Lending Program (the “Program”) in which (i) MultiBank will provide loans to small businesses with five or fewer employees in an amount not to exceed \$5,000 per business and (ii) the City will guarantee the loans approved by the Program’s loan review committee with the CDBG funds allocated for this purpose; and

WHEREAS, the Council of the City of Avondale (the “City Council”) has determined that it is in the best interests of the City to establish written policies and procedures to establish the operations of the Program from the application and loan decision process to the servicing of the loan and enforcement of the City’s guaranty; and

WHEREAS, the City Council desires to adopt the Avondale Small Business Pilot Lending Program Policies and Procedures.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. That certain document known as the Avondale Small Business Pilot Lending Program Policies and Procedures is hereby adopted in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

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

PASSED AND ADOPTED by the Council of the City of Avondale, March 18, 2013.

Marie Lopez Rogers, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 3095-313

[Avondale Small Business Pilot Lending Program Policies and Procedures]

See following pages.

**Avondale Small Business Pilot Lending
Program
Policies and Procedures**
March 7, 2013

The Neighborhood & Family Services Department
City of Avondale
1007 S. 3rd Street
Avondale, AZ 85283

CONTENTS

SECTION 1. AVONDALE SMALL BUSINESS PILOT LENDING PROGRAM	1
1.1 Policies and Procedures	1
1.2 The Program.....	1
1.3 Loan Guarantee.....	3
1.4 Specific Objectives	3
1.5 The Avondale Small Business Pilot Lending Program Committee (Committee).....	3
SECTION 2. SERVICES	4
2.1 Point of Contact – City Program Staff	4
2.2 Loan Servicing	4
2.3 Small Business Consumer Support Services.....	4
SECTION 3. APPLICATION AND REVIEW PROCESS	5
3.1 Eligible Borrowers.	5
3.2 Ineligible Borrowers	6
3.3 Application	6
3.4 Application Review Process	7
3.5 Loan Approval Criteria	7
SECTION 4. GENERAL LOAN POLICIES	8
4.1 Maximum Amounts	8
4.2 Loan Periods.....	8
4.3 Approved Loans	8
4.4 Loan Declining Notifications	8
4.5 Servicer Procedures	8
4.6 Document Notarization and Cash Disbursement	8
4.7 Loan Collection Procedures	9
4.8 Loan Default.....	9
SECTION 5. OUTREACH AND MARKETING	9

SECTION 1. AVONDALE SMALL BUSINESS PILOT LENDING PROGRAM

1.1 Policies and Procedures

The Avondale Small Business Pilot Lending Program Policies and Procedures (this “Policy”) shall establish the guidelines for operating the Avondale Small Business Pilot Lending Program (the “Program”). The Program Advisory Committee (the “Committee”), comprised of members as set forth in Section 1.5 below, will review and recommend changes to this Policy as necessary and may recommend that the City Council discontinue the Program at any time based on lack of funds or demand or repeated borrower defaults.

1.2 The Program

The Program was designed by the City of Avondale (the “City”) Neighborhood and Family Services (“NFS”) Department in collaboration with Arizona MultiBank Community Development Corporation (“MultiBank” or “Lender”). The Program’s overall objective is to assist commercial enterprises with five or fewer employees, including the business owner (“Microenterprises”) in securing funds to improve their businesses in the City’s Historic Avondale Revitalization Area (the “Revitalization Area”) as set forth in Exhibit A, attached hereto and incorporated herein by reference. More specifically, the Program was developed to provide short-term financing to assist Microenterprises with funds for various activities such as, but not limited to, equipment upgrades, building repairs or upgrades, equipment purchases, signage, façade improvements, advertisement or other improvements and activities Microenterprises within the Revitalization Area.

The Program offers an alternative financing tool to conventional mainstream financing, to which many of the Avondale small and microbusiness owners do not have access. The Program aims to provide more flexibility and a quicker response after application submission than traditional lending institutions. In addition, the Program offers unique and customized support mechanisms to assist borrowers in completing their loan applications, finding technical support to increase their business success and advising on how to avoid unnecessary debt and how to organize their payments in the most efficient fashion.

The Program is a collaborative effort between the City NFS Department as the guarantor through its Community Development Block Grant (“CDBG”) Program, and MultiBank as the lender/servicer for all loans originated through this Program.

- A. The City Neighborhood and Family Services Department: The NFS Department was created in 2006 to support and nurture the development of families and the neighborhoods in which they live. The goal of the NFS Department is to enhance the quality of life and sense of community experienced by residents and families in the City’s many neighborhoods. The City was designated a CDBG-entitled community and receives approximately \$600,000 for all revitalization and community redevelopment strategies including small business loans or technical assistance among many other allowable activities.
 1. Consideration of Applications: Program staff within the CDBG Manager’s office of the NFS Department (“Program Staff”) will be responsible for the collection and management of loans applications. Approval of loan applications will be in collaboration with the Program Committee and as outlined in Sections 3.4 and 3.5 of this Policy.

2. Program Management: Program Staff is responsible for the overall management of the Program, including, but not limited to, the following:
 - i. Liaison: Act as a liaison between borrowers, potential borrowers and MultiBank.
 - ii. Point of Contact: Be the primary point of contact during the application and lending process.
 - iii. Promotion: Disseminate applications and market the Program. Create and maintain a dedicated web page for the Program within the main City website.
 - iv. Receive Applications: Receive applications, perform an initial application review and transfer any applications approved by the Committee to MultiBank.
 - v. Assist Applicants: To the extent feasible, assist applicant with completing his/her application. Recommend that applicants attend the Avondale Small Business Academy, when applicable, if attendance could benefit their business or administration capacity.
 - vi. Package Applications: Prepare all loan application packages for Committee's review.
 - vii. Meetings: Organize monthly meetings in collaboration with all members of the Committee to consider loan applications and debrief on the progress of the Program.
 - viii. Store Documents: Maintain and securely store copies of all loan applications including loan closing documents and other sensitive applicant information.
 - ix. Establish Escrow Account: Establish an escrow account in which the City's guarantee funds will be deposited upon approval and guarantee of loan.
 - x. Monitor Program: Monitor MultiBank's Program-related activities, loan collections and default issues on all Program existing and active loans.

B. Arizona MultiBank Community Development Corporation: MultiBank, an Arizona 501(c)(4) nonprofit corporation, is an initiative of the Arizona Bankers Association that was established to operate an investment pool funded on a long-term basis by Arizona lenders. MultiBank is certified by the U.S. Department of the Treasury as a Community Development Financial Institution and Community Development Entity. MultiBank provides financial assistance and technical support in areas of low income and affordable housing, small business and economic development in the State of Arizona, including the City. MultiBank will serve as the sole lender and servicer for all loans originated through the Program at the City. MultiBank will work closely with the Program Staff to oversee and administer the Program. MultiBank will be responsible for the following activities:

1. Loan Documentation: Prepare and close on loan documentation.
2. Disbursement: Disburse funds as soon as all documentation has been signed and approved.
3. Statements: Provide monthly statements to borrowers.
4. Loan Status: Provide monthly loan summary status on all open and active loan accounts to Program Staff.
5. Credit Reports: Acquire credit reports for all applicants upon CDBG Manager's request.
6. Collection: Direct debit borrower accounts for agreed upon monthly payments.
7. Default Notification: Notify borrower of any default and also notify Program Staff of borrower payment defaults.
8. Remediation: For loans exceeding 30 days of nonpayment, work with borrower to bring account up to date, including discussing loan modification, loan purchase or collection strategies.

9. Coordination of Guarantee: When a loan has been approved and disbursed, coordinate with Program Staff so the City can deposit the proper amount of guarantee funds into the escrow account.

1.3 Loan Guarantee

The Program is funded with CDBG funds and is structured as a loan guarantee, with a potential interest rate buy-down component. All approved loans made to borrowers under this Program will be guaranteed by the City's CDBG funds allocated for economic development purposes. The City's guarantee will not exceed 100% of the principal balance of the loan, plus 30 days of accrued interest, and will be further limited to the amount of CDBG funds in the cash collateral account created for this purpose. If the Committee determines that the borrower's business will increase the visibility of the Revitalization Area and will promote Western Avenue as a destination location for non-residents, depending on the availability of funds, the Committee also may offer to buy down an approved borrower's interest rate with CDBG funds so that the borrower would pay a lower interest rate.

1.4 Specific Objectives

At a general level, Program is designed to encourage economic development in the City and, in particular, the Revitalization Area. Specific Program objectives include:

- A. Business Development: Expanding existing business capacity and promoting new business development.
- B. Jobs: Creating new jobs and retaining existing jobs.
- C. Business Skills: Assisting small business in growing or acquiring new skills to promote future business growth.
- D. Upgrading Facilities: Encouraging renovation and upgrades of existing business facilities.
- E. Neighborhood: Increasing neighborhood revitalization.
- F. Compliance with Code: Bringing older structures up to date and in compliance with City Code.
- G. Income Levels: Increasing income levels in the Revitalization Area.

1.5 The Avondale Small Business Pilot Lending Program Committee (Committee)

The City Manager will appoint the members of the Committee, consisting of at least five, but no more than six, members, with at least one well-established small business owner, one financial advisor experienced in lending and underwriting (e.g., a bank employee), the City CDBG Manager, the City Revitalization Manager and the Maricopa County Small Business Development Center ("MCSBDC") Business Counselor for the West Valley. The MCSBDC Business Counselor will hold a non-voting position and will work primarily as a business advisor within the Committee. The CDBG Manager initially will act as the Committee chair and Committee secretary, but the City Manager may appoint another member to one or more of these positions at any time. The Committee is responsible for the following activities:

- A. Policy: Recommend this Policy to City Council.
- B. Revising Policy: Recommend revision of this Policy to City Council as necessary.
- C. Meetings: Establish and attend monthly meetings to review loan applications and consider any loan modifications.
 1. Participation: Committee meetings will be held either in person at the City NFS Department, by telephone or via similar communications equipment so all Committee members may participate in the discussion and loan application decision process. A

MultiBank representative will attend all Committee meetings either in person or via telephone or other communications equipment.

2. Special Meetings: The CDBG Manager may call and organize special meetings when needed for approval of loans.
- D. Review Applications: Review loan applications for completion and compliance, and make recommendations for approval or denial based on applicable criteria and funding availability in accordance with the applicable procedures.
- E. Recordkeeping: Summarizing minutes after each Committee meeting and approve minutes after each meeting by a simple majority of the Committee. The Committee secretary will retain these minutes and transfer them to a secure location within the City NFS Department. Past minutes will be distributed to Committee members after all Committee meetings.
- F. Loan Modifications: Consider and approve loan modifications to borrowers receiving assistance under the Program, e.g., extending loan terms, when justified, based on applicable criteria and funding availability.
- G. Program Sustainability: Ensure funding capacity and Program sustainability and growth.
- H. Subcommittees: Establish subcommittees if needed to follow up with loan applicants or perform other duties.
- I. Representative: Designate a member or members to represent the Program at various events, meetings or gatherings that may relate to, or increase the popularity and marketability of, Program activities and goals.

SECTION 2. SERVICES

2.1 Point of Contact – City Program Staff

The City NFS Department staff (the “Program Staff”) will manage this Program until the funds are disbursed to borrowers, including, but not limited to, the information, application and approval phases. The Program’s primary point of contact during the information, application and approval phases will be CDBG Manager’s office within the NFS Department, located at 1007 South 3rd Street, Avondale, Arizona 85323, (623) 333-2700, which will provide information about applying for the Program to any interested party and will explain the minimum requirements and loan limitations. The Program Staff will accept and manage all application submissions, and will deliver the applications to the Committee for application review. It will then transfer all approved loan files to MultiBank. After the loan files are transferred to MultiBank, the Program Staff will remain the main point of contact for the applicants.

2.2 Loan Servicing

MultiBank will service all approved loans under the Program, including, but not limited to, preparing loan documentation, disbursing funds, providing monthly statements, collecting monthly payments and performing all other administrative loan servicing related items. Multibank is located at 101 North 1st Avenue, Suite 1880, Phoenix, Arizona 85003.

2.3 Small Business Consumer Support Services

- A. Pre-Loan Counseling: Through the Program, the City may offer pre-loan counseling and advice to small business applicants to navigate the Program application process. This optional service may include:
 1. Explanation: Providing a detailed explanation of the eligibility requirements.
 2. Application Assistance: Providing assistance in completing the application.

3. Alternative Financing: Identifying alternative sources for financing with other institutions outside the Program.
 4. Technical Assistance: Identifying technical assistance before requesting loan and assisting with the understanding of a credit report.
- B. Post-Loan Services: The City also may offer some post-loan services, including:
1. Technical Assistance: Assisting borrowers in identifying technical assistance for their particular needs.
 2. Credit Counseling Referral: Referring borrowers to consumer credit counseling organizations for assistance in resolving credit issues to improve their financial education and to increase their future credit options and access.

SECTION 3. APPLICATION AND REVIEW PROCESS

3.1 Eligible Borrowers.

The Program is open to small businesses that meet all eligibility requirements and are not considered “ineligible borrowers.” Prospective borrowers are not required to visit the CDBG Manager’s office to apply.

- A. General Eligibility Requirements: To be eligible for the Program, the applicant must satisfy the following:
1. Residency: The business owner must be a legal U.S. resident or citizen.
 2. Business Location. The business location for which the loan funds will be used must be within the Revitalization Area.
 3. Alignment with Western Avenue Goals: Applicants and co-applicants interested in developing their businesses into a destination location on Western Avenue will receive priority. The primary goal of the Program is to revitalize, beautify and increase economic development opportunities in the Revitalization Area.
 4. Legal Capacity: Have the legal ability, including age and competency, to enter into a contractual agreement with MultiBank and the City.
 5. Microenterprise: Have five or fewer employees, including the business owner.
 6. Goals and Cash Disbursement: Demonstrate that all funds will be used to benefit the business as listed in the application.
 7. Payment Capacity: Demonstrate that the business has the capacity and cash flow to make timely loan payments and demonstrate general credit worthiness.
 8. Account: Have, or be willing to open, a checking account or a savings account.
 9. Credit History: Have satisfactory credit history.
 10. Debt-to-Income Ratio: Have a debt-to-income ratio of 50 percent or less and be able to demonstrate adequate cash flow to fulfill the potential added loan payment responsibilities.
- B. Office Space Requirements. Borrowers may own or rent building space, subject to the following requirements:
1. Building Owners: A business owner who owns the building in which his or her business is located must demonstrate that all such mortgage payments have been made on time for at least the preceding 90 days. The Committee may consider building owner applicants who have an imperfect payment history if the applicants can demonstrate a solid payment plan and feasibility of their businesses.

2. Renters: A business owner who rents business space must demonstrate that (i) his or her business is a making profit and has been established for at least 12 months in that location and (ii) all rent payments for the preceding 12 consecutive months have been made on time. The Committee may consider rental applicants who have an imperfect payment history if the applicants can demonstrate a solid payment plan and feasibility of their businesses.

3.2 Ineligible Borrowers

The following applicants are considered ineligible under the Program:

- A. Ineligible Activities: All businesses involved in: gambling; speculative activities; investment services; land or real estate development; gun or weapon sales or services; or medical marijuana growing or dispensing; and all businesses with the primary purpose of selling or distributing alcohol, smoking and tobacco products or accessories.
- B. Compatibility with CDBG and City Goals: Businesses or requests that are incompatible with the CDBG requirements or the goals for redevelopment and revitalization of the City.
- C. Location: All businesses located outside the Revitalization Area.
- D. Large Businesses: All businesses with more than five employees, including the business owner.
- E. Delinquent Taxes: Borrowers who are behind or delinquent on any tax obligations.
- F. Delinquent Accounts: Applicants with delinquent accounts for City services.
- G. New Businesses: New businesses that are not in operation at the time of application.

3.3 Application

Applications should be submitted to the CDBG Manager's office by mail, e-mail or dropped off at the office unless an application pick up by Program Staff is arranged with the CDBG Manager's office. All applications must contain the following information and attachments:

- A. General Information: The entity's name, legal organization, address, identification number, telephone number, email address, if available, legal form of the entity (e.g., partnership, corporation, joint venture, sole proprietorship), and the legal name and permanent address of the contact person for the entity.
- B. Purpose: In no more than 200 words, provide an explanation of the purpose of the loan and how it will benefit the City or the Revitalization Area or increase the applicant's business productivity, efficiency or feasibility. Explain whether the funds will be used to pay a vendor/payee for activities relating to the business within the Revitalization Area, which activity would otherwise have been eligible for funding under the Program.
- C. Amount: Specify the exact dollar amount requested, in an amount not to exceed \$5,000. Requests to exceed this dollar limitation may be considered by the Committee as set forth in Section 4.1 below.
- D. Income: Total monthly applicant's and co-applicant's income, including the specific sources of earned income and unearned income.
- E. Bank Statements: Last 90 days of any applicable bank statements for applicants and co-applicants.
- F. Statement of Information: Applicant and any co-applicant must each sign a statement attesting to the truthfulness and accuracy of all information provided in the application.
- G. Information Release: Applicant and co-applicant must sign a release form authorizing the City to request information on the financial affairs of the applicant, co-applicant and entity.

3.4 Application Review Process

Once an application has been completed and all documents have been submitting to the CDBG Manager's office, the application will proceed through the following process:

- A. File Number: A file and case number will be assigned to each application submitted for approval. Applications will be kept on file for 24 months if not approved and, if approved, for 60 months after the loan has been paid off.
- B. Completeness: Application packages will be reviewed by the Program Staff for completeness. Any missing, outdated or incorrect information will be sent back to the applicant for completion or revision within approximately five business days after its submission.
- C. Credit Report: Upon request by the CDBG Manager, MultiBank will obtain a credit report for each applicant and will provide unofficial recommendations for loan approval. The credit report results will inform the review and decision process but will not be the sole deciding factor for loan approval.
- D. Review: A complete "Application Review Package" and case number will be distributed for all Committee members to review and consider against the eligibility criteria set forth in Sections 3.1 and 3.2 above and loan approval criteria as set forth in Section 3.5 below.
- E. Final Approval: The Committee will convene at a meeting as set forth in Section 1.5 above to discuss the application. Upon a majority vote of Committee members in attendance, the Committee will make a final recommendation regarding approval or denial of the application to Program Staff.
- F. Application to MultiBank: Program Staff will forward any approved applications to MultiBank.

3.5 Loan Approval Criteria

- A. General Criteria: Based on the availability of CDBG funds, the Program Committee may approve and provide a loan to all applicants that (i) submit a completed application package, (ii) meet the eligibility requirements and (iii) are not considered an "ineligible borrower." Loan decisions will not be based on age, religion, national origin, race, disability, gender or sexual orientation.
- B. Insufficient Funds: If the CDBG funds are insufficient to provide assistance to every eligible application, the Committee will award assistance to those borrowers with submitted applications who demonstrate the most compatibility with the Program objectives and goals. In the event of insufficient funds, the CDBG Manager's office will retain submitted applications on file for future consideration if CDBG funds become available at a later date.
- C. Procedures for Committee Approval or Denial of Applications:
 1. One Committee member will make a motion to consider an application.
 2. Another member will second the called motion.
 3. The Committee chair will restate the motion verbatim to all members.
 4. The Committee members will consider and discuss the application, eligibility requirements, criteria and available funding.
 5. The Committee chair will call for a vote.
 6. The Committee members will vote.
 7. The Committee chair will announce the vote count and final results.
 8. For approval, a simple majority of Committee members in attendance at the meeting must vote to approve the loan. In the event of a tie, the loan may be denied or rescheduled for a second voting session.

9. All motions and voting results will be reported in the minutes.
10. A Committee member or members may abstain from voting on any occasion requiring a vote if he/she deems a conflict of interest exists with respect to the matter before the Committee.

SECTION 4. GENERAL LOAN POLICIES

4.1 Maximum Amounts

The Program has set a maximum loan amount of \$5,000, but the Committee, at its discretion, may increase the maximum limit for a specific loan if the potential borrower can justify the increase and if the investment complies with the goals to revitalize and increase economic development in the Revitalization Area.

4.2 Loan Periods

Loans will be provided with repayment periods of 12 months, 24 months or 36 months. The Committee has discretion to alter or extend these loan repayment periods by restructuring the loan.

4.3 Approved Loans

After a loan has been reviewed and approved by the Committee, Program Staff will:

- A. Notification: Notify the applicants of approval via telephone or site visit.
- B. Loan Documentation: Direct the applicant and co-applicant to complete the loan documentation as required.
- C. Identification: Request the applicant and co-applicant to present a voided check and proof of identification such as an Arizona Driver License, passport, other Arizona identification or military card to MultiBank.

4.4 Loan Declining Notifications

When a loan is not approved, Program Staff will mail a declining letter to applicants and any co-applicants explaining the reason the application was denied.

4.5 Servicer Procedures

MultiBank will prepare the following documentation to be executed before the loan is disbursed to borrower:

- A. Loan Agreement and Promissory Note
- B. Security Agreement
- C. Direct Deposit Agreement
- D. Advance Request Form
- E. Uniform Commercial Code (UCC) FORM, when applicable.

4.6 Document Notarization and Cash Disbursement

- A. Notarization. All documents will be notarized according to MultiBank's lending procedures.
- B. Disbursement. Upon execution of all required documents, the loan proceeds will be disbursed to the borrower in the form of a joint payee check to borrower(s) and/or vendor/payee(s).
- C. Transfer of Funds. The CDBG Manager will approve the transfer of City CDBG funds to be deposited into an escrow account. Such funds will remain in the escrow account for the term of the loan. All interest or income from the account will be deposited into the Program's escrow account to replenish funds for future loans.

- D. Statements. Borrower will receive monthly statements from Lender indicating the amount that is due per month and the dates in which funds will be withdrawn from the borrower's assigned account.
- E. Documents. All original documents will remain in the Lender's office and will be maintained in a secure location. Immediately after closing of the loan, the Lender will provide the CDBG Manager's office with a copy of all loan documents, and all original documents will be forwarded to CDBG Manager's office when the borrower defaults and the Lender enforces the City's guarantee.

4.7 Loan Collection Procedures

Lender will handle all collections of payment and will notify the City if a borrower defaults.

4.8 Loan Default

- A. Default. The loan will be in default whenever the Lender has not received any payment that has been due and payable for 30 consecutive days after the date is fixed for payment. After 90 consecutive days of payment default, the Lender may enforce the City's guarantee by providing the escrow agent with notice of the conditions of default and requesting disbursement of the applicable amount of the City guarantee to recover the outstanding balance of the loan. Before funds may be disbursed to MultiBank from the escrow account, the City Manager must authorize the withdrawal of the applicable funds from the account and request the escrow agent to make the appropriate withdrawal. Borrower will be liable to the City for repayment of all funds the City expended in the loan guarantee.
- B. Payments after Default. If borrower submits payments to Lender after Lender has applied the City's guarantee, Lender will return the offset amount of the City's guarantee to the escrow account pursuant to the Master Guaranty Agreement.
- C. Assignment of Loan. After default and enforcement of the City's guarantee and upon the City's request, MultiBank will assign the guaranteed loan to the City no more than 90 days after declaration of default. Upon assignment, the City may take whatever actions it deems appropriate to collect, settle or forgive the loan.

SECTION 5. OUTREACH AND MARKETING

The Program will be promoted through different channels, which include but are not limited to:

- A. RAVE: The Program will be featured every quarter in the City of Avondale RAVE Review Magazine as one of the Community and Business Development Programs available for Microenterprises located within the City, with preference to those located in the Revitalization Area.
- B. Press Release: The Program will be marketed through a press release once a month for the duration of the Program in local newspapers, as funding permits.
- C. Informational Events: The Program Committee will organize quarterly informational events to promote financial literacy and offer the Program lending opportunities.
- D. Web Page: The Program will have a dedicated web page hosted within the main City website, promoting the Program and its benefits and explaining the eligibility requirements.

EXHIBIT A
TO
AVONDALE SMALL BUSINESS PILOT LENDING PROGRAM
POLICIES AND PROCEDURES

[Revitalization Area Map]

See following page.

VAN BUREN STREET



LITCHFIELD RD

Central Ave

Dysart Rd

AGUA FRIA RIVER

RILEY DR

WESTERN AVE

MAIN STREET

3RD ST

MTN. VIEW DR

LOWER BUCKEYE RD