

City Council Meeting Notice & Agenda



Tuesday, September 18, 2012
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345

Special Meeting 6:15 P.M. Convene

Roll Call

Final Call To Submit Speaker Request Forms

Consent Agenda

CONSENT AGENDA: All items listed with a “C” are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Consent

1C. Authorization to Hold an Executive Session

Pursuant to A.R.S. § 38-431.03 Discussion and possible action to authorize the holding of an Executive Session for the purposes of discussion with legal counsel in order to consider the City's position and instruct legal counsel regarding a proposed Economic Development Incentive and Investment Agreement with Trine University pursuant to the City's Economic Development Incentive and Investment Policy (EDIIP). (Pursuant to A.R.S. § 38-431.03(A)(4))

Mayor
Bob Barrett

Palo Verde
District
Ron Aames,
Vice Mayor

Acacia
District
Tony Rivero

Ironwood
District
Dave Pearson

Mesquite
District
Cathy Carlat

Pine
District
Carlo Leone

Willow
District
Joan Evans

Executive Session

**Convene immediately following Special City Council Meeting
Executive Room, City Council Chamber**

Under the provisions of A.R.S. § 38-431.02 there will be a **CLOSED EXECUTIVE SESSION**.

Executive Session Agenda

2. Discussion with legal counsel in order to consider the City's position and instruct legal counsel regarding a proposed Economic Development Incentive and Investment Agreement with Trine University pursuant to the City's Economic Development Incentive and Investment Policy (EDIIP). (Pursuant to A.R.S. § 38-431.03(A)(4))

Adjournment

The above-named Public Body of the City of Peoria, Arizona will convene into Executive Session pursuant to A.R.S. § 38-431.03 for those items listed on the agenda. Only those persons who are:

- Members of the Public Body, or
- Officers of the City that are required to attend, or
- Those individuals whose presence is reasonably necessary for the Public Body to carry out its Executive Session responsibilities as determined by the City Attorney may be present during the Executive Session.

All persons who remain present during the Executive Session are reminded that the business conducted in Executive Session, including all discussion taking place herein, is confidential and may not be disclosed to any person, except as permitted by law.

Regular Meeting

7:00 P.M. Convene

Pledge of Allegiance Roll Call

Final Call To Submit Speaker Request Forms

Presentation

3. Theater Works Annual Report

Consent Agenda

CONSENT AGENDA: All items listed with a “C” are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Consent

4C. Minutes

Discussion and possible action to approve the following City Council Meeting minutes:

August 21, 2012
September 4, 2012

5C. Appointments, Boards and Commissions

Adopt **RES. 2012-108** appointing William Schindler, as a regular member, to the Municipal Development Authority.

6C. Intergovernmental Agreement, West Valley Cities, West Valley Domestic Violence Fatality Review Team

Discussion and possible action to approve an Intergovernmental Agreement with other West Valley cities to establish and participate in the West Valley Domestic Violence Review Team.

7C. **Intergovernmental Agreement Amendment, State of Arizona, Department of Transportation, State Route 303L at Lone Mountain Parkway**

Discussion and possible action to approve Intergovernmental Agreement Amendment No. Two with the State of Arizona, Department of Transportation, for the identification of the City's responsibilities related to maintenance of the landscape, irrigation system and any power costs in the State's right-of-way on the west side of State Route 303L at Lone Mountain Parkway.

8C. **Settlement Agreement, City of Peoria v. Hong Thunderbird 75, L.L.C.**

Discussion and possible action to: a) approve a settlement agreement in City of Peoria v. Hong Thunderbird 75, L.L.C.; and b) authorize a budget transfer in the amount of \$59,238 from the 75th Avenue and Thunderbird Intersection Widening Improvement Project Street System Account to the Land Acquisition Account.

9C. **Replat, Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, Olive Avenue and Loop 101**

Discussion and possible action to approve the Replat of Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, located at Olive Avenue and Loop 101, subject to stipulations.

10C. **Replat, Peoria DES 2, Peoria Avenue and 91st Avenue**

Discussion and possible action to approve the Replat of Peoria DES 2, located at Peoria Avenue and 91st Avenue, subject to stipulations.

Regular Agenda

New Business

11R. **Public Hearing - Liquor License, Sprouts Farmers Market #6, 8375 W. Thunderbird Road**

PUBLIC HEARING: RE: A New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to recommend approval to the State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

12R. **Public Hearing - Liquor License, Satara Thai Cuisine Boutique Wine, 8350 W. Paradise Lane**

PUBLIC HEARING: Re: A New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219.

Staff Report:
Open Public Hearing:
Public Comment:
Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to recommend denial to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219.

13R. **Public Hearing - Annexation, 97th Avenue & Avenida Del Sol**

PUBLIC HEARING: RE: Proposed annexation of approximately 2.33 acres of privately-owned property located west of the southwest corner of 97th Avenue and Avenida Del Sol (ANX12-0001).

Staff Report:
Open Public Hearing:
Public Comment:
Close Public Hearing:

COUNCIL ACTION: No Council action required.

14R. **Adoption of 2012 Sustainability Action Plan**

Discussion and possible action to adopt **RES. 2012-110** to formally approve and adopt the 2012 Sustainable Action Plan as the City's guiding document for sustainability efforts.

Call To The Public (Non-Agenda Items)

If you wish to address the City Council, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The City Council is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from City Manager

15. **Council Calendar**
16. **Reports with Presentation**
 - A. First Presbyterian Church of Peoria National Register Designation
17. **Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)**
 - A. Special Events, Keep it Safe: a Family Affair and Get Your Green On
 - B. Bioinspire Grand Opening Event
 - C. November 8, 2012 Job Fair

Reports from City Council Reports from the Mayor

Adjournment

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

PUBLIC NOTICE:

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

City Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <http://www.peoriaaz.gov/content2.aspx?id=2151>.

CITY OF PEORIA, ARIZONA

PRESENTATION

Agenda Item: #3

Date Prepared: August 15, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager
FROM: John Sefton, Community Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: Theater Works Annual Report

Summary:

Theater Works, in accordance with the provisions of its lease agreement with the City of Peoria as Managing Tenant of the Peoria Center for the Performing Arts, will report on its operations and the operation of the Center during the past year.

This report will include figures on attendance & facility usage, facility maintenance, operational matters, programming plans, and organizational status.

Exhibit(s): None

Contact Name and Number: Brenda Rehnke, 623-773-1731

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
August 21, 2012

A **Study Session** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Stacy Irvine, Deputy Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bob Sanders, Deputy Police Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately four members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

STUDY SESSION AGENDA

Subjects for Discussion Only:

1. Open Space Preservation Program Update

Chris Jacques, Planning and Community Development Director, outlined the agenda for the presentation related to the Open Space Preservation Program.

Bruce Meighan, with the firm of Logan Simpson Design, provided a GIS-based model that would assist in identifying parcels according to environmental and development criteria that are priority open space land.

Jeff Sargent, Senior Planner, reviewed the stakeholder engagement process.

Shawn Kreuzwiesner, Systems Planning Manager, discussed the current funding available for open space acquisitions.

Discussion ensued regarding the draft Open Space Preservation Program and accompanying GIS-based decision support system.

2. Old Town Metrics

Scott Whyte, Community Development Director, provided an overview of the economic and community indicators of the Old Town Metrics. Mr. Whyte presented information regarding:

- Objective
- Old Town Entertainment District boundaries
- Desired outcomes
- Recognized limitations
- Types of metrics/data
- Data sources
- Next steps

Discussion ensued regarding the Economic Development Project Specific Matrix provided to Council, sales tax revenues, expected economic growth, the formation of an Old Town Business Association and staffing constraints.

It was the consensus of the Council for staff to contact business owners about creating an Old Town Business Association. In addition, there was Council consensus to have indicators tied to the impact on outcomes going forward.

3. Major General Plan Amendment, Senate Bill 1598 - Aggregate Mining

Chris Jacques, Planning and Community Development Director, reviewed the portion of Senate Bill 1598 related to aggregate mining and how mining operations are represented within the General Plan.

Adam Pruett, Senior Planner, summarized the language in Senate Bill 1598 amending Statute as follows:

- Adding a definition for aggregate
- Adding a provision requiring the City to identify currently permitted aggregate mining operations on the General Land Use Map
- Requiring policies to be established that discourage incompatible land uses to minimize conflicts between mining operations and residential developments

Discussion ensued regarding the proposed General Plan Amendment related to aggregate mining pursuant to Senate Bill 1598.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:39 p.m.

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:02 p.m.

Following a moment of silent reflection, Councilmember Carlat led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Bobby Ruiz, Fire Chief; John Schell, Intergovernmental Affairs Director; John Sefton, Community Services Director; Rocky Smith, Deputy Police Chief; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Linda Blas; Deputy City Clerk.

Audience: Approximately 30 members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

PRESENTATION:

4. Mayor Barrett presented plaques to Tim Hattrick and Willy Loon of KMLE Country Radio and Willie Townsend, Peoria Sanitation, in recognition of their support and dedication to the Peoria Recycling Program.

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Vice Mayor Aames requested that Agenda Items 9, 11 and 18 be removed for separate discussion. Councilmember Rivero requested that Agenda Item 12 be removed for separate discussion.

Motion was made by Councilmember Leone, seconded by Councilmember Rivero, to approve the Consent Agenda with the exception of Agenda Items 9, 11, 12 and 18.

Upon vote, the motion carried unanimously 7 to 0.

5. **Minutes**

Approved the following:

July 3, 2012 Study Session Minutes
July 3, 2012 Regular Meeting Minutes

6. **Ratification of Ordinance No. 2012-14**

ORDINANCE NO. 2012-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 2 OF THE PEORIA CITY CODE (1992) BY AMENDING TABLE 2-207 PERTAINING TO FEES CHARGED BY THE COMMUNITY SERVICES DEPARTMENT AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Ratified the adoption of **ORD. 2012-14** amending Section 2-207 of Chapter 2 of the Peoria City Code and establishing the updated Community Services Department Fees Table for Fiscal Year 2013.

7. **Code Amendment, Chapter 14, Banner/Special Event Signs**

ORDINANCE NO. 2012-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLE 14-34 "SIGNS" OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2012-17** amending Chapter 14 of the Peoria City Code (1977 Edition) pertaining to Banner/Special Event Signs by amending Article 14-34 "Signs".

8. **Code Amendment, Chapter 14 (1977 Edition), Temporary Use Permits and Zoning Ordinance Amendment Notification; and Chapter 16 (1992 Edition), Music Festivals**

ORDINANCE NO. 2012-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLE 14-39 "ADMINISTRATIVE PROCEDURES" OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2012-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 16 "MUSIC FESTIVALS" OF THE PEORIA CITY CODE (1992), BY AMENDING THE CHAPTER TITLE, AND AMENDING SECTION 16-1 "MUNICIPAL SPECIAL EVENTS; ACTIVITIES; DEFINITIONS" OF THE PEORIA CITY CODE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2012-15** amending Chapter 14 of the Peoria City Code (1977 Edition) pertaining to Temporary Use Permits and Zoning Ordinance Amendment Notification by amending Article 14-39, Administrative Procedures, and adopted **ORD. 2012-16** amending Chapter 16 of the Peoria City Code (1992 Edition) pertaining to Special Events.

9. **Contracts, Raftelis Financial Consultants and Duncan Associates, Comprehensive Impact Fee Study**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Vice Mayor Aames, Agenda Item 9 was pulled from the Consent Agenda for separate discussion.

Jeff Tyne, Management and Budget Director, provided a brief overview of the request to approve contracts with Raftelis Financial Consultants and Duncan Associates for a comprehensive impact fee study and update in order to conform to the current Statute regarding development fees.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames to: (a) approve contracts with Raftelis Financial Consultants and Duncan Associates in amounts not to exceed \$59,860 and \$99,200 respectively to complete a comprehensive impact fee study and update in order to conform to the current Development Fee Statute; and (b) approve the use of reserves and a budget adjustment in the amount of \$99,200 from Development Fee contingency to various Development Fee Accounts as described in the Fiscal Analysis.

Upon vote, the motion carried unanimously 7 to 0.

10. **Grant, Arizona Criminal Justice Commission (ACJC), Crime Victim Assistance Program**

- (a) Accepted \$10,800 from the Arizona Criminal Justice Commission (ACJC) for Peoria's participation in the Fiscal Year 2013 Crime Victim Assistance Program; and
- (b) Approved a budget transfer in the amount of \$10,800 from the Proposed Grants Contingency Account to the Arizona Criminal Justice Commission Grant Account.

11. **Purchase, Fire Engine, Lake Pleasant Fire Station**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Vice Mayor Aames, Agenda Item 11 was pulled from the Consent Agenda for separate discussion.

Jeff Tyne, Management and Budget Director, reviewed the request to upgrade a Brush Truck to a specialized Type-3 Fire Engine for the Lake Pleasant Fire Station.

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to (a) purchase a Type-3 Fire Engine for the Lake Pleasant Fire Station during Fiscal Year 2013; and (b) authorize a budget amendment in the amount of \$101,500 from the General Fund Contingency account to the Fleet Reserve Fund Trucks and Vans account.

Upon vote, the motion carried unanimously 7 to 0.

12. **Intergovernmental Agreement, Arizona Child Abduction Response Team, Law Enforcement Services and Resources for Child Abduction Cases**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Rivero, Agenda Item 12 was pulled from the Consent Agenda for separate discussion.

Bob Sanders, Deputy Police Chief, provided information pertaining to the formation of a Central Region Child Abduction Response Team that would include West Valley agencies.

Motion was made by Councilmember Evans, seconded by Councilmember Rivero to authorize the City Manager to execute an Intergovernmental Agreement for the participation of the Peoria Police Department in the Arizona Child Abduction Response Team.

Upon vote, the motion carried unanimously 7 to 0.

13. **Intergovernmental Agreement, Maricopa County Department of Transportation, Exchange of Transportation Maintenance Services**

Approved an Intergovernmental Agreement with Maricopa County Department of Transportation for the Exchange of Transportation Maintenance Services (Entente Program).

14. **Intergovernmental Agreement Amendment, Regional Public Transportation Authority, Americans with Disabilities Act Paratransit Service, Fiscal Year 2012**

Approved Intergovernmental Agreement Amendment #1 for Americans with Disabilities Act Paratransit Service with the Regional Public Transportation Authority.

15. **Intergovernmental Agreement Amendment, Regional Public Transportation Authority, Americans with Disabilities Act Paratransit Service, Fiscal Year 2013**

Approved Intergovernmental Agreement Amendment #3 for Americans with Disabilities Act Paratransit Services with the Regional Public Transportation Authority.

16. **Design, Construction and Operation Agreement, Salt River Project, Aquifer Storage and Recovery Well**

Approved an agreement with Salt River Project for participation in the development and construction of a joint Aquifer Storage and Recovery Well.

17. **Authorize Expenditure, Seattle Mariners and San Diego Padres, Ticket Convenience Fees**

Authorized the expenditure of \$118,714 to pay the Mariners and Padres their respective share of Tickets.com convenience fees that have been collected from 2008-2012.

18. **Transfer Cash Reserves and Budget Appropriation, Self-Insured Workers' Compensation Fund**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Vice Mayor Aames, Agenda Item 18 was pulled from the Consent Agenda for separate discussion.

Jeff Tyne, Management and Budget Director, presented a brief overview of the Self-Insured Workers' Compensation Fund.

Motion was made by Vice Mayor Aames, seconded by Councilmember Carlat to: (a) approve the cash transfer of reserves in the amount of \$700,000 from the Insurance Reserve Fund to the Workers' Compensation Fund; (b) authorize a budget appropriation transfer in the amount of \$700,000 from the General Fund contingency account to the Workers' Compensation Fund claims account to provide for the expected costs of a workers' compensation claim; and (c) approve a budget appropriation transfer in the amount of \$465,000 from the General Fund contingency account to the Workers' Compensation Fund claims account to properly reflect claim liability for Fiscal Year 2012 as determined by an actuary.

Upon vote, the motion carried unanimously 7 to 0.

19. **Fiscal Year 2012 Budget Amendments**

Approved the attached budget amendments for Fiscal Year 2012.

20. **Investment Report for the Year Ended June 30, 2012**

Accepted the Investment Report for the Year Ended June 30, 2012.

21. **Maintenance Improvement District No. 1008, Ventana Picachos, Northeast Corner 89th Avenue and Calle Lejos**

RESOLUTION NO. 2012-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1008, VENTANA PICACHOS, AS MORE PARTICULARLY DESCRIBED

HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-95

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1008, VENTANA PICACHOS; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-94** intention and ordering formation of proposed Maintenance Improvement District No. 1008, Ventana Picachos, located at the Northeast Corner of 89th Avenue and Calle Lejos; and adopted **RES. 2012-95** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

22. **Deeds and Easements, Various Locations**

RESOLUTION NO. 2012-96

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

Adopted **RES. 2012-96** accepting Deeds and Easements for various Real Property interests acquired by the City.

23. **Designate Roadways, Establish Rights-of-Way, Various Locations**

RESOLUTION NO. 2012-97

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

Adopted **RES. 2012-97** designating Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

24. **Abandonment of Public Utility Easement, 75th Avenue and Thunderbird Road**

RESOLUTION NO. 2012-98

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT CERTAIN PUBLIC UTILITY EASEMENT TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY PUBLIC UTILITY EASEMENT BE DISPOSED OF IN THE MANNER PROVIDED BY LAW AND DECLARING AN EMERGENCY.

Adopted **RES. 2012-98** authorizing the abandonment of the City's interest in a public utility easement on the south side of Thunderbird Road west of 75th Avenue and declaring an emergency.

25. **Bridge Construction and Access Easement, Maricopa Water District Canal, Old Carefree Highway Alignment**

Approved a Bridge Construction and Access Easement that will allow for a crossing of the Maricopa Water District (MWD) canal approximately a mile and a quarter west of Lake Pleasant Parkway on the Old Carefree Highway alignment.

26. **Field Allocation Policy**

Approved the Community Services Department Field Allocation Policy for use when allocating park fields and associated amenities offered by the City.

27. **Final Plat, Vistancia North Phase III Parcel F1 Phase 2, Vistancia Boulevard and Westland Road**

Approved the Final Plat of Vistancia North Phase III Parcel F1 Phase 2, located at Vistancia Boulevard and Westland Road, subject to stipulations.

28. **RePlat, A Portion of Trilogy at Vistancia Parcel C12, Trilogy Boulevard and Claret Cup Road**

Approved the RePlat of a Portion of Trilogy at Vistancia Parcel C12, located at Trilogy Boulevard and Claret Cup Road, subject to stipulations.

REGULAR AGENDA

New Business

29. **Public Hearing - Liquor Licenses, Various Locations**

Staff Report/Public Comment:

Brent Mattingly, Finance Director, reported that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval, and no comments were received from the public.

PUBLIC HEARING:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request for: (a) a New Restaurant Liquor License (Series 12) for Sumo Sushi & Grill, located at 16055 N. Arrowhead Fountain Center Drive Building B, Seung J. Lee, Applicant, LL#20005768; (b) a New Restaurant Liquor License (Series 12) for Humble Pie Pizza Wine Spirits, located at 15703 N. 83rd Avenue Suite #100, Thomas R. Aguilera, Applicant, LL#20005990; (c) a New Restaurant Liquor License (Series 12) for Taps, located at 9780 W. Northern Avenue Suite #1110, Theresa J. Morse Applicant, LL#20005160; and (d) a New On-Sale All (Bar) Liquor License (Series 06) for Peoria Pines Golf & Restaurant located at 8411 N. 107th Avenue, Scott P. Richmond, Applicant, LL#20005659.

Having no requests from the public to address this item, Mayor Barrett declared the Public Hearing closed.

COUNCIL ACTION: Motion was made by Councilmember Leone, seconded by Councilmember Evans to recommend approval to the State Liquor Board for: (a) a New Restaurant Liquor License (Series 12) for Sumo Sushi & Grill, located at 16055 N. Arrowhead Fountain Center Drive Building B, Seung J. Lee, Applicant, LL#20005768; (b) a New Restaurant Liquor License (Series 12) for Humble Pie Pizza Wine Spirits, located at 15703 N. 83rd Avenue Suite #100, Thomas R. Aguilera, Applicant, LL#20005990; (c) a New Restaurant Liquor License (Series 12) for Taps, located at 9780 W. Northern Avenue Suite #1110, Theresa J. Morse Applicant, LL#20005160; and (d) a New On-Sale All (Bar) Liquor License (Series 12) for Peoria Pines Golf & Restaurant located at 8411 N. 107th Avenue, Scott P. Richmond, Applicant, LL#20005659.

Upon vote, the motion carried unanimously 7 to 0.

30. **Code Amendment, Chapter 14, Motor Vehicles and Traffic, Parking; Recreational Vehicles; Utility Trailers**

ORDINANCE NO. 2012-18

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 14-110 PERTAINING TO PARKING; RECREATIONAL VEHICLES; UTILITY TRAILERS; PRIVATE PROPERTY PARKING AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Steve Kemp, City Attorney, reviewed the proposed Ordinance to amend the City Code to allow recreational vehicles to be parked in public view for a 24-hour period and remove the definition of loading and unloading recreational vehicles.

Motion was made by Vice Mayor Aames, seconded by Councilmember Pearson, to adopt **ORD. 2012-18** amending Chapter 14 of the Peoria City Code (1992 Edition) pertaining to Parking; recreational vehicles; utility trailers.

Upon vote, the motion carried unanimously 7 to 0.

31. **Electronic Billboard Ad Hoc Committee**

Discussion ensued regarding the creation of a citizens' Electronic Billboard Ad Hoc Committee to review citizen survey information and input. No Council action was taken.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager

32. Council Calendar

33. Reports with Presentation

A. Building and Development Activity Projections

Scott Whyte, Economic Development Services Director, reported that Peoria has experienced an increase in the housing and commercial markets. Mr. Whyte provided information regarding building and development activity which included:

- A 58 percent increase in single-family residential permits during the past six months
- Approximately 700,000 square feet of new commercial construction development is expected in the next several months

Mr. Whyte noted that as a result of the increased activity, the Building Development Division is experiencing a higher volume in its workload and experiencing some difficulty in meeting its service level targets.

B. Crime Shield Crime Prevention Program

Bob Sanders, Deputy Police Chief, briefed the Council on the Crime Shield Prevention Program to be implemented in September 2012. Deputy Chief Sanders discussed the goals of the program including:

- Reduction in crime and the fear of crime through partnerships with members of the community
- Property crime prevention

Deputy Chief Sanders reported the program is designed to prevent crimes at specific targeted groups including:

- Care homes
- Residences
- Businesses
- Construction sites

Deputy Chief Sanders reviewed the following crime prevention strategies:

- Mark and engrave valuables
- Document and inventory property
- Education and awareness
- Crime deterrence

34. **Informational** (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following item:

A. Home Owner's Association Budgeting Class Information

Mr. Swenson announced that the Peoria Police Department had received reaccreditation from the Commission on Accreditation for Law Enforcement Agencies.

Reports from City Council:

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone urged citizens to attend upcoming meetings regarding electronic billboards.

Councilmember Carlat reported that public safety is critical to the operation of the City. Councilmember Carlat announced that over the past few months the City has received acknowledgement of grant proceeds to fund six additional firefighters and a state-of-the-art fireboat for Lake Pleasant. Councilmember Carlat highlighted the items approved by Council on tonight's agenda pertaining to public safety.

Councilmember Rivero announced that the Fiesta Peoria 2012 cultural event will be held on September 15, 2012 in Osuna Park from 10 a.m. to midnight. Councilmember Rivero expressed his appreciation to City staff for their support of the event.

Councilmember Pearson reported on his attendance at the meeting regarding electronic billboards held at Sky View Elementary School on August 20, 2012. Councilmember Pearson encouraged citizens to attend an upcoming meeting on electronic billboards in the Ironwood District on August 27, 2012 at Desert Harbor Elementary School beginning at 6:30 p.m. Councilmember Pearson congratulated Councilmember Rivero on the upcoming Fiesta Peoria event. Councilmember Pearson announced that Senator John McCain will be in attendance at Peoria City Hall on August 23, 2012 for a Town Hall Meeting.

Councilmember Evans reported on the various City of Peoria events she attended. Councilmember Evans discussed her involvement in a Youth Valley Leadership program spearheaded by the Vice Mayor for the City of Surprise. Councilmember Evans urged attendance at the meeting on electronic billboards in the Willow District on August 29, 2012 beginning at 6:30 p.m. at the Challenger Space Center.

Vice Mayor Aames reported on the various City of Peoria events he attended. Vice Mayor Aames also encouraged attendance at the Town Hall Meeting with Senator McCain.

Reports from the Mayor:

Mayor Barrett announced that Senator McCain will meet with West Valley mayors on Thursday, August 23, 2012 at 10:00 a.m., and the Town Hall Meeting is scheduled to begin at 11:30 a.m. Mayor Barrett reminded everyone to vote on August 28, 2012.

ADJOURNMENT

Being no further business to come before the Council, the meeting was duly adjourned at 8:17 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, Interim City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 21st day of August, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of September, 2012.

(Seal)

Rhonda Geriminsky, Interim City Clerk

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
September 4, 2012

A **Special Meeting and Study Session** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Linda Blas, Acting City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Natalie Gilstrap, City Clerk Specialist.

Audience: Approximately 15 members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

CONSENT AGENDA: All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Pearson, seconded by Councilmember Evans, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

1C Authorization to Hold an Executive Session

Pursuant to A.R.S. § 38-431.03: Authorized the holding of an Executive Session for the purpose of discussion with legal counsel for legal advice pertaining to the Lease Agreement with Arizona Broadway Theatre. (Pursuant to A.R.S. § 38-431.03.A.3)

STUDY SESSION AGENDA

Subjects for Discussion Only:

2. Peoria Youth Master Plan

Jeff Tyne, Management and Budget Director, and Peter Christensen, Budget Analyst, introduced the draft Peoria Youth Master Plan which was developed as a guide for the community to meet the needs of the City's youth. The plan creates a shared vision for the future, allows for an assessment of current resources and needs, and will guide actions moving forward.

The vision statement for the Youth Master Plan is:

Engaged in life,
Empowered to shape their community,
Equipped for a bright future.

Through focus groups, the Youth Master Plan Steering Committee, in conjunction with various community partners, identified the vision and focus areas of the plan. The goals and recommendations incorporated into the plan are organized around the following focus areas.

- Education and Life Preparation – Youth have a sense of purpose and graduate from high school with a life plan.
- Safety – Youth are safe at home, at school, and in the community.
- Out-of-School Enrichment – Youth know about and participate in quality programs during out-of-school time.
- Civic Engagement – Youth have opportunities to have their voice heard and positively impact their community.
- Community Collaboration – Government agencies, schools, faith-based organizations, non-profit organizations, and private entities work collaboratively for the benefit of youth.
- Access – Youth have access to community programs and services and have efficient transportation options that allow them to connect with positive opportunities in the community.

Brenda Rehnke, Recreation Manager, reported on progress toward identified focus areas including new programs for teens, job preparation, school programs, library programs, and arts programs.

Ms. Rehnke also reported on the following objectives to continue forward motion of the Youth Master Plan:

- Continue Collaborative Efforts
 - Community Council for Youth
- Leadership/Civic Training
 - West Valley Youth Leadership Council
- Community Plan Steps
- Formal Adoption
 - City Council
 - Other Partner Agencies

3. Entertainment District Mixed-Use Redevelopment Project Update

Scott Whyte, Economic Development Services Director, provided updates regarding the Peoria Sports Park, LLC and P83 Public Improvements plan. Jared Chandler, CEO and President of Chandler Hotel Group, was also present and provided information regarding hotel interests in the project.

Discussion ensued around the following topics and conceptual site plans:

- New Development Partner and Hotel Interest,
- Mixed-Use Redevelopment Project,
- Parking Garage Elevations and Financing,
- P83 Design Concept Report (DCR) Project Schedule, and
- Next Steps.

Mr. Whyte reported on the P83 District improvements, including signage, reputation, and lighting. Discussion ensued regarding:

- Stakeholder workshops – September and November 2012 and March 2013
- City Council/public meetings – September and November 2012 and March 2013
- Final Design Concept Report (DCR) – April 2013
- Next Steps:

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:30 p.m.

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:00 p.m.

Following a moment of silent reflection, Boy Scout Troop 239 led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Linda Blas, Acting City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works and Utilities Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Natalie Gilstrap, City Clerk Specialist.

Audience: Approximately 25 members of the public were present.

Mayor Barrett read a Proclamation declaring September 8 - 15, 2012 as "Peoria Hispanic Heritage Week".

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Evans requested that Agenda Item 5C be removed and Councilmember Pearson asked that Agenda Items 6C and 8C be removed for separate discussions.

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to approve the Consent Agenda with the exception of Agenda Items 5C, 6C, and 8C. Upon vote, the motion carried unanimously 7 to 0.

5C Code Amendment, Chapter 13, Home Detention Alternative Program

ORDINANCE NO. 2012-20

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 13 OF THE PEORIA CITY CODE (1992) BY ENACTING SECTION 13-104 PERTAINING TO THE HOME DETENTION ALTERNATIVE PROGRAM AND BY ENACTING SECTION 13-105 PERTAINING TO THE HOME DETENTION ALTERNATIVE PROGRAM; ELIGIBILITY AND BY ENACTING SECTION 13-106 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; VIOLATIONS OF A.R.S. § 28-1381; NOTICE TO THE CITY ATTORNEY AND BY ENACTING SECTION 13-107 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; POWERS AND DUTIES AND BY ENACTING SECTION 13-108 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; FEES; REQUIREMENTS AND BY ENACTING SECTION 13-109 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; VIOLATIONS AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Evans, Agenda Item 5C was pulled from the Consent Agenda for separate discussion.

Steve Kemp, City Attorney, reported that regarding the Home Detention Alternative Program which is an alternative to traditional jail time where the individual is electronically monitored and serves time pursuant to a restrictive sentencing order at home.

Discussion ensued about victim rights, program eligibility, medical documentation, and program reporting.

Motion was made by Councilmember Pearson, seconded by Vice Mayor Aames to adopt **ORD. 2012-20** amending Chapter 13 of the Peoria City Code (1992 Edition) by enacting Section 13-104 pertaining to the Home Detention Alternative Program with a comprehensive, detailed report to be submitted to Council after one year of implementation. Upon vote, the motion carried 6 to 1 with Councilmember Evans voting "no".

6C Fine Arts Grant Funding

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Pearson, Agenda Item 6C was pulled from the Consent Agenda for separate discussion.

Kirk Haines, Parks Manager, presented an overview of the community related grant awards as recommended by the Arts Commission.

Council requested additional information on how the grant money is being put to use and who is served by the grant recipient agencies.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames to approve the recommendations from the Arts Commission and award various arts-related grants. Upon vote, the motion carried unanimously 7 to 0.

7C Grant, Arizona State Library, Archives and Public Records, Library Services

- (a) Accepted a Library Services and Technology Act Grant in the amount of \$19,069 administered by Arizona State Library, Archives and Public Records for noise reduction funding and one early literacy computer with work station; and
- (b) Approved a budget transfer in the amount of \$19,069 from the Proposed Grant Contingency Account to the Buildings and Improvement Program Account in the amount of \$7,753; to the Computer Hardware Program Account in the amount of \$3,419; and to the Office Equipment Program Account in the amount of \$7,897.

8C Grants, Governor's Office of Highway Safety, Peoria Police Department, Highway Safety Projects

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Pearson, Agenda Item 8C was pulled from the Consent Agenda for separate discussion.

Roy Minter, Police Chief, provided an overview of the Governor's Office of Highway Safety Grant projects.

Discussion ensued regarding traffic accident trends and data.

Motion was made by Councilmember Pearson, seconded by Vice Mayor Aames to:

- (a) Authorize the City Manager to accept \$94,375 from the Governor's Office of Highway Safety for participation in three highway safety projects; and

- (b) Approve a budget transfer in the amount of \$94,375 from the Proposed Grants Contingency Account to the Governor's Office of Highway Safety Grant Account.

Upon vote, the motion carried unanimously 7 to 0.

9C Grant, State Grants-in-Aid, Peoria Main Library, Expansion of Large Print and Adult Audio CD Collection

- (a) Accepted a grant in the amount of \$7,975 from State Grants-in-Aid to update and expand the large print and adult audio CD collection; and
- (b) Approved a budget transfer in the amount of \$7,975 from the Proposed Grant Contingency Account to the Books, Periodicals and Subscription program account in the amount of \$7,975.

10C Grant, Target Corporation, Sunrise Mountain Library, Story Time Craft Supplies

- (a) Accepted a grant in the amount of \$2,000 from Target Corporation to fund craft supplies for story time at Sunrise Mountain Library; and
- (b) Approved a budget transfer in the amount of \$2,000 from the Proposed Grant Contingency Account to the Recreation Supplies Program Account.

11C Donation, Blue Cross/Blue Shield of Arizona, Fiestas Peoria Committee

Accepted the donation from Blue Cross/Blue Shield of Arizona in the amount of \$15,000, and in turn serve as a pass-through to disburse funds to the Fiestas Peoria Committee for the Fiestas Peoria event on September 15, 2012.

12C Budget Adjustment, Peoria Unified School District, Summer Sports Programs, Various School Locations

- (a) Authorized the use of General Fund reserves; and
- (b) Approved a budget adjustment in the amount of \$25,740 from the General Fund Contingency Account to the Youth Sports Program Building and Land Lease Rental Account in the amount of \$20,700 and to the Adult Sports Program Building and Land Lease Rental Account in the amount of \$5,040 to supplement the Sports Programs budget and cover payment to the Peoria Unified School District for utility charges due to evening summer youth and adult sports programs at multiple elementary and high school locations.

13C Intergovernmental Agreement Amendment, Regional Public Transportation Authority, Americans with Disabilities Act Paratransit Service, Fiscal Year 2013

Authorized the City Manager to execute Intergovernmental Agreement Amendment #2 for Americans with Disabilities Act Paratransit Service with the Regional Public Transportation Authority.

14C Intergovernmental Agreement Amendment, United States Department of Justice, Drug Enforcement Administration

- (a) Authorized the renewal of an Intergovernmental Agreement between the United States Department of Justice, Drug Enforcement Administration (DEA) and the Peoria Police Department and assign an officer to the DEA Task Force for a period of not less than two years; and
- (b) Approved a budget transfer in the amount of \$17,202.25 from the Proposed Grants Contingency Account to the Federal DEA IGA Fund Account to provide expenditure authority for overtime.

15C Maintenance Improvement District No. 1126, Vistancia F1 Phase 1, Calle De Baca and Westland Road

RESOLUTION NO. 2012-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1126, VISTANCIA F1 PHASE 1, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-100

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1126, VISTANCIA F1 PHASE 1; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-99** intention and ordering formation of proposed Maintenance Improvement District No. 1126, Vistancia F1 Phase 1, located at Calle De Baca and Westland Road; and adopted **RES. 2012-100** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

16C Maintenance Improvement District No. 1127, Vistancia F1 Phase 2, 133rd Drive and Westland Road

RESOLUTION NO. 2012-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1127, VISTANCIA F1 PHASE 2, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED

UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012- 104

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1127, VISTANCIA F1 PHASE 2; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-103** intention and ordering formation of proposed Maintenance Improvement District No. 1127, Vistancia F1 Phase 2, located at 133rd Avenue and Westland Road; and adopted **RES. 2012-104** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

17C Street Light Improvement District No. 1065, Vistancia F1 Phase 1, Calle De Baca and Westland Road

RESOLUTION NO. 2012-101

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1065, VISTANCIA F1 PHASE 1; PROVIDING THAT THE COST OF THE ELECTRICITY

REQUIRED TO OPERATE THE SYSTEM BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-102

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1065, VISTANCIA F1 PHASE 1, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-101** intention and ordering formation of proposed Street Light Improvement District No. 1065, Vistancia F1 Phase 1, located at Calle De Baca and Westland Road; and adopted **RES. 2012-102** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

18C Street Light Improvement District No. 1066, Vistancia F1 Phase 2, 133rd Drive and Westland Road

RESOLUTION NO. 2012-105

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1066, VISTANCIA F1 PHASE 2; PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE THE SYSTEM BE ASSESSED

UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-106

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1066, VISTANCIA F1 PHASE 2, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-105** intention and ordering formation of proposed Street Light Improvement District No. 1066, Vistancia F1 Phase 2, located at 133rd Drive and Westland Road; and adopted **RES. 2012-106** ordering the improvements within the proposed Street Light Improvement District and declaring and emergency.

19C Exchange of Easement Interests, 75th Avenue and Thunderbird Road

RESOLUTION NO. 2012-107

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AUTHORIZING THE EXCHANGE OF EASEMENT INTERESTS WITH THE UNITED STATES OF AMERICA THROUGH THE BUREAU OF RECLAMATION TO ACCOMMODATE THE RELOCATION OF A USA IRRIGATION LATERAL.

Approved **RES. 2012-107** authorizing the exchange of easement interests with the United States of America Bureau of Reclamation as part of the 75th Avenue and Thunderbird Road Intersection Widening Project.

20C Final Plat, Empire at 89th Avenue and Windsor (also known as Grand Avenue Produce), 89th Avenue North of Cactus Road

Approved the Final Plat of Empire at 89th Avenue and Windsor (also known as Grand Avenue Produce), located at 89th Avenue north of Cactus Road, subject to stipulations.

REGULAR AGENDA

21R PUBLIC HEARING – Special Use Permit Overlay, 115th and Northern Inert Land Reclamation Facility, 115th Avenue Alignment and Northern Avenue

ORDINANCE NO 2012-19

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING A SPECIAL USE PERMIT OVERLAY (SUP) OVER THE PLANNED AREA DEVELOPMENT (PAD) ZONING FOR THE PROPERTY KNOWN AS 115TH AND NORTHERN FOR AN INERT LAND RECLAMATION FACILITY; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Report/Public Comment:

Chris Jacques, Planning and Community Development Director, provided a staff report on the request for a Special Use Permit overlay to allow for inert land reclamation facility. The request is to allow inert fill materials to be deposited on the property over the next thirty (30) years. Inert materials include non-leaching materials, i.e., asphalt, concrete, gravel, soil, sand, and other non-biodegradable materials. Hazardous waste, household waste, glass, metal, construction debris and biodegradable waste will not be permitted on the premises.

PUBLIC HEARING

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the Special Use Permit Overlay.

Discussion ensued regarding property access and traffic, current mining operations, and the use restrictions for the property if the Special Use Permit is approved.

Joe McCord addressed Council regarding whether there is a long-range plan for use of the property once the work is completed and if the area will be mined again after the inert land reclamation has been concluded.

Paul Gilbert, Attorney at Law with Beus Gilbert, PLLC, was present on behalf of the Special Use Permit applicant. Mr. Gilbert indicated that the current situation allows for unrestricted mining operations. Under the new Special Use Permit, restrictions will be placed on the mining operation. Mr. Gilbert also responded to questions from Mr. McCord and reported that there are no long-range plans for the property and that mining operation will not renew after the area has been filled.

There being no further comments from those present, Mayor Barrett declared the Public Hearing closed.

COUNCIL ACTION:

Motion was made by Councilmember Leone, seconded by Councilmember Carlat to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2012-19** approving a Special Use Permit overlay to permit an inert land reclamation facility on 127 acres located on the northeast corner of the 115th Avenue alignment and Northern Avenue on property which is zoned Planned Area Development and currently being mined for sand and gravel. (Z11-0007)

Upon vote, the motion carried unanimously 7 to 0.

22R Contract Services, Building and Development Activities

Scott Whyte, Economic Services Director, and Chris Jacques, Planning and Community Development Director, provided reported on the requests for contract services for building plan review and inspection services, as well as contract planner services.

Motion was made by Councilmember Evans, seconded by Vice Mayor Aames to:

- (a) Authorize a request for proposals (RFP) process and appropriation of one-time general fund reserves for consulting services to provide building plan review and inspection services on an as-needed basis for the Economic Development Services Department; and
- (b) Authorize and appropriate the use of one-time general fund reserves in an amount not to exceed \$141,000 to provide contract planner services to the Planning and Community Development Department for a term of eighteen (18) months.

Upon vote, the motion carried unanimously 7 to 0.

23R Contracts, First Strategic and ESI Corporation, Building Re-Use Implementation Strategy

Scott Whyte, Economic Services Director, provided a brief overview of the professional services contracts with First Strategic and ESI Corporation to provide a building reuse implementation strategy and on-call services, respectively. Discussion ensued regarding the scope and necessity of the contract services.

Motion was made by Councilmember Rivero, seconded by Vice Mayor Aames to:

- (a) Approve a professional services contract with First Strategic in an amount not to exceed \$320,000 to prepare a Building Re-Use Implementation Strategy to assess strategies, approaches, and targeted end-users to repurpose idle, vacant and/or under-utilized large format buildings in the City; and
- (b) Award a contract to ESI Corporation to provide on-call services on an as needed basis in the future.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager

24. Council Calendar

25. Reports with Presentation

- a. Community Oriented Policing Update

Roy Minter, Police Chief provided an update on the Police Department's Community Oriented Policing program. The Chief provided information on the community/agency partnerships that have been developed, performance statistics, technology resources, and the Volunteer Program.

- b. Eye on Public Works - Channel 11

Bill Mattingly, Public Works and Utilities Director, and Maher Hazine, Public Works Deputy Director, reported on the Eye on Public Works – Channel 11 program and showed a video that was produced by Channel 11.

- 26. Informational** (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following items:

- A. Announcement of New Director for Bioinspire
- B. City Use of Peoria's Center for Performing Arts
- C. Council Subcommittee Update
- D. Public Input for Dial-A-Ride Rate Review
- E. Scotland Yard Park Ribbon Cutting

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone also attended the 2012 League Annual Conference in Scottsdale, Arizona at which he carried the flag in the flag ceremony.

Councilmember Rivero spoke on the upcoming Fiesta Peoria events. A Hispanic Heritage Reception and Dinner will be held at the Arizona Broadway Theater on September 13th featuring Mexico's Ex-President, Vicente Fox, as the Keynote Speaker. Fiesta Peoria will be held on September 15th from 10:00 a.m. to Midnight at Osuna Park and the Performing Arts Center in Oldtown Peoria. Councilmember Rivero invited the Mayor, City Council, and all Peoria citizens to attend the events and entertainment.

Councilmember Evans reported that she attended the Flag Lowering Ceremony honoring astronaut Neil Armstrong at the Challenger Space Center.

Councilmember Aames reported on the electronic billboard public meetings he attended.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 9:52 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, Interim City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 4th day of September, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of September, 2012.

(Seal)

Rhonda Geriminsky, Interim City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 5C

Date Prepared: September 4, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager
FROM: Rhonda Geriminsky, CMC, Interim City Clerk
THROUGH: Susan K. Thorpe, Deputy City Manager
SUBJECT: Boards and Commissions Appointments

Purpose:

This is a request for City Council to appoint William Schindler to the Municipal Development Authority (MDA).

Background/Summary:

Leonard Spraker resigned from the Municipal Development Authority to accept appointment to the Planning and Zoning Commission; this creates one vacancy on the MDA.

Previous Actions:

On May 8, 2012, the Council Subcommittee on Policy and Appointments met in the Pine Conference Room and recommended Leonard Spraker as a regular member to the Planning and Zoning Commission. As Board and Commission members are ineligible to serve on more than one "scheduled" Board or Commission, the Subcommittee's recommendation was based upon Mr. Spraker's resignation from the Board of Adjustment and the Municipal Development Authority. Mr. Spraker's resignation from the Municipal Development Authority created one vacancy with a partial term to expire November 2015.

On August 14, 2012 the Council Subcommittee on Policy and Appointments met in the Pine Conference Room and recommended Mr. Schindler's appointment to the Municipal Development Authority to fill the vacancy created by Mr. Spraker's resignation.

On August 20, 2012, a memorandum was submitted to Mayor and Council, outlining the recommended reappointment from the August 14, 2012 Subcommittee meeting, asking for concerns to be submitted in writing to the Mayor. No comments were received.

Options:

A. Appoint William Schindler to the Municipal Development Authority.

B: Continue recruitment efforts to fill the Municipal Development Authority vacancy.

Staff's Recommendation:

This is a request for City Council to discuss and approve the recommendation from the Council Subcommittee on Policy and Appointments and adopt RES. 2012-108 appointing William Schindler to the Municipal Development Authority, as a regular member, to a partial term to expire November 2015.

Fiscal Analysis:

There is no fiscal impact regarding this item.

Narrative:

If appointed to the Municipal Development Authority, Mr. Schindler will be invited to attend the October 9, 2012 City Council meeting to accept a plaque and Certificate of Appointment.

Exhibit(s):

Exhibit 1: Resolution No. 2012-108

Contact Name and Number: Rhonda Geriminsky, Interim City Clerk, 623-773-7340

RESOLUTION 2012-108

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING WILLIAM SCHINDLER TO THE MUNICIPAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

WHEREAS, Leonard Spraker resigned from the Municipal Development Authority, and there exists one vacancy; and

WHEREAS William Schindler desires to be a member and appointed to the Municipal Development Authority; and

WHEREAS, the Mayor and City Council of the City of Peoria desires to confirm said appointment of William Schindler, as a regular member, to the City of Peoria Municipal Development Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that William Schindler is appointed, as a regular member, to the City of Peoria Municipal Development Authority.

BE IT FURTHER RESOLVED that said appointments shall expire as follows:

William Schindler

November 2015

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 18th day of September 2012.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

RESOLUTION NO. 2012-108
Page 2 of 2

ATTEST:

Rhonda Geriminsky, Interim City Clerk

Approved as to Form:

Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 6C

Date Prepared: August 20, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager
FROM: Roy W. Minter, Chief of Police
SUBJECT: West Valley Domestic Violence Fatality Review Team

Purpose:

This is a request for City Council to approve an intergovernmental agreement for the Peoria Police Department to join the formation of the West Valley Domestic Violence Fatality Review Team.

Background/Summary:

In order to better understand the dynamics of domestic violence fatality and near fatality situations, state law provides for a confidential review of those situations. This state law, A.R.S. Section 41-198, provides that governmental entities may jointly agree to create review teams, provides for the confidentiality of such reviews, and provides for the reporting of findings to the state in a manner that does not violate the privacy of any of the individuals involved in the situations reviewed. The Review Team will report its findings to both the Office of the Attorney General and the member agencies' Chief of Police with case findings.

The City of Peoria Police Department and all other West Valley Police Departments see great value in these teams and are desirous of forming such a review team.

If approved, the proposed agreement will be in effect until July 1, 2020.

Previous Actions:

There is no previous action on this item.

Options:

A: Approve an agreement with other West Valley Cities to establish and participate in the West Valley Domestic Violence Fatality Review Team.

B: Choose not to participate in this agreement.

Staff's Recommendation:

Discussion and possible action to approve an Intergovernmental Agreement with other West Valley cities to establish and participate in the West Valley Domestic Violence Review Team.

Fiscal Analysis:

There is no additional cost to the City to participate in this program. Participation is covered by allocated police department funding. Employee involvement is limited to meeting attendance and occasional case preparation and presentation.

Narrative:

Once approved by City Council, the agreement will be executed as needed.

Exhibit(s):

Exhibit 1: Intergovernmental Agreement

Contact Name and Number: Heather Cammarata, 623-773-7069

**INTERGOVERNMENTAL AGREEMENT
REGARDING THE CREATION AND PARTICIPATION IN
THE WEST VALLEY DOMESTIC VIOLENCE FATALITY REVIEW TEAM**

This Agreement is entered into pursuant to A.R.S. §§11-951 *et seq.*, A.R.S. §41-198, and for those charter cities, pursuant to their respective city charters, among the cities of Avondale, Buckeye, El Mirage, Glendale, Goodyear, Peoria, Surprise, Tolleson and Wickenburg. The aforementioned agencies shall herein after be known collectively as the West Valley Agencies (WVA) and any other public agencies, as that term is defined in A.R.S. § 11-951, which after invitation by the Review Team Co-Chairpersons (Co-Chairs) in concurrence with the WVA chiefs, comply with the provisions of A.R.S. §§11-951 *et seq.* and files an authorizing document with the Maricopa County Recorder that references this Agreement and meets the requirements of the statutes. A public agency shall become a Party to this Agreement as of the date that agency files with the County Recorder. All members to this Agreement shall be collectively known as the Parties. The Review Team will not review a fatal or near fatal incident of domestic violence until a criminal investigation or proceeding connected with the fatality or near fatality is completed.

I. PURPOSE

The purpose of this Agreement is to create and operate a West Valley Domestic Violence Fatality Review Team (Review Team) pursuant to A.R.S. §41-198. The Review Team shall from time to time as needed examine incidents of domestic violence related fatalities, and near fatalities to better understand the dynamics of these fatalities, and near fatalities, within the jurisdictions of the member agencies. The Review Team shall report to the Office of the Attorney General and the Chiefs of Police of the member agencies its findings of any case reviewed and recommendations as to how incidents of domestic violence related fatalities may be prevented and how systems may be improved.

II. AUTHORITY

The Parties are authorized and empowered to enter into this Agreement pursuant to A.R.S. §§11-951 *et seq.*, A.R.S. §41-198, the respective provisions of their City Charters or other governing statute or authority.

III. CHAIRPERSONS, CONDUCT OF MEETINGS AND ASSIGNMENT OF TEAM MEMBERS

A. Two Co-Chairpersons will be selected by the chief law enforcement officers (Chiefs) of the WVA on a rotating basis for a term of one year, which shall correspond with the effective date of the Agreement. At their sole discretion, the WVA Chiefs may select a chief or designee of a new participating Party to be a Co-Chair. The Co-Chairs of the Review team must be Chiefs for Parties to this Agreement, or their designees. Selected designees must be members of a WVA law enforcement agency. In the event that a Co-Chair is unable to complete his or her term due

to resignation from his or her agency or for any other reason, the WVA Chiefs shall appoint a replacement.

B. The Co-Chairs will be responsible for duties as provided in the Bylaws and the promulgation of policy and oversight for the conduct of the Review Team. The Co-Chairs shall call meetings as necessary and be responsible for submitting any report prescribed by A.R.S. §41-198. The Co-Chairs shall be responsible for the conduct and agenda of any Review Team meetings. The Co-Chairs may decide between themselves whether both or only one of them need be present at any particular meeting.

C. The Co-Chairs may appoint any number of members to the Review Team as needed. These members may include but are not limited to types of representatives listed in A.R.S. §41-198(G). Nothing in this Agreement shall be construed to require the Co-Chairs to select members pursuant to A.R.S. §41-198(G). All Review Team members shall serve at the pleasure of the Co-Chairs and may be asked to serve either for a single case review or additional case reviews as determined by the Co-Chairs.

IV. COMPLIANCE WITH A.R.S. §41-198, CONFIDENTIALITY REQUIREMENTS AND RETURN OF RECORDS

All Review Team members and all Parties to this Agreement shall comply with the requirements of A.R.S. §41-198. Each person serving on the Review Team shall sign an affidavit indicating that they have read and understand the requirements of the statute. These requirements may include but are not limited to the following:

- A. All information and records acquired by a Review Team are confidential and are not subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding or disciplinary action. Information that is otherwise available from other sources is not immune from subpoena, discovery or introduction into evidence through those sources solely because they were presented to or reviewed by a Review Team. A person who violates the confidentiality requirements of this section is guilty of a class 2 misdemeanor.
- B. A member of a Review Team or any person who presents information to a Review Team shall not be questioned in any civil or criminal proceeding or disciplinary action regarding the information presented. This subsection does not prevent a person from testifying regarding information obtained independently of the review team or as to public information.
- C. When a Review Team concludes a fatality review, or near fatality, it shall return all information and records concerning the victim and the family to the Party that provided the information or, if directed by that Party, it shall destroy that information.

V. SPECIAL REQUIREMENTS FOR MEETINGS

Pursuant to A.R.S. §41-198(F), Review Team meetings are closed to the public and are not subject to Title 38, Chapter 3, Article 3.1 if the Review Team is reviewing a domestic violence fatality or near fatality case. All other Review Team meetings are open to the public.

VI. COSTS AND ANY REIMBURSEMENT

Each Party will be solely responsible for the payment of any associated costs incurred by their respective agencies. If any Party receives grant funds designated for the Review Team, some or all of these expenses may be reimbursed to the Parties. In no event shall any Party charge other Parties for any administrative fees for any work performed pursuant to this Agreement. Each Party shall establish and maintain a budget for the expenditure of its funds under this IGA.

This Agreement is subject to the provisions of ARIZ. CONST. ART. IX, § 5 and ARIZ. REV. STAT. § 42-17106. The provisions of this Agreement for payment of funds by each party shall be effective when funds are appropriated for purposes of this Agreement and are actually available for payment. Each party shall be the sole judge and authority in determining its own availability of funds under this Agreement and each party shall keep the other parties fully informed as to the availability of its funds for the Agreement. The obligation of each party to make any payment pursuant to this Agreement is a current expense of each party, payable exclusively from such annual appropriations, and is not a general obligation or indebtedness of each party. If the governing body of any party fails to appropriate money sufficient to pay the amounts as set forth in this Agreement during any immediately succeeding fiscal year, this Agreement shall terminate for such party at the end of then-current fiscal year and that party shall be relieved of any subsequent obligation under this Agreement.

VII. NONDISCRIMINATION

The Parties to this Agreement shall comply with all applicable provisions of state and federal non-discrimination laws and regulations including, but not limited to Executive Order 75-5, as modified by Executive Order 99-4, which mandates that all persons, regardless of race, religion, sex, age, national origin or political affiliation shall have equal access to employment opportunities and all other federal and state employment and educational opportunity laws, rules and regulations, including the Americans with Disabilities Act; provided however, an Indian Community is subject to 25 U.S.C. § 450e(c).

VIII. INDEMNIFICATION

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.

- A. In the event of any third party claim or legal action against the Parties, the parties to this Agreement agree to discuss and analyze the benefits of a common but mutual defense against such claim or legal action.

IX. GOVERNING LAW

The laws of the State of Arizona shall govern this Agreement. Venue will be in the Maricopa County Superior Court unless the subject matter of the dispute involves an Indian Community, then venue shall be in the Federal District Court for the State of Arizona. In the event of any litigation or arbitration arising out of this Agreement, the substantially prevailing Party in such litigation or arbitration shall be entitled to recover its reasonable attorney fees, expert witness fees and other costs of litigation.

X. DURATION AND CANCELLATION OF AGREEMENT

A. This Agreement shall become effective upon execution by the Parties hereto and filing with the Maricopa County Recorder and shall remain in effect until July 1, 2020, unless otherwise terminated by the terms of this Agreement or operation of law. Failure by one or more Parties to execute the Agreement shall not invalidate the Agreement as to those Parties who did so. Any Party may withdraw from this Agreement with or without cause by giving thirty calendar days written notice to a Co-Chair and other Parties to the Agreement.

B. This Agreement may be renewed for additional periods of five years either with the respective City or Town Council approval or the respective City or Town Manager approval, in writing, on or before the Termination date by notifying a Co-Chair. Any Party that fails to do so by the termination date identified above shall no longer be a Party to the Agreement.

C. Other than returning all information and records concerning the victim and the family to the Party that provided the information or, if directed by that Party, destroying that information pursuant to Section IV above, the Parties do not anticipate having to dispose of any property upon partial or complete termination of this Agreement. However, to the extent that a disposition of property is necessary upon termination, property shall be returned to its original owner.

XI. CANCELLATION PROVISIONS PURSUANT TO A.R.S §38-511

The Parties reserve all rights that each may have to cancel this Agreement for possible conflicts of interest under A.R.S. § 38-511, as amended.

XII. MULTIPLE COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Neither a signature for every Party nor a signature line shall be required in each counterpart except that on a counterpart being brought forward by a Party to its legislative body or equivalent for approval, that particular counterpart shall have to be signed and executed in accordance with that Party's practice. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signatures of all Parties may be physically attached to a single document.

XIII. OTHER PROVISIONS

- A. In the event that any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not affect the validity or enforceability of any other provision hereof.
- B. This Agreement contains the entire understanding between the Parties with respect to the subjects hereof and supersedes all prior negotiations and agreements. This Agreement may be amended only by an instrument in writing and signed by all the participating Parties. The waiver of any breach of this Agreement shall not be deemed to amend this Agreement and shall not constitute waiver of any other subsequent breach. Headings are for convenience and shall not affect interpretation.
- C. This Agreement shall be recorded with the County Recorder as described above upon its execution and an original bearing the stamp of the County Recorder shall be forwarded to the current Chairpersons of the Review Team with a copy to each Party.
- D. Pursuant to A.R.S. §§ 35-391.06 and 35-393.06, each Party certifies that it does not have a scrutinized business operation, as defined in A.R.S. §§ 35-391 and 35-393, in either Sudan or Iran.
- E. Worker's Compensation. All parties to the IGA agree that they are not joint employers for the purpose of workers compensation coverage and that any employee working on this IGA shall remain an employee of his or her respective Party. To the extent that employees of one Party perform duties on behalf of another Party, such employees shall be deemed to be an "employee" of both public agencies while performing pursuant to this Agreement solely for purposes of Ariz. Rev. Stat. § 23-1022 and the Arizona Workers' Compensation laws. The primary employer shall be solely liable for any workers' compensation benefits, which may accrue. Each Party shall

post a notice pursuant to the provisions of Ariz. Rev. Stat. § 23-1022 in substantially the following form:

“All employees are hereby further notified that they may be required to work under the jurisdiction or control or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of worker’s compensation.”

XIV COMPLIANCE WITH E-VERIFY PROGRAM

A. To the extent provisions of A.R.S. §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 A.R.S. §23-214(A).

B. 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.

C. 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.

D. Any Party may conduct a random verification of the employment records of any other Party to ensure compliance with this warranty.

E. 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 A.R.S. §23-214(A).

F. 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.

XV. NOTICES

Any notice required to be given under this Agreement will be provided to the current Co-Chairs with a copy to all Parties to this Agreement. The Co-Chairs or designees shall compile a list of each Party’s address, phone number and contact person and distribute said list to each member to this Agreement.

SIGNATURES CONTAINED ON THE NEXT PAGE

PASSED AND ADOPTED this _____ day of August, 2012.

Bob Barrett
Mayor

ATTEST:

Rhonda Geriminsky
Interim City Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with A.R.S. §11-952, this Agreement has been reviewed by the undersigned who determined that this Agreement is in appropriate form and is within the powers and authority of the respective parties.

City of Peoria

By: _____
Steve Kemp
City Attorney

Date: _____

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Date Prepared: August 13, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Andrew Granger, P.E., Engineering Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Intergovernmental Agreement Amendment No. 2, State of Arizona, State Route 303L at Lone Mountain Parkway

Purpose:

This is a request for City Council to approve the Intergovernmental Agreement (IGA) Amendment No. Two with The State of Arizona for the identification of the City's responsibilities related to maintenance of the landscape, irrigation system and any power costs in the State's right-of-way on the west side of State Route 303L (SR 303L) at Lone Mountain Parkway.

Background/Summary:

In 2011, Sunbelt Holdings completed the construction of Lone Mountain Parkway from approximately Blackstone Drive to SR 303L. Although this section of the Lone Mountain Parkway is located on State Land, they were required to landscape both sides of the right-of-way and the median. The City agreed to assume maintenance of the landscape treatment within the limits of the State Land. In addition, Sunbelt enhanced the landscape material within a portion of the Arizona Department of Transportation (ADOT) right-of-way, specifically, the section on the Lone Mountain Parkway and west of the SR 303L. The City also agreed to maintain this section of ADOT right-of-way. Exhibit 2 illustrates the landscape area maintained by the City within the limits of the State Land and ADOT rights-of-way.

In order for the City to maintain the landscape material and irrigation system within the ADOT right-of-way illustrated on Exhibit 2, the existing IGA (JPA08-084I) is required to be revised. In accordance with the terms of the revised agreement, the City is responsible for:

- Maintenance of landscape material, including decomposed granite and keeping area free of weeds, grasses and litter
- Maintenance of irrigation system
- Power costs
- Water and herbicide

- Compliance with the Manual on Uniform Traffic Control Devices (MUTCD) and ADOT permits for any traffic control

Previous Actions:

- June 17, 2008 – Council adopted IGA 08-051 for the design of enhancements to the construction of SR 303L from Happy Valley Parkway to Lake Pleasant Parkway in the amount of \$477,309. The enhancements included:
 - New water, sewer, reclaimed water line under SR 303L for future use
 - Single Point Urban Interchanges (SPUI) at Happy Valley Parkway and Lone Mountain Parkway
 - Trail crossings at 6 locations
 - Enhanced aesthetic upgrades
- July 1, 2008 – Council adopted IGA 08-084 for construction of the improvements mentioned above to SR 303L from Happy Valley Parkway to Lake Pleasant Parkway in the amount of \$5,963,574. In addition, the City agreed to assume maintenance responsibilities for the crossroad markings and lighting within the ADOT right-of-way at Happy Valley Parkway, Lone Mountain Parkway, and Lake Pleasant Parkway.
- June 30, 2009 – IGA 08-084 Amendment No. 1 was approved for the construction of a second detour lane as part of the State’s construction of the SPUI at Happy Valley Parkway in the amount of \$130,560.

Options:

A: Approve IGA Amendment No. 2 with the State of Arizona. This will allow the City to maintain the enhanced landscape materials west of SR 303L.

B: Deny approval of IGA Amendment No. 2, which will result in the City not accepting maintenance responsibility of the enhanced landscape materials. ADOT has stated they will not maintain the enhanced landscape materials and if neither agency accepts maintenance responsibilities, the area will eventually be overgrown with weeds and collect litter and other debris, resulting in citizen complaints.

Staff’s Recommendation:

Staff recommends approval of IGA Amendment No. 2 with the State of Arizona for the identification of the City’s responsibilities related to maintenance of the landscape, irrigation

system and any power costs in the State's right-of-way on the west side of SR 303L at Lone Mountain Parkway.

Fiscal Analysis:

The fiscal impacts related to this IGA Amendment includes minimal ongoing operation and maintenance costs, since the City already maintains the landscape west of this small ADOT right-of-way.

Narrative:

IGA Amendment No. 2 was reviewed and approved by the Community Services Department and the City Attorney's Office. Approval of this IGA Amendment will formalize the City's maintenance responsibilities.

Exhibits:

Exhibit 1: Vicinity Map

Exhibit 2: Location Map

Exhibit 3: IGA Amendment No. 2

Contact Name and Number: Dan Nissen, Assistant City Engineer, X7214



NOT TO SCALE



LEGEND

 L303/Lone Mountain Pkwy
Landscaping Maintenance
EN00242

- DOVE VALLEY RD
- LONE MOUNTAIN RD
- MONTGOMERY RD
- DIXILETA DR
- PEAK VIEW RD
- DYNAMITE BL
- PINNACLE VISTA DR
- JOMAX RD
- YEARLING RD
- HAPPY VALLEY RD
- CALLE LEJOS
- PINNACLE PEAK RD
- WILLIAMS RD
- DEER VALLEY RD
- ROSE GARDEN LN
- BEARDSLEY RD
- UTOPIA RD
- UNION HILLS DR
- GROVERS AVE
- BELL RD
- PARADISE LN
- GREENWAY RD
- ACOMA DR
- THUNDERBIRD RD
- SWEETWATER AVE
- CACTUS RD
- CHOLLA ST
- PEORIA AVE
- MOUNTAIN VIEW RD
- OLIVE AVE
- BUTLER DR
- NORTHERN AVE

- 115TH AVE
- 111TH AVE
- 107TH AVE
- 103RD AVE
- 99TH AVE
- 95TH AVE
- 91ST AVE
- 87TH AVE
- 83RD AVE
- 79TH AVE
- 75TH AVE
- 71ST AVE



VICINITY MAP



Landscape within ROW
currently maintained by City.

LONE MOUNTAIN PW

L303

Landscape in ADOT ROW
to be maintained by City
(JPA08-084 Amendment No. 2).



City of Peoria
L303/Lone Mountain Pkwy
Landscape Maintenance
EN00242
Location Map

NOTE:
This Map is based on imprecise
source data, subject to change and
FOR GENERAL REFERENCE ONLY.

ADOT File No.: IGA/JPA.: 08-084 I

AG Contract No.: P0012008003468

Amendment Two

Project: SR303L

Section: Lone Mountain Parkway

(Sta 244+22 to 245+60)

ADOT Project No.:

Budget Source Item No.: MAINTAGMT

**AMENDMENT TWO
TO
INTERGOVERNMENTAL AGREEMENT**

**BETWEEN
THE STATE OF ARIZONA
AND
CITY OF PEORIA**

THIS AGREEMENT "Amendment Two" is entered into this date _____, 2012, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF PEORIA acting by and through its MAYOR and CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes § 48-572 and City Charter, Article 1, Section 3(15) to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

The City constructed landscape improvements in the State's right-of-way on the west side of State Route 303L (SR 303L) at Lone Mountain Parkway, via Permit 1207090. The purpose of this Amendment is to identify the City's responsibilities related to the maintenance of the landscape, irrigation system and any related power costs.

THEREFORE, in consideration of the mutual covenants expressed herein, this Agreement is amended as follows:

II. SCOPE OF WORK

Article II, Paragraph 2. k and l are added as follows:

1. The City will:

k. Maintain landscaping, decomposed granite and/or seeding in areas designated to be maintained by the City on Exhibit 2. Landscape maintenance shall consist of the care of all landscaping in accordance with accepted horticultural practices, keeping all areas free of weeds, undesirable grasses and litter, applying irrigation water, furnishing and applying insecticide/herbicide sprays and dust to combat diseases and other pests, pruning and replanting as required to maintain the landscaping. The City will also be responsible for maintaining the irrigation system and any associated power costs.

l. Comply with the 2009 Manual on Uniform Traffic Control Devices (MUTCD) (latest edition as published by the Federal Highway Administration (FHWA)) and the current Arizona Supplement, as per Arizona Revised Statute § 28-641, during all maintenance operations conducted by the City on State highway rights of way. Traffic Control plans will be reviewed and/or approved by and through the Arizona Department of Transportation (ADOT), Phoenix Maintenance District Permits Office.

III. MISCELLANEOUS PROVISIONS

Article III, Paragraph 1 is replaced as follows:

1. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

Article III, Paragraph 9 is updated as follows:

9. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, MD 637E
Phoenix, AZ 85007
(602) 712-7124 FAX : (602) 712-3132

City of Peoria
Attn: Andrew Granger
Engineering Director
9875 N. 85th Avenue
Peoria, AZ 85345
(623) 773-7301 FAX: (623) 773-7211

For Maintenance Permit – Contact
Arizona Department of Transportation
Phoenix Maintenance District Permits Office
2140 West Hilton Avenue, Mail Drop PM00
Phoenix, AZ 85009

12. In accordance with Arizona Revised Statutes Section 11-952, (D) attached hereto and incorporated herein is the written determination of each Party's legal counsel that the parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

EXCEPT AS AMENDED herein, **ALL OTHER** terms and conditions of the original Agreement and Addendum One remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement the day and year first above written.

CITY OF PEORIA

STATE OF ARIZONA

Department of Transportation

By _____
BOB BARRETT
Mayor

By _____
ROBERT SAMOUR, P.E.
Senior Deputy State Engineer
Operations / Valley Transportation

ATTEST:

By _____
Rhonda Geriminsky
Interim City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Date Prepared: August 23, 2012

Council Meeting Date: September 18, 2012

TO: Honorable Mayor and Council

FROM: Stephen M. Kemp, City Attorney

THROUGH: Melinda A. Bird, Assistant City Attorney

SUBJECT: City of Peoria v. Hong Thunderbird 75, L.L.C.

Purpose:

This is a request for the City Council to approve the settlement of City of Peoria v. Hong Thunderbird 75, L.L.C., CV2012-070275, an eminent domain case. In doing so, the City of Peoria is abiding by City Council's Resolution 2011-46 for the development of widening the intersection at 75th Avenue and Thunderbird. The settlement also will require a budget transfer within this capital project from the Street System Account to the Land Acquisition Account.

Background/Summary:

On April 5, 2011, the Peoria City Council passed Resolution 2011-46, which authorized the condemnation of property required for the 75th Avenue and Thunderbird intersection widening improvement project. A copy of that Resolution is attached as Exhibit 1, along with a map depicting the vicinity of the intersection widening improvement attached as Exhibit 2.

The City filed an eminent domain lawsuit against the property owner, Hong Thunderbird 75, L.L.C., on March 21, 2012, and obtained an Order for Immediate Possession on April 23, 2012. As part of this lawsuit, the City is acquiring approximately 7,987 square feet for purposes of a right-of-way and a temporary construction easement for the real property comprising of approximately 509 square feet. The City and Hong Thunderbird, L.L.C. have both now obtained date of value appraisals (appraisals valuing the property as of the date of the summons) as required by A.R.S. § 12-1123(A). The City's date of value appraisal determined that the just compensation owed the property owner as \$129,570.00. The property owner's date of valued the just compensation owed as \$181,832.00.

Under the eminent domain laws, the City is required to pay just compensation to the owner of the property based on its highest and best use. The value is determined either through a trial or by negotiation with the owner and their representative(s). The overwhelming majority of cases are settled through negotiation. The City has participated in settlement discussions with the property owner in this case and has reached a settlement. The City will pay the owner \$156,694.00 for a fee interest in all property it is condemning, for an interest in a temporary construction easement taken by the City, and approximately \$3,000.00 in statutory interest on

the total settlement sum. The City of Peoria has an immediate need of the subject property and has begun construction for this public purpose.

Previous Actions:

April 15, 2011 Peoria City Council Resolution 2011-46.

Options:

A: Approve \$156,694.00 and approximately \$3,000.00 in interest for the proposed settlement for further completion of the intersection widening improvement project. Also, in order to pay the settlement costs, approve a \$59,238.00 budget transfer within the project from the Street System Account to the Land Acquisition Account.

B: Disapprove the proposed settlement and we will proceed with litigation on the eminent domain action.

Staff's Recommendation:

We recommend that Council approve settlement in this matter for further completion of the 75th Avenue and Thunderbird intersection widening improvement project. In addition, we recommend approval of a budget transfer within this capital project in the amount of \$59,238.00 from the Street System Account 4550-4550-543001-CIPST-EN00089 to the Land Acquisition Account 4550-4550-540000-CIPST-EN00089.

Fiscal Analysis:

The 75th Avenue and Thunderbird Road Intersection Improvement project (EN00089) has an FY 2013 budget of \$3,404,833.00. This budget is sufficient to complete the improvements, including land acquisition; however, only \$100,456.00 of the total project budget is available in the Land Acquisition Account to pay for this settlement. As such, a budget transfer is needed from the Street System Account to the Land Acquisition Account to make up the difference between the available budget in the land account and the \$159,694.00 needed to complete this settlement. This transfer between accounts will not increase the overall project budget.

Narrative:

The settlement agreement is the result of a successful negotiation that induced significant participation from the City and limited the exposure of the City to damages and very costly litigation.

Exhibit(s):

Exhibit 1: Resolution 2011-46 approved by Council April 5, 2011

Exhibit 2: Map depicting the vicinity of the intersection widening improvement

Contact Name and Number:

Stephen M. Kemp, City Attorney (623) 773-7321

Angela Manuel, Property Management Agent (623) 773-7728

EXHIBIT 1

RESOLUTION NO. 2011-46

A RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA DECLARING A PUBLIC NEED AND NECESSITY AND A PUBLIC USE; AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO ACQUIRE ON BEHALF OF THE CITY OF PEORIA THROUGH DONATION, OUTRIGHT PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN FOR PUBLIC PURPOSES OF ALL INTEREST IN CERTAIN DESCRIBED REAL PROPERTY IN THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, IN ORDER FOR THE CITY TO PROPERLY AND ADEQUATELY IMPROVE AND DEVELOP THE INTERSECTION OF 75TH AVENUE AND THUNDERBIRD ROAD AS A MATTER OF PUBLIC NEED AND NECESSITY; REFERENCING TITLE 12 OF STATE LAW CONCERNING THE EXERCISE OF EMINENT DOMAIN FOR PUBLIC ROADS, STREETS, AND PUBLIC SAFETY PURPOSES; STATING THE CONCLUSION OF THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT THAT THE ACQUISITION IS IN CONFORMITY WITH THE ADOPTED GENERAL PLAN; AS A MATTER OF PUBLIC NEED AND NECESSITY AND DECLARING AN EMERGENCY.

THEREFORE IT IS RESOLVED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. AUTHORIZATION TO ACQUIRE

That the City Attorney on behalf of the City of Peoria, Arizona is authorized and directed to acquire and/or condemn all the real property described in the attached Exhibit "A" pursuant to Title 12, Chapter 8, Article 2, Arizona Revised Statutes and to file on behalf of the City such litigation as necessary to consummate the acquisition of such property under the power of eminent domain and to do all things necessary to accomplish this purpose, including but not limited to obtaining title reports and appraisals and other expert assistance for such purposes. Assessor parcel numbers associated with the legal descriptions in the attached Exhibit "A" are as follows:

Resolution No. 2011-46
April 5, 2011
Page 2

200-65-001D	Partial take
200-65-001J	Partial take, Drainage and Temporary Construction Easements (TCE)
200-65-004M	Partial take and TCE
200-65-007C	Partial take and TCE
200-65-009A	Partial take and TCE
200-65-028	TCE
200-77-010R	Partial take, Drainage and Temporary Construction Easements
200-77-010S	Partial takes and TCEs
231-15-508	Partial take and TCE
231-15-516	Partial take and TCE
231-15-517	Partial take and TCEs
231-15-617	Partial take and TCEs

SECTION 2. EMINENT DOMAIN AUTHORITY PURSUANT TO TITLE 12 OF STATE LAW: AUTHORIZATION TO OBTAIN IMMEDIATE POSSESSION

That the City Attorney on behalf of the City of Peoria, Arizona is authorized to petition the Superior Court to enter an order that the City of Peoria be allowed immediate possession and full use of all of the real property described in Exhibit "A" pursuant to Title 12, Chapter 8, Article 2, Section 12-1116 and to immediately determine the probable damages resulting from City of Peoria being allowed to have immediate possession of the real property described in Exhibit "A" and to set the amount of a bond in a form to be approved by the Court or to deposit the equivalent amount of City funds budgeted and appropriated and to do all things necessary to accomplish this purpose.

SECTION 3. DETERMINATION OF CONFORMITY WITH GENERAL PLAN

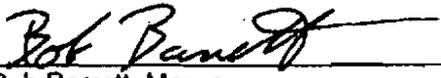
That the Planning and Community Development Department, which is the designated "planning agency" for the City of Peoria for purposes of Arizona Revised Statutes Title 9, Chapter 4, Article 6 ("Municipal Planning"), has reviewed the acquisition of the Property for conformity with the adopted Peoria General Plan pursuant to A.R.S. § 9-461.07(C) and reported that the location, purpose, and extent of the acquisition of the Property conforms with the Peoria General Plan.

Resolution No. 2011-46
April 5, 2011
Page 3

SECTION 4. EFFECTIVE DATE

WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an Emergency is declared to exist and this Resolution shall be in full force and effect from and after its passage by the Council as required by the City Charter and is exempted from the referendum clause of the Charter.

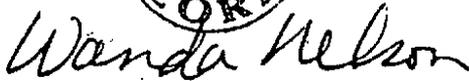
PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 5th day of April, 2011.



Bob Barrett, Mayor



ATTEST



Wanda Nelson, City Clerk

APPROVED AS TO FORM:



Stephen M. Kemp, City Attorney

ATTACHMENTS:

Exhibit A - Legal Descriptions

RES. 2011-46



EXHIBIT A

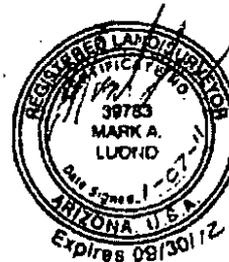
LEGAL DESCRIPTION: APN 231-15-617 RIGHT-OF-WAY

THAT PORTION OF LOT 2C OF "REPLAY OF LOTS 2A & 2B, THUNDERBIRD LANDINGS" AS RECORDED IN MARICOPA COUNTY RECORDER'S BOOK 957, PAGE 50, BEING IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

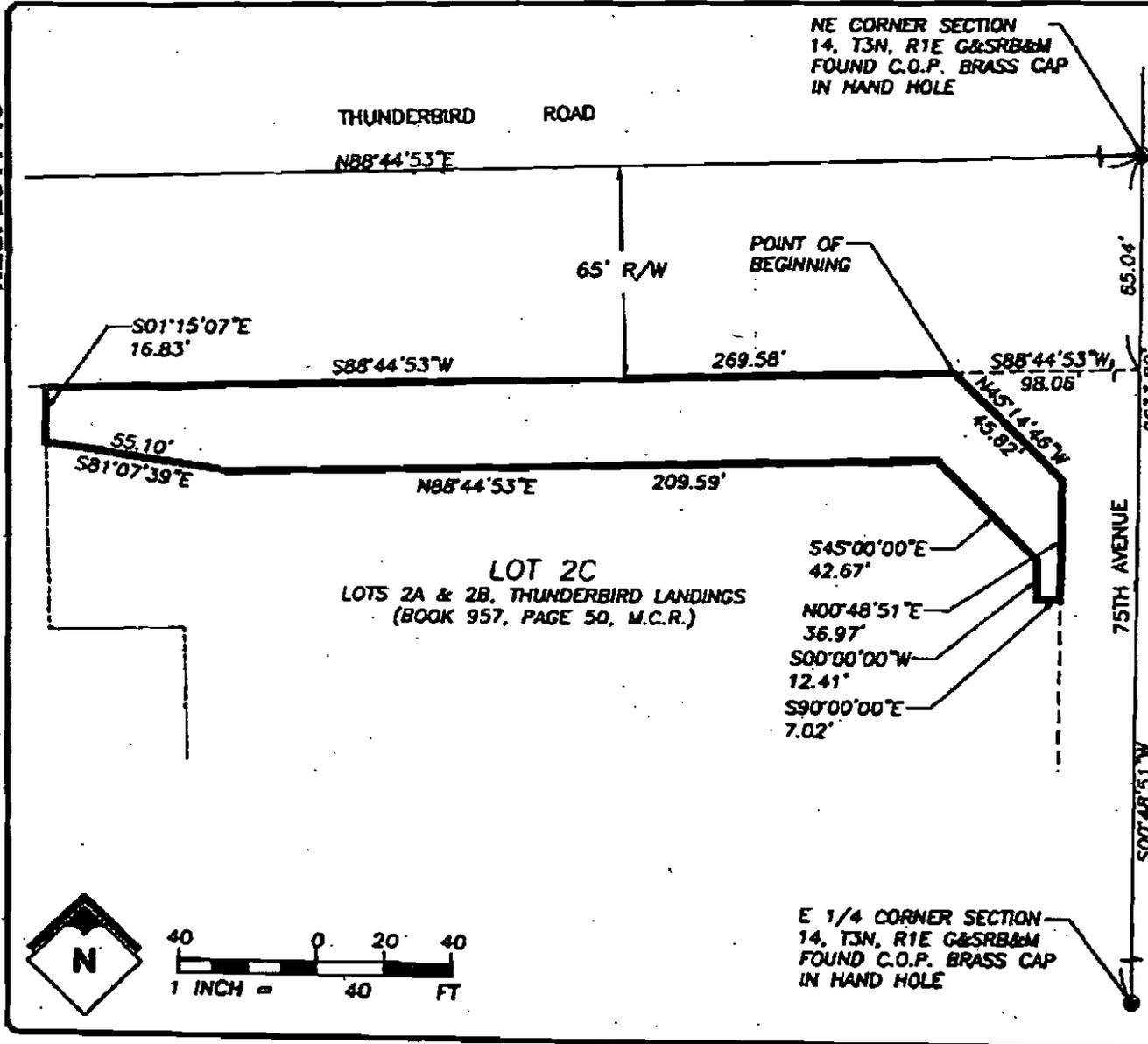
COMMENCING AT A CITY OF PEORIA BRASS CAP IN HANDHOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 14, FROM WHENCE A CITY OF PEORIA BRASS CAP IN HAND HOLE MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 LIES SOUTH 00°48'51" WEST, 2633.82 FEET; THENCE SOUTH 00°48'51" WEST, ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 65.04 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 2C AND THE SOUTH RIGHT-OF-WAY LINE OF THUNDERBIRD ROAD; THENCE SOUTH 88°44'53" WEST, ALONG SAID EXTENSION, 98.06 FEET TO THE NORTHERLY-MOST NORTHEAST CORNER OF SAID LOT 2C, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 88°44'53" WEST, ALONG SAID NORTH LINE OF LOT 2C AND SAID SOUTH RIGHT-OF-WAY LINE OF THUNDERBIRD ROAD, 269.58 FEET TO THE NORTHWEST CORNER OF SAID LOT 2C; THENCE SOUTH 01°15'07" EAST, ALONG THE WEST LINE OF SAID LOT 2C, 16.83 FEET; THENCE SOUTH 81°07'39" EAST, 55.10 FEET; THENCE NORTH 88°44'53" EAST, PARALLEL WITH AND 26.52 FEET SOUTH OF SAID NORTH LINE OF LOT 2C, 209.59 FEET; THENCE SOUTH 45°00'00" EAST, 42.67 FEET; THENCE SOUTH 00°00'00" WEST, 12.41 FEET; THENCE NORTH 90°00'00" EAST, 7.02 FEET TO THE EASTERLY LINE OF SAID LOT 2C AND THE WEST RIGHT-OF-WAY LINE OF 75TH AVENUE; THENCE NORTH 00°48'51" EAST ALONG SAID EASTERLY LINE, 36.97 FEET TO AN ANGLE POINT AND THE SOUTHERLY-MOST NORTHEAST CORNER OF SAID LOT 2C; THENCE NORTH 45°14'46" WEST, ALONG SAID LINE, 45.82 FEET TO THE POINT OF BEGINNING.

(CONTAINING 7,987 SQUARE FEET, 0.18 ACRE, MORE OR LESS)



RES. 2011-46



PREMIER
ENGINEERING CORPORATION
9437 W. CHANDLER AVE., SUITE 1
CHANDLER, AZ 85226



EXHIBIT A	
A PORTION OF APN 291-16-017	
NEW RIGHT OF WAY	
SECTION 14, T3N, R1E	
PROJECT No.	DATE
507004	DEC, 2010
DRAWN BY	CHKD BY
MM	MM
CHECKED BY	
MM	
PAGE No.	2 OF 2

RES. 2011-46



EXHIBIT A

**LEGAL DESCRIPTION: APN 231-15-617 TEMPORARY CONSTRUCTION
EASEMENT**

THAT PORTION LOT 2C OF "REPLAT OF LOTS 2A & 2B, THUNDERBIRD LANDINGS" AS RECORDED IN MARICOPA RECORDER'S BOOK 957, PAGE 50, BEING IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF PEORIA BRASS CAP IN HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 14, FROM WHENCE A CITY OF PEORIA BRASS CAP IN HAND HOLE MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 LIES SOUTH 00°48'51" WEST, 2633.82 FEET AND FROM WHENCE A CITY OF PEORIA BRASS CAP FLUSH, AS SHOWN ON "FINAL PLAT OF "75TH & THUNDERBIRD PLACE" AS RECORDED IN MARICOPA COUNTY RECORDER'S BOOK 920, PAGE 34, MARKING THE INTERSECTION OF 77TH AVENUE AND THUNDERBIRD ROAD, LIES SOUTH 88°44'53" WEST A DISTANCE OF 1377.42 FEET; THENCE SOUTH 88°44'53" WEST, ALONG THE CENTERLINE OF SAID THUNDERBIRD ROAD, 314.98 FEET; THENCE, AT A RIGHT ANGLE, SOUTH 01°15'07" EAST, 91.52 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°15'07" EAST, 4.48 FEET; THENCE SOUTH 88°44'53" WEST, 55.00 FEET TO THE WEST LINE OF SAID LOT 2C; THENCE NORTH 01°15'07" WEST, ALONG SAID WEST LINE, 14.17 FEET; THENCE SOUTH 81°07'39" EAST, 55.10 FEET; THENCE SOUTH 88°44'53" EAST 0.76 FEET TO THE POINT OF BEGINNING.

(CONTAINING 509 SQUARE FEET, 0.01 ACRE, MORE OR LESS)



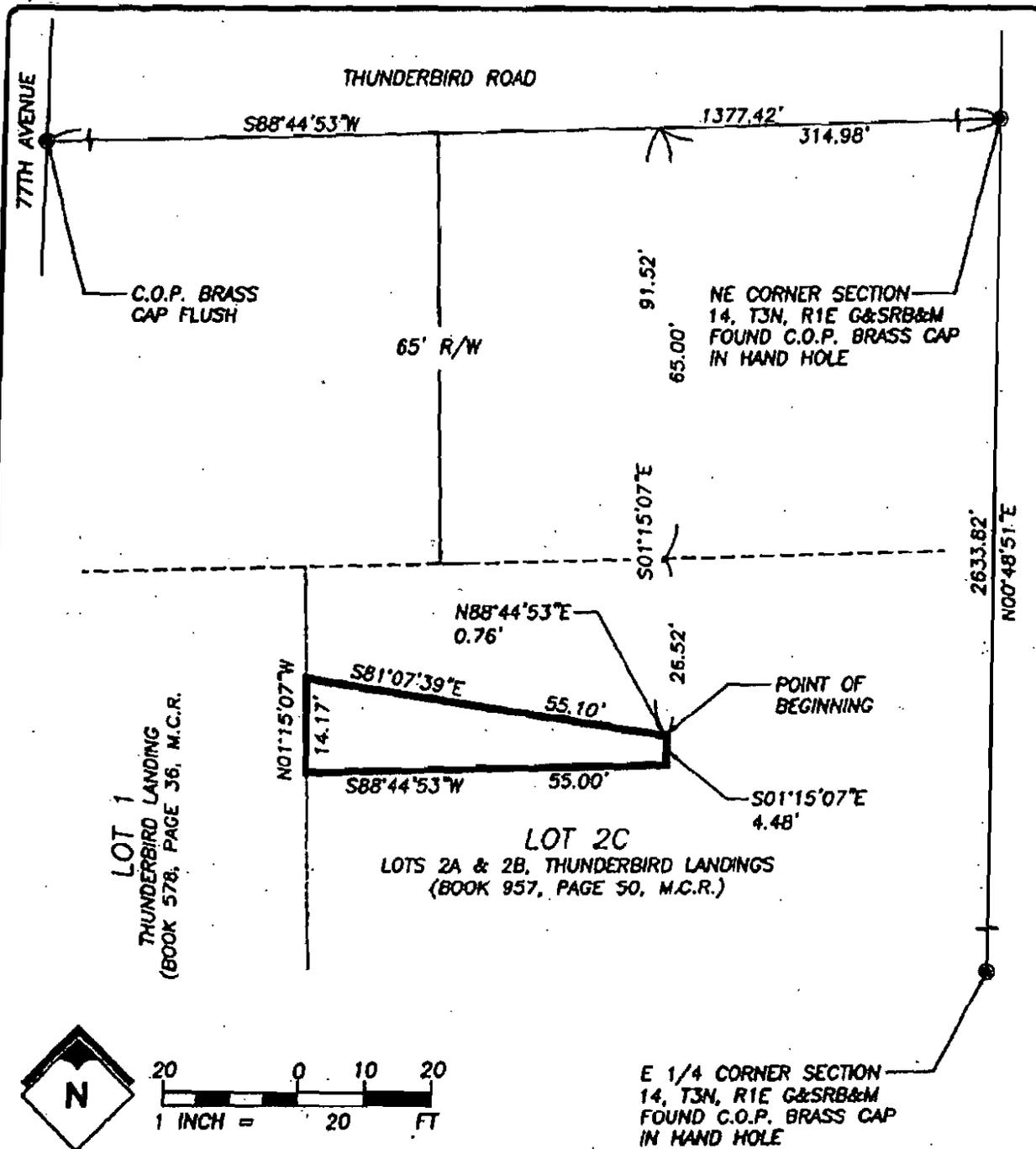


EXHIBIT A
A PORTION OF
APN 231-15-617
TEMPORARY CONSTRUCTION EASEMENT
SECTION 14, T3N, R1E

PROJECT No.
2010004
PAGE No.
2 OF 2

DRAWN BY
DMH
CHECKED BY
MAL

DATE
DEC, 2010



PREMIER

ENGINEERING CORPORATION
9437 W CHANDLER BLVD, STE 1
CHANDLER, AZ 85226

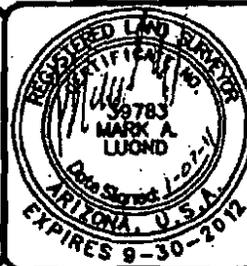
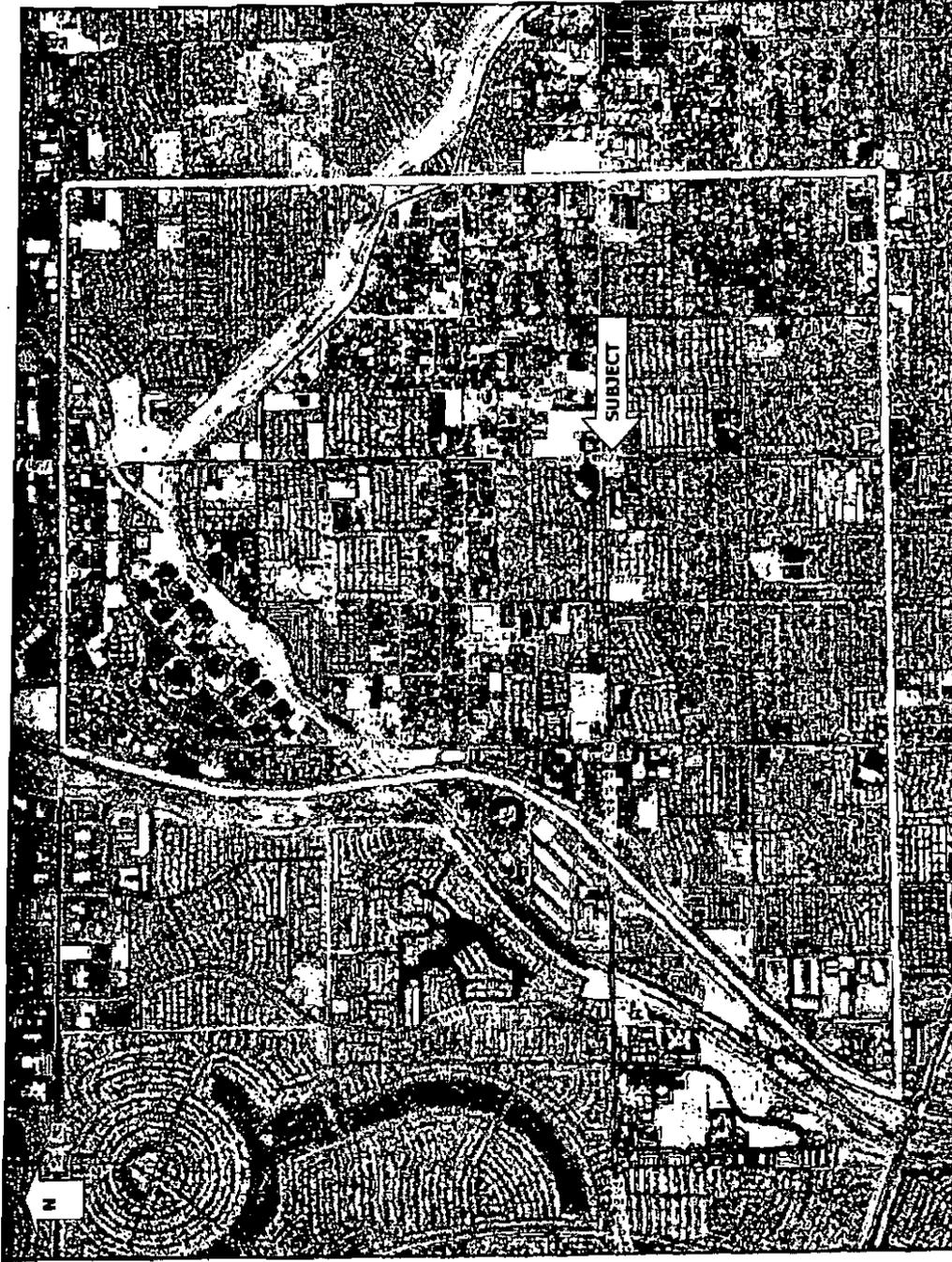


EXHIBIT 2

NEIGHBORHOOD AERIAL



AERIAL PHOTOGRAPH



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 9C

Date Prepared: August 22, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Replat, Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, Olive Avenue and Loop 101 (Project No. R120015)

Purpose:

This is a request for City Council to approve a Replat of Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, located on Olive Avenue and Loop 101, and authorize the Mayor and City Clerk to sign and record the Replat with the Maricopa County Recorder's Office subject to the following stipulations:

1. In the event that the Replat is not recorded within 60 days of Council approval, the Replat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The Amendment to the Condominium Plat for Olive Avenue Business Park is needed to facilitate the sale of a condo unit to a business entity by the owner. The Olive Avenue Business Park condo plat was originally set up with individual units identified within buildings throughout the site (February 2006). As sales have taken place in the condominium subdivision over the past few years, reconfigurations of the units have been necessary (shifting of unit lines, combining of units, etc....). This is similar to a residential subdivision when individual lot lines require shifting. As condominium units continue to be sold, additional plat amendments may be required.

Previous Actions:

The original condominium plat was approved by the City and recorded in February 2006.

Options:

A: The Replat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Replat; although it should be noted that not approving the Replat may prevent the owner from developing this unit.

B: The other option would be to formally approve the Replat and allow this unit to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Replat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Replat.

Narrative:

The acceptance of this Replat by City Council will allow the owner to move forward in developing this property.

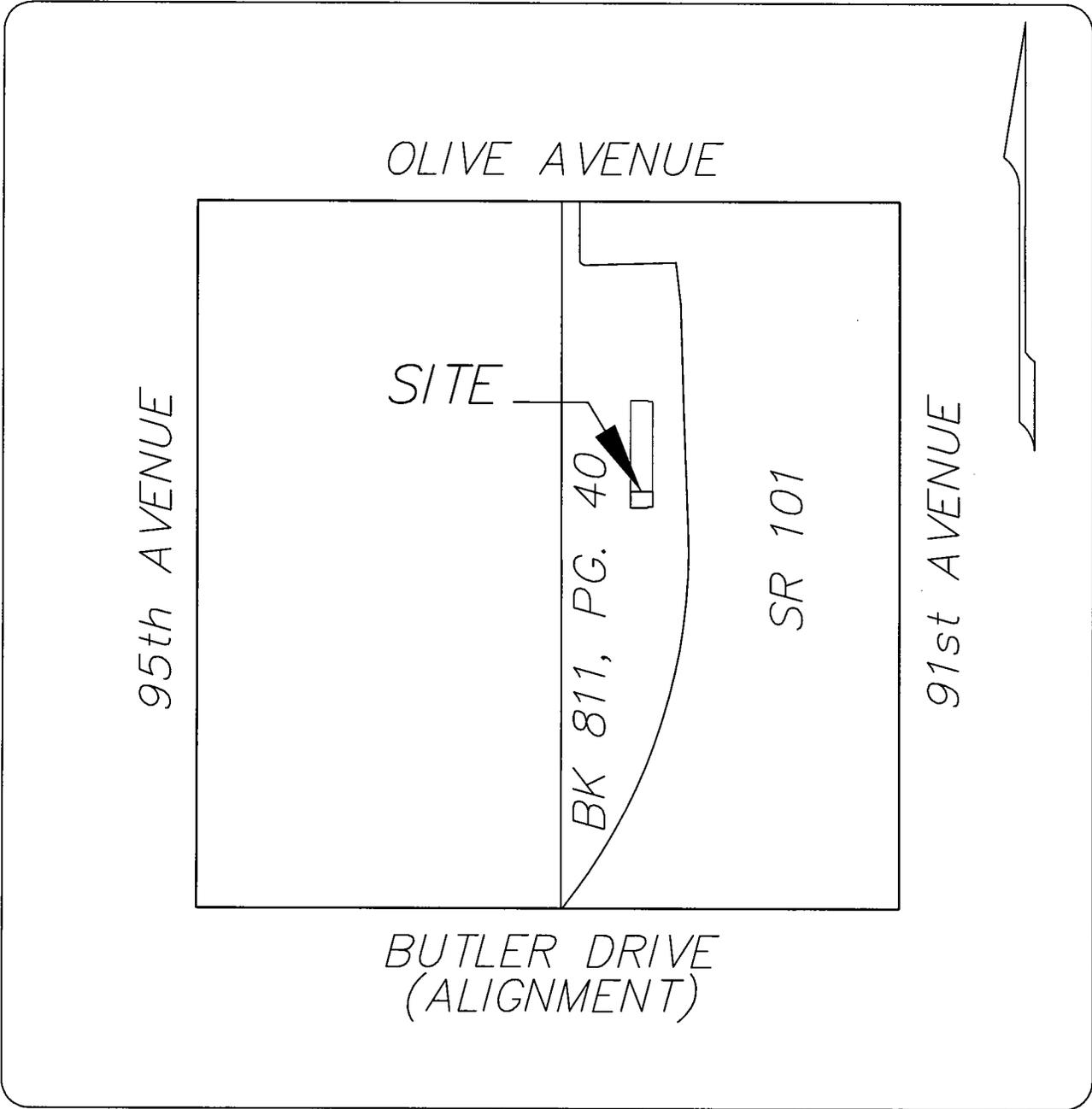
Exhibit(s):

Exhibit 1: Replat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577



VICINITY MAP

NOT TO SCALE

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 10C

Date Prepared: August 7, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Replat, Peoria DES 2, Peoria Avenue and 91st Avenue (Project No. R120019)

Purpose:

This is a request for City Council to approve a Replat of Peoria DES 2, located on Peoria Avenue east of 91st Avenue, and authorize the Mayor and City Clerk to sign and record the Replat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans must be approved by the City of Peoria (City) prior to recordation of the Replat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City Subdivision Regulations, as determined by the City Engineer, must be obtained prior to recording the Replat.
3. The developer must provide a financial assurance in the amount agreed upon by the City Engineer and an Agreement to Install for construction of the infrastructure improvements in accordance with the City Subdivision Regulations, prior to recordation of the Replat.
4. In the event that the Replat is not recorded within 60 days of Council approval, the Replat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The purpose of the Replat is to adjust the property lines within an existing commercial subdivision. This development is within the City's water\sewer service area. This Replat does not create any additional lots, but adjusts lot lines to allow for a parking lot expansion.

Previous Actions:

The Bonita Desert Center Final Plat (Bonita Desert Center was the name given to the overall commercial subdivision, of which Peoria DES is one of the lots) was approved by the City and recorded in November 2002. One of the lots was then replatted as Peoria Des, which was approved by the City and recorded in November 2008.

Options:

A: The Replat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Replat; although it should be noted that not approving the Replat will prevent the Developer from expanding their parking lot.

B: The other option would be to formally approve the Replat and allow this parcel to be further developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Replat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Replat.

Narrative:

The acceptance of this Replat by City Council will allow the developer to move forward in developing this property.

Exhibit(s):

Exhibit 1: Replat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577

FINAL PLAT
"PEORIA DES 2"

A REPLAT OF LOT 2A PEORIA DES
BOOK 1014 OF MAPS, PAGE 011, MARICOPA COUNTY RECORDS
AND LOT 5 BONITA DESERT CENTER
BOOK 614 OF MAPS, PAGE 26, MARICOPA COUNTY RECORDS
LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 NORTH, RANGE 1 EAST
OF THE GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

DEDICATION STATEMENT

STATE OF ARIZONA) S.S.
MARICOPA COUNTY)
MICHAEL T. REDY AND CONNIE J. REDY, AS TRUSTEES OF MCR FAMILY TRUST DATED MARCH 1, 2001 AS OWNERS OF LOT 2A, A PORTION OF PEORIA DES 2 AS RECORDED IN BOOK 1014 OF MAPS, PAGE 011, MARICOPA COUNTY RECORDS AND ACRES PROPERTIES, LLC, MURBY V. WILLS AS OWNER OR PARTNER OF PEORIA DES 2 AS RECORDED IN BOOK 1014 OF MAPS, PAGE 011, MARICOPA COUNTY RECORDS AND BONITA DESERT CENTER AS RECORDED IN BOOK 614 OF MAPS, PAGE 26, MARICOPA COUNTY RECORDS, LOCATED IN ALL OR A PORTION OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.
AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID "PEORIA DES 2" THAT SAID PLAT HEREBY DECLARES AND SETS FORTH THE LOCATION AND BOUNDARIES OF SAID "PEORIA DES 2" AS SHOWN AND PLATTED HEREON AND THAT EACH LOT AND STREET SHOWN AND PLATTED HEREON SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH THEREON ON SAID PLAT.
AND THE GRANTOR HEREBY COVENANTS THAT IT IS LAWFULLY SEPARATING AND SETTING APART FROM THE LAND TO BE SOLD AND CONVEYED, AND THAT THE WILL WARRANT THE TITLE TO SAID LANDS TO THE PURCHASER THEREOF AGAINST THE CLAIM OF ALL PERSONS.
PEORIA DES 2 (AS SHOWN AND PLATTED HEREON) IS DESIGNATED AS A TRACT FOR USE AS SINGLE-FAMILY RESIDENTIAL UNITS WITHIN THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

FLOOD ZONE

THIS PROPERTY IS LOCATED ON THE FLOOD INSURANCE RATE MAP (FIRM) ZONE X COMMUNITY NUMBER 040000 MAP NUMBER 010101010101 NUMBER 1810 EFFECTIVE DATE OF FIRM NUMBER 01/2008.
BENCHMARK
BENCH MARK IS LOCATED AT THE INTERSECTION OF 61ST AVENUE AND PEORIA AVENUE. ELEVATION: 1122.00 (NAVD83 DATUM-MARICOPA COUNTY GEAC.S.)
ZONING & SITE ADDRESS
LOT 2A A.P.N. 142-45-338 SITE ADDRESS 8140 N. PEORIA AVE. ZONING: R1-10
LOT 5A A.P.N. 142-45-337 SITE ADDRESS N/A.

AREA TABLE

SECTION 22 CONTAINS 360.00 ACRES
LOT 2A CONTAINS 30.289 SQ. FT. OR 4.68 ACRES
LOT 5A CONTAINS 181,108 SQ. FT. OR 3.70 ACRES

BASIS OF BEARING

THE PLAT IS BEARING AND DISTANCE TO THE POINTS OF BEGINNING OF LOT 2A AND LOT 5A AS SHOWN AND PLATTED HEREON AS FOLLOWS:
THE LINE WHICH BEARS NORTH 90° 00' 00" EAST, A DISTANCE OF 10.00 FEET;
THE LINE WHICH BEARS SOUTH 90° 00' 00" WEST, A DISTANCE OF 10.00 FEET;
THE LINE WHICH BEARS NORTH 90° 00' 00" EAST, A DISTANCE OF 10.00 FEET;
THE LINE WHICH BEARS SOUTH 90° 00' 00" WEST, A DISTANCE OF 10.00 FEET;

PERTINENT DOCUMENTS

THE REPLAT OF LOT 2, BONITA DESERT CENTER RECORDED IN BOOK 614 OF MAPS, PAGE 26, M.C.R.
FINAL PLAT BRAEWOOD SUBDIVISION IN BOOK 143 OF MAPS, PAGE 10 M.C.R.
MINOR LAND DIVISION BOOK 516 OF MAPS, PAGE 20 M.C.R.
MINOR LAND DIVISION BOOK 516 OF MAPS, PAGE 20 M.C.R.

OWNER/DEVELOPER

ACRES PROPERTIES, LLC
MICHAEL T. REDY
1625 NORTH SUNDIAL
MESA, ARIZONA 85005
(480-924-4889) PHONE
(480-924-4885) FAX
WILBUR V. WILLS
PRESCOTT, ARIZONA 86303

ENGINEER

EXTREME LAND SURVEYING, INC.
5545 EAST WAGLELLAN ROAD
MESA, ARIZONA 85205
GORDON PETERSEN, P.E.
(480-220-3079)

OWNER/DEVELOPER

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(480-220-3079)

OWNER/DEVELOPER

ACRES PROPERTIES, LLC
MICHAEL T. REDY
1625 NORTH SUNDIAL
MESA, ARIZONA 85005
(480-924-4889) PHONE
(480-924-4885) FAX
WILBUR V. WILLS
PRESCOTT, ARIZONA 86303

ENGINEER

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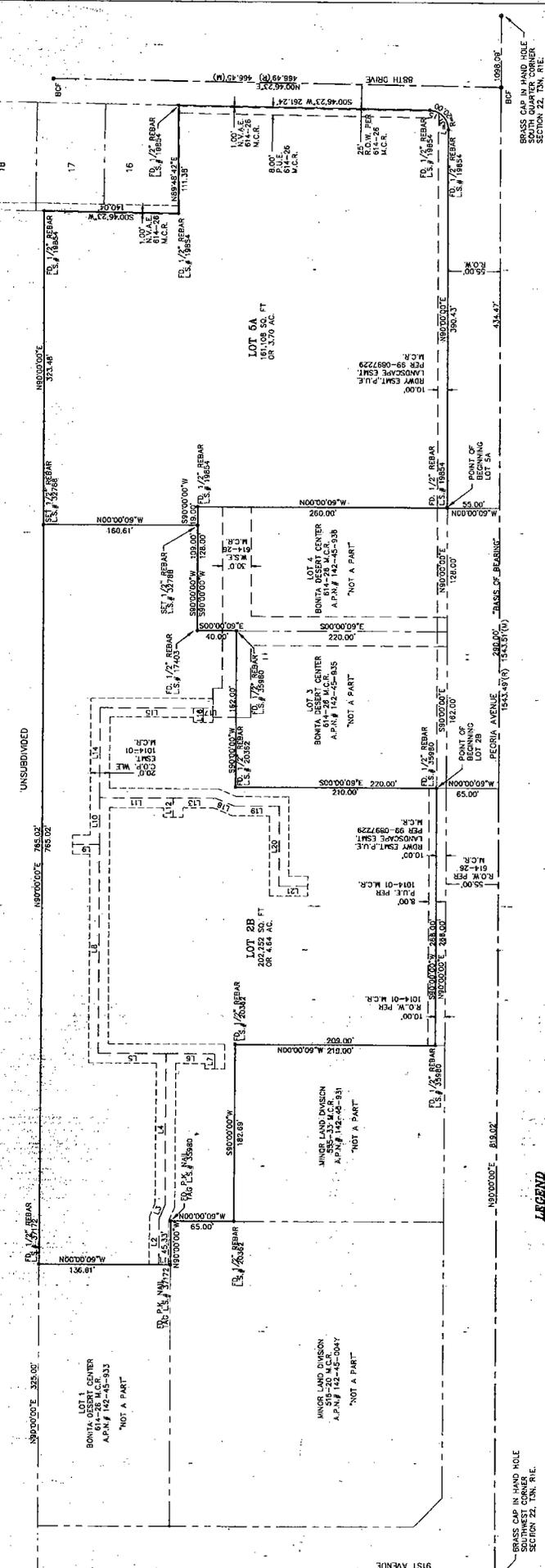
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WILBUR V. WILLS
PRESCOTT, ARIZONA 86303

ENGINEER

FINAL PLAT
"PEORIA DES 2"

A REPLAT OF LOT 2A PEORIA DES
BOOK 1014 OF MAPS, PAGE 01, MARICOPA COUNTY RECORDS
AND LOT 5 BONITA DESERT CENTER
BOOK 614 OF MAPS, PAGE 26, MARICOPA COUNTY RECORDS
LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 NORTH, RANGE 11 EAST
OF THE GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

LINE	LENGTH	BEARING
L1	18.00	N87°00'00"W
L2	47.84	N89°00'00"E
L3	156.99	N89°00'00"E
L4	156.99	N89°00'00"E
L5	70.19	N89°00'00"E
L6	45.93	S89°00'00"E
L7	215.86	N89°00'00"E
L8	26.00	N89°00'00"E
L9	46.33	N89°00'00"E
L10	46.33	N89°00'00"E
L11	19.74	N89°00'00"E
L12	43.91	N89°00'00"E
L13	93.35	N89°00'00"E
L14	93.35	N89°00'00"E
L15	14.61	N89°00'00"E
L16	5.01	S89°00'00"E
L17	20.49	S89°00'00"E
L18	68.35	S89°00'00"E
L19	68.35	S89°00'00"E
L20	30.00	S89°00'00"E



DATE	REVISION	BY	DATE
6-9-17	FIRST REVIEW COMMENTS	M.L.	M.L.
7-17-17	SECOND REVIEW COMMENTS	M.L.	M.L.

EXTREME LAND SURVEYING, INC.
1023 NORTH 53RD STREET, SCOTTSDALE, ARIZONA 85266
PHONE: 480.974.0171 FAX: 480.482.0999
EMAIL: INFO@EXTREMLANDSURV.COM

THIS PLAT IS A REPLAT OF LOT 2A PEORIA DES
BOOK 1014 OF MAPS, PAGE 01, MARICOPA COUNTY RECORDS
AND LOT 5 BONITA DESERT CENTER
BOOK 614 OF MAPS, PAGE 26, MARICOPA COUNTY RECORDS
LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 NORTH, RANGE 11 EAST
OF THE GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

DATE: 7/17/17
DRAWN BY: M.L.
CHECKED BY: M.L.
SCALE: AS SHOWN
SHEET: 2 OF 2

EXPRESSES 9-30-13

R120019

BRASS CAP FLUSH
WEST QUARTER CORNER
SECTION 22, 13N, 11E.

BRASS CAP IN HAND HOLE
SOUTH QUARTER CORNER
SECTION 22, 13N, 11E.

UNSUBDIVIDED

LOT 1
BONITA DESERT CENTER
A.P.M.# 142-45-933
"NOT A PART"

LOT 2B
202,352 SQ. FT.
OR 4.64 AC.

LOT 3A
BONITA DESERT CENTER
A.P.M.# 142-45-933
"NOT A PART"

LOT 4A
BONITA DESERT CENTER
A.P.M.# 142-45-933
"NOT A PART"

LOT 5A
151,000 SQ. FT.
OR 3.70 AC.

LOT 6A
111,135

LOT 7A
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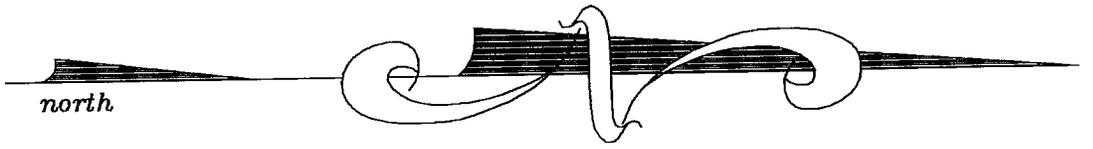
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91ST AVENUE



THIS
SITE

PEORIA AVENUE

SEC. 22 T3N., R1E.

VICINITY MAP

N.T.S.

CACTUS ROAD

83RD AVENUE

CHOLLA

DRIVE

AVENUE

87TH

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 11R

Date Prepared: September 4, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Brent Mattingly, Finance Director

THROUGH: Susan K. Thorpe, Deputy City Manager

SUBJECT: Public hearing: Proposed Recommendations by the City to the Arizona State Liquor Board for a new wine and beer liquor license.

Purpose:

Pursuant to Arizona Law the City must recommend to the State Liquor Board for approval, applications to sell alcoholic beverages in the City. The Standard for the recommendation is whether the best interest of the community will be served by the issuance of these licenses and whether the public convenience is served.

Background/Summary:

Randy D. Nations, Agent for Sprouts Farmers Market #6, has applied for a New Wine and Beer Liquor License (Series 10) located at 8375 W. Thunderbird Road. The public hearing notice was posted for at least 20 days, and no comments were received during the posting period. The license application was reviewed according to State law and all Departments gave approvals.

Previous Actions:

March 2004, the Mayor and Council recommended approval to Arizona State Liquor Board for Sprouts Farmers Market #6 for a New Wine and Beer Liquor License (Series 10) located at 8375 W. Thunderbird Road.

Options:

- A:** Recommend approval to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.
- B:** Recommend denial to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Staff's Recommendation:

That the Mayor and Council recommend approval to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Fiscal Analysis:

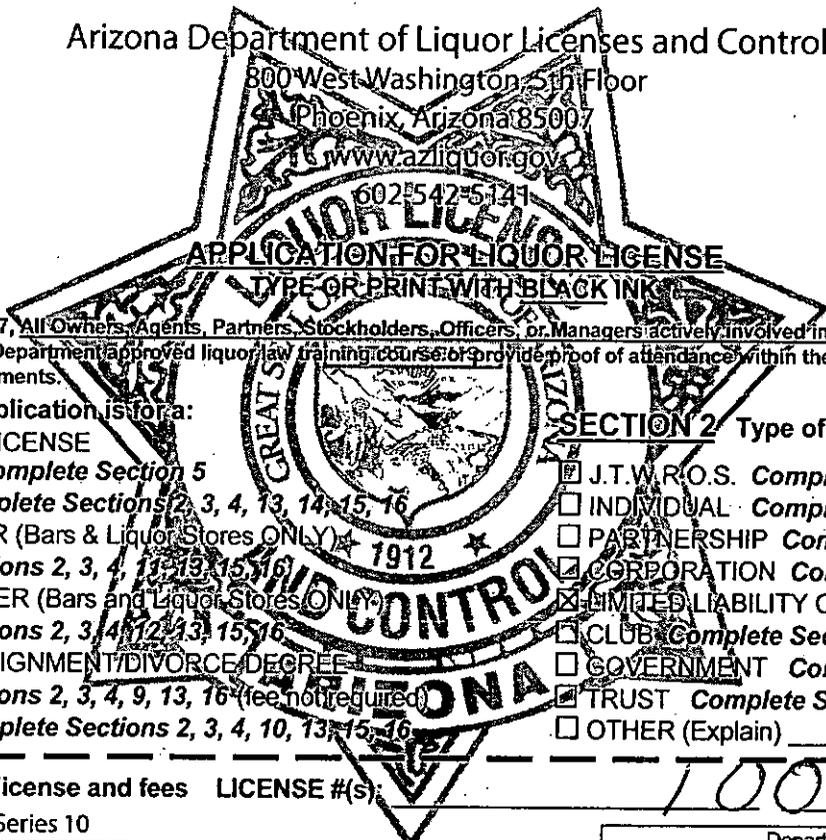
The item has no financial implications.

Narrative:

The appropriate fees have been paid and the applicant has been advised that a representative needs to be present at the meeting to answer any questions that the Council or public may have.

Exhibit 1: New Liquor License Application.

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, 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):

1. Type of License(s): Series 10 10076305

2. Total fees attached: \$ 200⁰⁰

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. Nations Randy D.
(Insert one name ONLY to appear on license) Ms. Last First Middle
2. Corp./Partnership/L.L.C.: SF Markets, LLC (FN)
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Sprouts Farmers Market #6
(Exactly as it appears on the exterior of premises)
4. Principal Street Location: 8375 W Thunderbird Rd Peoria Maricopa 85381
(Do not use PO Box Number) City County Zip
5. Business Phone: 623-334-1111 Daytime Contact: [REDACTED]
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: P O Box 2502 Chandler AZ 85244
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY

Fees: Application 100⁰⁰ Interim Permit 100⁰⁰ Agent Change _____ Club _____ Finger Prints \$ 200⁰⁰

TOTAL OF ALL FEES

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

Accepted by: AC Date: 7/19/2012 Lic. # 10076305

12 JUL 19 1999 Lic. RM1109

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. 10074779
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, Randy D. Nations, 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.

(Print full name)

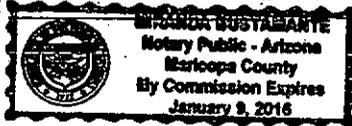
State of Arizona County of Maricopa

[Redacted Signature]
(Signature)

The foregoing instrument was acknowledged before me by

11th day of July, 2012
Day Month Year

My commission expires on:



[Redacted Signature]
(Signature of NOTARY PUBLIC)

12 JUL 19 11:47 AM '12 RM1109

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#

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.: SF Markets, LLC (FN)
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 3/4/11 State where Incorporated/Organized: Arizona *Delaware*
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: R-1664007-8 Date authorized to do business in AZ: 3/9/11
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
Sprouts Farmers Markets Holdings LLC			Man Mem	11811 N Tatum Blvd. #2400	Phoenix AZ 85028

(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
Sprouts Farmers Markets Holdings LLC			100	11811 N Tatum Blvd. #2400	Phoenix AZ 85028

(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: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)
- 3. Current Business Name: _____
(Exactly as it appears on license)

4. ~~Physical Street Location of~~ Business: Street _____
City, State, Zip _____

5. License Type: _____ License Number: _____

6. If more than one license to be transferred: License Type: _____ License Number: _____

7. Current Mailing Address: _____
(Other than business) Street _____
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, _____, 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, _____, 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 of CURRENT LICENSEE)

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

My commission expires on: _____

Day Month Year

(Signature of NOTARY PUBLIC)

12 JUL 19 11:47 AM 1109

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY) Lic. #11109
 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: 0.5 Mi ft. Name of school Sky View Elementary School
 Address 8624 W Sweetwater Ave Peoria AZ 85381
 City, State, Zip _____

2. Distance to nearest church: 0.3 Mi ft. Name of church New Life Community Church
 Address 8155 W Thunderbird Rd #108 Peoria AZ 85381
 City, State, Zip _____

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

4. If the premises is leased give lessors: Name C & D Thunderbird LLC Attn: David L. Lazares
 Address 634 N Santa Cruz Ave Ste. 100 Los Gatos CA 95030
 City, State, Zip _____

4a. Monthly rental/lease rate \$ 37,305.68 What is the remaining length of the lease 15 yrs. mos.

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

5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 0
 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)? Grocery Store

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 # 10074779 (exactly as it appears on license) Name Randy D. Nations

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.

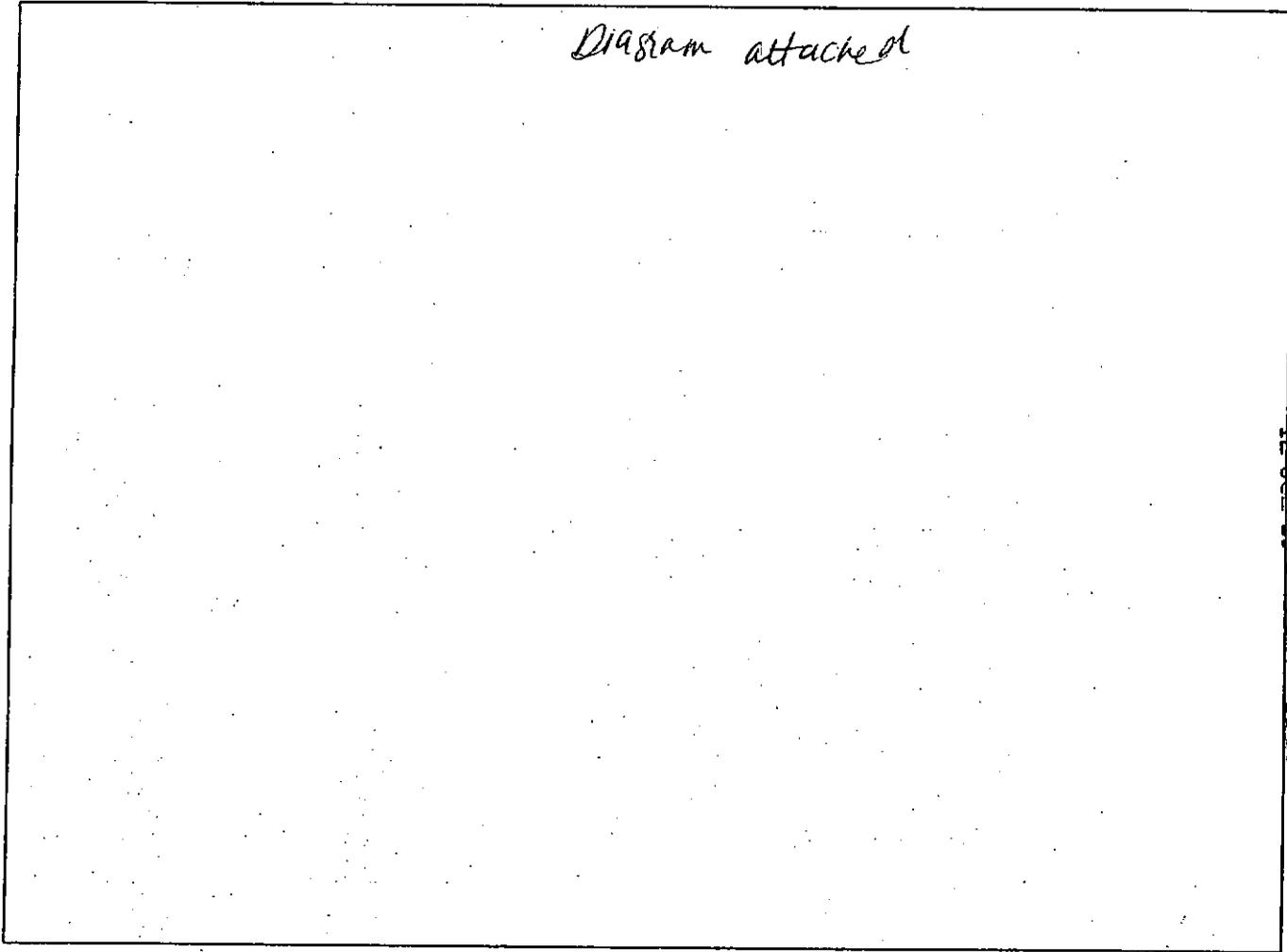
applicants initials

JUL 19 1997 Lic. RM1140

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 ↑.

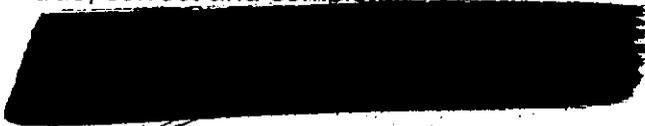
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



12 JUL 19 11:10 AM '10

SECTION 16 Signature Block

I, Randy D. Nations, 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.



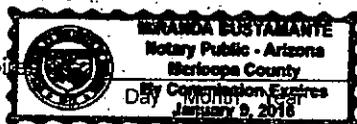
State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

11th of July, 2012
Day Month Year



My commission expires



ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

Handwritten: AC 2484

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 for 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.

Handwritten: 100-76205
Liquor License #

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

1007

(If the location is currently licensed)

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

2. Name: Nations Randy D. Date of Birth [Redacted]
Last First Middle

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

4. Place of Birth: [Redacted] Height: [Redacted] Weight: [Redacted] Eyes: [Redacted]
City State Country (not county)

5. Marital Status Single X Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Nations Deborah Jean Collier Date of Birth [Redacted]
(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? Arizona If Arizona, date of residency: 1947

8. Telephone number to contact you during business hours for any questions regarding this document: 480-730-2675

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: Sprouts Farmers Market #6 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird Road Peoria Maricopa 85381
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)
04/93	CURRENT	President	ALIC Enterprises LLC 1811 S. Alma School Rd Suite 268 Mesa, AZ 85210

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12

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
12/95	CURRENT	O	[Redacted]	[Redacted]	[Redacted]	[Redacted]

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. 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

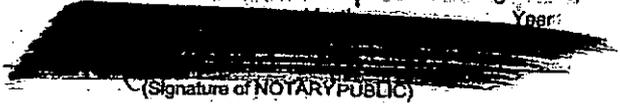
12 JUL 19 LIQ. LIC. RM1110

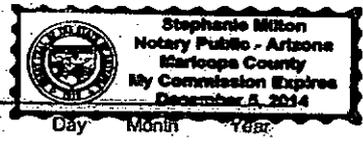
20. I, Randy D. Nations, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filling this questionnaire. I have read this questionnaire and all statements are true, correct and complete.


(Signature of Applicant)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this
17th day of July, 2012
Year


(Signature of NOTARY PUBLIC)



My commission expires on:

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

P.O. Box 2502
Chandler, Arizona 85244
(480) 730-2675 Phone (480) 730-2676 Fax



ARIZONA LIQUOR INDUSTRY CONSULTANTS

This addendum is written in response to questions 16, 17, 18, and 19 on the QUESTIONNAIRE.

In response to question 16, my company is currently contracted with over five hundred (500) liquor establishments statewide, not to mention those who have cancelled services since our inception in 1993. Depending on when this document is reviewed, it's possible that there may be a pending administrative citation, compliance action, arrest or summons against one of them.

In response to question 17, since I began ALIC in April of 1993, I have been associated with hundreds of liquor establishments and liquor licenses. Several of them have received citations (fines) and in some instances, a suspension. I work with the compliance officer on a regular basis acting as a representative for those who utilize my contract service. I do not however, have anything to do with the actual operation of any liquor establishment in this or any other state. Therefore, none of the violations to which I have just referred can be associated to me personally. Additionally, it would be almost impossible for me to give you a reconciliation of these violations, as I have been associated with so many licenses for so many years.

Question 18. In early 1995, I was involved in litigation over the sale of a class six (6) liquor license. The seller in this case presented documents to me, you (DLLC), and the Arizona Department of Revenue, showing him as the president of a corporation that owned a liquor license. He requested my assistance in selling this license, as I am a liquor license broker. The license was brokered and sold by me. Some weeks later I discovered that the individual selling the license on behalf of the corporation was a fraud, therefore the sale of the license illegal. After notifying the purchaser (victim), he instigated a lawsuit against both me and the escrow company used to consummate the sale of the license. The litigation against my company and me was later dropped; I did however have to pay the buyer's attorney's fees. Additionally, I prepared a felony complaint, took it to prior police associates at the Arizona Department of Public Safety and we obtained a five count Grand Jury Indictment and six year prison conviction against the fraudulent seller.

Question 19. I am currently the Administrative Agent on numerous liquor licenses throughout the State of Arizona. I have also owned liquor licenses that were purchased for resale only.

Respectfully Submitted,

Randy Nations,
President ALIC.

12 JUL 19 1995 LIC RM11:10

12 JUL 19 11 10

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 107393
10076305
1007

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 \$18 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.

(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	Agent (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21	Manager (Only)
----------------------------	--	---	----------------

2. Name: Black, Leon David
 Last First Middle Date of Birth: [REDACTED] (NOT a Public Record)

3. Social Security Number: [REDACTED] (NOT a public record)
 Drivers License: [REDACTED] (NOT a public record)
 State: [REDACTED]

4. Place of Birth: [REDACTED] City State Country (not county)
 Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED]

5. Marital Status: Single Married Divorced Widowed

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

7. You are a bona fide resident of what state? Yes, New York
 If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document. (212) 515-3205

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: Sprouts Farmers Market # 10 Premises Phone: 1023-334-1111

11. Physical Location of Licensed Premises Address: 8375 W Thunderbird RD Peoria Maricopa 85381
 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)
06/1990	CURRENT	Chairman, CEO & Director	Apollo Global Management, LLC - 9 West 57th Street, New York, NY 10019

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

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

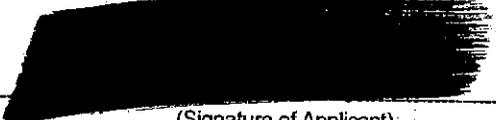
FROM Month/Year	TO Month/Year	Rent or Own	RESIDENTIAL Street Address (If rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
07/1986	CURRENT	OWN	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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, Leon D. Black, 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 New York County of New York

The foregoing instrument was acknowledged before me this
11 day of MAY, 2012
Month Year

My commission expires on: 8 August 2015
Day Month Year


Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County
Commission Expires Aug. 8, 2015

12 JUL 19 Lic. RMT 1110

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

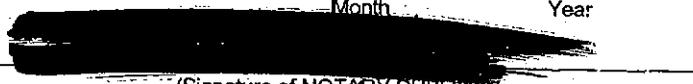
21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license.
The manager named must be at least 21 years of age.

State of New York County of New York

X 
Signature of Controlling Person or Agent (circle one)

The foregoing instrument was acknowledged before me this
11 day of MAY, 2012
Month Year

Leon D. Black
Print Name



My commission expires on: 8 August 2015
Day Month Year

(Signature of NOTARY PUBLIC)
ELLEN WRIGHT McCARTHY
Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County
Commission Expires Aug. 8, 2015

Appendix to Arizona Department of Licenses & Control Questionnaire - LEON DAVID BLACK

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?

The Applicant has never had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant is also not presently aware of holding an ownership interest in—or being an officer, member, director or manager of—any entity that has had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as gaming and alcoholic beverage companies) as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Apollo has also invested in supermarket companies and transportation companies which may have had alcoholic beverage licenses or permits. Accordingly, such entities have not been included in response to this question.

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?

No one has ever obtained a final judgment against the Applicant for fraud or misrepresentation. From time to time, generally in connection with his role as a member of the Board of Directors of one or more Apollo portfolio companies, the Applicant will be named individually in lawsuits that may include allegations of fraud and/or misrepresentation. For example, the Applicant was named as a defendant in Huntsman Corp. v. Leon Black, et al., Cause No. 08-06-06037 (Montgomery County, Texas, District Court); Brockwell v. Sirius Satellite Radio, Inc., et al., No. 07-600819 (Sup. Ct., N.Y. County); and Schine v. AIF II L.P., et al., No. BC 252481 (Superior Court of the State of California, Los Angeles County); Daleanes et al. v. Samsonite Corp. et al., No. 98-K-1878 (D. Colo.); Knudson et al. v. Samsonite Corp. et al., No. 98CV2210 (Colorado State District Court, Denver); Weiss v. Samsonite Corp. et al., C.A. No. 16503 (Del. Ch.); Norwood Venture Corp. v. Converse, Inc. et al., No. 96 Civ. 3713 (S.D.N.Y.); and Shenk v. Karmazin, et al., 11-cv-2943 (S.D.N.Y.). Only the Shenk lawsuit is currently pending. The Applicant believes that he has fully disclosed all lawsuits in which (a) he has been named individually and also (b) include causes of action alleging fraud and/or misrepresentation, and any omissions are unintentional. The Applicant will supplement his response to the extent that he becomes aware of any other lawsuits that may be responsive to this question.

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?

The Applicant has never directly held an ownership interest in any business that holds (or held) a liquor license in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as companies in the leisure industry, grocery and/or alcoholic beverage companies) that hold liquor licenses as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Accordingly, such entities have not been included in response to this question.

I have read this appendix and all statements are true, correct and complete.


Leon D. Black

May 11, 2012

12 JUL 19 04P. LIC. RM1110

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 10/13/94

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.

10076305
Liquor License #

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

(If the location is currently licensed)

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

2. Name: Rowan, Marc Jeffrey Date of Birth: [REDACTED]
 Last First Middle (NOT a Public Record)

3. Social Security Num: [REDACTED] Drivers License: [REDACTED] State: [REDACTED]
 (NOT a public record) (NOT a public record)

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]
 City State Country (not county)

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Rowan, Carolyn Gail Date of Birth: [REDACTED]
 (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? Yes, New York If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document. (212) 515-3245

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: SPROUTS FARMERS MARKET # 6 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird RD PEORIA MARICOPA 85381
 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)
06/1990	CURRENT	Sr Managing Director & Director	Apollo Global Management, LLC - 9 West 57th Street, New York, NY 10019

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
08/2001	CURRENT	OWN	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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, ^{affix} Marc J. Rowan, 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 New York County of New York

The foregoing instrument was acknowledged before me this 11 day of MAY 2012

My commission expires on: 8 August 2015
Day Month Year

Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County
Commission Expires Aug. 8, 2015

12 JUL 19 11:47 AM '12

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.

X _____
Signature of Controlling Person or Agent (circle one) State of New York County of New York
The foregoing instrument was acknowledged before me this 11 day of MAY 2012
Month Year

^{affix} Marc J. Rowan
Print Name

My commission expires on: 8 August 2015
Day Month Year

(Signature of NOTARY)
ELLEN WRIGHT MCCARTHY
Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County
Commission Expires Aug. 8, 2015

Appendix to Arizona Department of Licenses & Control Questionnaire – MARC JEFFREY ROWAN

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?

The Applicant has never had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant is also not presently aware of holding an ownership interest in—or being an officer, member, director or manager of—any entity that has had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as gaming and alcoholic beverage companies) as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Apollo has also invested in supermarket companies and transportation companies which may have had alcoholic beverage licenses or permits. Accordingly, such entities have not been included in response to this question.

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?

No one has ever obtained a final judgment against the Applicant for fraud or misrepresentation. From time to time, generally in connection with his role as a member of the Board of Directors of one or more Apollo portfolio companies, the Applicant will be named individually in lawsuits that may include allegations of fraud and/or misrepresentation. For example, the Applicant was named as a defendant in Steamfitters Local 449 Pension & Retirement Security Funds v. Quality Distribution, Inc., et al., No. 8:04-CV-00961 (M.D. Fla.); Daleanes et al. v. Samsonite Corp. et al., No. 98-K-1878 (D. Colo.); Knudson et al. v. Samsonite Corp. et al., No. 98CV2210 (Colorado State District Court, Denver); Weiss v. Samsonite Corp. et al., C.A. No. 16503 (Del. Ch.); and Cooperman v. Andrews Group, Inc. et al., No. BC 100359 (Superior Court of the State of California, Los Angeles County). None of the lawsuits listed herein are currently pending. The Applicant believes that he has fully disclosed all lawsuits in which (a) he has been named individually and also (b) include causes of action alleging fraud and/or misrepresentation, and any omissions are unintentional. The Applicant will supplement his response to the extent that he becomes aware of any other lawsuits that may be responsive to this question.

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?

The Applicant has never directly held an ownership interest in any business that holds (or held) a liquor license in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as companies in the leisure industry, grocery and/or alcoholic beverage companies) that hold liquor licenses as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Accordingly, such entities have not been included in response to this question.

I have [REDACTED] true, correct and complete.

May 11, 2012

12 JUL 19 11:41 AM '11

12 JUL 19 Lic. Lic. #1111 ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 1067395

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.

10076305
Liquor License #
100T

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

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

2. Name: Harris, Joshua Jordan
Last: Harris First: Joshua Middle: Jordan Date of Birth: [REDACTED] (NOT a Public Record)

3. Social Security Number: [REDACTED] (NOT a public record) Drivers License: [REDACTED] (NOT a public record) State: [REDACTED]

4. Place of Birth: [REDACTED] City: [REDACTED] State: [REDACTED] Country: [REDACTED] (not country) Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]

5. Marital Status: Single Married Divorced Widowed

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

7. You are a bona fide resident of what state? New York If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document. (212) 515-3221

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: Sprouts Farmers Market #10 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8375 W Thunderbird Rd Peoria Maricopa 85381
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)
06/1990	CURRENT	Sr MD & Director	Apollo Global Management, LLC - 9 West 57th Street, New York, NY 10019

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
06/2006	CURRENT	OWN	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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

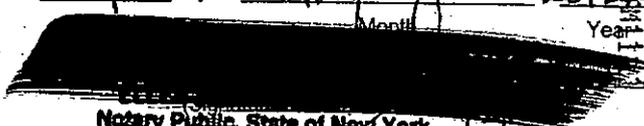
20. I, Joshua J. Harris, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X 
(Signature of Applicant)

State of NEW YORK County of New York

The foregoing instrument was acknowledged before me this
24 day of MAY 2012
Month Year

My commission expires on: 8 August 2015
Day Month Year


Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County
Commission Expires Aug. 8, 2015

12 JUL 19 09 11 AM '11

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

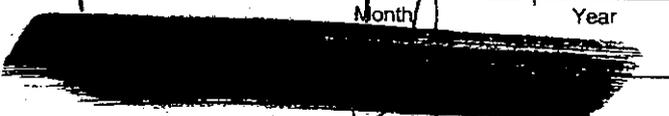
21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license.
The manager named must be at least 21 years of age.

State of NEW YORK County of New York

X 
Signature of Controlling Person or Agent (circle one)

The foregoing instrument was acknowledged before me this
24 day of MAY 2012
Month Year

Joshua J. Harris
Print Name



My commission expires on: 8 August 2015
Day Month Year

ELLEN WRIGHT MCCARTHY
Notary Public, State of New York
No. 01MC6245904
Qualified in Nassau County

Appendix to Arizona Department of Licenses & Control Questionnaire – JOSHUA J. HARRIS

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?

The Applicant has never had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant is also not presently aware of holding an ownership interest in—or being an officer, member, director or manager of—any entity that has had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as gaming and alcoholic beverage companies) as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Apollo has also invested in supermarket companies and transportation companies which may have had alcoholic beverage licenses or permits. Accordingly, such entities have not been included in response to this question.

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?

No one has ever obtained a final judgment against the Applicant for fraud or misrepresentation. From time to time, generally in connection with his role as a member of the Board of Directors of one or more Apollo portfolio companies, the Applicant will be named individually in lawsuits that may include allegations of fraud and/or misrepresentation. For example, the Applicant was named as a defendant in Huntsman Corp. v. Leon Black, et al., Cause No. 08-06-06037 (Montgomery County, Texas, District Court); Lifschitz v. Hexion Specialty Chemicals, Inc., et al., 08-cv-6394 (S.D.N.Y.); Steamfitters Local 449 Pension & Retirement Security Funds v. Quality Distribution, Inc., et al., No. 8:04-CV-00961 (M.D. Fla.); and Nonwood Venture Corp. v. Converse, Inc. et al., No. 96 Civ. 3713 (S.D.N.Y.). None of the lawsuits listed herein are currently pending. The Applicant believes that he has fully disclosed all lawsuits in which (a) he has been named individually and also (b) include causes of action alleging fraud and/or misrepresentation, and any omissions are unintentional. The Applicant will supplement his response to the extent that he becomes aware of any other lawsuits that may be responsive to this question.

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?

The Applicant has never directly held an ownership interest in any business that holds (or held) a liquor license in Arizona or any other state. The Applicant has owned indirect interests in and/or served as a director of the parent company of various entities (such as companies in the leisure industry, grocery and/or alcoholic beverage companies) that hold liquor licenses as a result of his ownership interests in various private equity funds affiliated with Apollo Global Management, LLC. Such interests have been of a nominal nature with the Applicant having no direct involvement in the day-to-day business operations, even in situations where the Applicant was a director of the parent company. Accordingly, such entities have not been included in response to this question.

I have [REDACTED] and all statements are true, correct and complete.

May 24, 2012

12 JUL 19 11:47 AM '11

12 JUL 19 Lic. Lic. AM1112

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934

(602) 542-5141

QUESTIONNAIRE

AC 59143
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 for any public use.

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

Liquor License # 10076305
1007

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. 6-44-6852 will be charged for all dishonored checks.

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

2. Name: Golleher George Gregory
 Last First Middle Date of Birth [Redacted]
 (NOT a Public Record)

3. Social Security Number [Redacted] Drivers License #: [Redacted] State: [Redacted]
 (NOT a Public Record)

4. Place of Birth: [Redacted] City State Country (not county) Height: [Redacted] Weight: [Redacted] Eyes: [Redacted] Hair: [Redacted]

5. Marital Status: Single Married Divorced Widowed

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

7. You are a bona fide resident of what state? Idaho If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document: 949-280-1242

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: Sprouts Farmers Market #10 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird Rd Peoria Maricopa 85381
 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 last.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
01/98	CURRENT	Self-Employed	11 La Senda Place, Laguna Beach, CA 92651

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12 OR 13

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
01/91	CURRENT	O	[Redacted]	[Redacted]	[Redacted]	[Redacted]

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? 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

20. I, George Gregory Golleher, 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.

12 JUL 19 11:12

X See Attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this _____ day of _____ Month Year

My commission expires on: _____
Day Month Year

(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

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

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

20. I, George Gregory Golleher, 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 _____ County of _____
 The foregoing instrument was acknowledged before me this _____
 day of _____, _____
 Month Year

My commission expires on: see attached
 Day Month Year

 (Signature of NOTARY PUBLIC)

12 JUL 19 11:59 AM '12

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.

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

State of _____ County of _____
 The foregoing instrument was acknowledged before me this _____
 day of _____, _____
 Month Year

 Print Name

 (Signature of NOTARY PUBLIC)

My commission expires on: _____
 Day Month Year

ACKNOWLEDGMENT

State of California
County of Los Angeles)

On October 25, 2011 before me, Venessa Perez, Notary Public
(insert name and title of the officer)

personally appeared George Golleher
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in
his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Redacted] (Seal)



12 JUL 19 10:47 AM '12



11811 N. Tatum Blvd., Suite 2400, Phoenix, AZ 85028

Phone: 480-814-8016

Fax: 480-391-3479

This addendum is written in response to questions 17 and 19 on the questionnaire.

In response to question 17, over the past several years, I have held ownership and been an officer, member, director and/or manager of many entities that have held liquor licenses. Occasionally, these licenses may have received minor violations and paid fines for such violations. None of such violations can be associated to me personally. To the best of my knowledge, I do not recall any such liquor licenses being rejected, denied, revoked or suspended.

In response to question 19, I am, or will be upon completion of necessary transfer and application procedures presently in process, a controlling person, officer, member, director and/or manager on various liquor licenses associated with (1) Sprouts Farmers Markets, LLC and/or its subsidiaries in California and Texas and (2) Smart & Final Stores LLC and/or its subsidiaries in California and Nevada.

Respectfully submitted,



George J. Bonner

8/1

12 JUL 19 11:41 AM '12

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 1059142

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 for 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.

Liquor License # 10016305
1007

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

(If the location is currently licensed)

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

2. Name: Last: Cohen Michael Scott Date of Birth: [REDACTED] (NOT a Public Record)

3. Social Security Number: [REDACTED] Drivers License: [REDACTED] State: [REDACTED] (NOT a public record)

4. Place of Birth: [REDACTED] City: [REDACTED] State: [REDACTED] Country (not county): [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Last: Cohen Allison Marie Anodide Date of Birth: [REDACTED] (NOT a public record)

7. You are a bona fide resident of what state? California If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document: 310-843-1980

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: Sprouts Farmers Market #10 Premises Phone: 1023-384-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird Rd. Peoria Maricopa 85381
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 last.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
06/06	CURRENT	Investment Funds	Apollo Management 2000 Ave of the Stars Suite 501 N. Los Angeles, CA 90067

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12

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
11/07	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/06	11/07	R	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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. 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, Michael Scott Cohen, 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 See Attached
(Signature of Applicant)

State of _____ County of _____
The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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

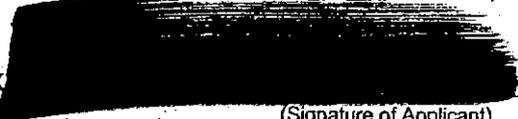
12 JUL 19 199. Lic. RM1113

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

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

20. I, Michael Cohen, 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  State of _____ County of _____
(Signature of Applicant)
PLEASE SEE ATTACHED ACKNOWLEDGMENT The foregoing instrument was acknowledged before me this _____ day of _____, _____
Month Year

My commission expires on: _____ Day Month Year
(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)

Print Name
(Signature of NOTARY PUBLIC)

My commission expires on: _____ Day Month Year

12 JUL 19 09P. LIC. #11113

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On October 24, 2011 before me, JOY TEDPACO, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared MICHAEL SCOTT COHEN and no one else
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature _____
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

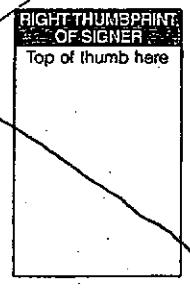
Description of Attached Document QUESTIONNAIRE
Title or Type of Document: ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL
Document Date: OCTOBER 24, 2011 Number of Pages: 2
Signer(s) Other Than Named Above: NO ONE ELSE

Capacity(ies) Claimed by Signer(s)

Signer's Name: MICHAEL SCOTT COHEN
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: CONTROLLING PERSON
Signer Is Representing: _____



~~Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
Signer Is Representing: _____~~



12 JUL 19 10:41 AM '13

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
Michael Cohen

12 JUL 19 11P. LIC. RM1113



11811 N. Tatum Blvd., Suite 2400, Phoenix, AZ 85028

Phone: 480-814-8016

Fax: 480-391-3479

This addendum is written in response to question 19 on the questionnaire.

I am, or will be upon completion of necessary transfer and application procedures presently in process, a controlling person, officer, member, director and/or manager on various liquor licenses associated with (1) Sprouts Farmers Markets, LLC and/or its subsidiaries in California and Texas and (2) Smart & Final Stores LLC and/or its subsidiaries in California and Nevada.

Respectfully submitted,



Michael S. Cohen

12 JUL 19 11:49 AM '13

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934

(602) 542-5111

QUESTIONNAIRE

AC
159141

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, but must be blocked to be unreadable prior to posting for any public view.

Read carefully. This instrument is a self-administered questionnaire. 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 # 10076305
1007

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 except # 14, 14a & 21) Controlling Person or Agent must complete # 21
---	---	---

2. Name: Jhavar Andrew *Samir* Date of Birth [REDACTED] (NOT a Public Record)

Last First Middle

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

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED]

City State Country (not county)

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Jhavar Delina R. Bird Date of Birth: [REDACTED] (NOT a public record)

Last First Middle Maiden

7. You are a bona fide resident of what state? California If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document: 310-843-1919

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: *Spirits Farmers Market #16* Premises Phone: *1023-334-1111*

11. Physical Location of Licensed Premises Address: *8375 W Thunderbird Rd, Peoria, Maricopa 85281*

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)
02/00	CURRENT	Private Equity Investing	Apollo Management, L.P. 2000 Ave Of The Stars Suite 510 North Los Angeles, Ca 90067

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12

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
06/09	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/06	06/09	R	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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

12 JUL 19 Lic. RM1114

20. I, Andrew Sandeep Jhawar, 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 All attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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

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 detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? YES NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? YES NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? YES NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? YES NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? YES NO

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

20. I, Andrew S. Jhavar, 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 [Redacted Signature] State of _____ County of _____
(Signature of Applicant)

The foregoing instrument was acknowledged before me this _____ day of _____ Month Year

PLEASE SEE ATTACHED ACKNOWLEDGMENT

My commission expires on: _____ Day Month Year

(Signature of NOTARY PUBLIC)

12 JUL 19 11:44 Lic. #11114

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 _____ day of _____ Month Year
Signature of Controlling Person or Agent (circle one)

(Signature of NOTARY PUBLIC)

Print Name

My commission expires on: _____ Day Month Year

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On October 24, 2011 before me, Joy TEOPACO, NOTARY PUBLIC

personally appeared ANDREW S. JHAWAR and no one else



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

QUESTIONNAIRE

Title or Type of Document: ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

Document Date: OCTOBER 24, 2011 Number of Pages: 2

Signer(s) Other Than Named Above: NO ONE ELSE

Capacity(ies) Claimed by Signer(s)

Signer's Name: ANDREW S. JHAWAR

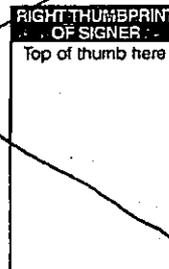
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: CONTROLLING PERSON

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



12 JUL 19 11:47 Lic. #11114

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
Andrew Jhavar

12 JUL 19 11:41 Lic. RM1114



11811 N. Tatum Blvd., Suite 2400, Phoenix, AZ 85028

Phone: 480-814-8016

Fax: 480-391-3479

This addendum is written in response to question 19 on the questionnaire.

I am, or will be upon completion of necessary transfer and application procedures presently in process, a controlling person, officer, member, director and/or manager on various liquor licenses associated with (1) Sprouts Farmers Markets, LLC and/or its subsidiaries in California and Texas and (2) Smart & Final Stores LLC and/or its subsidiaries in California and Nevada.

Respectfully submitted,



Andrew S. Jhavar

12 JUL 19 09P. LIC. RM1114

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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

QUESTIONNAIRE

AC 51067399

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.

10070305
Liquor License #
1007

(If the location is currently licensed)

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

2. Name: Sanders James Douglas Date of Birth [REDACTED]
Last First Middle (NOT a public record)

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

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]
City State Country (not county)

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Sanders Cindy Love Date of Birth [REDACTED]
(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? Arizona If Arizona, date of residency: 2003

8. Telephone number to contact you during business hours for any questions regarding this document: 480-814-8016

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: Sprouts Farmers Market #6 Premises Phone: 602-334-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird Rd Peoria Maricopa 85381
Street Address (Do not use P.O. 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)
09/02	CURRENT	President	Sprouts Farmers Market 11811 N. Tatum Blvd #2400 Phoenix, AZ 85028

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12 OR 13

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

FROM Month/Year	TO Month/Year	Residence Own	RESIDENTIAL Street Address (If rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
09/10	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/09	09/10	R	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/08	06/09	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/03	10/08	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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

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

See attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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)

Print Name

(Signature of NOTARY PUBLIC)

My commission expires on: _____
Day Month Year

12 JUL 19 4:41 PM '15

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

- 14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, how many hrs/day? 4 and **answer #14a below**. If NO, skip to #15. YES NO
- 14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof)
If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license. YES NO
- 15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? YES NO
- 16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? YES NO
- 17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? YES NO
- 18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? YES NO
- 19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? YES NO

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

20. I, James Douglas Sanders, 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 Arizona County of Maricopa

The foregoing instrument was acknowledged before me this
16th day of July, 2012 Year

My commission expires on: 

(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

JUL 19 11:49 AM '12 Lic. RM11115

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
James Sanders

12 JUL 19 11P. LIC RM1115

12 JUL 19 11:15 Lic. AM1115

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934

(602) 542-5141

QUESTIONNAIRE

PC 41699

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. 4-6852 will be charged for all dishonored checks.

Liquor License # 10076305
1007

(If this location is currently licensed)

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

2. Name: Boney Stanley Anslum Date of Birth: [REDACTED]
Last First Middle (NOT a Public Record)

3. Social Security Num: [REDACTED] Drivers License #: [REDACTED] State: [REDACTED]
(NOT a public record) (NOT a public record)

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED]
City State Country (not county)

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Boney Betty Lynn King Date of Birth: [REDACTED]
(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? California If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document: 480-814-8016

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: Sprouts Farmers Market #6 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8379 W Thunderbird Rd Phoenix Maricopa 85281
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)
01/02	CURRENT	Chairman of the Board	Sprouts Farmers Market, 11811 N. Tatum Blvd #2400 Phoenix, AZ 85028

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12

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
06/08	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/06	06/08	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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

12 JUL 19 1997 Lic. 8011115

20. I, Stanley Anslum Boney, 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 See attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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)

Print Name

(Signature of NOTARY PUBLIC)

My commission expires on: _____
Day Month Year

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

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

12 JUL 19 LIQ. LIC. RM1115

20. I, Stanley Anslum Boney, 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 Arizona County of Maricopa

The foregoing instrument was acknowledged before me this
30th day of June, 2011
 Year

My commission expires on: Linda Morrill July 2011
 Notary Public, State of Arizona
 Maricopa County
 My Commission Expires
 July 22, 2011

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

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
Andrew Jhawar

12 JUL 19 09: 00: PM1115

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2834

(602) 542-5141

QUESTIONNAIRE

AC 1041701

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.

10070305
Liquor License #
1001

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

2. Name: Boney Shon Alexander Date of Birth: [REDACTED]
Last First Middle (NOT a Public Record)

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

4. Place of Birth: [REDACTED] City: [REDACTED] State: [REDACTED] Country (not county): [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Boney Heather Ann Ryan Date of Birth: [REDACTED]
(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? California If Arizona, date of residency: N/A

8. Telephone number to contact you during business hours for any questions regarding this document: 480-814-8016

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: Sprouts Farmers Market #16 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8375 W. Thunderbird RD Peoria Maricopa 85381
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)
01/02	CURRENT	CEO	Sprouts Farmers Markets, 11811 N. Tatum Blvd Phoenix AZ 85028

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12 OR 13.

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

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENTIAL Street Address <small>If rented, attach additional sheet with name, address and phone number of landlord.</small>	City	State	Zip
06/09	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/04	06/09	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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 DLCC-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 of 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, Shon Alexander Boney, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filling this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X See attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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)

Print Name

(Signature of NOTARY PUBLIC)

My commission expires on: _____
Day Month Year

12 JUL 19 Lic. RML116

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 detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? YES NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? YES NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? YES NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? YES NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? YES NO

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

*12 JUL 19 LIQ. LIC. RM11115

20. I, Shon Alexander Boney, 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 Arizona County of Maricopa


 My commission expires July 22, 2011
 Day Month Year

The foregoing instrument was acknowledged before me this
30th day of June, 2011
 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

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
Shon Boney

12 JUL 19 11:49 AM 111116

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934

(602) 542-5141
QUESTIONNAIRE

AC
1041700

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. 6-44-6652 will be charged for all dishonored checks.

Liquor License #
10070305

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

2. Name: Easter Kevin Rice Date of Birth [REDACTED]
Last First Middle (NOT a Public Record)

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

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]
City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Easter Linda Cheryl Malkus Date of Birth [REDACTED]
(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? Arizona If Arizona, date of residency: 2002

8. Telephone number to contact you during business hours for any questions regarding this document: 480-814-8016

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: Sprouts Farmers Market #10 Premises Phone: 623-334-1111

11. Physical Location of Licensed Premises Address: 8370 W Thunderbird Rd Peoria Maricopa 85381
Street Address (Do not use P.O. 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)
01/02	CURRENT	Secretary	Sprouts Farmers Markets, 11811 N. Tatum Blvd #2400 Phoenix, AZ 85028

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12 OR 13

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
02/11	CURRENT	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/02	02/11	O	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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, Kevin Rice Easler, 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: See attached
(Signature of Applicant)

State of _____ County of _____

The foregoing instrument was acknowledged before me this
_____ day of _____
Month Year

My commission expires on: _____
Day Month Year

(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

12 JUL 19 10 47 AM '17

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 detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? YES NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? YES NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? YES NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? YES NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? YES NO

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

12 JUL 19 199. LIC RM1116

20. I, Kevin Rice Easter, hereby declare that I am the APPLICANT/REPRESENTATIVE filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

(print full name of Applicant)

X _____ (Signature of Applicant)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this 30th day of June, 2011 year

(Signature of Notary Public)

My Commission Expires on LINDA MORRILL 22 July 2011
Notary Public, State of Arizona
Maricopa County
My Commission Expires
July 22, 2011

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

17. In 2007 we were fined under Sprouts Farmers Market LLC for the violation of selling to an underage, a \$500.00 fine was paid. In 2011, we were fined under Sprouts Farmers Market LLC for delinquent taxes at various locations, a \$375.00 fine was paid for each count. Violations in 1969 for fair trade pricing and in 1972 for selling to a minor. #205 CA 2007 or 2008 sold alcohol to a minor, no fine. #106 TX 4/2009 sold alcohol to a minor, fined \$3,500. #110 TX 4/21/2011 sold alcohol to a minor, no fine but all cashiers had to re-take a mandatory alcohol training class which was completed. #245 CA 12/2/2011 sold alcohol to a minor, fined \$3,000.

Thank you,
Kevin Easler

12 JUL 19 11:46 AM '16

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 12R

Date Prepared: September 4, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Brent Mattingly, Finance Director

THROUGH: Susan K. Thorpe, Deputy City Manager

SUBJECT: Public hearing: Proposed Recommendations by the City to the Arizona State Liquor Board for a new restaurant liquor license.

Purpose:

Pursuant to Arizona Law the City must recommend to the State Liquor Board for approval, applications to sell alcoholic beverages in the City. The Standard for the recommendation is whether the best interest of the community will be served by the issuance of these licenses and whether the public convenience is served.

Background/Summary:

Steven R. Jones, Agent for Satara Thai Cuisine Boutique Wine, has applied for a New Restaurant Liquor License (Series 12) located at 8350 W. Paradise Lane.

The public hearing notice was posted for at least 20 days, and no comments were received during the posting period. The license application was reviewed by all Departments in accordance to State Law. Through an extensive investigation by the Peoria Police Department, staff is recommending the application be denied.

Previous Actions:

May 2008, the Mayor and Council recommended approval to Arizona State Liquor Board for Satara Thai Cuisine Boutique Wine Lounge for a New Restaurant Liquor License (Series 12) located at 8350 W. Paradise Lane.

Options:

A: Recommend denial to the Arizona State Liquor Board for a New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219.

B: Recommend approval to the Arizona State Liquor Board for a New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219.

Staff's Recommendation:

The Mayor and Council recommend denial to the Arizona State Liquor Board for a New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219. The recommendation of denial is based on concerns discovered by the Police Department during its investigation of the application. The Peoria Police Department is recommending the denial based upon the applicant's qualifications and reliability.

Fiscal Analysis:

The item has no financial implications.

Narrative:

The applicant has been advised that a representative needs to be present at the meeting to answer any questions that the Council or public may have.

Exhibit 1: New Liquor License Application.

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azltd.org
602-542-5124

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, 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): 12079153

1. Type of License(s): #12 Restaurant

2. Total fees attached: Department Use Only \$ 244.00 + \$13.00

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. Jones Last, Ms. Stalen First, Robert Middle
2. Corp./Partnership/L.L.C.: Peoria Thai, LLC (Exactly as it appears on Articles of Inc. or Articles of Org.) B1048262 B1024288
3. Business Name: Satara Thai Cuisine Boutique Wine (Exactly as it appears on the exterior of premises)
4. Principal Street Location: 8350 W Paradise Lane Peoria Maricopa 85382 (Do not use PO Box Number) City County Zip
5. Business Phone: 623-979-9696 Daytime Contact: [REDACTED]
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: 8350 W Paradise Lane Peoria AZ 85382 City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY

Fees: Application 100 Interim Permit 100 Agent Change _____ Club _____ Finger Prints \$ 44.00 + F. Printing - 13.00

TOTAL OF ALL FEES \$ 244.00 247.00

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

Accepted by: [Signature] Date: 5-28-12 Lic. # 12079153

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? _____

12/11/25/19 LIC #12255

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

I, STEVEN JONES, 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.

(Print full name)

State of _____ County of _____

X _____
(Signature)

The foregoing instrument was acknowledged before me this

My commission expires on: _____

_____ day of _____
Day Month Year

(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$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 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. 12077580
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, PAUL ADOLPH ALLEN, 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.

(Print full name)

State of _____ County of _____

X _____
(Signature)

The foregoing instrument was acknowledged before me this

My commission expires on: _____

_____ day of _____
Day Month Year

SEE ATTACH LETTER

(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$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#

Cynthia Bejar

12 MAY 25 Liq. Lic. #1234

Section 5

From: phil colaiacovo [REDACTED]
 Sent: Friday, May 25, 2012 10:04 AM
 To: Cynthia Bejar, Steve
 Subject: FW: Satara Thai Restaurant Operating at 8350 W Paradise Lane, Peoria AZ 85382

From: fjc24@hotmail.com
 To: cindy.bejar@azliquor.gov; [REDACTED]
 Subject: Satara Thai Restaurant Operating at 8350 W Paradise Lane, Peoria AZ 85382
 Date: Thu, 24 May 2012 21:49:46 -0700

Hi Cindy: I am the property owner. An email, I composed (RECAP), is included below discussing the situation and the operating arrangement with Peoria Thai, LLC. My attorney is now working on a new lease. Thank You. FJ Colaiacovo

RECAP:

1. Currently there is a Lease in force between the Landlord and Jon M Graham (also operating as Satara LLC, Satara Holdings LLC and Sharusha LLC) the Tenant. The Lease went in force on 11/16/07 and expires after a 5 year term. The Landlord has no other signed agreement for access to the Premises (8350 W Paradise Lane, Peoria AZ 85382) to operate Satara Thai Restaurant or anyother business.
2. When the Tenant informed the Landlord of his intent to sell the business, the Landlord informed the Tenant of the need to meet to resolve the Lease terms with respect to a sale and operation of the business on the Premises before completing the sale . A meeting was set up but as you know the Tenant flew out of the area before meeting the Landlord.
3. Subsequently, the Landlord met with the Peoria Thai Principals and **agreed to allow access to the Premises to continue operation of Satara Thai Restaurant. Since the Landlord cannot enter into another Lease until the current Lease is successfully resolved both parties agreed on a month to month arrangement with the stipulations that (1) Satara will continue operations under the Terms & Conditions of the Lease and (2) Peoria Thai LLC would make agreed to monthly rent payments and a security deposit on time. Peoria Thai LLC moved onto the Premises on 4/16/12 and proceeded to conduct business. Peoria Thai LLC accepted the Premises as-is from the Tenant on that date.**
4. The Landlord is pursuing the Tenant to have a UCC Lien waived that now inhibits moving toward a new lease with Peoria Thai LLC. The Tenant has responded. He said he told the lien-holder, his Uncle/Attorney Mr Happe to execute the waiver. Approximately a week has gone by with no additional information or action on the lien. Landlord's attorney has advised that absent the waiver the Landlord must proceed to a Landlord's Lien Sale. The process is necessary to remove the UCC lien which is subordinate to the Landlord's lien position. If I understand correctly, the process of the Landlord's Lien Sale can take about 70 days to accomplish.
5. Continuing operation of Satara at the Premise: During that time the parties may continue to operate on the month to month basis by mutual agreement (and repeated once again for emphasis) (1) that Peoria Thai LLC adheres to the Lease Terms & Conditions and (2) makes rent and security deposit payments on time. The intent is to resolve the current Lease with the Tenant and negotiate a new lease with Peoria Thai LLC.

Thank You, FJ Colaiacovo

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.: PEORIA THAI LLC
 (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 04/05/2012 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 17519593 Date authorized to do business in AZ: 4/16/2012
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
JONES	STEVEN	ROBERT	MEMBER	[REDACTED]	[REDACTED]
TOPLIFF	TIM	JESS	MEMBER	[REDACTED]	[REDACTED]

(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
JONES	STEVEN	ROBERT	70.0	[REDACTED]	[REDACTED]
TOPLIFF	TIM	JESS	30.0	[REDACTED]	[REDACTED]

(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) 12 MAY 25 LIQ. LIC. #1258 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: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)
- 3. Current Business Name: _____
(Exactly as it appears on license)
- 4. Physical Street Location of Business: Street _____
City, State, Zip _____
- 5. License Type: _____ License Number: _____
- 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, _____, 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, _____, 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 of CURRENT LICENSEE)

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

Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

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

12 MAY 25 Lic. Lic. #1256

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 PHIL COIAIAKOVA
Address 42720 N COURAGE TRAIL ANTHEM AZ 85086
City, State, Zip _____

4a. Monthly rental/lease rate \$ 7500 What is the remaining length of the lease month to month yrs. _____ mos. _____

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

5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 0
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)? Restaurant

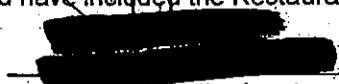
SECTION 13 - continued

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. 112 MAY 25 Lic. Lic. #1256
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 # 12077580 (exactly as it appears on license) Name PAUL ADOLPH ALLEN

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:
ALLEN PAUL ADOLPH and license #: 12077580
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.

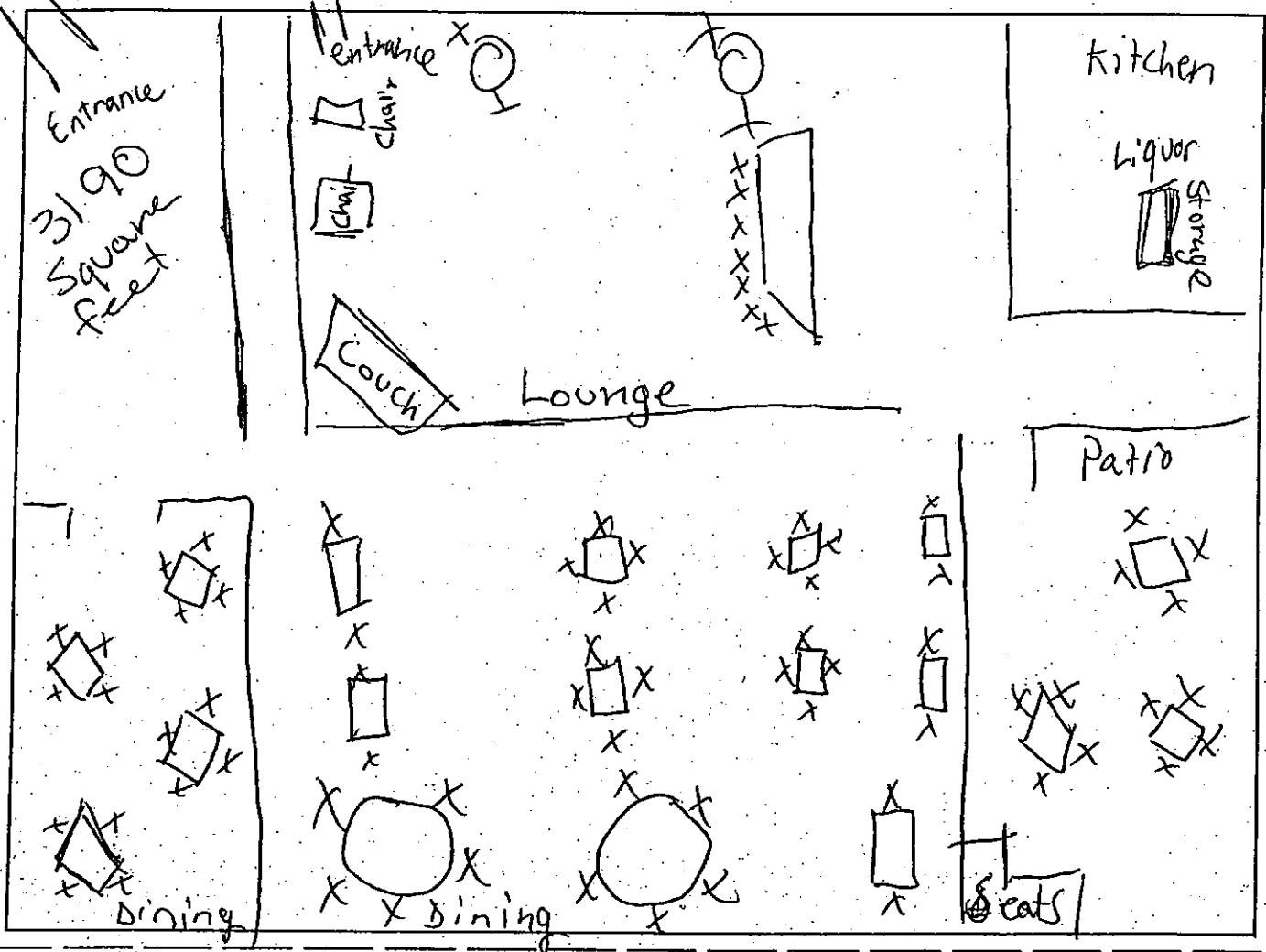
As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this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


 applicants initials

SECTION 15 Diagram of Premises

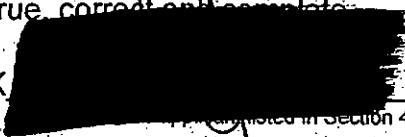
4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not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

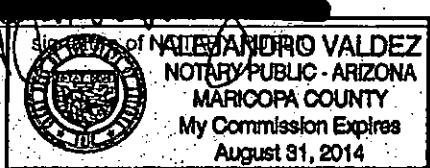
I, STEVEN Robert JONES, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X  (as noted in Section 4, Question 1)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this 22nd of May, 2012 Day Month Year

My commission expires on: 31st August 2014
Day Month Year



ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor 25 Lic. Lic. #12556
 Phoenix AZ 85007-2934
 (602) 542-5144

P1067249

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 for 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 #
 12079153

(If the location is currently licensed)

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

2. Name: Jones STEVEN Robert Date of Birth: [REDACTED]
 Last First Middle (NOT a Public Record)

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

4. Place of Birth: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]
 City State Country (not county)

5. Marital Status: Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: [REDACTED] Date of Birth: [REDACTED]
 (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: Life - 1970

8. Telephone number to contact you during business hours for any questions regarding this document: 602-501-1234

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: Satara Thai cuisine Boutique wine Premises Phone: 623-979-9696

11. Physical Location of Licensed Premises Address: 8350 W Paradise Lane Peoria Maricopa 85382
 Street Address (Do not use PO Box) City State 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)
Feb 2007	CURRENT	REAL ESTATE	SELF EMPLOYED - [REDACTED]

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
2012 Apr 7	CURRENT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Apr 1 2011	Apr 1 2012	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Dec 2010	Apr 1 2011	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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? 10 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 of 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 disposition.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

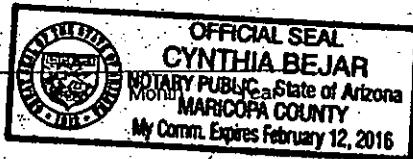
20. I, STEVEN ROBERT JONES, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X [Signature]
(Signature of Applicant)

State of Arizona County of MariCopa

The foregoing instrument was acknowledged before me this
24 day of May 2012
Month Year

My commission expires on:



[Signature]
(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 _____

X _____
Signature of Controlling Person _____

(Signature of NOTARY PUBLIC)

My commission expires on: _____
Day Month Year

'12 MAY 25 147. LIC. PM1256

Question #13

[REDACTED]

From March 2009 To: DEC. 2010

[REDACTED]

From Feb 2008 To: MARCH 2009

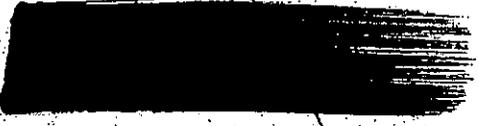
12 MAY 25 147. Lic. PH1256

May 25, 2012

To whom it may concern:

I Steven Robert Jones was arrested in Approx.
Aug of 2010 for a unpaid traffic ticket.
I may have also been cited for Speeding
in the last 10 years

Thank you



STEVEN ROBERT JONES

12 MAY 25 11:47 AM '12



ARIZONA STATEMENT OF CITIZENSHIP AND ALIEN STATUS FOR STATE PUBLIC BENEFITS Professional License and Commercial License Department of Liquor Licenses and Control

Liquor License #: 12079153

Ownership Name: Peoria Thai, LLC (as listed on the current liquor license application or renewal application)

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 1-501 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form and copy of one or more documents that evidence your citizenship or alien status with your application for license or renewal.

SECTION I - APPLICANT INFORMATION

APPLICANT'S NAME (Print or type) STEVEN ROBERT JONES DATE 5/24/12

TYPE OF APPLICATION (check one) [X] INITIAL APPLICATION [] RENEWAL

TYPE OF LICENSE # 12

SECTION II - CITIZENSHIP OR NATIONAL STATUS DECLARATION

Directions: Attach a legible copy of the front, and the back (if any), of a document from the attached List A or other document that demonstrates U.S. citizenship or nationality. Name of document provided: Birth certificate

A. Are you a citizen or national of the United States? (check one) [X] Yes [] No

B. If the answer is "Yes," where were you born? List city, state (or equivalent), and country. City Los Angeles State (or equivalent) California Country or Territory LA

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

SECTION III - ALIEN STATUS DECLARATION

Directions: To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of the front, and the back (if any), of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501. Name of document provided:

"Qualified Alien" Status (8 U.S.C. §§ 1621(a)(1), -1641(b) and (c))

- 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- 2. An alien who is granted asylum under Section 208 of the INA.
- 3. A refugee admitted to the United States under Section 207 of the INA.
- 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).
- 8. An alien who is, or whose child or child's parent is a "battered alien" or an alien subjected to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101(a)(15).

Alien Paroled into the United States For Less Than One Year (8 U.S.C. § 1621(a)(3))

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C. § 1621(c)(2)(A) and (C))

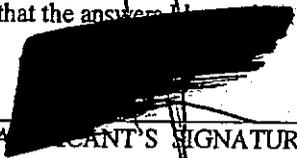
- 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present (A.R.S. § 1-501)

- 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States. PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have provided are true and correct to the best of my knowledge.



APPLICANT'S SIGNATURE

5/24/12

TODAY'S DATE

Attachment to Form 1 Applicant Statement

EVIDENCE OF U.S. CITIZENSHIP, U.S NATIONAL STATUS, OR ALIEN STATUS

LIST A: U.S. CITIZEN OR U.S. NATIONAL

Note: In this List, the term "Service" refers to the U.S. Citizenship and Immigration Service, formerly, the U.S. Immigration and Naturalization Service (INS).

[Source: Proposed Rules, Verification of Eligibility for Public Benefits, 8 CFR § 104.23; 63 FR 41662 (August 4, 1998); and Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("Interim Guidance"), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

Evidence showing U.S. citizen or U.S. national status includes the following:

a. Primary Evidence:

- (1) A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);
- (2) United States passport;
- (3) Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- (4) Certificate of Birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350), copies of which are available from the Department of State;
- (5) Form N-561, Certificate of Citizenship;
- (6) Form I-197, United States Citizen Identification Card (issued by the Service until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- (7) Form I-873 (or prior versions), Northern Marianas Card (issued by the Service to a collectively naturalized U.S. citizen who was born in the Northern Mariana Islands before November 3, 1986);
- (8) Statement provided by a U.S. consular official certifying that the individual is a U.S. citizen (given to an individual born outside the United States who derives citizenship through a parent but does not have an FS-240, FS-545, or DS-1350); or
- (9) Form I-872 (or prior versions), American Indian Card with a classification code "KIC" and a statement on the back identifying the bearer as a U.S. citizen (issued by the Service to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

[Source: Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("Interim Guidance"), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

b. Secondary Evidence

If the applicant cannot present one of the documents listed in (a) above, the following may be relied upon to establish U.S. citizenship or U.S. national status:

- (1) Religious record recorded in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction) within three 3 months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual's age at the time the record was made;

- ~~CONFIDENTIAL - U.S. FILE # 1256~~
- (2) Evidence of civil service employment by the U.S. government before June 1, 1976;
 - (3) Early school records (preferably from the first school) showing the date of admission to the school, the applicant's date and U.S. place of birth, and the name(s) and place(s) of birth of the applicant's parents(s);
 - (4) Census record showing name, U.S. nationality or a U.S. place of birth, and applicant's date of birth or age;
 - (5) Adoption finalization papers showing the applicant's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a State-or jurisdiction-approved adoption agency showing the applicant's name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate;
 - (6) Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction));

c. Collective Naturalization

If the applicant cannot present one of the documents listed in (a) or (b) above, the following will establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico:

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands:

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating resident in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)):

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen

d. Derivative Citizenship

If the applicant cannot present one of the documents listed in a or b above, the following may be used to make a determination of derivative U.S. citizenship:

Applicant born abroad to two U.S. citizen parents: Evidence of the U.S. citizenship of the parents and the relationship of the applicant to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the applicant's birth.

Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen national parent: Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent, and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.

Applicant born out of wedlock abroad to a U.S. citizen mother: - Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of the applicant's birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

In all other situations in which an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories, but is unable to present the listed documentation:

- If the applicant is in the U.S., the applicant should contact the local U.S. Citizenship and Immigration Service office for determination of U.S. citizenship;
- If the applicant is outside the U.S., the applicant should contact the State Department for a U.S. citizenship determination.

e. Adoption of Foreign-Born Child by U.S. Citizen

- If the birth certificate shows a foreign place of birth and the applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;
- Because foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the applicant should contact the local U.S. Citizenship and Immigration Service office for a determination of U.S. citizenship, if the applicant provides no evidence of U.S. citizenship.

f. U.S. Citizenship By Marriage

A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922. Provide evidence of U.S. citizenship of the husband, and evidence showing the marriage occurred before September 22, 1922.

Note: If the husband was an alien at the time of the marriage, and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

12 MAY 25 1997 Lic. #1256

LIST B: QUALIFIED ALIENS, NONIMMIGRANTS, AND ALIENS PAROLED INTO U.S. FOR LESS THAN ONE YEAR

The documents listed below that are registration documents are indicated with an asterisk ("*").

a. "Qualified Aliens"

Evidence of "Qualified Alien" status includes the following:

Alien Lawfully Admitted for Permanent Residence

- *Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
- Unexpired Temporary I-551 stamp in foreign passport or on *I Form I-94.

Asylee

- * Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- *Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
- * Form I-766 (Employment Authorization Document) annotated "A5";
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or
- Order of an immigration judge granting asylum.

Refugee

- * Form I-94 annotated with stamp showing admission under § 207 of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3"

Alien Paroled Into the U.S. for a Least One Year

- * Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal Was Withheld

- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
- * Form I-766 (Employment Authorization Document) annotated "A10"; or
- Order from an immigration judge showing deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b)(3) of the INA.

Alien Granted Conditional Entry

- * Form I-94 with stamp showing admission under §203(a)(7) of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3."

Cuban/Haitian Entrant

- * Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on * Form I-94 with the code CU6 or CU7; or
- Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under Section 212(d)(5) of the INA.

Alien Who Has Been Declared a Battered Alien or Alien Subjected to Extreme Cruelty

- U.S. Citizenship and Immigration Service petition and supporting documentation

b. Nonimmigrant

Evidence of "Nonimmigrant" status includes the following:

- * Form I-94 with stamp showing authorized admission as nonimmigrant

c. Alien Paroled into U.S. for Less than One Year

Evidence includes:

- * Form I-94 with stamp showing admission for less than one year under section 212(d)(5) of the INA

PID 67250

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 for 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 #
12079153
 (If the location is currently licensed)

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

2. Name: Topliff Tim Jess Date of Birth: [REDACTED]
 Last First Middle (NOT a Public Record)

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

4. Place of Birth: [REDACTED] [REDACTED] Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED] Hair: [REDACTED]
 City State Country (not county)

5. Marital Status Single Married Divorced Widowed

6. Name of Current or Most Recent Spouse: Jennifer Lynn Deines Date of Birth: [REDACTED]
 (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: 7-1-2006

8. Telephone number to contact you during business hours for any questions regarding this document. 214 [REDACTED]

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: SATARA CUISINE BOUTIQUE WINE Premises Phone: 623 979 9696

11. Physical Location of Premises: 8250 W. PARADISE LN Peoria MARICOPA 85382
 Street Address City County Zip (Do not use PO Box #)

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)
11-1-08	CURRENT	IT	Hewlett Packard 3000 Hanover St. PALO ALTO CA 94304
10-1-06	11-1-08	IT	COX BUSINESS 2421 Deer Valley Rd PH AZ

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION 12 OR 13.

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
2006	CURRENT		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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 10/11
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 of 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 WILL NOT BE ACCEPTED

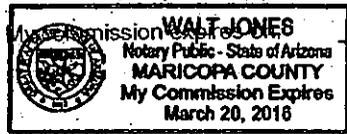
20. Jess Toplift hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X [Signature]
(Signature of Applicant)

State of AZ County of MARICOPA

The foregoing instrument was acknowledged before me this
23 day of May, 2012
Month Year

[Signature]
(Signature of NOTARY PUBLIC)



20, 3 2012
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] Agent (circle one) _____
_____ day of _____ Year

(Signature of NOTARY PUBLIC)

Print Name

My commission expires on: _____
Day Month Year

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor

Phoenix, AZ 85007-2934

www.azliquor.gov

(602) 542-5141

RECORDS REQUIRED FOR AUDIT

SERIES 11 (HOTEL/MOTELW/RESTAURANT AND SERIES 12 (RESTAURANT)

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
2. A list of *all* food and liquor vendors
3. The restaurant menu used during the audit period
4. A price list for alcoholic beverages during the audit period
5. Mark-up figures on food and alcoholic products during the audit period
6. A recent, *accurate* inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
7. Monthly Inventory Figures - beginning and ending figures for food and liquor
8. Chart of accounts (copy)
9. Financial Statements-Income Statements-Balance Sheets
10. General Ledger
 - A. Sales Journals/Monthly Sales Schedules
 - 1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
 - 2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
 - 3) Dated Guest Checks
 - 4) Coupons/Specials/Discounts
 - 5) Any other evidence to support income from food and liquor sales
 - B. Cash Receipts/Disbursement Journals
 - 1) Daily Bank Deposit Slips
 - 2) Bank Statements and canceled checks
11. Tax Records
 - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
 - B. Income Tax Return - city, state and federal (copies)
 - C. Any supporting books, records, schedules or documents used in preparation of tax returns
12. Payroll Records
 - A. Copies of all reports required by the State and Federal Government

ARIZONA DEPARTMENT OF LIQUOR LICENSING & CONTROL

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

RESTAURANT OPERATION PLAN

LICENSE # 2001700153

1. List by Make, Model and Capacity of your:

Grill	48" Royal Range Burner
Oven	Commercial Range Co. Stainless Gas Fryer 90x BTH
Freezer	Frigidaire
Refrigerator	Kol-Pack 10x12x7'4"
Sink	Triple Sink
Dish Washing Facilities	A4 Clean 1 Rack
Food Preparation Counter (Dimensions)	TRUE TPP-93 3 door
Other	3 SS work Tables 4x9

2. Print the name of your restaurant: 18 Tap Glycol beer tap Restaurant Satara Thai Boutique wine Lounge

3. Attach a copy of your menu (Breakfast, Lunch and Dinner including prices).

4. List the seating capacity for:

- a. Restaurant area of your premises [75]
- b. Bar area of your premises [+ 35]
- c. Total area of your premises [110]

5. What type of dinnerware and utensils are utilized within your restaurant?

Reusable Disposable

6. Does your restaurant have a bar area that is distinct and separate from the restaurant seating? (If yes, what percentage of the public floor space does this area cover). Yes No

7. What percentage of your public premises is used primarily for restaurant dining? (Does not include kitchen, bar, cocktail tables or game area.) 95 %

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

8. Does your restaurant contain any games or television? Yes No
If yes, specify what types and how many of each type (Televisions, Pool tables, Video Games, Darts, etc).

42" Samsung TV
42" Sony TV

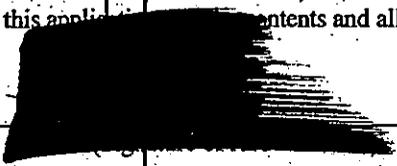
9. Do you have live entertainment or dancing? Yes No
(If yes, what type and how often?)

Karaoke once per week

10. Use space below or attach a list of employee positions and their duties to fully staff your business.

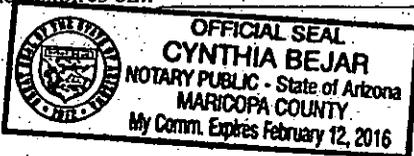
1 chef
3 chef Assistant
12 wait Staff
1 Dishwasher
1 Bar tender
1 Hostess
3 bussers

I, STEVEN ROBERT JONES, hereby declare that I am the APPLICANT filing this application. I have
(Print full name)
read this application and its contents and all statements true, correct and complete.

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

24 day of May, 2012
Date Month Year

My commission expires on::



S A T A R A

THAI CUISINE | BOUTIQUE WINE LOUNGE

12 MAY 25 114. LIC. #1257

APPETIZER

TÁO HOO TOD

rispy tofu, sweet chili sauce, roasted peanuts

5.88

POH PIA TOD

vegetable spring rolls, sweet chili, plum sauce

5.88

GOONG TOD HO CHEESE

shrimp and cheese wontons, plum sauce

6.88

POO TOD HO CHEESE

real crab and cheese wontons, plum sauce

7.88

SALAD

SOM TUM THAI GOONG SOD 6.88

green papaya salad with shrimp, tomatoes, green beans, carrots and roasted peanuts

◆ SARUSA SUMMER SALAD 6.88

asian greens, strawberries, toasted coconut, mandarin orange, raspberry, fried shallots, galanga, shallot oil and lime dressing

SATAY SALAD 8.88

grilled marinated chicken breast, potato, green beans, bell peppers, red onions, cilantro, cucumber, tomato in a peanut lime dressing topped with roasted peanuts and fried shallots

YUM NUUA 9.88

traditional thai salad with grilled beef, tomatoes, red onions, cucumbers, spicy lime dressing and herbs

NAM TOK 9.88

traditional "water fall" salad with tomatoes, red onions, cucumbers, spicy lime dressing, herbs and ground roasted rice (choice of grilled chicken, beef or pork)

LARB 9.88

thai salad with red onions, spicy lime dressing, roasted rice, herb and romaine lettuce (choice of minced chicken or pork)

YUM WOON SEN 8.88

crystal noodles with pork, herbs and spicy lime dressing topped with a jumbo prawn

SOUP

9.98

TOM YUM

hot and sour soup with mushrooms, lime, galangal, lemongrass and herbs (choice of chicken or jumbo prawn)

TOM KHA

coconut hot and sour soup with, mushrooms, lime, galangal, lemongrass and herbs (choice of chicken or jumbo prawn)

NOODLES

10.98

PAD THAI GOONG

stir fried rice noodles in a sweet tamarind sauce with jumbo prawns, egg, bean sprouts, scallions and roasted peanuts

◆ PAD WOON SEN

stir fried crystal noodles with eggs, mushrooms, celery, onions, carrots and scallions (choice of chicken, beef, pork or jumbo prawn)

◆ GUEY TIEW PAD KEE MAO

stir fried big rice noodles with bird's eye chilies, thai basil, bell peppers and onions (choice of chicken, beef, pork or jumbo prawn)

◆ GUEY TIEW PAD SEE EW

stir fried big rice noodles with sweet soy, broccoli and carrots (choice of chicken, beef, pork or jumbo prawn)

◆ GUEY TIEW RAD NAH

broccoli and carrots stir fried in a savory thai gravy over big rice noodles (choice of chicken, beef, pork or jumbo prawn)

◆ SPAGHETTI GOONG PRIK THAI DUM

black pepper jumbo prawns over garlic noodles with mushrooms, scallion and fried garlic

◆ GUEY TIEW SRIRACHA

spicy sriracha sauce over rice noodle with tomato, basil, scallion (choice of minced chicken, beef or pork)

S A T A R A
THAI CUISINE | BOUTIQUE WINE LOUNGE

12 MAY 25 11:47 AM 1257

FRIED RICE

9.88

◆ KHAO PAD

fried rice with eggs, onions and scallions (choice of chicken, beef, pork or jumbo prawn)

◆ KHAO PAD PRIK

fried rice with bird's eye chilies, thai basil, onions and bell peppers (choice of chicken, beef, pork or jumbo prawn)

◆ KHAO PAD SUPPAROD

pineapple fried rice with cranberries, cashews, raisins, onions and eggs (choice of chicken, beef, pork or jumbo prawn)

◆ KHAO PAD KEAW WAN

green curry fried rice with thai basil, coconut milk, bell peppers, onions and green beans (choice of chicken, beef, pork or jumbo prawn)

KHAO PAD NUEA DAD DEAW

crispy beef and thai basil fried rice with onions and bell peppers

STIR FRY

10.88

PAD GRA PAOW

spicy stir fry with bird's eye chilies, thai basil, onions, bell peppers and green beans

◆ PAD MAKUA MUANG

eggplant and tofu stir fried with thai basil, onions and bell peppers

PAD KING SOD

ginger stir fry with mushrooms, bell peppers, onions, carrots and scallions (choice of chicken, beef or pork)

GAI PAD MED MAMUANG "CASHEW CHICKEN"

"chiang mai" cashew chicken with chili paste, bell peppers, water chestnuts, onions, mushrooms, carrots and scallions

◆ PAD PRIEW WAN TAO HOO "SWEET & SOUR TOFU"

thai sweet and sour tofu with pineapple, bell peppers, cucumbers, tomatoes, onions, carrots, and scallions

NUEA PAD NAMMAN HOY "BANGKOK BEEF BROCCOLI"

"bangkok" beef broccoli stir fried with button mushrooms, sweet oyster sauce and roasted garlic

NUEA PAD PRIK THAI DUM "PATTAYA BLACK PEPPER BEEF"

"pattaya" black pepper beef stir fried with mushrooms, crushed black pepper, roasted garlic and scallion

NUEA PAD PRIK GANG DANG "JUNGLE CURRY"

"the herb garden" stir fried beef with a house blend of thai herbs, red curry, bell peppers, onions and green beans

CURRY

10.88

◆ GANG GALEE

yellow curry paste, coconut milk, potatoes, carrots and onions

◆ GANG DANG

red curry paste, coconut milk, bamboo shoots, bell peppers and thai basil

◆ GANG KEAW WAN

green curry with coconut milk, thai basil, bamboo shoots, green beans and bell peppers

◆ GANG PANANG

panang style curry paste, coconut milk, kaffir lime leaves and bell peppers

◆ GANG MASSAMAN

muslim inspired massaman curry with coconut milk, onions, potatoes, carrots and peanuts (choice of chicken, beef, pork or tofu)

◆ - Can be Prepared Vegan

All Dishes May be Prepared Mild, Medium, Hot or Thai Spicy
10% Discount for Senior Citizens and Members of the US Armed Services

APR 05 2012

FILE NO. L-1751959-3

APR 16 2012

FILE NO. L-1751959-3

12 MAY 25 Liq. Lic. PM1257

DO NOT WRITE ABOVE THIS LINE, FOR ACC USE ONLY

ARTICLES OF ORGANIZATION

DO NOT PUBLISH THIS SECTION
NOTE: A professional limited liability company is an LLC organized for the purpose of rendering one or more categories of licensed professional service. Professional service is defined as a service that may be lawfully rendered only by a person licensed in this state to render the service.

Select one. This form may be used for:

- ARIZONA LIMITED LIABILITY COMPANY (A.R.S. §29-832)
- ARIZONA PROFESSIONAL LIMITED LIABILITY COMPANY (A.R.S. §29-841.01)

1. The name of the organization:

A. PEORIA THAI LLC
 LLC Name Reservation File Number (if one has been obtained - if not, leave this line blank).

B. Peoria Thai, LLC
 Limited Liability Company Name

1. The LLC name must contain the words "limited liability company" or "limited company" or the abbreviations "L.L.C.", "L.C.", "LLC", or "LC". The Professional LLC name must contain the words "professional limited liability company" or the abbreviations "P.L.L.C.", "P.L.C.", "PLLC", or "PLC."

2. Known place of business in Arizona (if address is the same as the street address of the statutory agent, write "same as statutory agent". DO NOT LEAVE THIS SECTION BLANK):

Address 8350 W. Paradise Lane
 City Peoria State AZ Zip 85382

2. Must be an Arizona address. DO NOT LEAVE THIS SECTION BLANK

3. The name and street address of the statutory agent in Arizona:

Name STEVEN JONES
 Address [REDACTED]
 City [REDACTED] State [REDACTED] Zip [REDACTED]

3. See Section 3 of the instructions above. A statutory agent is a person you appoint that would receive lawsuit papers if the LLC is sued. A street or physical address is required even if the statutory agent has a P.O. Box.

Acceptance of Appointment by Statutory Agent:

I STEVEN JONES, having been designated to act as
 (print name of the Statutory Agent)

Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statute.

Agent Signature: [REDACTED]

If the statutory agent is an entity, please print the company name here.

The agent must sign the articles or provide written consent to the appointment.

DO NOT PUBLISH THIS SECTION

4. Only required for professional limited liability company. The professional services that this company is organized to perform must be described. Professional service is defined as a service that may be lawfully rendered only by a person licensed in this state to render the service.

5. Check only one box. If a dissolution date is stated, it should include the month, day and year. Perpetual means continuing forever or indefinitely.

6. Check A or B to show which management structure will be applicable to your company. Provide name, title and address for each person.

6A. If reserved to the members, check the Members box and provide the name and address of all members. NOTE: If reserved to the members you cannot list any manager.

6B. If vested in one or more managers check the Managers box and provide the name and address of each manager and of each member who owns a twenty percent (20%) or greater interest in the capital or profits of the LLC/PLC.

7. Signature. The person signing this document need not be a manager or member of the company.

4. Professional LLCs only – Professional Services - the Professional Limited Liability Company will provide the following professional services:

5. Life Period of the Limited Liability Company: check one:

The LLC will dissolve on ___ / ___ / ___ (Please enter month, day and four digit year)
 The Limited Liability Company life period is Perpetual.

6. Management Structure: (check one box only) A.R.S. §29-632(5)

A. RESERVED TO THE MEMBERS
IF RESERVED TO THE MEMBERS, DON'T CHECK ANY MANAGER BOXES.

B. VESTED IN ONE OR MORE MANAGERS
IF VESTED IN THE MANAGER(S), AT LEAST ONE NAME BELOW MUST HAVE THE MANAGER BOX CHECKED.

Name STEVEN JONES Name _____
 Member Manager (only if "B" is selected above) Member Manager (only if "B" is selected above)

Address: _____ Address: _____
 City: _____ City: _____ State: _____ Zip: _____

Name Tim Toeliff Name _____
 Member Manager (only if "B" is selected above) Member Manager (only if "B" is selected above)

Address: _____ Address: _____
 City: _____ City: _____ State: _____ Zip: _____

IF YOU NEED MORE SPACE FOR LISTING MEMBERS / MANAGERS PLEASE ATTACH THE ADDITIONAL PAGE TO THE ARTICLES OF ORGANIZATION.

7. SIGNATURE

Signed on this date: 4/5/2012 (mm/dd/yyyy).

Signature: _____ Print Name STEVEN JONES

 If signing on behalf of a company, please print the company name here.

Phone Number: _____

Fax Number: _____



Peoria Police Department
MEMORANDUM

DATE: July 23, 2012
TO: Commander Ken Gentry, South Precinct
FROM: Michael Self, Police Analyst *MS*
SUBJECT: Liquor/ Gaming/ Special Event License Background Investigations-
Results regarding Liquor- Off Track Gaming; **Series 12, Satara Thai
Cuisine Boutique Wine, 8350 W. Paradise Lane, Peoria**

The listed applicant has applied for a Liquor, Gaming (Off Track Betting) or Special Event License with the City of Peoria. The results of the review of this license application and site survey are as follows:

() The applicant appears to be consistent with the information provided in the application. It is recommended the applicant be allowed to move forward in the application process.

() Discrepancies were discovered regarding the application as it is written. These discrepancies are listed below.

(X) There is information available which gives rise to concern/s regarding the applicant/s Capability, Qualifications and Reliability.

Additional Comments:

It should be noted that this is the third application that has been received this year for the purchase of this business. The first applicant indicated that they could not agree on a purchase agreement. The second applicant indicated that he had decided to purchase another business, however, he indicated to Sam Brown, Tax & License, that he had turned in an application to assist the business to continue operating under a temporary permit pending sale of the restaurant.

- This application is listed as a new license, with the new applicant/owner retaining the same name as the previous owner/business. The Asset Purchase Agreement item 1.(c), says that the seller acknowledges that it will continue to use the name of "Satara Thai Cuisine & Boutique Wine Bar" as an active business until the date of closing. Beyond the date of closing Buyer shall use the name.
- Satara Thai Cuisine, 8350 W. Paradise Lane, Peoria, currently has a lien in the amount of \$18,482.95, filed by Apex Saunas and Wine Cellars dated November 19, 2008. I did not find a lien release.

- Satara LLC has a lien filed by the City of Peoria, in the amount of \$16,452.53 for back city sales tax dated June 14, 2010. In a meeting with the applicant on July 13, 2012, Mr. Jones indicated that this amount could have increased to in excess of \$40,000.00
- Satara LLC, has a lien filed by the State of Arizona, in the amount of \$88,301.09 for back state sale tax dated March 16, 2011. Again, Mr. Jones indicated in a meeting that this amount may have increased.
- When questioned about the above liens, Mr. Jones reported that he was aware of them and was waiting to schedule a meeting with the City of Peoria to discuss the debt. Regarding the State of Arizona, Mr. Jones said that he had not spoken with anyone and was waiting to see he would be contacted.
- In the application, on page 5, question #5, it asks what is the total business indebtedness for this license/location excluding the lease, and the applicant indicated "0". During my meeting with the applicant, I asked him how much he purchased the business for and he reported \$22,000.00 cash. This is corroborated by the Asset Purchase Agreement. Mr. Jones stated that the cash was provided by his partner, Mr. Tim Topliff. During the same meeting Mr. Jones indicated that he had applied for a \$40,000.00 line of credit and anticipated receiving approval the following week. I asked Mr. Jones to please provide me with a copy of the approval as soon as he received it. As of this date I have not received anything. Mr. Jones indicated that his partner was providing financing in the amount of \$34,000.00.
- Mr. Jones reported that he will be on-site as the General Manager. The bar manager is reported to be Mike Fisher.
- The applicant, Mr. Steven Jones represents himself as a self-employed real estate. During the interview Mr. Jones indicated that he brokers the purchase of existing hotel/motels between owners and buyers. I cannot find an active real estate license for Mr. Jones. When asked about his restaurant experience, Mr. Jones indicated that he had approximately 15 years of management experience. When questioned about his experience, he indicated the Cycle, Lexington Hotel in downtown Phoenix. When asked for specifics, Mr. Jones was somewhat vague.
- In the application Mr. Jones indicated that the monthly lease was \$7,500.00 per month. During the interview, Mr. Jones said that they do not currently have a lease agreement with the owner and that for the next two months they will pay \$5,500.00 per month. He could not tell me when he would have a signed lease.
- During the interview I asked Mr. Jones about the \$67,569.72 Federal IRS lien filed against him on March 29, 2012 for back personal income taxes from 2006 through 2008. At that time Mr. Jones stated something to the effect that he could not have a tax lien as he had not yet filed his 2010 and 2011 income taxes. He stated that he still had them. I then explained that this lien was for previous years and he again stated that he was not aware of the lien. I provided Mr. Jones with a copy of the lien and asked him to immediately check into it and provide me with a written response from IRS. As of this date I have not received anything.
- On July 16, 2012 I met with Mr. Timothy Topliff. At that time Mr. Topliff indicated that his role was to be short term, provide financing so that Mr. Jones could purchase the restaurant. Mr. Topliff indicated that he was to be 30% owner and

receive approximately 30% of the profits until he had recovered his investment then he would relinquish his interest in the business.

- Mr. Topliff indicated that he has contributed approximately \$34,000.00 cash towards the business. Mr. Topliff reported that the funds were taken out as a loan against his 401k investment in the amount of \$17,000.00 to be paid back at the rate of \$636 per month. The balance was taken out of his personal checking.
- Mr. Topliff reported that he is Mr. Jones' landlord and has known him since about April 1, 2012. He had no prior business dealings with him.
- When asked if he had reviewed the financial statements for the business, Mr. Topliff said that the only reports he has reviewed are those provided to him by Mr. Jones.
- Mr. Topliff was aware that Mr. Jones had possibly applied for a \$20,000.00 line of credit, but was not aware that the amount had apparently been increased to \$40,000.00.
- I asked Mr. Jones for a copy of the sales agreement. Initially he sent me a one page form. In response I asked him for a copy of the signed agreement with the signatures notarized and a copy of the consulting agreement as well as Exhibit A. Mr. Jones responded on July 2, 2012 that Exhibit A was no problem and that he would get that to me as soon as possible. Mr. Jones wrote that there was no consulting agreement because Jon Graham left the country. Regarding the notarized signatures, he again reported that Jon Graham has left the country and no one knows where to find him. After my personal interview with Mr. Jones, he provided me with a complete copy of the Asset Purchase Agreement on July 17, 2012.
- The below items are excerpts from the Asset Purchase Agreement which give rise to concern:
 - Contemporaneous Agreement, page 1, says in part, "it is agreed and understood by the parties hereto that the agreements for the sale of personal goodwill, the consulting agreement and this Asset Purchase Agreement are interdependent upon one another, and that all of the agreements must be consummated as a whole among all of the parties aforesaid."
 - When I questioned Mr. Jones about the consulting agreement, he indicated that Mr. Graham was to receive a percentage of the profits for a specified period of time. I pointed out to Mr. Jones that he could not provide me with a copy of the agreement at which time he said that this portion of the contract was not valid due to "abandonment" on the part of Mr. Graham. I then directed Mr. Jones to the section that stated all parts were interdependent upon one another and that all of the agreements must be consummated as a whole. I then suggested to Mr. Jones that this means that if he does not abide by the consulting agreement, then sales contract as a whole is void. I asked Mr. Jones if he had an attorney review this document and he said that he had not.
 - Section 1 (A) says in part that all transferred assets shall be free of all liens and encumbrances, unless specifically provided otherwise in this Agreement. I asked Mr. Jones if he had an attorney review this to advise him that the above sales tax liens were not attachable to the business and

he said he had not.

- Further concern is raised on page 2, section 5 which reads, "the Seller shall transfer to the Buyer, as part of this Agreement, shared right, title and interest for the use of the name "Satara Thai Cuisine & Boutique Wine Bar" for use at the primary place of business located at 8350 W. Paradise Lane, Peoria, Az 85382."
- Finally, section 6(A)(iii) says, "There is no suit, claim or action or proceeding now pending or threatened before any court, administrative or regulatory body or any governmental entity other than Seller and Managing Member do have outstanding tax issues with the Arizona Department of Revenue, Arizona Economic Security, City of Peoria and potentially the IRS and Seller and Managing Member warrant that if any liens or encumbrances are against the transferred assets that those liens and encumbrances will be the responsibility of the Seller and Managing Member to indemnify the Buyer as stated in Section #11 below."
- I am concerned that the above sections from the Asset Purchase Agreement may give rise to the attachment of the existing liens to the new owner and must be resolved.
- I asked Mr. Topliff if he had seen the full sales agreement and he reported that he had only been shown the one page by Mr. Jones, he had not seen the full agreement.

Based upon the investigation and the above information:

() I do not believe that there is information to cause alarm and that the application should proceed.

(X) I believe there is information to cause alarm or an illustrated need to request denial of this license application based upon the applicant's Qualifications and Reliability. It is recommended that approval of this license application be **protested**.

Concerns:

- Is the Asset Purchase Agreement valid, if so, then according to the consulting agreement Mr. Graham may still have a vested interest in the business.
- Since the Buyer is purchasing not only the physical assets, but the name and all other "good will" associated with Satara Thai Cuisine Boutique & Wine, do the current and future tax liens attach to the business, thereby the new owners.
- Mr. Jones has personal financial irregularities as demonstrated by an IRS tax lien which may also be complicated by him apparently not filing his 2010 and 2011 taxes yet.
- There is concern regarding Mr. Jones' financial health to continue the business without encumbering additional debt. Mr. Jones has apparently not kept his business partner informed.
- As the General Manager, there is concern about his apparent lack of restaurant management experience.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 13R

Date Prepared: August 8, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager
FROM: Chris Jacques, AICP, Planning & Community Development Director
THROUGH: Susan J. Daluddung, AICP, Deputy City Manager
SUBJECT: ANX 12-0001 – Kleine/Hightower Annexation

Purpose:

This is a request for City Council to hold a Public Hearing to hear any testimony deemed appropriate on the proposed annexation. No Council action can be taken at this time.

Background/Summary:

The City of Peoria is initiating a request on behalf of the property owners, Neil Kleine, and Jeff and Lavonne Hightower, for annexation of two parcels of privately owned property, totaling approximately 2.33 acres, located west of the southwest corner of 97th Avenue and Avenida Del Sol. The subject property is more specifically depicted in the legal description and map attached to this report (Exhibits 1-2). The property is contiguous to the City's jurisdictional boundaries, lies within the City's Planning Area (General Plan) and is in conformance with the adopted annexation policy. The General Plan Land Use designation is Residential Estate (0-2 du/ac, target of 1 du/ac). At this time, no further applications pertaining to this property have been filed.

The annexation process pursuant to A.R.S. §9-471 is briefly described below:

- (a) Filing of blank petition with County Recorder by the City opens up a thirty (30) day waiting period to discuss the proposal – **COMPLETED**
- (b) The City must then hold a public hearing (no action) to discuss the proposal within the waiting period – **CITY COUNCIL (9/18/12)**
- (c) At the conclusion of the 30-day waiting period, the municipality has up to 1-year to collect signatures satisfying the annexation "test." – **NOT COMPLETED**
- (d) The City holds a final public hearing to consider and take action on the annexation request – **TBD**
- (e) The annexation is effective 30 days upon adoption of the ordinance.

Under State Statute, a successful annexation requires the completion of a petition with (a) signatures of owners of one-half or more in value of the real and personal property; and (b)

more than one-half of the persons owning real and personal property that would be subject to taxation by the City in the event of annexation.

Previous Actions:

No previous actions have been taken on this item.

Options:

- A:** Hold the first of two public hearings (no action) as required for annexation under A.R.S. §9-471.
- B:** Do not open the public hearing for the annexation request; proceedings to annex the subject property into the City would be abandoned at this time.

Staff's Recommendation:

Hold the first of two public hearings required under A.R.S. §9-471 to begin proceedings to annex the subject property into the City.

Fiscal Analysis:

This request will not generate any direct budgetary impacts. However, should the Council elect to annex the property, the City would assume operational costs associated with the provision and maintenance of services for public safety, transportation, recreation and general governance and would be the beneficiary of new property tax revenues. The parcels are located in the Sunrise Water Company service area, and therefore would not be served by the City's water distribution system. The City could potentially provide sewer collection service to the parcels, but there is no requirement for connection at this time.

Narrative:

The parcels have each been developed as single-family residences and are currently zoned Rural-43 in the County, which retains a suburban/rural, one-acre lot minimum character. The Peoria General Plan Land Use designation is Residential Estate (0-2 du/ac, target of 1 du/ac). It is anticipated that should the property be annexed into the City, the comparable City zoning designation of SR-43 (Suburban Ranch) would be applied to the property at the time of initial zoning.

Exhibit(s):

Exhibit 1: Legal Description (Written)

Exhibit 2: Legal Description (Exhibit)

Exhibit 3: Aerial/Location Map

Contact Name and Number: Melissa Sigmund, Planner, x 7603

Council Communication

Page 2 of 2

REV. 08/2011

EXHIBIT 1

LEGAL DESCRIPTIONS

APN 201-16-015F

ALL THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN A HAND HOLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 9, FROM WHICH A ¾ INCH IRON PIPE MARKING THE WEST QUARTER CORNER OF SAID SECTION BEARS NORTH 00 DEGREES 03 MINUTES 50 SECONDS WEST 2639.81 FEET, LINE BETWEEN SAID MONUMENTS BEING THE BASIS OF BEARING AND IS IDENTICAL TO THE WEST LINE OF SAID SOUTHWEST QUARTER AS SHOWN ON THAT CERTAIN RESULTS OF SURVEY FILED IN BOOK 667 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER NORTH 00 DEGREES 03 MINUTES 50 SECONDS WEST 1319.9 FEET TO THE NORTHWEST CORNER OF SAID NORTH HALF;

THENCE ALONG THE NORTH LINE OF SAID NORTH HALF NORTH 89 DEGREES 42 MINUTES 32 SECONDS EAST 179.08 FEET TO THE POINT OF BEGINNING MARKED BY A ½ INCH REBAR WITH CAP STAMPS RLS 25395;

THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTH LINE NORTH 89 DEGREES 42 MINUTES 32 SECONDS EAST 154.08 FEET TO A SIMILAR REBAR;

THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS WEST 330.21 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH HALF MARKED BY A SIMILAR REBAR;

THENCE ALONG SAID SOUTH LINE SOUTH 89 DEGREES 44 MINUTES 54 SECONDS WEST 153.85 FEET TO SIMILAR REBAR;

THENCE NORTH 00 DEGREES 01 MINUTES 24 SECONDS WEST 330.11 FEET TO THE POINT OF BEGINNING.

APN201-16-015G

ALL THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AT FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID NORTH HALF OF SECTION 9;

THENCE ALONG THE NORTH LINE OF SAID NORTH HALF, NORTH 89 DEGREES 42 MINUTES, 32 SECONDS EAST 333.16 FEET TO THE POINT OF BEGINNING, MARKED BY A ONE-HALF INCH REBAR WITH CAP STAMPED RLS25395

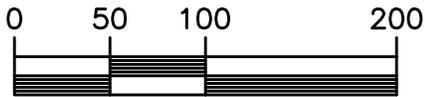
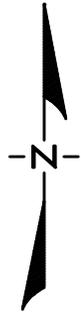
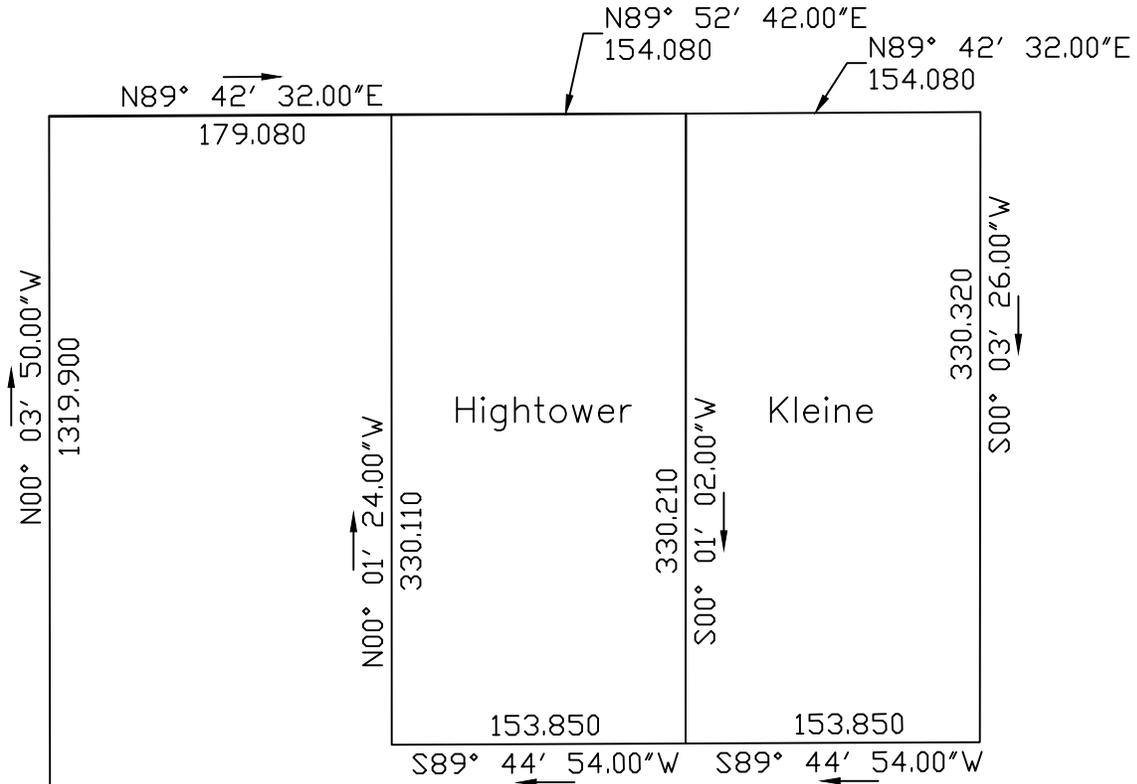
THENCE FROM SAID POINT OF BEGINNING, ALONG SAID NORTH LINE, CONTINUE NORTH 89 DEGREES 42 MINUTES 32 SECONDS EAST, 154.08 FEET MORE OF LESS TO THE NORTHWEST CORNER OF THE EAST 175 FEET OF SAID NORTH HALF,

THENCE SOUTH 00 DEGREES 03 MINUTES 26 SECONDS WEST, 330.32 FEET ALONG THE WEST LINE OF THE EAST 175 FEET OF SAID NORTH HALF TO A POINT OF THE SOUTH LINE OF SAID NORTH HALF, MARKED BY A SIMILAR REBAR;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 44 MINUTES 54 SECONDS WEST, 153.85 FEET TO A SIMILAR REBAR;

THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS EAST, 330.21 FEET TO THE POINT OF BEGINNING.

EXHIBIT 2



SCALE: 1" = 100'

ANX12-0001
APN: 201-16-015G,
201-16-015F

**CITY OF PEORIA
ENGINEERING / UTILITIES
DEPARTMENT**

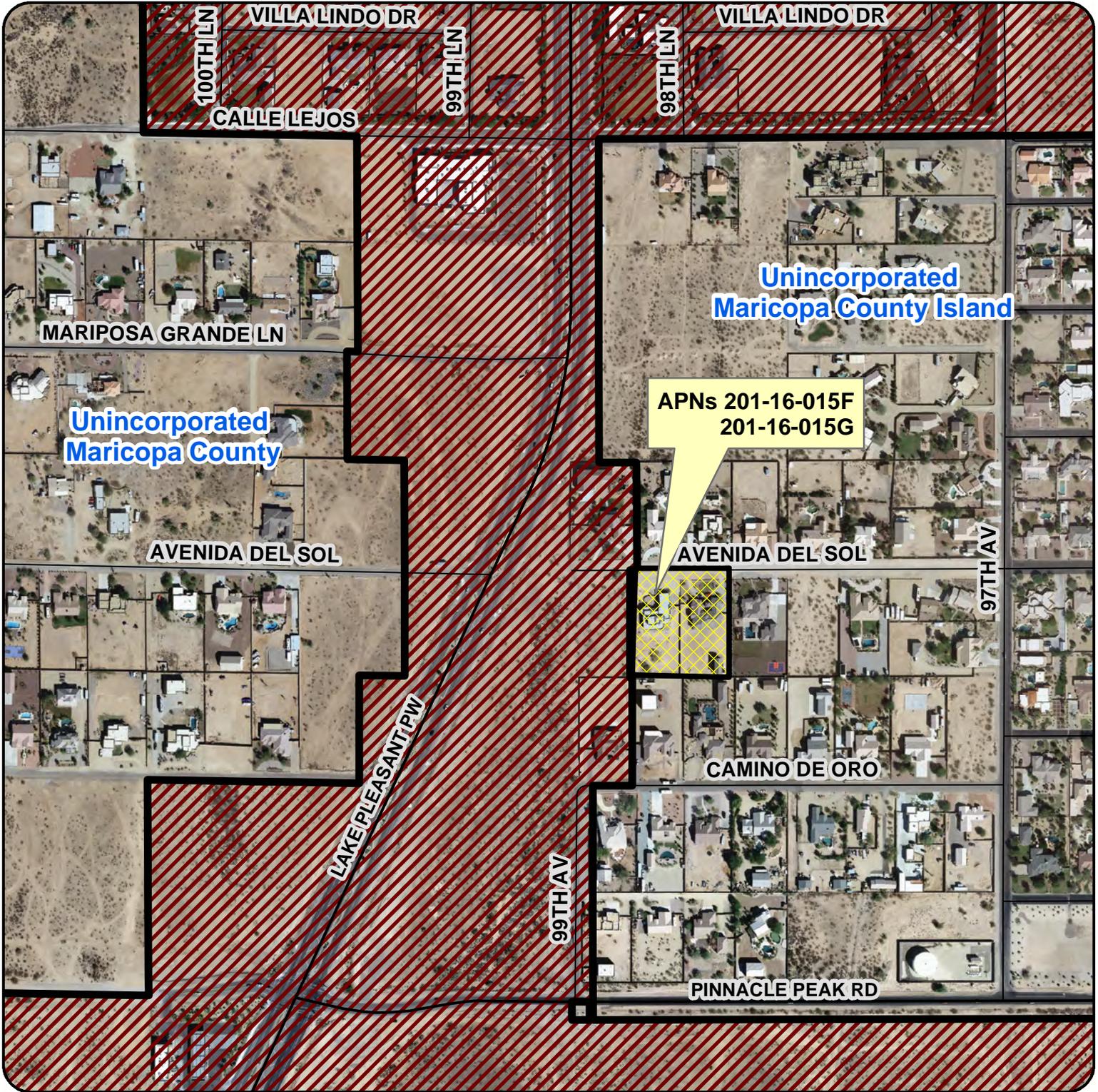


9875 N. 85TH AVENUE
PEORIA, AZ 85345

SHEET NO.

Aerial/Location Map

EXHIBIT 3



ANX12-0001, Kleine/Hightower properties
APNs 201-16-015F, 201-16-015G

-  Existing Peoria Corporate Limits
-  Property Proposed for Annexation



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 14R

Date Prepared: August 27, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Chris Jacques, AICP, Planning & Community Development Director

THROUGH: Susan J. Daluddung, AICP, Deputy City Manager

SUBJECT: Adoption of 2012 Sustainability Action Plan

Purpose:

The City of Peoria has developed the 2012 Sustainability Action Plan to create a forward-looking visioning document to outline how the City can promote and achieve sustainability in our operations and business practices as well as in future developments.

Background/Summary:

The City of Peoria demonstrated its commitment to a more sustainable future when it completed its first Sustainability Action Plan in 2009. Much of our success to-date can be attributed to the steadfast focus on the specific initiatives outlined in that plan. Peoria's progressive approach to sustainability focused not only on what is good for our environment, but also on fiscal responsibility.

As our program continues to mature, Peoria is now seeking to update the Sustainability Action Plan to create a forward-looking visioning document. The revised plan is organized around the following guiding principles:

- Improving the Quality of Life in Neighborhoods
- Enhancing our Environment through a Commitment to Responsible Stewardship
- Leadership by Example
- Awareness and Participation throughout our Community
- Environmental Quality and Economic Health are Interdependent
- Local Actions have Regional and National Implications

Following the guiding principles, a cross-departmental team identified broad focus areas, along with specific goals and objective for each, to help direct future sustainability efforts. The goals and objectives identified were used to make up the 2012 Sustainability Action Plan. The Action Plan recognizes the need for Peoria to be a leader in developing, promoting and improving the quality of life in our community by balancing today's use of natural resources with the needs of tomorrow through environmental stewardship and sustainable practices

Previous Actions:

The Draft 2012 Sustainability Action Plan was presented to City Council at the July 3, 2012 Study Session.

Options:

1. Approve Resolution 2012-110 to formally adopt the 2012 Sustainable Action Plan as the City's guiding document for sustainability efforts; or
2. Direct staff to make modifications to the Action Plan and bring back to the City Council for future action; or
3. Elect not to adopt the 2012 Sustainable Action Plan as presented.

Staff's Recommendation:

1. Approve Resolution 2012-110 to formally adopt the 2012 Sustainable Action Plan as the City's guiding document for sustainability efforts.

Fiscal Analysis:

Adopting the Sustainability Action Plan will not have a fiscal impact by itself.

Narrative:

No further action would be necessary should the City Council take action to adopt the 2012 Sustainability Action Plan.

Exhibit(s):

Exhibit 1: 2012 Sustainability Action Plan

Exhibit 2: Resolution 2012-110

Contact Name and Number: Shawn Kreuzwiesner, Engineering Planning Manager, x7643

Sustainability Action Plan

2012



A comprehensive strategy to improve the quality of life in neighborhoods, enhance the environment through responsible stewardship, and promote awareness and participation throughout the community.

peoriaaz.gov/sustainability



The City of Peoria will be the leader in developing, promoting and improving the quality of life in our community by balancing today's use of natural resources with the needs of tomorrow through environmental stewardship and sustainable practices.

Peoria's Sustainability Mission Statement

Foreword

Becoming a sustainable city is more than creating a plan of action. For optimal success, it involves inclusive stakeholder engagement at various levels of government and community representation. Peoria has a history of enjoying and conserving our state's natural resources, and we realize that the health of our local economy and our residents are intricately bound to the health of our environment.

Although we are proud to say that we have been good stewards of the environment, we remain committed to furthering our practices within our operations throughout the community. Being able to manage the complex relationships that impact our daily lives is critical to understanding what the end goal is for all of us.

Sustainable organizations attempt to operate within an environmental, social and economic context. Peoria is no different. Although fiscal savings play a big role in what we do, we are also mindful of the environment and the potential effects of our actions. Peoria's first Sustainability Action Plan was created in 2009 to outline how we could promote and achieve sustainability in our operations and business practices as well as in future development. In this new document, you will see how the City of Peoria has turned ideas into actions and our enhanced vision for the future. This revised Sustainability Action Plan is organized around the following guiding principles:

- Improving the Quality of Life in Neighborhoods
- Enhancing our Environment through a Commitment to Responsible Stewardship
- Leadership by Example
- Awareness and Participation throughout the Community
- Environmental Quality and Economic Health are Interdependent
- Local Actions have Regional and National Implications

Through seeking balance, among all aspects of sustainability, Peoria will become a steward of natural and economic resources while taking into account the needs of future generations. This publication serves as a guidebook and an educational tool as we continually assess alternatives that address relevant community goals. Thank you for your interest in Peoria's quest for a brighter and more sustainable tomorrow.



The city of Peoria strives to be a leader in sustainability by continuously working to develop projects that have a positive lasting effect on our environment.

Acknowledgements

Mayor and Council



Bob Barrett
Mayor



Ron Aames
Vice Mayor



Cathy Carlat
Councilmember



Joan Evans
Councilmember



Carlo Leone
Councilmember



Dave Pearson
Councilmember



Tony Rivero
Councilmember



Sustain&Gain
City of Peoria
Arizona

Peoria's Sustain & Gain logo was launched in 2009 to remind us all of our ability to gain a better quality of life through living green while saving money at the same time.

City Management

Carl Swenson
City Manager

Susan J. Daluddung
Deputy City Manager
Development and Community Services

Susan Thorpe
Deputy City Manager
Operation and Administrative Services

City Leadership

Andy Granger
Engineering Director

Chris Jacques
Planning and Community Development Director

Bill Mattingly
Public Works - Utilities Director

Bo Larsen
Public Information Manager

Overview

The City of Peoria demonstrated its commitment to promoting a more sustainable future when we completed our first Sustainability Action Plan in 2009. Much of our current success can be attributed to the steadfast focus on the specific initiatives outlined in that plan.

Staff has continually monitored the goals in this original action plan to ensure that we are able to deliver on our commitment. Peoria's progressive approach to sustainability focuses on not only what is good for our environment, but also on fiscal responsibility.

As its program continues to mature, Peoria is seeking to update its Sustainability Action Plan to create a forward-looking visioning document. This revised plan is organized around the following Guiding Principles:



The City of Peoria gets it! It is clear that our actions OR inactions will impact future generations, which is why we have vowed to do everything possible to get it right the first time.

Improving the Quality of Life in Neighborhoods

The city recognizes that sustainability initiatives must aim at creating and enhancing a thriving, safe and secure community for all citizens and across all generations.

Enhancing our Environment through a Commitment to Responsible Stewardship

The city is committed to implementing policies and programs that protect the quality of our air, water and natural open spaces. The city is also committed to promoting the use of renewable energy while reducing our overall consumption of resources through encouraging recycling and water conservation.

Leadership by Example

The city is dedicated to implementing sustainable policies and practices in municipal operations without compromising the high levels of services that our citizens expect.

Awareness and Participation throughout the Community

The city will foster an ethic of conservation and stewardship in the community by working in partnership with individual citizens, schools, businesses, and community-based groups to create, sponsor and promote sustainable awareness.

Environmental Quality and Economic Health are Interdependent

The city is committed to expanding and diversifying our economy, while promoting the use of sustainable products and practices by existing businesses and residents, as well as in municipal operations.

Local Actions have Regional and National Implications

The city realizes that its actions are part of a larger community interest. Accordingly, our sustainable initiatives will make a significant contribution and seek to support regional and national sustainability efforts.

Accomplishments

Major Accomplishments Since 2009

- Between 2009 and 2011, the city's total annual electrical usage has been reduced 7.7%, saving almost 5.4 Million kilowatt hours (kWh) per year.
- Since February 2008, we reduced the annual electrical consumption at the City Hall Complex by 22%, which has saved an average of \$72,000 per year.
- In January 2010, we installed a solar photovoltaic (PV) system at the Beardsley Water Reclamation Facility Operations building. The system has offset 30% of the building's annual electrical needs, saving over 320,000 kWh per year.
- In May 2010, we installed wind turbines at a fire station located near Lake Pleasant. The system has offset 24% of the annual electrical needs for the building.
- Between 2010 and 2012, the city added 24.5 miles of new bike lanes to our streets.
- Since 2010, we have converted over 2,200 lights at 16 sites to newer Light Emitting Diode (LED) units, which is estimated to have saved the city over 1 Million kWh per year.
- Since 2009, we have eliminated 79 vehicles from the city's fleet by removing underutilized vehicles, extending vehicle lives and revising vehicle purchase standards. These and other changes have saved over \$1 million annually in operating costs.
- In April 2010, Peoria became the first city in Arizona to use a hybrid solid waste/recycling truck, which uses an average of 20% less fuel than a standard truck.
- In 2010, the city adopted the Peoria Sports Complex Urban Design and Old Town Revitalization Plans, which established goals to create vibrant, pedestrian-friendly, mixed-use areas.

Awards and Certifications Received Since 2009

- Peoria has shown its commitment to sustainable design principles by funding eleven staff members to become accredited in the Leadership in Energy and Environment Design (LEED) Program.
- 2009 American Public Works Association (APWA) Large Environmental Project of the Year Award for the Butler Drive Water Reclamation Facility.
- 2010 U.S. Green Building Council's Arizona Chapter Big Green Award for Corporate Green Programs & Practices for our citywide green programs and practices.
- Bill Mattingly, Peoria's Public Works Utilities Director, received the 2010 APWA Charles Walter Nichols Award for Environmental Excellence.
- 2010 Globe Award for Environmental Excellence from the Transportation Development Foundation for Happy Valley Road between 67th Avenue and Lake Pleasant Parkway.
- In 2011, the city obtained LEED Gold certification for the Municipal Court Building expansion project.
- In 2012, the city obtained the EPA's ENERGY STAR certification for the Development and Community Services Building.



2010 Big Green Award

The award recognized Peoria's commitment to implementing sustainability principles throughout the organization. Photo shows Susan Daludding and Dan Zenko.



ENERGY STAR Plaque

The ENERGY STAR certification of our Development and Community Services Building indicates that it uses 35% less energy and generates 35% fewer greenhouse gas emissions than similar buildings nationwide.

Contents

Following the city's six Guiding Principles, a cross-department team identified broad focus areas, along with specific goals and objectives for each, to help direct future sustainability efforts. Each member of Peoria's staff has a role in advancing these sustainability goals through their actions. The successful implementation of the identified goals and objectives will ensure Peoria is competitively positioned for future success while preserving the quality of life for future generations.

Management Practices

Ensure that the city's guiding sustainability principles are included in decision-making processes and operational procedures.

Education and Outreach

Education and communication are powerful tools for fostering sustainable innovation and change. A progressive education and outreach program will help employees and residents understand their role in sustainability along with providing positive encouragement for their efforts.

Municipal Facilities

Public buildings and facilities need to incorporate sustainable features to optimize their usefulness and public benefit. Peoria is committed to developing standards and practices to make city buildings more efficient.

Community Building

Through design standards, Peoria can create areas that work together as a cohesive community. The city is committed to promoting the development of environmentally responsible buildings and creating vibrant, pedestrian-friendly, mixed-use neighborhoods.

Transportation

Trips by Peoria residents, visitors and daily business travelers have an effect on the overall quality of life and the environment. Choosing alternative modes of transportation, along with clean technology vehicles, can help reduce congestion and lessen our environmental impact. Peoria is also committed to developing efficient and environmentally responsible transportation networks.

Recycling and Waste Reduction

Purchasing items with recycled content and selecting products that last longer are common ways to reduce waste. Peoria is committed to reducing the use of disposable products/systems and expanding our city-wide recycling program.

Water Resources

In the arid southwest, water is one of the most precious resources. Managing water supplies and usage will help ensure long-term water resources for Peoria's current and future residents.



Peoria is committed to providing an environment in which our natural resources, our people and our economy are balanced. We will not compromise the future by focusing solely on the needs of today.



Peoria's elected officials have continued to show their commitment to sustainability. In 2010, Peoria's sustainability goals and objectives were first incorporated into the city's General Plan.

Management Practices

Ensure that the city's guiding sustainability principles are included in existing decision-making processes and operational procedures.

Incorporate Sustainability into the city's decision-making process.

- Develop a Sustainability Scorecard to monitor the city's progress toward improving sustainable performance.
- Explore ways to encourage public input and participation in setting direction for sustainable initiatives.

Provide resources for the implementation of sustainability programs.

- Identify ongoing funding for staff, projects and programs related to sustainability.



2011 Sustainable Cities Network Annual Conference

Peoria is an active member in the Sustainable Cities Network through ASU's Global Institute of Sustainability. The goal of the organization is to bridge the gap between university research and real world challenges faced by cities. The network received the ASU 2012 President's Award for its commitment to addressing local and regional environmental challenges.



Education and Outreach

Education and communication are powerful tools for fostering sustainable innovation and change. A progressive education and outreach program will help employees and residents understand their role in sustainability along with providing positive encouragement for their efforts.

Incorporate sustainability into the city's communication and outreach efforts.

- Increase the awareness of energy efficiency and renewable energy opportunities in homes and other buildings through education and incentive programs.
- Provide education to developers and residents on the importance of proper landscape design, materials and maintenance.
- Form community partnerships to drive change and encourage cooperation in sustainable practices.
- Provide awards and recognition to individuals and organizations that further Peoria's sustainability efforts.

Expand access to informational resources on sustainability.

- Develop a "Sustain and Gain" University. Integrate curriculum with the existing Peoria Leadership Institute.
- Make Peoria home to a signature sustainability event such as an International Film Festival for environmental documentaries.
- Provide information related to community gardens.



Peoria's Energy Super Heroes

The City of Peoria worked with a local theater troupe to create a puppet show as a tool to educate our future leaders about sustainability.



Municipal Court Expansion

Peoria obtained a LEED Gold Certification in 2011 for the renovation of the city's Municipal Court Building. This certification highlighted Peoria's commitment to enhancing the environment and human health through improved building construction.

Municipal Facilities

Public buildings and facilities need to incorporate sustainable features to optimize their usefulness and public benefit. Peoria is committed to developing standards and practices to make city buildings more efficient.

Increase energy efficiency in new and existing city facilities.

- Continually evaluate and improve the energy performance of city buildings.
- Design and construct new municipal facilities to allow them to be adapted to the changing needs of the community and government services.

Increase the use of renewable energy in city operations.

- Develop a public/private partnership to provide renewable energy resources.
- Utilize renewable energy technologies in city facilities to offset energy consumption.

Require LEED silver certification or higher of new and remodeled city building construction.

- Adopt a Resolution requiring all new and major renovation building projects to obtain LEED Silver certification or higher.



Pilot Wind Turbine Project

Peoria supplemented the energy usage of a fire station located at Lake Pleasant by installing two wind turbines.

Sports Complex Urban Design Plan

A rendering of Peoria's goal to recreate the area near the existing Sports Complex into a vibrant, pedestrian-friendly mixed-used community.



Community Building

Through design standards, Peoria can create areas that work together as a cohesive community. The city is committed to promoting the development of environmentally responsible buildings and creating vibrant, pedestrian-friendly, mixed-use neighborhoods.

Continue to implement the principles and policies of balanced land uses and connected places to create vibrant, pedestrian-friendly areas and neighborhoods.

- Promote interesting and diverse mixed-use areas that are destination-oriented and pedestrian-focused.
- Promote and/or incentivize sustainable development that advances traditional neighborhood design principles.

Create opportunities for residents to work and live in Peoria to reduce the environmental impact caused by commuting.

- Incubate, attract and retain businesses and industries to expand and diversify Peoria's economy.



Peoria's Mountain Trails

The trail system provides a way for residents to enjoy our abundant natural resources.



Integration of Development and Natural Environments

Peoria is committed to ensuring that development preserves the natural open spaces that make our city unique.

Create a sustainable community through infrastructure and architectural designs.

- Design and construct city buildings and facilities to demonstrate excellence in sustainable design.
- Develop strategies that reduce the heat island effect, including landscaping, cool roofs, shade, paving materials, reduction of pavement and other best practices.

Increase the amount of sustainable building occurring in the city.

- Develop programs that provide education and incentivize the use of sustainable building practices and technologies.

Protect and preserve the city's natural and historic resources for future generations.

- Develop strategies and programs to protect environmentally-sensitive areas, lands with high scenic value and historic/cultural resources.



Mixed-Use Trail System

Peoria's network of trails provides a safe system that promotes pedestrian and bicycle uses for both recreation and transportation needs.

84th Avenue Streetscape

This project improved the walkability and bikeability of Peoria's Old Town by widening sidewalks, adding landscaping and installing traffic calming measures. The shade trellises use solar-powered lights to offset electrical energy use.



Transportation

Trips by Peoria residents, visitors and daily business travelers have an effect on the overall quality of life and the environment. Choosing alternative modes of transportation, along with clean technology vehicles, can help reduce congestion and lessen our environmental impact. Peoria is also committed to developing efficient and environmentally responsible transportation networks.

Promote alternative forms of transportation by providing improved infrastructure for pedestrian, bicycling and transit travel options.

- Ensure that pedestrian, bicycling and transit travel options are provided in new and existing streets.
- Ensure that there are transportation choices for people of all ages and abilities.
- Expand the existing multimodal trail system to connect major commercial/residential centers throughout Peoria.

Increase the efficiency of existing and planned roadways and transportation infrastructure.

- Expand the existing bicycle lane network and ensure that it is fully connected into the regional bicycle system.
- Utilize techniques to optimize traffic flow while minimizing congestion and automobile-generated air pollution.
- Utilize techniques to shift peak traffic flows in order to reduce congestion.



Electric Vehicle Charging Stations

Peoria has partnered with ECotality to have electric vehicle charging stations installed at three city facilities. These charging stations will help create the infrastructure to support this new vehicle technology.



Traffic Management Center

Peoria's Traffic Management Center allows staff to monitor and improve the operation of the city's roadway system in real time.

Improve the fuel efficiency of city vehicles through the use of alternative fuels or fuel-efficient technologies.

- Continue to evaluate the city fleet's fuel standards and fleet procurement practices.

Provide incentives for the use of low-emission, high-efficiency, alternative fuel or electric vehicles.

- Provide designated parking spaces for low-emission, high-efficiency, alternative fuel or electric vehicles.
- Promote the installation of alternative fueling stations throughout the community.

Require the construction of efficient and environmentally responsible infrastructure.

- Utilize industry-recognized Best Practices in the design and construction of transportation networks.



Beardsley Connector Roundabout

Peoria has started to install roundabouts at several intersections to assist traffic flow, to eliminate the energy used by traffic signals and enhance the walkability of the intersections.

Hybrid Solid Waste/ Recycling Vehicles

Peoria was the first city in Arizona to use hybrid solid waste/recycling trucks, which are 20% more fuel efficient than a standard truck.



Recycling and Waste Reduction

Purchasing items with recycled content and selecting products that last longer are common ways to reduce waste. Peoria is committed to reducing the use of disposable products/systems and expanding our city-wide recycling program.

Increase recycling throughout the community.

- Increase opportunities for residential, commercial, multi-family and municipal recycling in the community.
- Provide recycling opportunities for visitors to city buildings and parks.

Decrease the overall amount of waste to be disposed of in landfills and promote responsible consumption.

- Decrease the use of disposable and non-renewable products in city operations and community-wide.
- Increase the awareness of responsible consumption to promote community-wide reductions of disposable and non-renewable products.
- Create a composting program to divert waste and generate a long-term sustainable product.

Develop procurement guidelines for sustainable purchasing practices.

- Increase the city's use of environmentally-preferable products and services where feasible. Evaluate alternatives for environmentally-friendly products and supplies.



Peoria's Curbside Recycling Program

The program diverted 15,900 tons of recyclable materials from landfills between July 2010 and June 2011, which is 25% of our total solid waste stream.



Butler Drive Water Reclamation Facility

In 2008, Peoria completed the construction of the Butler WRF which provides the city with a long-term renewable water supply.

Water Resources

In the arid southwest, water is one of the most precious resources. Managing water supplies and usage will help ensure long-term water resources for Peoria's current and future residents.

Conserve water supplies through proactive measures to increase water conservation and lower water consumption.

- Promote individual water conservation through the use of low-flow plumbing fixtures and Xeriscape landscape principles.
- Continually evaluate and improve the water consumption of city facilities and infrastructure.

Expand the reclaimed and non-potable water systems to ensure the city is "using the right water for the right use."

- Treat water for only its intended purpose (potable, irrigation, etc.).
- Expand the reclaimed water and the non-potable water systems.

Increase energy efficiency in new and existing water, wastewater and reclaimed water systems.

- Continuously evaluate and improve the operational performance of the city's water systems to reduce energy demands.



Reclaimed Water Sign

Peoria has been constructing a reclaimed water system in the southern area of the city to convert existing landscaped areas to this renewable water supply.

Sustainability Champions

Special thanks to the following individuals for their commitment towards making sustainability part of our daily lives and for assisting in updating Peoria's Sustainability Action Plan. Their willingness to participate, engage and move the City of Peoria forward makes our community stronger, healthier and of course – more sustainable. Congratulations!

Workgroup Members

Robin Bain, *Water Resources and Environmental Manager*

Walt Begley, *Facilities Manager*

Brian Biesemeyer, *Deputy Public Works-Utilities Director*

Seth Blumen, *Energy Efficiency Analyst*

Beckie Borquez, *Environmental Coordinator*

Michael Buettner, *Environmental Resources Supervisor*

Jay Davies, *Police Manager*

Alan Dulaney, *Water Resources Supervisor*

Chris Easom, *Sports Complex Manager*

Lisa Estrada, *Intergovernmental Affairs Coordinator*

Dina Green, *Economic Development Coordinator*

Kirk Haines, *Parks Manager*

Maher Hazine, *Deputy Public Works-Utilities Director*

Chris Kmetty, *Senior Civil Engineer*

Shawn Kreuzwiesner, *Engineering Planning Manager*

Maria Laughner, *Business and Real Estate Development Manager*

Dan Lorti, *IT Operations Manager*

Dennis Marks, *Building Safety Manager*

Debbie Pearson, *Business Development Specialist*

Adam Pruett, *Senior Planner*

Jamal Rahimi, *City Traffic Engineer*

Brenda Rehnke, *Recreation Manager*

Mindy Russell, *Management Assistant*

Jeff Sargent, *Senior Planner*

Kathy Sponsel, *Construction Projects Coordinator*

Jackie Stanley, *Rio Vista Manager*

Ed Striffler, *Design and Construction Manager*

Erik Wilson, *Right of Way Contract Supervisor*

Sherine Zaya, *Public Information Officer*

Dan Zenko, *Materials Management Supervisor*



Peoria's LEED Green Associate Staff

Peoria has shown its commitment to sustainable design and operations by funding staff to become accredited in the USGBC Leadership in Energy and Environmental Design (LEED) program.



City of Peoria

SUSTAINABILITY

9875 North 85th Avenue Peoria, Arizona 85345
peoriaaz.gov/sustainability

RESOLUTION NO. 2012-110

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF PEORIA, MARICOPA COUNTY, ARIZONA
APPROVING AND ADOPTING THE 2012 SUSTAINABILITY
ACTION PLAN.

WHEREAS, Peoria's General Plan recognizes that it is critical for a community to strike a balance at facilitating development without endangering the protection and sanctity of its natural resources: and,

WHEREAS, the 2012 Sustainability Action Plan recognizes the need for Peoria to be a leader in developing, promoting and improving the quality of life in our community by balancing today's use of natural resources with the needs of tomorrow through environmental stewardship and sustainable practices; and,

WHEREAS, a cross-departmental team identified broad focus areas along with specific goals and objective for each, in order to create the foundational elements for a sustainability action plan; and,

WHEREAS, after receiving input from the Mayor and Council on the direction of future sustainability efforts within the City of Peoria, Arizona.

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

Section 1. After due and proper consideration the Mayor and Council of the City of Peoria find:

1. That the 2012 Sustainability Action Plan is the City's guiding document for future sustainability efforts within Peoria: and,
2. The Action Plan advances the goals of the General Plan, namely through identifying strategies directing at promoting citywide sustainability efforts that will facilitate development without endangering the protection and sanctity of our natural resources.

SECTION 2. Separability.

In the event any part, portion or paragraph of this Resolution is found to be invalid by any court of competent jurisdiction, the invalidity of such part, portion, or paragraph shall not affect any other valid part, portion, or paragraph of this Resolution and effectiveness thereof;

SECTION 3. This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Maricopa County, Arizona this 18th day of September, 2012.

Bob Barrett, Mayor

Date Signed _____

ATTEST:

Rhonda Geriminsky, Acting City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney



City Council Calendar

Color Key:
City Council

< August	September 2012						October >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
						1	
2	3	4  Special City Council Meeting & Study Session	5	6	7	8	
9	10  City Council Subcommittee on Community Culture & Public Safety	11  City Council Subcommittee on Policy & Appointments	12	13	14	15	
16	17  Council Subcommittee on Policy and Appointments	18  Regular City Council Meeting	19	20	21	22	
23	24	25	26	27	28	29	
30							



City Council Calendar

Color Key:
City Council

< September	October 2012					November >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9  Regular City Council Meeting	10  City Council Subcommittee on Policy & Appointments	11	12	13
14	15	16	17	18  City Council Subcommittee on Community Culture & Public Safety	19	20
21	22	23  Regular City Council Meeting  Special City Council Meeting & Study Session	24	25	26	27 Halloween Monster Bash
28	29	30	31			

**CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT**

RCM: 16A

Date Prepared: August 30, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Chris Jacques, AICP, Planning & Community Development Director

THROUGH: Susan J. Daluddung, AICP, Deputy City Manager

SUBJECT: First Presbyterian Church of Peoria National Register Listing

Summary:

On August 13, 2012, The First Presbyterian Church of Peoria was given the honor of being placed on the National Register of Historic Places by the Keeper of the National Register. This is the third historic property in Peoria to be given this national recognition; the Peoria Central School and Palo Verde Ruin are also listed on the National Register. Listing on the National Register provides formal, national recognition of a property's historic significance.

This historic property is located in Peoria's Old Town at the southwest corner of 83rd Avenue and Madison Street. Originally constructed in 1899 out of locally-produced red brick, the First Presbyterian Church of Peoria is the oldest existing building in Peoria's original town site. According to the Presbytery of the Grand Canyon it is the oldest continuously operating Presbyterian Church in Arizona today.

City staff prepared the National Register nomination for the property with the support of the First Presbyterian Church, whose leaders provided a number of records describing the history of the church building and its connections to the development of Peoria. The property has been previously listed on both the Arizona State Register of Historic Places and on the Peoria Register of Historic Places.

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. It is managed by the National Park Service as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Exhibit(s):

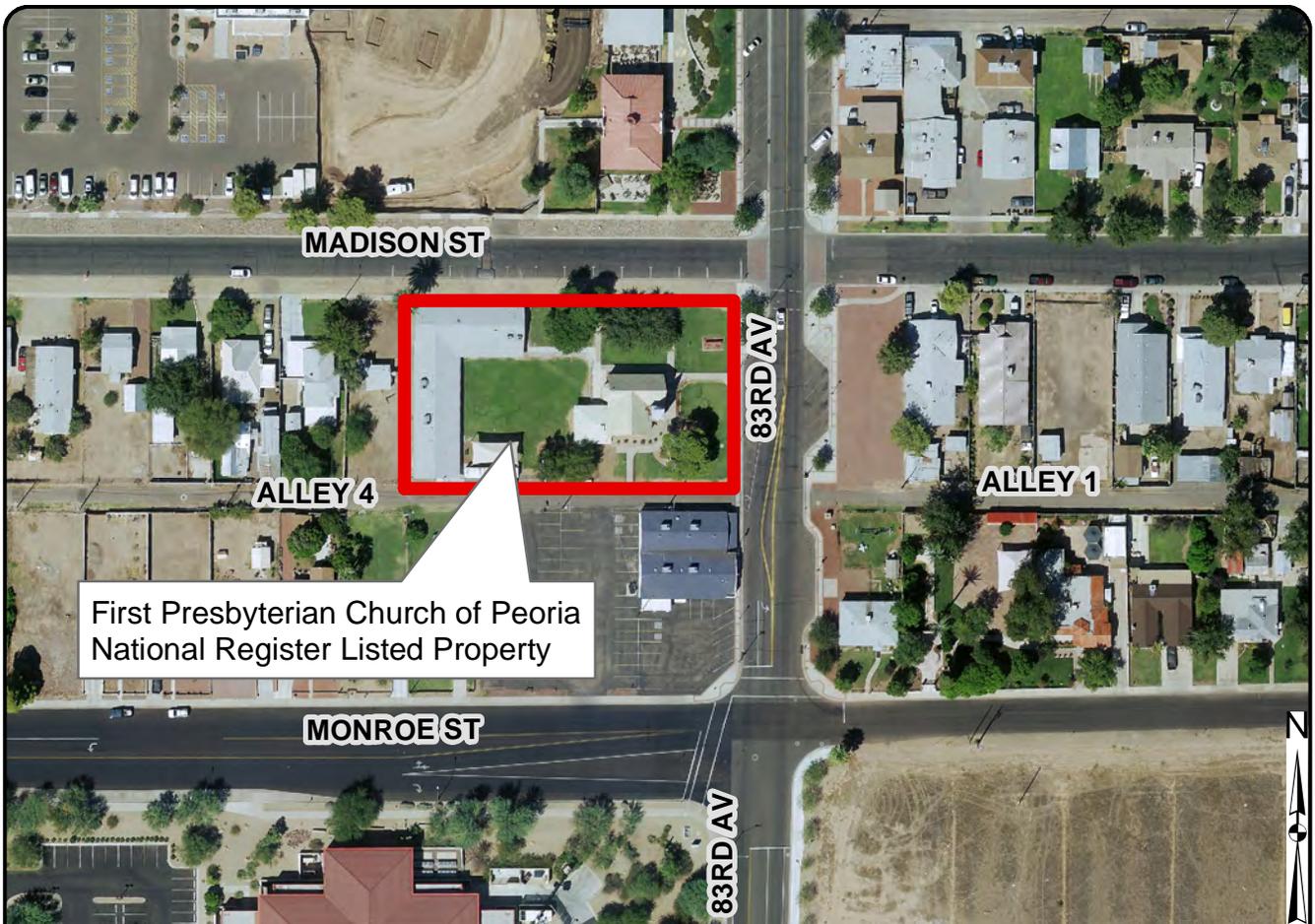
Exhibit 1: Photo and location map of First Presbyterian Church of Peoria

Contact Name and Number: Melissa Sigmund, Planner, x 7603

First Presbyterian Church of Peoria



Listed on the National Register of Historic Places August 13, 2012



**CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT**

RCM: 17A

Date Prepared: September 4, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: John Sefton, Community Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Keep it Safe: a Family Affair &
Get Your Green On Special Events

Summary:

City Council is invited to attend the “Keep it Safe: a Family Affair” on Saturday, October 6 starting at 8am – noon at the St. Joseph’s Medical Plaza. Special activities include a bike rodeo, child ID kits, blood pressure checks, \$10 flu shots for adults, fire truck tours, water safety, inflatables, face painting, booster seat fitting, and helmet fitting. Admission and activities are free. St. Joseph’s Medical Plaza is located at 7727 West Deer Valley Road, Suite 210, Peoria.

On that same day “Get Your Green On” will start at noon – 4pm. Admission and activities are free. Special activities include a hot dog lunch, water conservation and sustainability classes for the adults while the kids can participate in recycle craft projects, face painting, and inflatables. The event will be at Peoria’s Center for Performing Arts, 8355 West Peoria Avenue, Peoria.

Exhibit(s): None

Contact Name and Number: Kelli Kincaid, 623-773-7178

**CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT**

RCM: 17B

Date Prepared: July 30, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Bioinspire Grand Opening Event – September 25, 2012

Summary:

Economic Development Services will be hosting a grand opening event to mark the successful launching of the city's medical device incubator named Bioinspire. The event will be a collaborative effort between the City, Plaza Companies, and BioAccel. It will take place on Tuesday, September 25, 2012 from 4:00 – 7:00 pm at the Bioinspire facility.

There will be a great deal of publicity leading up to the event in the form of Eblasts, Website announcements, and press releases sent to the Business Journal and Arizona Republic. Each public relations effort between August and the opening date is targeted toward a specific objective including:

- Announce selection of the Bioinspire executive director
- Distribute the Save the Date card
- Announce the first round of finalists from the Call for Applications that was completed to place businesses into the incubator
- Distribute a formal invitation to the grand opening event
- Announce the Call for Application winners
- Grand opening – meet the Program winners and tour the facility

For the event there will be guest speakers. The list of speakers has not been fully determined yet, but will include the Mayor and Council Members, City Management, industry experts, investors, state or federal politicians, and an advisor to Bioinspire.

Attendees will be invited to a self-guided tour that talks about the partnerships, the facility, and the companies locating in Bioinspire.

Exhibit(s):

Exhibit 1: Bioinspire Save the Date Card

Contact Name and Number: Dina Green 623-773-7781

SAVE THE DATE



BIOINSPIRE GRAND OPENING EVENT

September 25, 2012

4:00 – 7:00 P.M.

We invite you to experience Bioinspire, the Valley's only medical device incubator, and meet our portfolio of companies.

Plaza Del Rio Campus
13660 N. 94th Drive
Peoria, Arizona 85381

PEORIA
ARIZONA

BioAccel[®]
Catapulting Arizona Bioscience

PLAZA
COMPANIES 

**CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT**

RCM: 17C

Date Prepared: August 24, 2012

Council Meeting Date: September 18, 2012

TO: Carl Swenson, City Manager
FROM: Scott Whyte, Economic Development Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: November 8, 2012 Job Fair

Summary:

The Economic Development Services Department will be hosting its second annual regional job fair event titled “Make Your Career Happen! Job and Opportunity Fair” on November 8th from 10:00 am – 3:00 pm at the Peoria Sports Complex. This event will stand out from other job fairs because it will include 4-5 workshops offering re-training options through higher education, as well as information on starting a small business. Below are event details:

- The city’s top two partners will be Maricopa Workforce Connections (MWC) and Goodwill of Arizona. They will be working in tandem to confirm employers for the Job and Opportunity Fair;
- MWC will offer its One-Stop Career Center services to job seekers prior to the event. The One-Stop Career Center helps to prepare job seekers to better showcase their skills and abilities. MWC will also promote all opportunities participating employers would like to have added to the state’s job board (azjobconnection.gov). They will also be giving presentations on Interviewing Techniques;
- Goodwill of Central Arizona will supply security, marketing assistance, and give presentations about How to work a Job Fair and Follow-up. They will also promote the event;
- Additional seminars that will be offered are: Using Personal Branding to Land Your Dream Job and Developing your Social Media Presence;
- Greater Phoenix SCORE, SBA, Arizona Commerce Authority, and SBDC will be offering information on how to start a small business;
- Additional partners include the Peoria Chamber of Commerce and participating cities. As partners, each city is expected to have a table to promote open city positions, as well as promote the event to their surrounding businesses, enabling us to have a variety of small to large companies that are hiring. Participating cities include:
 - City of Phoenix
 - City of Avondale

- City of Litchfield Park
- Participating colleges and universities include:
 - The Art Institute of Arizona

EDS is working with Human Resources, Community Services, and the Public Information Office to make this a safe and successful event. Promotion of the event is being done utilizing all types of media, including radio. We are also actively seeking sponsorships to help offset the cost of the event, as well as build relationships in the community. Goodwill of Central Arizona has taken the Title Sponsor position. PRfect Media, a public relations firm under contract with EDS, will help organize this event.

Exhibit A: Sponsorship flyer and registration form

Contact Name and Number: Debbie Pearson 623-773-5210

SAVE THE DATE



Make Your Career Happen!

Job and Opportunity Fair

November 8, 2012

10 A.M. to 3 P.M.

Peoria Sports Complex Stadium

16101 N. 83rd Avenue

Peoria, Arizona 85382



Attendees will have an opportunity to meet Arizona Companies representing a wide range of industries.

Workshops and Discussions including:

A new job is a “like” button away — using Social Media wisely in your job search and career

Personal Branding — Effective Interview and Presentation skills

Develop your Career Roadmap — navigating your career destination

Employer Exhibit Space Is FREE

Sponsorships and workshop speaker opportunities are available.

Please contact Sheryl Bettencourt via email at sbettencourt@prfectmedia.com for a sponsorship packet

presented by

