



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

REGULAR MEETING
Tuesday, January 24, 2017
6:00 P.M.

Council Chambers
202 N. State Route 89
Chino Valley, Arizona

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a.** Proclamation declaring February 2017 as "Career and Technical Education Month," sponsored by the Association for Career and Technical Education.

3. CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4. RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

- a.** Comments regarding the manufactured homes sales tax reduction approved on December 13, 2016.

5. CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a. Status reports by Mayor and Council regarding current events.
- b. Status report by Interim Town Manager Cecilia Gritman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

6. CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

- a. Consideration and possible action to approve the Declaration of Right-of-Way by the Town of Chino Valley, for the creation of public right-of-way along a portion of Road 1 West, approximately 450 feet north of Road 1 North. (Michael Lopez, Public Works Director/Town Engineer)
- b. Consideration and possible action to appoint William Welker and Tom Armstrong to Regular positions on the Planning and Zoning Commission for 3-year terms starting February 1, 2017 per recommendation of the Appointments Subcommittee. (Jami Lewis, Town Clerk)
- c. Consideration and possible action to reappoint Gary Pasciak and Charles Merritt to Regular positions on the Planning and Zoning Commission for 3-year terms beginning February 1, 2017; and reappoint Gwen Rowitsh as Alternate Commissioner for a 1-year term beginning February 1, 2017. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a. Public Hearing and possible action regarding application from Daniel French/ShopKo Stores Operating Co., LLC, for a new Series 10 (Beer and Wine Store) Liquor License for ShopKo Hometown, located at 1950 N. Highway 89, Chino Valley. (Jami Lewis, Town Clerk)

Recommended Action: (i) Hold Public Hearing and (ii) recommend approval for a new Series 10 Liquor License for ShopKo Hometown.

- b. Consideration and possible action to to approve change order 1 to Professional Services Agreement with Lyon Engineering Inc., in the amount of \$32,890.00, relating to the Center Street Sewer Main Extension Project, to utilize all the funds available from WIFA, including the forgivable principle, by adding 2,500 lineal feet of 12-inch sewer main improvements down south Road 1 West to serve two multifamily residential properties consisting of approximately 100 accounts. (Michael Lopez, Public Works Director/Town Engineer)

Recommended Action: Approve change order number 1 to Professional Services Agreement with Lyon Engineering Inc. in the amount of \$32,890.00.

- c. Consideration and possible action to approve change order number 1 to the contract with Earth Resources Corporation, in the amount of \$298,506.45, relating to the Center Street Sewer Main Extension project, to utilize all the funds available from WIFA, including the forgivable principle, by adding 2,500 lineal feet of 12-inch sewer main improvements down south Road 1 West to serve two multifamily residential properties consisting of approximately 100 accounts. (Michael Lopez, Public Works Director/Town Engineer)

Recommended Action: Approve change order number 1 to Earth Resources Corporation's contract in the amount of \$298,506.45.

8. EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

- a. An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending litigation or in settlement discussions conducted in order to resolve litigation in the matter of Town v. The Glenarm Land Company, Inc., et al. (Phyllis Smiley, Town Attorney)

9. ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

10. ADJOURNMENT

Dated this 19th day of January, 2016.

By: **Jami C. Lewis, Town Clerk**

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter> and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 2. a.

Meeting Date: 01/24/2017
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Council
Estimated length 5 minutes
of Staff Presentation:
Physical location of item: N/A

AGENDA ITEM TITLE:

Proclamation declaring February 2017 as "Career and Technical Education Month," sponsored by the Association for Career and Technical Education.

SITUATION & ANALYSIS:

Chino Valley Unified School District Superintendent John Scholl has requested this proclamation.

Attachments

Proclamation - Career & Technical Education Month



PROCLAMATION

Career and Technical Education Month – February 2017



Whereas, February 2017, has been designated Career and Technical Education Month® by the Association for Career and Technical Education; and

Whereas, career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness

Whereas, students in career and technical education programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

Whereas, career and technical education provides students with career exploration opportunities earlier in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and

Whereas, leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields, including healthcare, energy, advanced manufacturing and information technology; and

Whereas, career and technical education prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and lead to the attainment of industry-recognized credentials; and

Whereas, ensuring that employers have access to a qualified workforce is a crucial step in ensuring productivity among the business and industry communities as well as continued American economic growth and global competitiveness; and

Whereas, this year marks the 100th anniversary of the Smith-Hughes Act, the first act of Congress to provide funding for career and technical education, which allows us to celebrate how far CTE has come to become a powerhouse of America's economy;

Now, Therefore, I, Darryl L. Croft, Mayor of the Town of Chino Valley, do hereby proclaim the month of February 2017 as Career and Technical Education Month in Chino Valley, Arizona, and urge all of our citizens to recognize this observance.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 24th day of January, 2017.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. a.

Meeting Date: 01/24/2017
Contact Person: Michael Lopez, Public Works Director/Town Engineer
 Phone: 928-636-2646 x-1226
Department: Public Works
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: Road 1 West and Road 1 North

AGENDA ITEM TITLE:

Consideration and possible action to approve the Declaration of Right-of-Way by the Town of Chino Valley, for the creation of public right-of-way along a portion of Road 1 West.

RECOMMENDED ACTION:

Move to approve the Declaration of Right-of-Way by the Town of Chino Valley, for the creation of public right-of-way along a portion of Road 1 West.

SITUATION AND ANALYSIS:

Issue Statement

Recently Staff learned that a portion of Road 1 West located approximately 450 feet north of Road 1 North is not designated as public right-of-way ("ROW"). The roadway, like many of Chino Valley roadways, is simply a surfaced access way on property owned by the Town or accessed via granted easements to the Town. Because this portion of Road 1 West is not designated as public ROW some properties adjacent to it are shown on County maps as being land locked. One of the properties is being sold but cannot close escrow until the access is clarified. The approval of the declaration by the Town of this portion of Road 1 West as public ROW will clarify that there is access and that therefore the property is not landlocked. The use of the roadway will not change. The declaration is a formality to memorialize its current use.

Summary of Issues and Staff Rationale

The Town received a request in November of 2016 from the land owner to split his land. The land owner offered to deed a portion of their property to the Town for public right-of-way. However, the language in the warranty deed and legal description did not specifically indicate that the deeded property was for public right-of-way. Yavapai County subsequently recorded the property as Town property and not Town right-of-way. The declaration of the western 25.01' as public ROW for this portion of Road 1 West will remedy any access issues to the landowners recently split lots to public right-of-way.

Findings of Fact

All Public thoroughfares or access ways in the Town of Chino Valley should be "Rights of Way" Currently, portions of Road 1 West are not a ROW. Since the Town owns this particular portion of Road 1 West property, declaration of the lands by the Town as a Town Right of Way is a ministerial act that requires Council Approval to 'accept' the declaration and clarify that the land included in the Declaration is to be used only as right-of-way.

Fiscal Impact

Fiscal Impact?: none

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Declaration of Right-of-Way

Recorded at the request of
 When Recorded Return to:
 Town Clerk, Town of Chino Valley, AZ
 202 North State Route 89
 Chino Valley, AZ 86323

Exempt under A.R.S. § 11-1134(A)(2)

DECLARATION OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS: That the Town of Chino Valley, Arizona, a municipal corporation of the State of Arizona, as owner of real property generally located on Road 1 West approximately 450 feet north of Road 1 North, more particularly described in Exhibit A which is attached hereto and incorporated herein, hereby declares and establishes a right-of-way for roadway and utility purposes in and upon said property, legally described in Exhibit A (the "Right-of-Way"), including the construction and maintenance of roads and utility facilities in the Right-of-Way and uses incidental to such purposes.

IN WITNESS WHEREOF, this instrument is executed this 24 day of January 2017.

TOWN OF CHINO VALLEY

 By
 Its

ACKNOWLEDGEMENT

STATE OF ARIZONA)
) ss.
 County of Yavapai)

On this ____ day of _____, 20__, before me, the undersigned Notary Public, personally appeared _____ who executed and acknowledged the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

 Notary public

My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION

PROPERTY DESCRIPTION**ROAD 1 WEST****±0.12 acres**

All that portion of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian (as shown in Book 152 of Land Surveys, Page 46 of the Yavapai County Recorder's Office), being located in Yavapai County, Arizona, more particularly described as follows:

COMMENCING at the West-quarter corner of said Section 22;

Thence North 01°40'00" East, along the center-line of Road 1 West, a distance of 437.29 feet to **THE POINT OF BEGINNING;**

Thence continuing North 01°40'00" East, along said center-line, a distance of 179.88 feet;

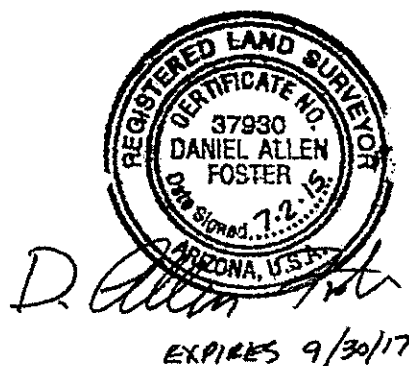
Thence South 89°59'00" East, a distance of 25.01 feet to a point lying on the east right-of-way of said Road 1 West;

Thence South 01°40'00" West, along said right-of-way, a distance of 223.17 feet;

Thence North 28°45'32" West, a distance of 49.37 feet to **THE POINT OF BEGINNING.**

Containing 0.12 acres, more or less.

RESERVING, SUBJECT TO, AND TOGETHER WITH ALL EASEMENTS OF RECORD.



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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. b.

Meeting Date: 01/24/2017
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to appoint William Welker and Tom Armstrong to Regular positions on the Planning and Zoning Commission for 3-year terms starting February 1, 2017 per recommendation of the Appointments Subcommittee.

RECOMMENDED ACTION:

Move to appoint William Welker and Tom Armstrong to Regular positions on the Planning and Zoning Commission for 3-year terms starting February 1, 2017.

SITUATION AND ANALYSIS:

The Council Appointments Subcommittee met on January 9, 2017 to review applications and interview new prospective candidates for the Planning and Zoning Commission. There are five positions total to be filled, 4 Regular positions and 1 Alternate.

Staff received two applications for appointment from persons who are not currently on the Commission: William Welker and Tom Armstrong. After interviewing new applicants, Mr. Welker and Mr. Armstrong, the Committee voted to recommend to the Town Council their appointment to the Planning and Zoning Commission.

Other Pertinent Documents Available Upon Request:

Fiscal Impact

Fiscal Impact?: none

If Yes, Budget Code:

Available:

Funding Source:

Attachments

January 9, 2017 draft minutes

DRAFT

TOWN OF CHINO VALLEY COUNCIL APPOINTMENTS SUBCOMMITTEE MINUTES

**MONDAY, JANUARY 9, 2017
4:00 P.M.**

The Council Appointments Subcommittee of the Town of Chino Valley, Arizona, convened for a public meeting in the Council Conference Room, located at 202 N. State Route 89, Chino Valley, Arizona.

Present: Vice-Mayor Darryl Croft (Chair); Councilmember Mike Best; Councilmember Lon Turner

Staff Present: Development Services Director Ruth Mayday

1) CALL TO ORDER

Mayor Croft called the meeting to order at 4:00 p.m.

2) ROLL CALL

3) APPROVAL OF MINUTES

- a) Consideration and possible action to approve the November 9, 2015 minutes.

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to approve the minutes for Monday, November 9.

Vote: 3 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve the June 2, 2016 minutes.

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to approve the June 2, 2016 minutes.

Vote: 3 - 0 PASSED - Unanimously

4) OLD BUSINESS

5) NEW BUSINESS

- a) Review and possible action regarding amendments to the Planning and Zoning Commission Position Description, Training Requirements, and Appointment Process.

Per the Staff Report by Town Clerk Jami Lewis, staff had worked with the document titled, "Planning and Zoning Commission Position Description, Training Requirements, and Appointment Process," for about two years, and Council last amended it one year ago. Staff desired the subcommittee to review the document for further revisions.

Members reviewed the document and staff's recommended revision and comments pertaining to certain requirements for appointment as follows:

- *Strike requirement for appointee to agree to an employee background check:* The subcommittee did not discuss the requirement, but both the Mayor and Town Clerk had recommended striking it.
 - *Question regarding the requirement for appointee to attend Citizen's Academy within 12 months of appointment:* If an appointee did not meet this requirement in the 12 month timeframe, the subcommittee preferred that staff continue to pursue the appointee's participation.
 - *Amend requirement to attend legal briefing:* The subcommittee did not object to including the option for an appointee to view the town attorney's Open Meeting Law training video, if one was available.
 - *Amend requirement for attendance at one Town Council regular meeting and one Town Council study session within 60 days of appointment:* The subcommittee suggested extending the time to 90 days.
 - *Appointee's failure to meet training requirements:* The subcommittee suggested that staff obtain an explanation from the appointee and report it to the subcommittee, who may, at any time, consider removing the appointee from the Commission.
- b) The Council Appointments Subcommittee may vote to recess the public meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of recommending to the Town Council the appointment of William Welker and Tom Armstrong to fill positions on the Planning and Zoning Commission.

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to go into executive session at 4:04 p.m.

Vote: 3 - 0 PASSED - Unanimously

Mayor Croft reconvened the public meeting at 4:46 p.m.

- c) Consideration and possible action to recommend appointment of applicants to the Planning and Zoning Commission.

Per the Staff Report by Town Clerk Jami Lewis:

- 4 Regular positions and 1 Alternate position will expire on January 31, 2017.
- 2 vacancies were created when Commissioner Annie Lane was elected and seated on the Town Council in December 2016, and Commissioner Florence Sloan resigned in December 2016.
- Current Regular Commissioners Charles Merritt and Gary Pasciak and Alternate Commissioner Gwen Rowitsch applied for re-appointment. Staff received new applications from William Welker and Tom Armstrong.
- Staff recommended re-appointment of Charles Merritt, Gary Pasciak, and Gwen Rowitsch; and appointment of William Welker and Tom Armstrong subject to the results of their interviews with the subcommittee.

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to recommend to Council the appointment of William Welker and Tom Armstrong to the Planning and Zoning Commission.

Vote: 3 - 0 PASSED - Unanimously

6) ADJOURNMENT

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to adjourn the meeting at 4:51 p.m.

Vote: 3 - 0 PASSED - Unanimously

Dated this 12th day of January, 2017.

By: *Jami C. Lewis*

Approved: _____

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. c.

Meeting Date: 01/24/2017
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to reappoint Gary Pasciak and Charles Merritt to Regular positions on the Planning and Zoning Commission for 3-year terms beginning February 1, 2017; and reappoint Gwen Rowitsh as Alternate Commissioner for a 1-year term beginning February 1, 2017.

RECOMMENDED ACTION:

Move to reappoint Gary Pasciak and Charles Merritt to the Planning and Zoning Commission for 3-year terms beginning February 1, 2017; and reappoint Gwen Rowitsh as Alternate Commissioner for a 1-year term beginning February 1, 2017.

SITUATION AND ANALYSIS:

The Council Appointments Subcommittee met on January 9, 2017 to review applications and interview prospective candidates for the Planning and Zoning Commission. There are five positions to be filled, 4 Regular positions and 1 Alternate.

Staff received two applications for appointment from persons who are not currently on the Commission: William Welker and Tom Armstrong. Staff also received applications for reappointment from current Commissioners Charles Merritt and Gary Pasciak for 3-year terms starting February 1, 2017 and Alternate Commissioner Gwen Rowitsch for 1-year term starting February 1, 2017.

At its January 9, 2017 meeting, the Appointments Subcommittee did not discuss the reappointment of the 3 applicants who are currently serving on the Planning and Zoning Commission. Council may either vote to approve the applications and re-appoint Mr. Pasciak, Mr. Merritt and Ms. Rowitsh without a recommendation from the Subcommittee or, at the Council's discretion, may ask the Appointments Subcommittee to review the re-appointments and provide Council with a recommendation.

Other Pertinent Documents Available Upon Request:

See Appointments Subcommittee January 9, 2017 minutes attached to Agenda Item 6a.

Fiscal Impact**Fiscal Impact?:** none**If Yes, Budget Code:****Available:****Funding Source:**

Attachments*No file(s) attached.*



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 01/24/2017
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Action-Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: ShopKo Hometown, 1950 N. Highway 89, Chino Valley

AGENDA ITEM TITLE:

Public Hearing and possible action regarding application from Daniel French/ShopKo Stores Operating Co., LLC, for a new Series 10 (Beer and Wine Store) Liquor License for ShopKo Hometown, located at 1950 N. Highway 89, Chino Valley.(Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Hold Public Hearing and recommend approval for a new Series 10 Liquor License for ShopKo Hometown.

SITUATION AND ANALYSIS:

Issue Statement

A.R.S. § 4-201 provides that a person desiring a new or amended liquor license shall apply with the State Liquor Board. Upon receipt of such application, the State forwards the application to the local governing body (Town Council), which is tasked with making a recommendation to the Board for granting or denying the license. A recommendation for disapproval requires a statement of the specific reasons containing a summary of the testimony or other evidence supporting the recommendation for disapproval. The attached Arizona Administrative Code, Rule R19-1-702 provides guidelines for determining whether to grant a license for a certain location.

Applicable Policy

A.R.S. § 4-201 Licensing; application procedure in city, town or county; burden of proof.

Satisfaction of Policy

Upon reviewing the material provided by the Department of Liquor Licenses and Control, and conducting a public Hearing, the Council will meet the statute requirements by recommending that the state liquor board grant or deny the license.

Summary of Issues and Staff Rationale

Daniel French/ShopKo Stores Operating Co., LLC has applied with the state for a new Series 10 (Beer and Wine Store) Liquor License for ShopKo Hometown. This off-sale retail privileges liquor license

allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

Findings of Fact

- The Police and Planning Departments reviewed the application and recommended approval with no comments.
- Staff posted the establishment with the necessary notices to meet the required 20-day period from December 29, 2016 through January 24, 2017.
- As of the date of this report, staff has not received any written arguments in favor of or in opposition to the application.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

ShopKo application

Acceptable reasons to protest liquor license type applications

R19-1-702. Determining Whether to Grant a License for a Certain Location



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

16 DEC 2 11:49 AM 12/36

Application for Liquor License
Type or Print with **Black Ink**

SECTION 1 This application is for a:

- ☐ Interim Permit (Complete Section 5)
☒ New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
☐ Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
☐ Location Transfer (Bars and Liquor Stores Only)
(Complete Section 2, 3, 4, 11, 13, 14, 16)
☐ Probate/ Will Assignment/ Divorce Decree
(Complete Sections 2, 3, 4, 9, 13, 14, 16)
(Fee not required)
☐ Government (Complete Sections 2, 3, 4, 10, 13, 16)
☐ Seasonal

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)
☐ Tribe (Complete Section 6)
☐ Other (Explain) _____

SECTION 3 Type of license

LICENSE # ~~FBD~~ 10133313

1. Type of License: Series 10

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

A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 4 Applicants

1. Individual Owner/Agent's Name: French Daniel Edward
Last First Middle

2. Owner Name: ShopKo Stores Operating Co., LLC B1057846
(Ownership name for type of ownership checked on section 2)

3. Business Name: ShopKo Hometown #200 B1007299
(Exactly as it appears on the exterior of premises)

4. Business Location Address: 1950 N. Highway 89 Chino Valley AZ 86323 Yavapai
(Do not use PO Box) Street City State Zip Code County

5. Mailing Address: PO Box 19060 Green Bay WI 54307
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: 928/231/5494 Daytime Contact Phone: 920-429-4166

7. Email Address: carissa.lingenhag@shopko.com

8. Is the Business located within the incorporated limits of the above city or town? ☒ Yes ☐ No

9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? ☐ Yes ☒ No

If Yes, what City, Town or Tribal Reservation is this Business located in: n/a

10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ n/a

Fees:		Department Use Only		Total of All Fees
Application	<u>100</u>	Site Inspection	☒ Finger Prints	\$ <u>100</u>
Interim Permit		Is Arizona Statement of Citizenship & Alien Status for State Benefits complete?	☒ Yes ☐ No	
Accepted by: <u>MS</u>		Date: <u>12/14/2016</u> License # <u>10133313</u>		

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: n/a

2. Is the license currently in use? ☐ Yes ☒ No If no, how long has it been out of use? n/a

Attach a copy of the license currently issued at this location to this application.

I, _____ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING
(Print Full Name) PERSON on the stated license and location.

X _____
(Signature)

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

_____ day of _____
Day Month Year

My Commission Expires on: ____/____/____
Date

(Signature of Notary Public)

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships n/a

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

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business? ☐ Yes ☐ No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: n/a

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
☐ ☐								
☐ ☐								
☐ ☐								
☐ ☐								

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship) n/a

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 6 - continued**TRUST**Name of Trust: n/a

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBEName of Tribal Ownership: n/a

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

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

☐ Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7☒ L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 71. Name of Corporation/ L.L.C.: Shopko Stores Operating Co., LLC2. Date Incorporated/Organized: 10-11-2005 State where Incorporated/Organized: Delaware3. AZ Corporation or AZ L.L.C File No: R20471462 Date authorized to do Business in AZ: 2-12-20164. Is Corp/L.L.C. Non Profit? ☐ Yes ☒ No

5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code
DePaul	James	Michael	Member	PO Box 19060	Green Bay	WI	54307
Vanderhauken	Peter	Gerard	Member	PO Box 19060	Green Bay	WI	54307
Steinhurst	Russell	Lee	Member	PO Box 19060	Green Bay	WI	54307
McMahon	Peter	Kenneth	Member	PO Box 19060	Green Bay	WI	54307

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
Shopko Holding Company			100%	700 Pilgrim Way	Green Bay	WI	54304

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational FLOWCHART showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

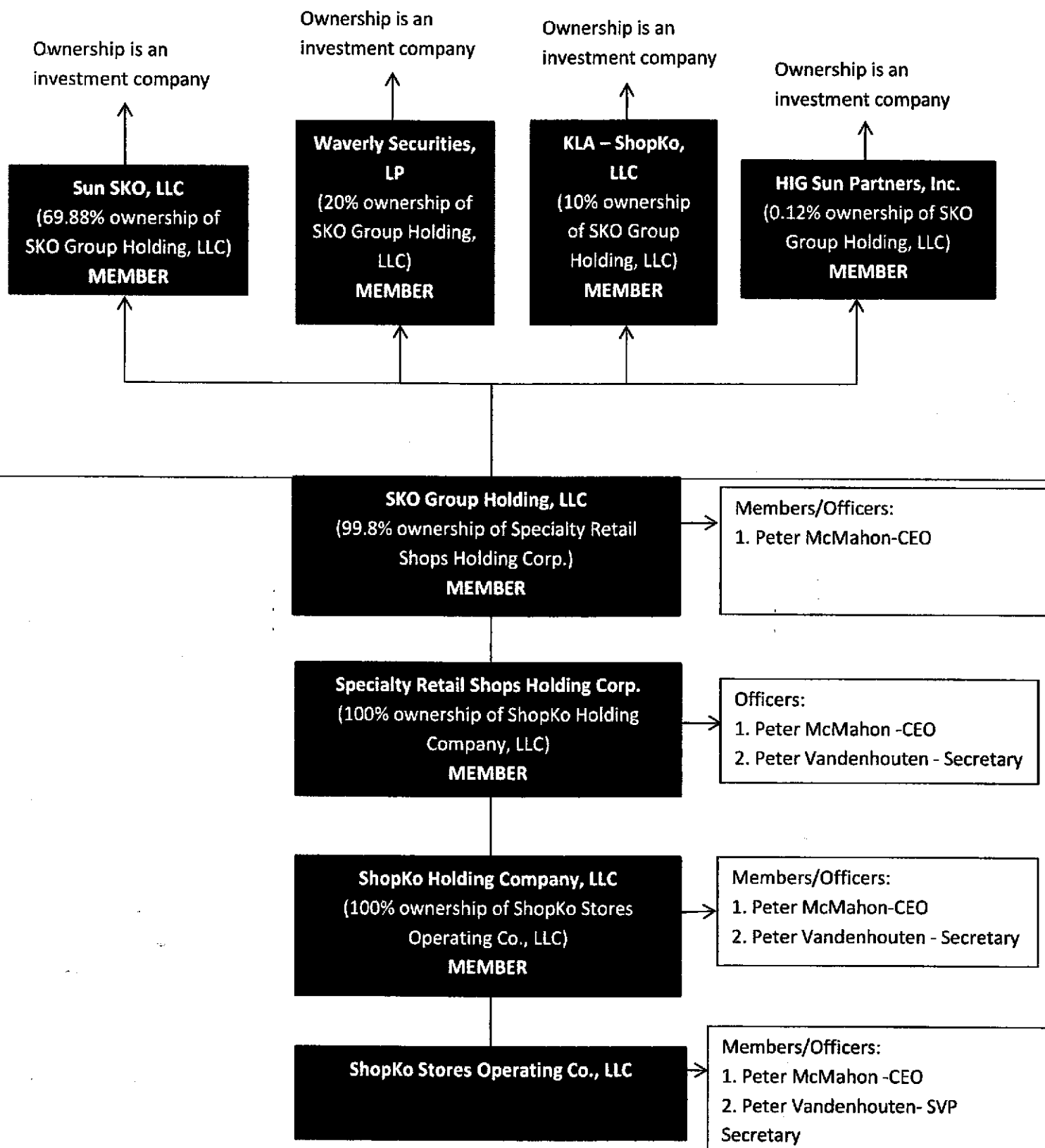
SHOPKO STORES OPERATING CO., LLC
EXECUTIVE OFFICERS
FEIN: 20-3606109

EXHIBIT A

* Shopko Stores Operating Co., LLC is a wholly owned subsidiary of Shopko Holding Company, LLC
Shopko Holding Company, LLC is the sole member/manager of Shopko Stores Operating Co., LLC.
Officers do not hold any membership interest.

NAME	POSITION	M/F	WORK ADDRESS	WORK PHONE	HOME ADDRESS	HOME PHONE	DATE OF BIRTH	SOCIAL SECURITY NUMBER
PETER KENNETH MCMAHON	CHIEF EXECUTIVE OFFICER	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				
RUSSELL L. STEINHORST	SENIOR VICE PRESIDENT CHIEF FINANCE OFFICER	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				
PETER GERARD VANDENHOUTEN	SENIOR VICE PRESIDENT GENERAL COUNSEL CORPORATE SECRETARY	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				
GARY LEE GIBSON	VICE PRESIDENT TREASURER	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				
JAMES M. DEPAUL	SENIOR VICE PRESIDENT CHIEF ADMINISTRATIVE OFFICER	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				
DEREK L. JENKINS	SENIOR VICE PRESIDENT SHOPKO HOMETOWN	M	700 PILGRIM WAY GREEN BAY, WI 54304	920 / 429-2211				

EXHIBIT A
SHOPKO STORES OPERATING CO., LLC STRUCTURE
DIAGRAM



Date: 11/17/16

SECTION 8 Club Applicants *n/a*

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

1. Name of Club: _____
2. Is Club non-profit? ☐ Yes ☐ No
3. List all controlling members (minimum of four (4) requested)

Last	First	Middle	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License *n/a*

1. Current Licensee's Name: _____
(Exactly as it appear on the license) Last First Middle
2. Assignee's Name: _____
 Last First Middle
3. License Type: _____ License Number: _____

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.

SECTION 10 Government (for cities, towns, or counties only) *n/a*

1. Government Entity: _____
2. Person/Designee: _____
 First Last Middle Day time Contact Phone #

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

SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only *n/a*

1. Current Business: Name: _____
 Address: _____
 (Exactly as it appears on license)
2. New Business: Name: _____
 Address: _____
3. License Type: _____ License Number: _____

SECTION 12 Person to Person Transfer

n/a

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)1. Individual Owner / Agent Name: _____ Entity: _____
Last First Middle (Individual, Agent, Etc)2. Ownership Name: _____
(Exactly as it appears on license)3. Business Name: _____
(Exactly as it appears on license)4. Business Location Address: _____
Street City State Zip

5. License Type: _____ License Number: _____

6. Current Mailing Address: _____
Street City State Zip7. Have all creditors, lien holders, interest holders, etc. been notified? ☐ Yes ☐ No8. Does the applicant intend to operate the business while this application is pending? ☐ Yes ☐ No

If yes, complete Section 5 (Interim Permit) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) _____ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) _____, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.**NOTARY**

X (Signature) _____

State of _____ County of _____
The foregoing instrument was acknowledged before me this_____ of _____
Day Month Year

My commission expires on: _____

Signature of NOTARY PUBLIC

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants **EXCLUDING** those applying for a Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

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: 1.4 miles
(If less than one (1) mile note footage)

Name of School: Heritage Middle SchoolAddress: 1076 N Rd 1 W, Chino Valley, AZ 86323

2. Distance to nearest Church: 528 Feet
(If less than one (1) mile note footage)

Name of Church: Chino Valley Community ChurchAddress: 1969 N State Route 89, Chino Valley, AZ 86323**SECTION 14 Business Financials**

1. I am the: ☒ Lessee ☐ Sub-lessee ☐ Owner ☐ Purchaser ☐ Management Company

2. If the premise is leased give lessors:

Name: PD2Address: 16400 Pacific Coast Highway # 207, Huntington Beach, CA 92649

Street

City

State

Zip

3. Monthly Rent/ Lease Rate: \$ 8,333.33

4. What is the remaining length of the lease? 15 Years 0 Months

5. What is the penalty if the lease is not fulfilled? \$ None or other: None
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ none

Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
n/a							

(Attach additional sheet if necessary)

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

General Merchandise Retailer

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? ☐ Yes ☒ No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? ☐ Yes ☒ No

10. Is the premises currently license with a liquor license? ☐ Yes ☒ No

If yes, give license number and licensee's name:

License #: n/a Individual Owner /Agent Name: n/a

(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants *n/a*

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? ☐ Yes ☐ No
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 provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this ☐ Restaurant ☐ Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

 (Applicant's Signature)

5. 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.

 (Applicant's Initials)
SECTION 16 Diagram of Premises

Check ALL boxes that apply to your business:

- | | | | |
|---|--|---------------|---|
| ☒ Entrances/Exits | ☒ Liquor storage areas | Patio: | ☐ Contiguous |
| ☐ Walk-up windows | ☐ Drive-through windows | | ☐ Non Contiguous |

1. Is your licensed premises currently closed due to construction, renovation or redesign? ☒ Yes ☒ No

If yes, what is your estimated completion date? 7-1-16

Month/Day/Year

2. **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. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
4. 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 the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.

 (Applicant's Initials)

SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. 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 the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES

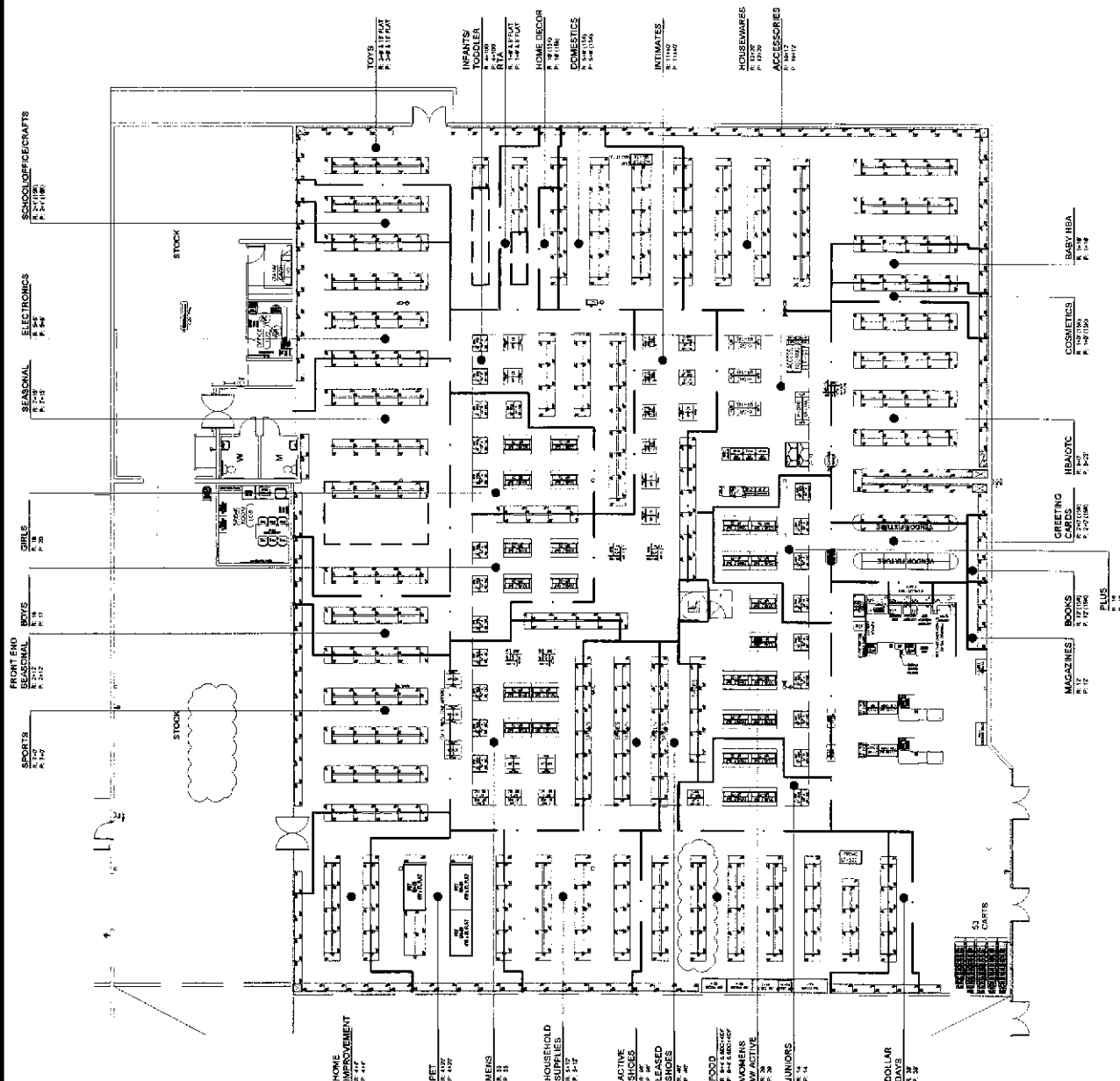
See attached diagram

SHOPKO
1 BORTON TOWN
700 PILGRIM WAY P.O. BOX 19060
GREEN BAY, WI 54307-9060
(920) 497-2211, FAX (920) 429-8576

[illegible]

Drawn By: JWS
 Finished By:
 Date: 11/18/2016
 Time: 10:50 AM
 Project: N/A
 Notes: NTS
 Sheet Number:

F1-2L



SHUBBLED AREA INDICATES RELATIVE EXTENTS OF SALES FLOOR AND STOCKROOM LIQUOR STORAGE.

SECTION 17 SIGNATURE BLOCK

I, (Print Full Name) Peter Vandenhouten, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X (Signature)

[Signature] Secretary

State of Wisconsin County of Brown

The foregoing instrument was acknowledged before me this

18 of February, 2016

Day

Month

Year

My commission expires on:

8-31-18

[Signature]
Signature of NOTARY PUBLIC

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

Type of Application		Acceptable Protest
1	New License	May Protest Person and Location
2	Person Transfer	May Protest “ONLY” Person
3	Location Transfer	May Protest “ONLY” Location
4	Location and Person Transfer	May Protest Person and/or Location



Types of Liquor License Applications and Acceptable Reasons to Protest

**Arizona Laws and Regulations Relating to
Granting a Liquor License for a Certain Location
(pursuant to Arizona Revised Statute §4-201(I))**

R19-1-702. Determining Whether to Grant a License for a Certain Location

- A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:
1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;
 2. Number and types of licenses within one mile of the proposed premises;
 3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;
 4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;
 5. Residential and commercial population density within one mile of the proposed premises;
 6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;
 7. Effect on vehicular traffic within one mile of the proposed premises;
 8. Compatibility of the proposed business with other activity within one mile of the proposed premises;
 9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;
 10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;
 11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and
 12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.
- B. This Section is authorized by A.R.S. § 4-201(I).



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 01/24/2017
Contact Person: Michael Lopez, Public Works Director/Town Engineer
 Phone: 928-636-2646 x-1226
Department: Public Works
Item Type: Action Item
Estimated length of staff presentation: 10 minutes
Physical location of item: Center Street and Road 1 West

AGENDA ITEM TITLE:

Consideration and possible action to to approve change order 1 to Professional Services Agreement with Lyon Engineering Inc., in the amount of \$32,890.00, relating to the Center Street Sewer Main Extension Project, to utilize all the funds available from WIFA, including the forgivable principle, by adding 2,500 lineal feet of 12-inch sewer main improvements down south Road 1 West to serve two multifamily residential properties consisting of approximately 100 accounts. (Michael Lopez, Public Works Director/Town Engineer)

RECOMMENDED ACTION:

Approve change order number 1 to Professional Services Agreement with Lyon Engineering Inc. in the amount of \$32,890.00, relating to the Center Street Sewer Main Extension project.

SITUATION AND ANALYSIS:

Issue Statement

This change order includes the design of approximately 2,500 lineal feet of new sewer main, manholes and appurtenances, removal and replacement of existing drainage culverts, road reconstruction; and other incidental work from south Road 1 West to 150 feet south of Pleasant Avenue.

Fiscal Impact

Fiscal Impact?: YES
If Yes, Budget Code: 06-95-5600
Available: \$32,890
Funding Source:

The original Center Street Sewer Design was paid for by a loan from WIFA. The Town did not include the project in this year budget, however the Wastewater Treatment Fund has \$45,000 in Contingency Funds available.

Attachments

Lyon Engineering PSA Change Order 1
Lyon Eng. Scope & Fee Change Order 1

EXHIBIT E **CHANGE ORDER**

CHANGE ORDER NO. 01

Distribution: TOWN []
CONSULTANT []
OTHER []

PROJECT: Center Street Sewer Main Extension Project DATE: January 24, 2017
OWNER: Town of Chino Valley
CONSULTANT: Lyon Engineering Inc.
AGREEMENT DATED: November 14, 2016

CHANGES: The Agreement is changed as follows:
The installation of approximately 1,500 lineal feet of new 12 inch sewer main including new manholes and appurtenances and the removal and replacement of existing drainage culverts; and other incidental work from Center Street and Road 1 West to 150 feet south Pleasant Avenue.

Not valid until signed by both Town and Consultant.
Signature of Consultant indicates acceptance.

The original compensation was \$60,005.00

Net change by previously authorized Change Orders \$0

The compensation prior to this Change Order was \$60,005.00

The compensation will be increased by this Change Order in the amount of
\$32,890.00

The new compensation under the Agreement including this Change Order will be
\$92,895.00

The Contract Time will increase by 90 working days

ACCEPTANCE STATUS:

Consultant
By _____

Town of Chino Valley
By _____

Date _____

Date _____

EXHIBIT 'A'

Town of Chino Valley Road 1 West Sewer Extension		Lyon Engineering & Surveying, Inc. 11/11/2016										Fee Proposal
Task No.	Task Description	GPS	RLS	SMGR	ENG	PE	INSP	CLER	Total	Total		
		\$ 150	\$ 110	\$ 125	\$ 125	\$ 150	\$ 85	\$ 60				
Task Series 1000												
Task 1100	General			2		8			10	\$ 1,450		
Task 1200	Project Meetings & Coordination											
Subtask 1210	Field Meetings					4			4	\$ 600		
Subtask 1220	Design Phase Coordination and Workshop Meetings					2			2	\$ 300		
Subtask 1230	Submittal Review and Design Review Meetings					4			4	\$ 600		
Subtask 1240	Coordination with Utility Companies					4			4	\$ 600		
Task Series 1000 Subtotal												
		0	0	2	0	22	0	0	24	\$ 3,550		
Task Series 2000												
Mollie Rae - Hwy 89 Sewer Main Improvements												
Task 2100	Design Plans											
Subtask 2110	Field Data Import & Analysis				8				8	\$ 1,000		
Subtask 2120	Design Development				16	2			18	\$ 2,300		
Subtask 2130	Preliminary Design Concept				8	2			10	\$ 1,300		
Subtask 2140	90% Design Plan				80	4			84	\$ 10,600		
Subtask 2145	Draft Specifications & Special Provisions					8			8	\$ 1,200		
Subtask 2150	Final Design Plans				24	2			26	\$ 3,300		
Subtask 2155	Final Specifications & Special Provisions					4			4	\$ 600		
Task Series 2000 Subtotal												
		0	0	0	136	22	0	0	158	\$ 20,300		
Task Series 3000												
Special Services												
Task 3100	Land Surveying											
Subtask 3110	Field Topography Survey	16		2		4			22	\$ 3,250		
Subtask 3120	Right of Way and Property Boundary Survey	8	16	2		2			28	\$ 3,510		
Subtask 3130	Title Research & Review		8			8			16	\$ 2,080		
Task Series 3000 Subtotal												
		24	24	4	0	14	0	0	66	\$ 8,840		
Task Series 1000 through 3000 Subtotal												
		24	24	6	136	58	0	0	248	\$ 32,690		
Other Direct Costs												
Copying and Courier										\$ 200		
Other Direct Costs Subtotal										\$ 200		
Contract Total												
										\$ 32,890		

Labor Codes Legend:

GPS - GPS Survey Crew, RLS - Registered Land Survey, SMGR - Survey Manager, ENG - Project Engineer, PE - Principal Engineer, INSP - Inspection, CLER - Clerical



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 01/24/2017
Contact Person: Michael Lopez, Public Works Director/Town Engineer
 Phone: 928-636-2646 x-1226
Department: Public Works
Item Type: Action Item
Estimated length of staff presentation: 10 minutes
Physical location of item: Center Street and Road 1 West

AGENDA ITEM TITLE:

Consideration and possible action to approve change order number 1 to the contract with Earth Resources Corporation, in the amount of \$298,506.45, relating to the Center Street Sewer Main Extension project, to utilize all the funds available from WIFA, including the forgivable principle, by adding 2,500 lineal feet of 12-inch sewer main improvements down south Road 1 West to serve two multifamily residential properties consisting of approximately 100 accounts. (Michael Lopez, Public Works Director/Town Engineer)

RECOMMENDED ACTION:

Approve change order number 1 to Earth Resources Corporation's contract in the amount of \$298,506.45.

SITUATION AND ANALYSIS:

Issue Statement

On November 8, 2016, Earth Resources Corporation was awarded the construction contract for the WIFA funded Center Street Sewer Main Extension project. This project includes the construction of a new 12-inch sewer main up Center Street to the Mollie Rae subdivision. The project was awarded in the amount of \$792,403. The actual funds available from WIFA is \$1,265,686. In total \$703,186 in loan funds and \$562,500 in forgivable principal.

In order to take advantage of the full amount of the funds available from WIFA including the forgivable principle, this change order added an additional 2,500 lineal feet of 12-inch sewer main improvements down south Road 1 West to serve two multifamily residential properties consisting of approximately 100 accounts.

This change order will complete the project and expend the maximum available funds from WIFA.

Fiscal Impact

Fiscal Impact?: YES

If Yes, Budget Code: 06-95-5586

Available: \$298,506

Funding Source:

See attached Center Street Sewer Project Extension.

Attachments

Revised Projection Jan 17

Earth Resources Corp. Change Order 1 Center St Sewer

Center Street Sewer Project						
Revised Projection January 17						
	Project Design Loan 910168-16	1st WIFA Loan	2nd WIFA Loan	Total WIFA Funding	Town Funds	
Total Funding Sources						
Design	\$ 50,354			\$ 50,354		
Construction		\$ 575,332	\$ 625,000	\$ 1,200,332		
Closing Costs			\$ 15,000	\$ 15,000		
Town Funds					\$ 42,541	
Total Project Funds Available	\$ 50,354	\$ 575,332	\$ 640,000	\$ 1,265,686	\$ 42,541	
WIFA Grant Forgivable Principal		\$ (250,000)	\$ (312,500)	\$ (562,500)		
Total Loan Funds	\$ 50,354	\$ 325,332	\$ 327,500	\$ 703,186		
Total Funding Uses						
Project Design Lyon Engineering	\$ 50,354			\$ 50,354	\$ 9,651	
Construction Earth Resources		\$ 575,332	\$ 217,071	\$ 792,403		
Change Order West Street Engineering					\$ 32,890	
Change Order			\$ 298,506	\$ 298,506		
Geotechnical			\$ 10,480	\$ 10,480		
Total Project	\$ 50,354	\$ 575,332	\$ 526,057	\$ 1,151,743	\$ 42,541	
Total WIFA Funds Remaining	\$ -	\$ -	\$ 113,943	\$ 113,943	\$ -	

CHANGE ORDER NO. 01
Earth Resources Corporation

PROJECT: Center Street Sewer Main Extension Project

DATE: 01/24/17

OWNER: Town of Chino Valley

PROJECT NO:

CONTRACT NO:

CONTRACTOR: Earth Resources Corporation

CONTRACT DATED: November 8, 2016

PM/CM: Gary Shurtz

CHANGES: The Contract is changed as follows:

The installation of approximately 2,500 lineal feet of new 12 inch sewer main including new manholes and appurtenances and the removal and replacement of existing drainage culverts; and other incidental work from Center Street and Road 1 West to 150 feet south Pleasant Avenue.

COST/TIME: Original Contract Sum: \$ 792,403.05

Previously Authorized Change Orders: \$ 0

Contract sum prior to this Change Order: \$ 792,403.05

Change Order # Amount: \$ 298,506.45

New Contract Sum: \$ **1,090,909.50**

Contract Time will be increased by: 45 working days

Substantial Completion as of this Change Order: 30 working days

Approved/Accepted by:

Contractor:  1-17-17
 (Name) (Date)

Chino Valley: _____
 (Name) (Date)

Not valid until signed by Town. Signature of Contractor indicates acceptance, including Contract Sum and Contract Time.

Contractor agrees that the adjustment of the Contract Price and Contract Time reflected in this Change Order represents the entire and complete adjustment of the Contract Price and Contract Time for the changes set forth in this Change Order. The adjustment of the Contract Price includes all direct costs of labor materials, services and equipment to complete such changes as well as any and all indirect costs of impacts, delays, interference or hindrances in performing, providing and completing the changes set forth in this Change Order. The adjustment of the Contract Time includes all adjustments of time necessary to perform, provide and complete the changes set forth in this Change Order and any and all impacts, delays, interference or hindrances in performing, providing and completing the changes.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 8. a.

Meeting Date: 01/24/2017
Contact Person: Phyllis Smiley, Town Attorney
Department: Town Clerk
Estimated length of Staff Presentation: None
Physical location of item: n/a

AGENDA ITEM TITLE:

An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending litigation or in settlement discussions conducted in order to resolve litigation in the matter of Town v. The Glenarm Land Company, Inc., et al. (Phyllis Smiley, Town Attorney)

Attachments

No file(s) attached.
