



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, November 10, 2015
6:00 P.M.**

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

AGENDA

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

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a.** Presentation regarding Yavapai College by Dr. Clint Ewell, Vice President for Finance and Administrative Services. (Jami Lewis, Town Clerk)

3. CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject 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.

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 Town Manager Robert Smith 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.

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. Consideration and possible action to approve Resolution No. 15-1067 approving the form and authorizing the execution and delivery of a loan agreement (Loan Number 970167-16) with the Water Infrastructure Finance Authority of Arizona (WIFA) from its Clean Water State Revolving Fund Program (CWSRF). Fiscal Impact will be discussed during the presentation. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 15-1067.

- b. Consideration and possible action to approve Resolution No. 15-1068 approving the form and authorizing the execution and delivery of a loan agreement (Loan Number 970168-16) with the Water Infrastructure Finance Authority of Arizona (WIFA) from its Clean Water State Revolving Fund Program (CWSRF). Fiscal Impact will be discussed during the presentation. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 15-1068.

- c. (i) Public Hearing regarding application from Guima LLC for the Agent Change and Acquisition of Control of an existing Series 10 (Beer and Wine Store) Liquor License for Casa Chica, located at 316 W. Perkinsville Road, Chino Valley.
(ii) Consideration and possible action to take no action or protest the change of ownership of the Series 10 Liquor License for Casa Chica to the Arizona Department of Liquor Licenses and Control. (Jami Lewis, Town Clerk)

Recommended Action:

- (i) Hold Public Hearing.

- (ii) Take no action; OR Protest the change of ownership of Casa Chica's Series 10 Liquor License.
- d. (i) Public Hearing regarding application from Aldaco LLC for the Agent Change and Acquisition of Control of an existing Series 12 (Restaurant) Liquor License for Casa Grande, located at 443 W. Butterfield Road, Chino Valley.
(ii) Consideration and possible action to either take no action or protest the change of ownership of the Series 12 Liquor License for Casa Grande to the Arizona Department of Liquor Licenses and Control. (Jami Lewis, Town Clerk)

Recommended Action:

- (i) Hold Public Hearing.
(ii) Take no action; OR Protest the acquisition of control of Casa Grande's Series 12 Liquor License.
- e. (i) Public Hearing regarding application from Lucys Place LLC for an Interim Permit and Person Transfer of a Series 6 (Bar) Liquor License for Lucys Place, located at 3020 N. Highway 89, Chino Valley.
(ii) Consideration and possible action to recommend approval for an interim permit and person transfer of a Series 6 Liquor License application for Lucys Place. (Jami Lewis, Town Clerk)

Recommended Action:

- (i) Hold Public Hearing.
(ii) Recommend approval for interim permit and person transfer of Lucys Place's Series 6 Liquor License.
- f. Consideration and possible action to adopt Ordinance No. 15-804 rezoning parcel 306-17-001H, consisting of approximately 2.5 acres, located in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, located at approximately 2879 Arizona Trail, from Industrial (I) to Commercial Light (CL). Applicant: Gary Denny. (James Gardner, Planner)

Recommended Action: Adopt Ordinance No. 15-804 allowing the rezoning of the property generally located at 2879 Arizona Trail from Industrial (I) to Commercial Light (CL).

- g. Consideration and possible action to postpone, modify, or confirm the adopted Utility Rate Increases scheduled to go into effect in January 2016. Fiscal Impact will depend on action taken. (Joe Duffy, Finance Director)

Recommended Action: Confirm, postpone, or modify the Utility Rate Increases scheduled to go into effect in January 2016.

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.

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 5th day of November, 2015.

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: 11/10/2015
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Town Clerk
Estimated length 15 minutes
of Staff Presentation:
Physical location of item: N/A

AGENDA ITEM TITLE:

Presentation regarding Yavapai College by Dr. Clint Ewell, Vice President for Finance and Administrative Services. (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

Dr. Ewell will provide a brief update on Yavapai College.

Attachments

Fall 2015 Outreach

Yavapai College

Vision Statement

Yavapai College makes
our community a premier
place to learn, work and
live.

Goal 1 Education

- Adult Basic Education
- Dual Credit
- Developmental Education
- Transfer
- Career Technical
- Continuing Education



Goal 2

Economic Development

- Regional Economic Development Center
 - Custom Training
 - Economic Impact & Policy Analyses
 - SBDC
- Academics
 - Allied Health
 - Business
 - Career Technical
 - Public Safety



Goal 3

Cultural Enrichment

- Classes
 - 2000+ face to face
 - 250+ online
 - OLLI & Edventures
- Art Galleries
- Libraries
 - 20% of County system
- Community Events
 - Live
 - Movies & Satellite
 - Academic Symposium

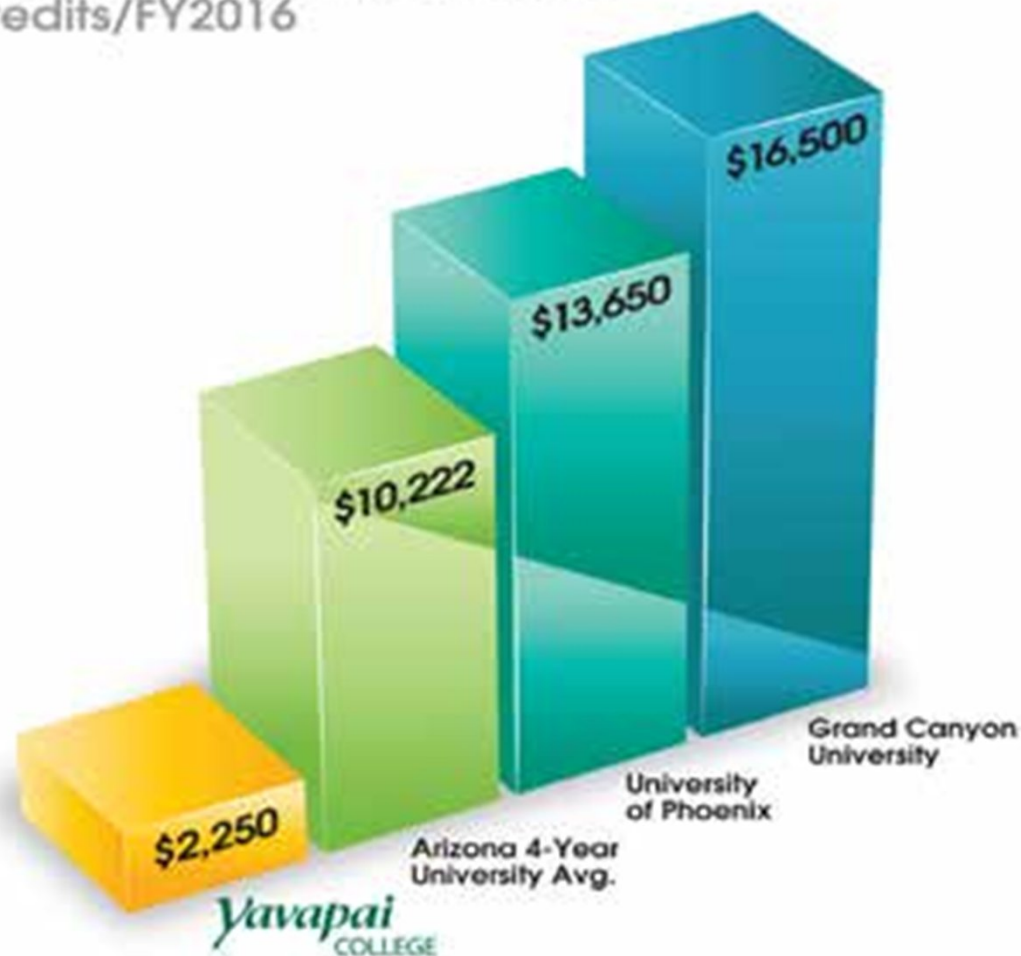


2015-2020 Strategic Initiatives

Initiative 1	Initiative 2	Initiative 3	Initiative 4	Initiative 5
Student Success	Economic Responsiveness	Community Engagement	Organizational Development	Fiscal Stewardship
Goals:				
Increase Student Completion rates without sacrificing academic quality	Create job placement process	Increase credit and non-credit enrollment	Improve employee engagement and satisfaction	Model fiscal stewardship throughout the district
	Improve district-wide awareness of YC education and training opportunities	Improve East County satisfaction and cultural programming		Evaluate and revise the Capital Improvement Plan
	Document and share YC economic impact and value	Improve community engagement		

Yavapai College

Cost Comparison: Annual Tuition & Fees 30 Credits/FY2016



Source: Institutions' Websites April 2015

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 11/10/2015
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Resolution No. 15-1067 approving the form and authorizing the execution and delivery of a loan agreement with the Water Infrastructure Finance Authority of Arizona (WIFA) from its Clean Water State Revolving Fund Program (CWSRF). Loan Number 970167-16.

RECOMMENDED ACTION:

Approve Resolution No. 15-1067.

SITUATION AND ANALYSIS:

The Town of Chino Valley has submitted details the Water Infrastructure Authority of Arizona (WIFA) to refinance the existing USDA-RD loans used to construct the sewer distribution system and install a 3,145 lineal feet of sewer line from State Route 89 to the Mollie Rae Estates subdivision.

WIFA has scored the projects and determined the Town of Chino Valley is a disadvantaged community. This status will allow the Town to receive an interest rate discount of 20% off the final interest rate to be determined at loan closing.

The Town also qualifies to have a portion of the principal forgiven in the amount of \$250,000.

On July 28, 2015 the Town approved Resolution 15-1065 to authorize the application for a CWSRF loan from WIFA.

Resolution 15-1067 authorizes the execution and delivery of the loan agreement with WIFA. The proposed loan closing date is December 1, 2015. A summary of the loan documents is attached. The complete loan documents are available for review by the Councilmembers at Town Hall.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

Fiscal Impact will be discussed during the presentation.

Attachments

Resolution No. 15-1067

Loan Packet

RESOLUTION NO. 15-1067

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FROM ITS CLEAN WATER REVOLVING FUND PROGRAM AND, IF NECESSARY, GUARANTY OR SIMILAR AGREEMENTS TO PROVIDE INSURANCE POLICIES OR SURETY BONDS NECESSARY IN CONNECTION THEREWITH; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE TOWN MANAGER OF THE TOWN; PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS RESOLUTION

WHEREAS, the Mayor and Common Council of the Town of Chino Valley, Arizona (the "Town"), has heretofore applied to the Water Infrastructure Finance of Arizona (the "Authority"), for a loan (the "Loan") from the Authority's Clean Water Revolving Fund Program (the "Program") to provide funds to pay the costs to refinance the 2007 and 2008 loans from the United States Department of Agriculture, Rural Development benefitting the Town used to construct a portion of the sewer distribution system of the Town and the costs to install 3,145 lineal feet of 12-inch sewer line and 2,800 lineal feet of 8-inch sewer line from an existing trunk line at Highway 89, west on Center Street to the Mollie Rae Estates subdivision in the Town as well as the cost of the Program (collectively, the "Project"); and

WHEREAS, the terms and conditions under which the Loan will be made and the obligations of the Town with respect to the Loan will be set forth in a loan agreement to be executed and delivered by the Town and the Authority (the "Loan Agreement"); and

WHEREAS, the Loan and the loan repayments payable by the Town pursuant to the Loan Agreement (the "Loan Repayments") will be secured by a pledge of certain revenues to be received by the Town from the ownership, use or operation of the properties and facilities of the complete water and sewer plant and system of the Town and, initially, revenues from the unrestricted transaction privilege (sales) tax, business license and franchise fees, parks and recreation fees and permits and fines and forfeitures which the Town imposes; provided that the Mayor and Common Council of the Town may impose other transaction privilege taxes in the future, the uses of revenue from which will be restricted, at the discretion of such Common Council and revenues from any excise taxes, transaction privilege (sales) taxes and income taxes imposed by the State of Arizona or any agency thereof and returned, allocated or apportioned to the Town, except the Town's

share of any such taxes which by State law, rule or regulation must be expended for other purposes, such as motor vehicle fuel taxes (collectively, the "Source of Payment"); and

WHEREAS, the Mayor and Common Council of the Town have determined that it will be beneficial to the citizens of the Town to enter into and to perform the Loan Agreement, whereby the Town will borrow not to exceed \$4,509,646 from the Authority; and

WHEREAS, the Loan shall be repaid before or on twenty (20) years from the date of the execution and delivery of the Loan Agreement and the Loan shall bear interest at a rate not to exceed four percent (4%) per annum; and

WHEREAS, the proposed form of the Loan Agreement has been placed on file with the Clerk of the Town and presented at the meeting at which this Resolution was adopted;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, THAT:

Section 1. The form, terms and provisions of the Loan Agreement, in the form of such document (including the exhibits thereto) presented at the meeting at which this Resolution was adopted are hereby approved, with such insertions, omissions and changes, not inconsistent with the Town's application to the Authority or the requirements of the federal government or the Authority or which would result in terms more adverse to the Town, as shall be approved by the Town Manager of the Town, the execution of such document being conclusive evidence of such approval, and the Mayor or, in the absence thereof, the Vice Mayor of the Town and the Clerk of the Town are hereby authorized and directed, for and on behalf of the Town, to execute and attest and deliver, respectively, the Loan Agreement.

Section 2. For the payment of the principal of and interest on the Loan, the Town shall pay the Loan Repayments provided for in the Loan Agreement. (The Town shall also pay all other amounts required to be paid by the Town pursuant to the provisions of the Loan Agreement.)

Section 3. The obligation of the Town to pay the Loan Repayments provided for in the Loan Agreement (as well as to make the other payments provided for in the Loan Agreement) is limited to payment from the Source of Repayment, and the obligations of the Town under the Loan Agreement shall not constitute nor give rise to a general obligation of the Town or any claim against its *ad valorem* property taxing powers or constitute an indebtedness within the meaning of any statutory or constitutional debt limitation applicable to the Town.

Section 4. The appropriate officials and officers of the Town are hereby authorized and directed to take all action necessary or reasonably required to carry out, give effect to and to consummate the transactions contemplated by the Loan Agreement and by this

Resolution, including, without limitation, the execution and delivery of any closing and other documents reasonably required to be delivered in connection therewith.

Section 5. If any section, paragraph, subdivision, sentence, clause or phrase of this Resolution is for any reason held to be illegal or unenforceable, such decision will not affect the validity of the remaining portions of this Resolution. The Mayor and Common Council of the Town hereby declare that it would have adopted this Resolution and each and every other section, paragraph, subdivision, sentence, clause or phrase hereof and authorized the execution and delivery of the Loan Agreement pursuant hereto irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses or phrases of this Resolution may be held illegal, invalid or unenforceable. All resolutions or parts thereof, inconsistent herewith, are hereby waived to the extent only of such inconsistency. This waiver shall not be construed as reviving any resolution or any part thereof.

Section 6. All actions of the officers and agents of the Town including the Mayor and Common Council of the Town which conform to the purposes and intent of this Resolution and which further the execution and delivery of the Loan Agreement as contemplated by this Resolution, whether heretofore or hereafter taken, are hereby ratified, confirmed and approved. The proper officers and agents of the Town are hereby authorized and directed to do all such acts and things and to execute and deliver all such documents on behalf of the Town as may be necessary to carry out the terms and intent of this Resolution.

Section 7. All acts and conditions necessary to be performed by the Town or to have been met precedent to and in the execution and delivery of the Loan Agreement in order to make it a legal, valid and binding obligation of the Town will at the time of delivery of the Loan Agreement have been performed and have been met, in regular and due form as required by law, and no statutory, charter or constitutional limitation of indebtedness or taxation will have been exceeded in the execution and delivery of the Loan Agreement.

Section 8. All formal actions of the Mayor and Common Council of the Town concerning and relating to the passage of this Resolution were taken in an open meeting of the Mayor and Common Council of the Town, and all deliberations of the Mayor and Common Council of the Town and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 9. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public health and welfare and for the further reason that the execution and delivery at the earliest possible date of the Loan Agreement is urgently needed to attempt to secure the lowest possible interest cost to the City; therefore, an emergency is hereby declared to exist and this Resolution is enacted as an emergency measure and shall be in full

force and effect from and after the passage and adoption by the Mayor and Common Council of the Town, as required by law, and this Resolution is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

Section 10. After the execution and delivery of the Loan Agreement and upon receipt of the Loan from the Authority, this Resolution shall be and remain irrepealable until the Loan and the Loan Agreement and the interest thereon shall have been fully paid, cancelled and discharged.

PASSED AND ADOPTED on November 10, 2015.

Mayor, Town of Chino Valley, Arizona

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis Smiley

CERTIFICATION

I hereby certify the above foregoing Resolution No. 15-1067 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on November 10, 2015, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. _____
2. _____
3. _____



**Water Infrastructure
Finance Authority
of Arizona**

**Arizona's Clean Water
Revolving Fund**

Town of Chino Chino Valley

Loan Agreement #910167-16

November 19, 2015

Borrower Copy



Loan Resolution 2016-008 – Chino Valley, Town of Water Infrastructure Finance Authority of Arizona

Section 1: Resolution

WHEREAS, the Water Infrastructure Finance Authority of Arizona (the "*Authority*") has received from Chino Valley, Town of (the "*Local Borrower*") a request for a loan (the "*Loan*"); and

WHEREAS, the Authority has determined that the Local Borrower has met the requirements of Arizona Revised Statutes §49-1201 et seq. (the "*Act*") and the rules promulgated thereunder (the "*Rules*"); and

WHEREAS, the terms and conditions under which a Loan will be made and the obligations of the Local Borrower will be set forth in a loan agreement or bond purchase agreement (the "*Loan Agreement*") to be executed by the Local Borrower and the Authority.

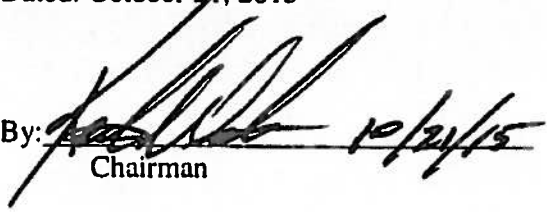
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AS FOLLOWS:

The Executive Director of the Authority is hereby authorized and directed to execute a Loan Agreement with the Local Borrower to evidence a Loan in accordance with the Act, the Rules, the Local Borrower's applications to the Authority, and the Project Summary detailed in Section 2 of this Loan Resolution.

The Executive Director and other Authority officials, as appropriate, are authorized and directed to sign any document and take such actions as necessary and appropriate to consummate the transactions contemplated by this Resolution and the Loan Agreement and to ensure that the Local Borrower has completed all requirements of the Authority as detailed in Section 3, Section 4, and Section 5 of this Loan Resolution.

This Resolution shall take effect immediately and shall terminate one year from the date of Board Action.

Dated: October 21, 2015

By:  10/21/15

Chairman

Attest: 

Executive Director

Loan Resolution 2016-008 – Chino Valley, Town of

Water Infrastructure Finance Authority of Arizona

Section 2: Project Summary

2.1 Project Number(s)

CW 003-2016

2.2 Project Priority Data

<u>PL Rank</u>	<u>Funding Cycle</u>	<u>Population Served</u>	<u>Subsidy Rate</u>
3	CW 2016	5,100	80%

2.3 Project Description(s)

This project will refinance the 2007 and 2008 USDA-RD loans and construct the sewer line extension to the Mollie Rae Estates subdivision.

Refinance

The Town will refinance their existing USDA-RD loans used to construct the sewer distribution system.

Mollie Rae Estates Subdivision Construction

The Town plans to install 3,145 lineal feet of 12" sewer line and 2,800 lineal feet of 8" sewer line from an existing trunk line at Highway 89, west on Center Street to the Mollie Rae Estates subdivision. Mollie Rae Estates currently has five homes that have been constructed with septic systems and 101 remaining lots to develop. The ultimate result of this project is that all construction within the Mollie Rae development will be required to be tied into the existing dry sewer line, instead of relying on septic systems.

2.4 Previous Board or Committee Actions

July 17, 2002 – Board adopted Loan Resolution #2002-018 for a \$750,000 Short-term Design Loan to the Town of Chino Valley (Loan #710049-03) for planning and design of wastewater system improvements.

April 19, 2006 – Board adopted Loan Resolution #2006-009 for \$1,580,000 to the Town of Chino Valley (Loan #910087-07) to convert single family homes from septic to sewer.

June 20, 2007 – Board adopted Loan Resolution #2007-025 for \$4,853,000 to the Town of Chino Valley (Loan #910126-08) to covert single family homes from septic to sewer.

Within the 2007 Technical Assistance Funding Cycle, the Board awarded the Town of Chino Valley \$35,000 for clean water technical assistance for a Wastewater System Master Plan.

Loan Resolution 2016-008 – Chino Valley, Town of Water Infrastructure Finance Authority of Arizona

Within the 2011 Technical Assistance Funding Cycle, the Board awarded the Town of Chino Valley \$20,000 for clean water technical assistance to design a septic to sewer project along Center Street Sewer.

August 20, 2014 – Board adopted Loan Resolution #2015-001 for \$6,142,500 to the Town of Chino Valley (Loan #910163-15) to purchase existing debt for construction of the Town's wastewater treatment plant and to extend the sewer system.

August 20, 2014 – Board approved Loan Resolution #2015-002 for \$7,357,500 to the Town of Chino Valley to 1) purchase a portion of the City of Prescott water distribution system located in Chino Valley; 2) purchase ACME Water Company; and 3) extend the water distribution system. The loan has not yet closed.

August 19, 2015 – Board adopted Loan Resolution Addendum #A2016-004 to extend the termination date of Loan Resolution #2015-002 to August 20, 2016.

2.5 Project Finance Committee Recommendations

N/A

Section 3: Financial Assistance Terms & Conditions (Section 7.1 of Due Diligence)

Financial Assistance Amount: \$4,509,646.00

Primary Repayment Source: Sewer System Revenues and Excise Taxes

Secondary Repayment Source: None

Loan Term: 22 years

Frequency of Repayment: Semi-Annual

Loan Structure: Standard Governmental - Level 1 – Disadvantaged Community

Debt Service Reserve Fund Requirements: Local, Separate Account

Repair and Replacement Fund Requirements: No Requirement

Requirements Prior to Loan Execution:

Require Legal Opinion: Yes

Other: No Requirement

Loan Resolution 2016-008 – Chino Valley, Town of ***Water Infrastructure Finance Authority of Arizona***

Requirements Prior to Construction: No Requirement

Requirement During Construction: No Requirement

Requirements Prior to Final Disbursements: No Requirement

Loan Category: Qualified, Not Pledged

Policy Exceptions: None

Section 4: Technical Terms & Conditions (Section 7.2 of Due Diligence)

Observation Schedule B:

Observation 1: Upon borrower notification of construction commencement

Additional Observations: at least one site observation within each 12 month period

Final Observation: 80% construction budget disbursement

Withholding Percentage:

50% (released after FSP certification received)

10% (released after deliverables received)

Requirements Prior to Loan Execution: No Requirement

Requirements Prior to Construction:

Prior Review and Approval of Construction Bids: Yes

Require Construction Signs: Yes

The Local Borrower shall erect a construction sign displaying information on the Project and the funding sources. The Authority shall provide specifications for such construction signs.

Other: No Requirement

Requirements During Construction:

Prior Review of Changes in Project Scope: Yes

The Local Borrower shall submit to the Authority, for review and approval prior to execution, any change to the plans and specifications, construction contracts, Eligible

Loan Resolution 2016-008 – Chino Valley, Town of

Water Infrastructure Finance Authority of Arizona

Project Costs, or any other change which will effect the performance standards or purpose of the Project.

Other: No Requirement

Requirements Prior to Final Disbursements:

Submission of Fiscal Sustainability Plan Certification: Yes

The Local Borrower shall submit certification to WIFA that a Fiscal Sustainability Plan has been developed and is being implemented.

Submission of Fiscal Sustainability Plan: Yes

A Fiscal Sustainability Plan shall be developed as part of the loan and submitted to WIFA in electronic format.

Require Plan of Operation: No Requirement

Require Final Approval: Yes

Other: No Requirement

Policy Exceptions: None

Section 5: Additional Notice & Reporting Requirements (Section 7.3 of Due Diligence)

WIFA to generate Press Release: Yes

Other: Wage rate reporting requirements; Use of American Iron and Steel requirements

Exhibit A of Loan Agreement

Section 1: Financial Assistance Terms and Conditions Town of Chino Chino Valley 03-Nov-15

Loan Number.....	910167-16
Closing Date.....	11/19/15
First Payment Period.....	07/01/16
Financial Assistance Terms and Conditions	
Original Loan Amount as of the Closing Date.....	\$ 4,509,646.00
Forgivable Principal Amount.....	\$ 250,000.00
Intended Repayment Amount.....	\$ 4,259,646.00
Loan Term.....	22
Combined Interest & Fee Rate	4.000%
Total # of Payment Periods within Loan Term.....	44
Principal Repayments	
Period Principal Repayments Begin.....	2
First Principal Repayment Date.....	07/01/16
Final Principal Repayment Date.....	07/01/37
Combined Interest and Fee Payment Dates	
First Combined Interest and Fee Payment Date*.....	07/01/16
Final Combined Interest and Fee Payment Date.....	07/01/37
* Actual initial Combined Interest and Fee payment calculated only on dollar amount drawn against loan as of initial payment date	
Debt Service Reserve Fund Requirements	
Total Reserve Amount.....	\$ 294,762.44
Annual Amount.....	\$ 58,952.49
Reserve Funded by (Date).....	01/01/21
Repair and Replacement Fund Requirement	
Begin Funding on (Date).....	Not Applicable
Annual Amount.....	None
Semi-Annual Deposit.....	None
Annual Payment	
Years 1 through 5.....	\$ 294,762.44
Years 6 through 10.....	\$ 294,762.44
Years 11 through 15.....	\$ 294,762.44
Years 16 through 20.....	\$ 294,762.44
Years 21 through 25.....	\$ 294,762.44

Section 2: Loan Repayment Schedule Town of Chino Chino Valley 03-Nov-15						
Year Period		Semi-Annual Payment Dates	Combined Interest and Fee Rate	Semi-Annual Combined Interest and Fee Payment	Annual Principal Repayment	Total Annual Payment
1	1	01/01/16	4.000%	0.00		
1	2	07/01/16	4.000%	105,071.27	124,376.60	229,447.87
2	3	01/01/17	4.000%	82,705.39		
2	4	07/01/17	4.000%	82,705.39	129,351.66	294,762.44
3	5	01/01/18	4.000%	80,118.35		
3	6	07/01/18	4.000%	80,118.35	134,525.74	294,762.44
4	7	01/01/19	4.000%	77,427.84		
4	8	07/01/19	4.000%	77,427.84	139,906.76	294,762.44
5	9	01/01/20	4.000%	74,629.71		
5	10	07/01/20	4.000%	74,629.71	145,503.02	294,762.44
6	11	01/01/21	4.000%	71,719.65		
6	12	07/01/21	4.000%	71,719.65	151,323.14	294,762.44
7	13	01/01/22	4.000%	68,693.18		
7	14	07/01/22	4.000%	68,693.18	157,376.08	294,762.44
8	15	01/01/23	4.000%	65,545.66		
8	16	07/01/23	4.000%	65,545.66	163,671.12	294,762.44
9	17	01/01/24	4.000%	62,272.24		
9	18	07/01/24	4.000%	62,272.24	170,217.96	294,762.44
10	19	01/01/25	4.000%	58,867.87		
10	20	07/01/25	4.000%	58,867.87	177,026.70	294,762.44
11	21	01/01/26	4.000%	55,327.34		
11	22	07/01/26	4.000%	55,327.34	184,107.76	294,762.44
12	23	01/01/27	4.000%	51,645.19		
12	24	07/01/27	4.000%	51,645.19	191,472.06	294,762.44
13	25	01/01/28	4.000%	47,815.75		
13	26	07/01/28	4.000%	47,815.75	199,130.94	294,762.44
14	27	01/01/29	4.000%	43,833.13		
14	28	07/01/29	4.000%	43,833.13	207,096.18	294,762.44
15	29	01/01/30	4.000%	39,691.20		
15	30	07/01/30	4.000%	39,691.20	215,380.04	294,762.44
16	31	01/01/31	4.000%	35,383.60		
16	32	07/01/31	4.000%	35,383.60	223,995.24	294,762.44
17	33	01/01/32	4.000%	30,903.70		
17	34	07/01/32	4.000%	30,903.70	232,955.04	294,762.44
18	35	01/01/33	4.000%	26,244.59		
18	36	07/01/33	4.000%	26,244.59	242,273.26	294,762.44
19	37	01/01/34	4.000%	21,399.14		
19	38	07/01/34	4.000%	21,399.14	251,964.16	294,762.44
20	39	01/01/35	4.000%	16,359.85		
20	40	07/01/35	4.000%	16,359.85	262,042.74	294,762.44
21	41	01/01/36	4.000%	11,118.99		
21	42	07/01/36	4.000%	11,118.99	272,524.46	294,762.44
22	43	01/01/37	4.000%	5,668.51		
22	44	07/01/37	4.000%	5,668.51	283,425.34	294,762.36
				2,159,813.03	4,259,646.00	6,419,459.03

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 11/10/2015
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Resolution No. 15-1068 approving the form and authorizing the execution and delivery of a loan agreement with the Water Infrastructure Finance Authority of Arizona (WIFA) from its Clean Water State Revolving Fund Program (CWSRF). Loan Number 970168-16.

RECOMMENDED ACTION:

Approve Resolution No. 15-1068.

SITUATION AND ANALYSIS:

The Town of Chino Valley has submitted details to the Water Infrastructure Authority of Arizona (WIFA) to install a 3,145 lineal feet of sewer line from State Route 89 to the Mollie Rae Estates subdivision. WIFA loan number 910168-16 for \$50,354.00 will be used for the engineering of the sewer line.

WIFA has scored the projects and determined the Town of Chino Valley is a disadvantaged community. This status will allow the Town to receive an interest rate discount of 20% off the final interest rate to be determined at loan closing.

On July 28, 2015 the Town approved Resolution 15-1065 to authorize the application for a CWSRF loan from WIFA.

Resolution 15-1068 authorizes the execution and delivery of the loan agreement with WIFA. The proposed loan closing date is December 1, 2015. A summary of the loan provisions is attached. The full loan documents are available for review by the Councilmembers at Town Hall.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

Fiscal Impact will be discussed during the presentation.

Attachments

Resolution No. 15-1068

Loan Packet

RESOLUTION NO. 15-1068

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FROM ITS CLEAN WATER REVOLVING FUND PROGRAM AND, IF NECESSARY, GUARANTY OR SIMILAR AGREEMENTS TO PROVIDE INSURANCE POLICIES OR SURETY BONDS NECESSARY IN CONNECTION THEREWITH; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE TOWN MANAGER OF THE TOWN; PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS RESOLUTION

WHEREAS, the Mayor and Common Council of the Town of Chino Valley, Arizona (the "Town"), has heretofore applied to the Water Infrastructure Finance of Arizona (the "Authority"), for a loan (the "Loan") from the Authority's Clean Water Revolving Fund Program (the "Program") to provide funds to pay the costs to design a sewer extension to the Mollie Rae Estates subdivision in the Town as well as the cost of the Program (collectively, the "Project"); and

WHEREAS, the terms and conditions under which the Loan will be made and the obligations of the Town with respect to the Loan will be set forth in a loan agreement to be executed and delivered by the Town and the Authority (the "Loan Agreement"); and

WHEREAS, the Loan and the loan repayments payable by the Town pursuant to the Loan Agreement (the "Loan Repayments") will be secured by a pledge of certain revenues to be received by the Town from the ownership, use or operation of the properties and facilities of the complete water and sewer plant and system of the Town and, initially, revenues from the unrestricted transaction privilege (sales) tax, business license and franchise fees, parks and recreation fees and permits and fines and forfeitures which the Town imposes; provided that the Mayor and Common Council of the Town may impose other transaction privilege taxes in the future, the uses of revenue from which will be restricted, at the discretion of such Common Council and revenues from any excise taxes, transaction privilege (sales) taxes and income taxes imposed by the State of Arizona or any agency thereof and returned, allocated or apportioned to the Town, except the Town's share of any such taxes which by State law, rule or regulation must be expended for other purposes, such as motor vehicle fuel taxes (collectively, the "Source of Payment"); and

WHEREAS, the Mayor and Common Council of the Town have determined that it will be beneficial to the citizens of the Town to enter into and to perform the Loan Agreement, whereby the Town will borrow not to exceed \$50,354 from the Authority; and

WHEREAS, the Loan shall be repaid before or on twenty (20) years from the date of the execution and delivery of the Loan Agreement and the Loan shall bear interest at a rate not to exceed four percent (4%) per annum; and

WHEREAS, the proposed form of the Loan Agreement has been placed on file with the Clerk of the Town and presented at the meeting at which this Resolution was adopted;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, THAT:

Section 1. The form, terms and provisions of the Loan Agreement, in the form of such document (including the exhibits thereto) presented at the meeting at which this Resolution was adopted are hereby approved, with such insertions, omissions and changes, not inconsistent with the Town's application to the Authority or the requirements of the federal government or the Authority or which would result in terms more adverse to the Town, as shall be approved by the Town Manager of the Town, the execution of such document being conclusive evidence of such approval, and the Mayor or, in the absence thereof, the Vice Mayor of the Town and the Clerk of the Town are hereby authorized and directed, for and on behalf of the Town, to execute and attest and deliver, respectively, the Loan Agreement.

Section 2. For the payment of the principal of and interest on the Loan, the Town shall pay the Loan Repayments provided for in the Loan Agreement. (The Town shall also pay all other amounts required to be paid by the Town pursuant to the provisions of the Loan Agreement.)

Section 3. The obligation of the Town to pay the Loan Repayments provided for in the Loan Agreement (as well as to make the other payments provided for in the Loan Agreement) is limited to payment from the Source of Repayment, and the obligations of the Town under the Loan Agreement shall not constitute nor give rise to a general obligation of the Town or any claim against its *ad valorem* property taxing powers or constitute an indebtedness within the meaning of any statutory or constitutional debt limitation applicable to the Town.

Section 4. The appropriate officials and officers of the Town are hereby authorized and directed to take all action necessary or reasonably required to carry out, give effect to and to consummate the transactions contemplated by the Loan Agreement and by this Resolution, including, without limitation, the execution and delivery of any closing and other documents reasonably required to be delivered in connection therewith.

Section 5. If any section, paragraph, subdivision, sentence, clause or phrase of this Resolution is for any reason held to be illegal or unenforceable, such decision will not affect the validity of the remaining portions of this Resolution. The Mayor and Common Council of the Town hereby declare that it would have adopted this Resolution and each and every other section, paragraph, subdivision, sentence, clause or phrase hereof and authorized the execution and delivery of the Loan Agreement pursuant hereto irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses or phrases of this Resolution may be held illegal, invalid or unenforceable. All resolutions or parts thereof, inconsistent herewith, are hereby waived to the extent only of such inconsistency. This waiver shall not be construed as reviving any resolution or any part thereof.

Section 6. All actions of the officers and agents of the Town including the Mayor and Common Council of the Town which conform to the purposes and intent of this Resolution and which further the execution and delivery of the Loan Agreement as contemplated by this Resolution, whether heretofore or hereafter taken, are hereby ratified, confirmed and approved. The proper officers and agents of the Town are hereby authorized and directed to do all such acts and things and to execute and deliver all such documents on behalf of the Town as may be necessary to carry out the terms and intent of this Resolution.

Section 7. All acts and conditions necessary to be performed by the Town or to have been met precedent to and in the execution and delivery of the Loan Agreement in order to make it a legal, valid and binding obligation of the Town will at the time of delivery of the Loan Agreement have been performed and have been met, in regular and due form as required by law, and no statutory, charter or constitutional limitation of indebtedness or taxation will have been exceeded in the execution and delivery of the Loan Agreement.

Section 8. All formal actions of the Mayor and Common Council of the Town concerning and relating to the passage of this Resolution were taken in an open meeting of the Mayor and Common Council of the Town, and all deliberations of the Mayor and Common Council of the Town and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 9. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public health and welfare and for the further reason that the execution and delivery at the earliest possible date of the Loan Agreement is urgently needed to attempt to secure the lowest possible interest cost to the City; therefore, an emergency is hereby declared to exist and this Resolution is enacted as an emergency measure and shall be in full force and effect from and after the passage and adoption by the Mayor and Common Council of the Town, as required by law, and this Resolution is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

Section 10. After the execution and delivery of the Loan Agreement and upon receipt of the Loan from the Authority, this Resolution shall be and remain irrepealable until the Loan and the Loan Agreement and the interest thereon shall have been fully paid, cancelled and discharged.

PASSED AND ADOPTED on November 10, 2015.

Mayor, Town of Chino Valley, Arizona

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis Smiley

CERTIFICATION

I hereby certify the above foregoing Resolution No. 15-1068 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on November 10, 2015, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. _____
2. _____
3. _____



**Water Infrastructure
Finance Authority
of Arizona**

**Arizona's Clean Water
Revolving Fund**

Town of Chino Valley

Loan Agreement #910168-16

November 19, 2015

Borrower Copy



**Town of Chino Valley and
Water Infrastructure Finance Authority of Arizona**

Borrower – Table of Contents

<u>Document</u>	<u>Tab</u>
Town of Chino Valley’s Borrowing Resolution	1.
WIFA Board Resolution	2.
Loan Agreement.....	3.
Exhibit A of Loan Agreement: Financial Terms and Conditions	4.
Exhibit B of Loan Agreement: Technical Terms and Conditions	5.
Exhibit C of Loan Agreement: Reporting Requirements	6.
Exhibit D of Loan Agreement: Source of Repayment and Rate Covenant Provisions	7.
Exhibit E of Loan Agreement: Debt Service Reserve Provisions	8.
Exhibit F of Loan Agreement: Replacement Reserve Provisions	9.
Exhibit G of Loan Agreement: Form of Opinion of Local Borrower.....	10.
Exhibit H of Loan Agreement: Tax Compliance Certificate of Local Borrower	11.
IRS Form 8038-G	12.
Standard Terms and Conditions.....	13.
WIFA Disbursement Requisition Procedures and Payment Requisitions (on CD)	

Loan Resolution 2016-007 – Chino Valley, Town of Water Infrastructure Finance Authority of Arizona

Section 1: Resolution

WHEREAS, the Water Infrastructure Finance Authority of Arizona (the "*Authority*") has received from Chino Valley, Town of (the "*Local Borrower*") a request for a loan (the "*Loan*"); and

WHEREAS, the Authority has determined that the Local Borrower has met the requirements of Arizona Revised Statutes §49-1201 et seq. (the "*Act*") and the rules promulgated thereunder (the "*Rules*"); and

WHEREAS, the terms and conditions under which a Loan will be made and the obligations of the Local Borrower will be set forth in a loan agreement or bond purchase agreement (the "*Loan Agreement*") to be executed by the Local Borrower and the Authority.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AS FOLLOWS:

The Executive Director of the Authority is hereby authorized and directed to execute a Loan Agreement with the Local Borrower to evidence a Loan in accordance with the Act, the Rules, the Local Borrower's applications to the Authority, and the Project Summary detailed in Section 2 of this Loan Resolution.

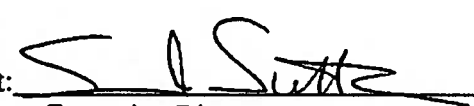
The Executive Director and other Authority officials, as appropriate, are authorized and directed to sign any document and take such actions as necessary and appropriate to consummate the transactions contemplated by this Resolution and the Loan Agreement and to ensure that the Local Borrower has completed all requirements of the Authority as detailed in Section 3, Section 4, and Section 5 of this Loan Resolution.

This Resolution shall take effect immediately and shall terminate one year from the date of Board Action.

Dated: October 21, 2015

By:  10/21/15

Chairman

Attest: 

Executive Director

Loan Resolution 2016-007 – Chino Valley, Town of Water Infrastructure Finance Authority of Arizona

Section 2: Project Summary

2.1 Project Number(s)

CW 004-2016

2.2 Project Priority Data

<u>PL Rank</u>	<u>Funding Cycle</u>	<u>Population Served</u>	<u>Subsidy Rate</u>
4	CW 2016	5,100	80%

2.3 Project Description(s)

This project will finance the design of the sewer extension to the Mollie Rae Estates subdivision. The Town plans to install 3,145 lineal feet of 12" sewer line and 2,800 lineal feet of 8" sewer line from an existing trunk line at Highway 89, west on Center Street to the Mollie Rae Estates subdivision. Mollie Rae Estates currently has five homes that have been constructed with septic systems and 101 remaining lots to develop. The ultimate result of this project is that all construction within the Mollie Rae development will be required to be tied into the existing dry sewer line, instead of relying on septic systems.

2.4 Previous Board or Committee Actions

July 17, 2002 – Board adopted Loan Resolution #2002-018 for a \$750,000 Short-term Design Loan to the Town of Chino Valley (Loan #710049-03) for planning and design of wastewater system improvements.

April 19, 2006 – Board adopted Loan Resolution #2006-009 for \$1,580,000 to the Town of Chino Valley (Loan #910087-07) to convert single family homes from septic to sewer.

June 20, 2007 – Board adopted Loan Resolution #2007-025 for \$4,853,000 to the Town of Chino Valley (Loan #910126-08) to convert single family homes from septic to sewer.

Within the 2007 Technical Assistance Funding Cycle, the Board awarded the Town of Chino Valley \$35,000 for clean water technical assistance for a Wastewater System Master Plan.

Within the 2011 Technical Assistance Funding Cycle, the Board awarded the Town of Chino Valley \$20,000 for clean water technical assistance to design a septic to sewer project along Center Street Sewer.

Loan Resolution 2016-007 – Chino Valley, Town of

Water Infrastructure Finance Authority of Arizona

August 20, 2014 – Board adopted Loan Resolution #2015-001 for \$6,142,500 to the Town of Chino Valley (Loan #910163-15) to purchase existing debt for construction of the Town's wastewater treatment plant and to extend the sewer system.

August 20, 2014 – Board approved Loan Resolution #2015-002 for \$7,357,500 to the Town of Chino Valley to 1) purchase a portion of the City of Prescott water distribution system located in Chino Valley; 2) purchase ACME Water Company; and 3) extend the water distribution system. The loan has not yet closed.

August 19, 2015 – Board adopted Loan Resolution Addendum #A2016-004 to extend the termination date of Loan Resolution #2015-002 to August 20, 2016.

2.5 Project Finance Committee Recommendations

N/A

Section 3: Financial Assistance Terms & Conditions (Section 7.1 of Due Diligence)

Financial Assistance Amount: \$50,354.00

Primary Repayment Source: Sewer System Revenues and Excise Taxes

Secondary Repayment Source: None

Loan Term: 5 years

Frequency of Repayment: Semi-Annual

Loan Structure: Standard Governmental - Level 1 – Disadvantaged Community

Debt Service Reserve Fund Requirements: Local, Separate Account

Repair and Replacement Fund Requirements: No Requirement

Requirements Prior to Loan Execution:

Require Legal Opinion: Yes

Other: No Requirement

Requirements Prior to Construction: No Requirement

Requirement During Construction: No Requirement

Loan Resolution 2016-007 – Chino Valley, Town of Water Infrastructure Finance Authority of Arizona

Requirements Prior to Final Disbursements: No Requirement

Loan Category: Qualified, Not Pledged

Policy Exceptions: None

Section 4: Technical Terms & Conditions (Section 7.2 of Due Diligence)

Design Loan: No observation required

Withholding Percentage: 10% (released after deliverables received)

Requirements Prior to Loan Execution: No Requirement

Requirements Prior to Final Disbursements:

Require Plan of Operation: No Requirement

Require Final Approval: No Requirement

Other: Complete Plans and Specifications submitted to WIFA in electronic format.

Policy Exceptions: None

Section 5: Additional Notice & Reporting Requirements (Section 7.3 of Due Diligence)

WIFA to generate Press Release: Yes

Other: No Requirement

Exhibit A of Loan Agreement

Section 1: Financial Assistance Terms and Conditions Town of Chino Valley 03-Nov-15

Loan Number	910168-16
Closing Date	11/19/15
First Payment Period	07/01/16
Financial Assistance Terms and Conditions	
Original Loan Amount as of the Closing Date.....	\$ 50,354.00
Loan Amount.....	\$ 50,354.00
Loan Term.....	5
Combined Interest & Fee Rate	4.000%
Total # of Payment Periods within Loan Term.....	10
Principal Repayments	
Period Principal Repayments Begin.....	2
First Principal Repayment Date.....	07/01/16
Final Principal Repayment Date.....	07/01/20
Combined Interest and Fee Payment Dates	
First Combined Interest and Fee Payment Date*.....	07/01/16
Final Combined Interest and Fee Payment Date.....	07/01/20
* Actual initial Combined Interest and Fee payment calculated only on dollar amount drawn against loan as of initial payment date	
Debt Service Reserve Fund Requirements	
Total Reserve Amount.....	\$ 11,310.87
Annual Amount.....	\$ 3,770.29
Reserve Funded by (Date).....	01/01/19
Repair and Replacement Fund Requirement	
Begin Funding on (Date).....	Not Applicable
Annual Amount.....	None
Semi-Annual Deposit.....	None
Annual Payment	
Years 1 through 5.....	\$ 11,310.87

Section 2: Loan Repayment Schedule						
Town of Chino Valley						
03-Nov-15						
Year Period		Semi-Annual Payment Dates	Combined Interest and Fee Rate	Semi-Annual Combined Interest and Fee Payment	Annual Principal Repayment	Total Annual Payment
1	1	01/01/16	4.000%	0.00		
1	2	07/01/16	4.000%	1,242.07	9,296.71	10,538.78
2	3	01/01/17	4.000%	821.15		
2	4	07/01/17	4.000%	821.15	9,668.57	11,310.87
3	5	01/01/18	4.000%	627.78		
3	6	07/01/18	4.000%	627.78	10,055.31	11,310.87
4	7	01/01/19	4.000%	426.67		
4	8	07/01/19	4.000%	426.67	10,457.53	11,310.87
5	9	01/01/20	4.000%	217.52		
5	10	07/01/20	4.000%	217.52	10,875.88	11,310.92
				5,428.31	50,354.00	55,782.31

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 11/10/2015
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Action
Estimated length of staff presentation: None
Physical location of item: Casa Chica, 316 W. Perkinsville Road, Chino Valley

AGENDA ITEM TITLE:

- (i) Public Hearing regarding application from Guima LLC for the Agent Change and Acquisition of Control of an existing Series 10 (Beer and Wine Store) Liquor License for Casa Chica, located at 316 W. Perkinsville Road, Chino Valley.
- (ii) Consideration and possible action to take no action or protest the change of ownership of the Series 10 Liquor License for Casa Chica to the Arizona Department of Liquor Licenses and Control.

RECOMMENDED ACTION:

- (i) Hold Public Hearing.
- (ii) Take no action; OR Protest the change of ownership of Casa Chica's Series 10 Liquor License.

SITUATION AND ANALYSIS:

Issue Statement

See attached Notification to Local Governing Body from the Arizona Department of Liquor Licenses & Control (DLLC) regarding A.R.S. 4-203.F, acquisition of control and agent changes.

A.R.S. § 4-203.F provides that the local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the director [of DLLC] does not receive any protests, the director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control.

Guima LLC has applied with the state for an Agent Change and Acquisition of Control of the Series 10 (Beer and Wine Store) Liquor License for Casa Chica. The Series 10 license is a non-transferable, 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. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 10 (beer and wine store) licensees and applicants may apply for unlimited sampling

privileges by completing the Sampling Privileges form. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

The Police and Planning Departments reviewed the application and offered no comments. Staff posted the establishment with the necessary notices to meet the required 20-day period from October 12 through November 9, 2015. As of the date of this report, staff has not received any written arguments in favor of or in opposition to the application.

Applicable “Policy”

- A.R.S. § 4-203.F provides that the local governing body has the option to protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control.

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’s requirements by either directing staff to file a protest or taking no action.

Summary of Issues and Staff Rationale

N/A

Findings of Fact

N/A

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Notification to Local Governing Body-A.R.S. 4-203.F

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

Casa Chica Application

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor

Phoenix AZ 85007-2934

www.azliquor.gov

(602) 542-5141

NOTIFICATION TO LOCAL GOVERNING BODY

AGENT CHANGE ☐

ACQUISITION OF CONTROL AND AGENT CHANGE ☒

ACQUISITION OF CONTROL ☐

Liquor License No.

10133153

Application accepted by

JB

A.R.S. § 4-203.F

If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the Director within fifteen business days after such acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the Director. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation prior to the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not to exceed one thousand dollars, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the Director shall forward the notice within fifteen days to the local governing body of the city or town, if the licensed premises is in an incorporated area, or the county, if the licensed premises is in an unincorporated area. **The Local Governing Body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control.** If the Director does not receive any protests, the Director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control. Any protest shall be set for a hearing before the Board. Any transfer shall be approved or disapproved within one hundred five days of the filing of the notice of acquisition and control. The person who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to section 4-202 and this section with respect to capability, reliability and qualification.

**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).



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

APPLICATION FOR AGENT CHANGE – ACQUISITION OF CONTROL – RESTRUCTURE

NOTE 1: The fee for an agent change **MUST** be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H) **NOTE 2:** The \$100.00 fee for restructure/acquisition of control **MUST** be submitted with this application. (A.R.S. 4-209.A)

SECTION 1

Check the appropriate boxes

☒ Agent Change Complete Sections 1,2,3,4,5 & 7	☒ Acquisition of Control Complete Sections 1,2, 3 & 7	☐ Restructure Complete Sections 1,2,3,6 & 7
--	---	--

SECTION 2 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

1. Name: Martinez Sonia 10133153
(EXISTING AGENT OR NEW AGENT) Last First Middle Liquor License #
2. Owner Name: Maria Aldaco Guima LLC Corp File #: L15832415
(Exactly as it appears on Liquor License) (If applicable)
3. Business Name: Casa Chica Email: sharp@ledgers-etc.com
(Exactly as it appears on Liquor License)
4. Business Location Address: 316 W. Perkinsville Rd. Chino Valley Yavapai 86323
(Do not use P.O. Box Number) City COUNTY Zip
5. Is the Business located within the incorporated limits of the above City or Town? ☒ Yes ☐ No
6. 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: _____
7. Mailing Address: 443 W. Butterfield Rd. Chino Valley AZ 86323
8. Business Phone: 928-636-7772 City State Zip
Daytime Contact Phone 928-636-7772 920-265-5077
9. Does this transaction involve the sale of any portion of the percentage of ownership or corporate stock? ☒ Yes ☒ No
If yes, submit a certified copy of minutes.
10. Has there been any change of Controlling Persons? ☒ Yes ☐ No If yes, submit a copy of the minutes, amended articles of organization and/or amended operating agreement showing change.

SECTION 3 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

Each new person listed in section III must submit a questionnaire (form LIC0101) and a Department approved fingerprint card which may be obtained at the Department of Liquor. A Controlling Person already disclosed to the Department is not required to submit a questionnaire.

1. List all Controlling Persons to be disclosed, current and new.

New	Last	First	Middle	Title	Address	City	State	Zip
☒	Martinez	Sonia		Member	523 Grove Ave.	Chino Valley	AZ	86323
☐								
☐								
☐								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

2. List stockholders, percentage owners and/or Controlling Members owning 10% or more

New	Last	First	Middle	% Owned	Address	City	State	Zip
☒	Martinez	Sonia		100	523 Grove Ave.	Chino Valley	AZ	86323
☐								
☐								
☐								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

If the ownership is owned by another entity, ATTACH AN OWNERSHIP FLOWCHART SHOWING THE OFFICERS, MEMBERS, CONTROLLING PERSON AND 10% OR MORE OWNERS FOR THE ENTITIES. Attach additional sheets as necessary in order to disclose all persons.

SECTION 4**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

1. As an Agent, will you be physically present and operating the licensed premise? ☒ Yes ☐ No

If you answered YES, you must provide a copy of your Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider **BEFORE YOUR APPLICATION FOR AGENT ACQUISITION OF CONTROL OR RESTRUCTURE CAN BE SUBMITTED.** If you answered NO, go to question 2.

2. Is there a current Manager at this license premises disclosed to the Department with the current Basic and Management Training Certificate? ☒ Yes ☐ No

If yes, Name of current Manager: _____

Martinez

Sonia

Last

First

Middle

Basic Training

☒ Yes

☐ No

Management Training

☒ Yes

☐ No

If "NO" for 1 and 2, a Manager with a current Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider must be submitted before your application for Agent Change, Acquisition of Control or Restructure can be submitted.

SECTION 5**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

To be completed by the INDIVIDUAL OR EXISTING AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER:

1. License # 10133153

2. Current Agent Name: Aldaco Maria

(Exactly as it appears on license) Last

First

Middle

I, (Print full name) Maria Aldaco

hereby consent to the appointment of Agent for this license. I agree to immediately assign a new Agent in the event that I am unable to discharge the duties of Agent for this license. I have not been convicted of a felony in the last five (5) years.

X Maria Aldaco
(Controlling Person/Existing Agent)

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

25th

of

August

2015

Day

Month

Year

Sh.C. IX
Signature of NOTARY PUBLIC

My commission expires on: May 31, 2015

SECTION 6**(COMPLETE THIS SECTION FOR RESTRUCTURE)**

Is there more than one licensed premises involved? ☐ YES ☒ NO

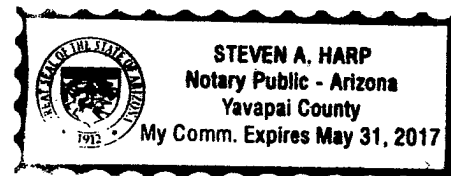
If YES, **SEPARATE APPLICATIONS** must be filed and fees paid for each license/location.

Type of current ownership:

Type of new ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☒ LIMITED LIABILITY CO.
☐ MANAGEMENT CO.
☐ TRIBE
☐ TRUST
☐ OTHER (Explain) _____

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☒ LIMITED LIABILITY CO.
☐ MANAGEMENT CO.
☐ TRIBE
☐ TRUST
☐ OTHER (Explain) _____

**SECTION 7 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)**

To be completed by Controlling Person or existing Agent (if no agent changes) **OR NEW** Agent if applying for Agent change as listed in Section 2 Question 1.

I, (Print full name) Sonia Martinez, hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.

X Sonia Martinez
(Controlling Person/Existing Agent)

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

25th

of

August

2015

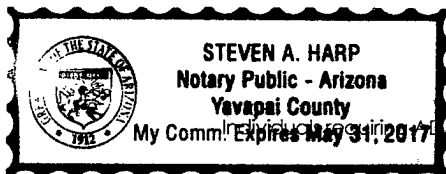
Day

Month

Year

Sh.C. IX
Signature of NOTARY PUBLIC

My commission expires on: May 31, 2017





TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. d.

Meeting Date: 11/10/2015
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Action
Estimated length of staff presentation: None
Physical location of item: Casa Grande, 443 W. Butterfield Road, Chino Valley

AGENDA ITEM TITLE:

- (i) Public Hearing regarding application from Aldaco LLC for the Agent Change and Acquisition of Control of an existing Series 12 (Restaurant) Liquor License for Casa Grande, located at 443 W. Butterfield Road, Chino Valley.
- (ii) Consideration and possible action to either take no action or protest the change of ownership of the Series 12 Liquor License for Casa Grande to the Arizona Department of Liquor Licenses and Control.

RECOMMENDED ACTION:

- (i) Hold Public Hearing.
- (ii) Take no action; OR Protest the acquisition of control of Casa Grande's Series 12 Liquor License.

SITUATION AND ANALYSIS:

Issue Statement

See attached Notification to Local Governing Body from the Arizona Department of Liquor Licenses & Control (DLLC) regarding A.R.S. 4-203.F, acquisition of control and agent changes.

A.R.S. § 4-203.F provides that the local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the director [of DLLC] does not receive any protests, the director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control.

Aldaco LLC has applied with the state for an Agent Change and Acquisition of Control of the Series 12 (Restaurant) Liquor License for Casa Grande. The Series 12 license is a non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.

The Police and Planning Departments reviewed the application and offered no comments. Staff posted the establishment with the necessary notices to meet the required 20-day period from October 12 through November 9, 2015. As of the date of this report, staff has not received any written arguments in favor of or in opposition to the application.

Applicable “Policy”

- A.R.S. § 4-203.F provides that the local governing body has the option to protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control.

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’s requirements by either directing staff to file a protest or taking no action.

Summary of Issues and Staff Rationale

N/A

Findings of Fact

N/A

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Notification to Local Governing Body-A.R.S. 4-203.F

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

Casa Grande application

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor

Phoenix AZ 85007-2934

www.azliquor.gov

(602) 542-5141

NOTIFICATION TO LOCAL GOVERNING BODY

AGENT CHANGE ☐ACQUISITION OF CONTROL AND AGENT CHANGE ☒ACQUISITION OF CONTROL ☐

Liquor License No.

12133228

Application accepted by

DP

A.R.S. § 4-203.F

If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the Director within fifteen business days after such acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the Director. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation prior to the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not to exceed one thousand dollars, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the Director shall forward the notice within fifteen days to the local governing body of the city or town, if the licensed premises is in an incorporated area, or the county, if the licensed premises is in an unincorporated area. **The Local Governing Body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the Director does not receive any protests, the Director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control.** Any protest shall be set for a hearing before the Board. Any transfer shall be approved or disapproved within one hundred five days of the filing of the notice of acquisition and control. The person who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to section 4-202 and this section with respect to capability, reliability and qualification.

**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).



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

15 AUG 27 Lir. Lic. PM 1 25

APPLICATION FOR AGENT CHANGE – ACQUISITION OF CONTROL – RESTRUCTURE

NOTE 1: The fee for an agent change **MUST** be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H) **NOTE 2:** The \$100.00 fee for restructure/acquisition of control **MUST** be submitted with this application. (A.R.S. 4-209.A)

SECTION 1

Check the appropriate boxes

☒ Agent Change Complete Sections 1,2,3,4,5 & 7	☒ Acquisition of Control Complete Sections 1,2, 3 & 7	☐ Restructure Complete Sections 1,2,3,6 & 7
--	---	--

SECTION 2 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

1. Name: Martinez Sonia P1072191 12133228
(EXISTING AGENT OR NEW AGENT) Last First Middle Liquor License #
2. Owner Name: Maria Aldaco Aldaco LLC B1046082 Corp File #: L16240604
(Exactly as it appears on Liquor License) (If applicable)
3. Business Name: Casa Grande B1028694 Email: sharp@ledgers-etc.com
(Exactly as it appears on Liquor License)
4. Business Location Address: 443 W. Butterfield Rd. Chino Valley Yavapai 86323
(Do not use P.O. Box Number) City COUNTY Zip
5. Is the Business located within the incorporated limits of the above City or Town? ☒ Yes ☐ No
6. 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: _____
7. Mailing Address: 443 W. Butterfield Rd. Chino Valley AZ 86323
City State Zip
8. Business Phone: 928-636-7275 Daytime Contact Phone 928-636-7275
9. Does this transaction involve the sale of any portion of the percentage of ownership or corporate stock? ☐ Yes ☒ No
If yes, submit a certified copy of minutes.
10. Has there been any change of Controlling Persons? ☒ Yes ☐ No If yes, submit a copy of the minutes, amended articles of organization and/or amended operating agreement showing change.

SECTION 3 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

Each new person listed in section III must submit a questionnaire (form LIC0101) and a Department approved fingerprint card which may be obtained at the Department of Liquor. A Controlling Person already disclosed to the Department is not required to submit a questionnaire.

1. List all Controlling Persons to be disclosed, current and new.

New	Last	First	Middle	Title	Address	City	State	Zip
☒	Martinez	Sonia		Member	523 Grove Ave.	Chino Valley	AZ	86323
☐								
☐								
☐								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

2. List stockholders, percentage owners and/or Controlling Members owning 10% or more

New	Last	First	Middle	% Owned	Address	City	State	Zip
☒	Martinez	Sonia		100	523 Grove Ave.	Chino Valley	AZ	86323
☐								
☐								
☐								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

If the ownership is owned by another entity, **ATTACH AN OWNERSHIP FLOWCHART SHOWING THE OFFICERS, MEMBERS, CONTROLLING PERSON AND 10% OR MORE OWNERS FOR THE ENTITIES.** Attach additional sheets as necessary in order to disclose all persons.

SECTION 4**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

1. As an Agent, will you be physically present and operating the licensed premise? ☒ Yes ☐ No

If you answered YES, you must provide a copy of your Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider BEFORE YOUR APPLICATION FOR AGENT ACQUISITION OF CONTROL OR RESTRUCTURE CAN BE SUBMITTED. If you answered NO, go to question 2.

2. Is there a current Manager at this license premises disclosed to the Department with the current Basic and Management Training Certificate? ☒ Yes ☐ No

If yes, Name of current Manager: Martinez Sonia

Last

First

Middle

Basic Training ☒ Yes ☐ No

Management Training ☒ Yes ☐ No

If "NO" for 1 and 2, a Manager with a current Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider must be submitted before your application for Agent Change, Acquisition of Control or Restructure can be submitted.

SECTION 5**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

To be completed by the INDIVIDUAL OR EXISTING AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER:

1. License # 12133228

2. Current Agent Name: Aldaco Maria

(Exactly as it appears on license) Last

First

Middle

I, (Print full name) Maria Aldaco, hereby consent to the appointment of Agent for this license. I agree to immediately assign a new Agent in the event that I am unable to discharge the duties of Agent for this license. I have not been convicted of a felony in the last five (5) years.

x Maria Aldaco
(Controlling Person/Existing Agent)

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

25th of August, 2015
Day Month Year

My commission expires on: May 31, 2017

Sh.C. Ly
Signature of NOTARY PUBLIC

SECTION 6**(COMPLETE THIS SECTION FOR RESTRUCTURE)**

Is there more than one licensed premises involved? ☐ YES ☐ NO

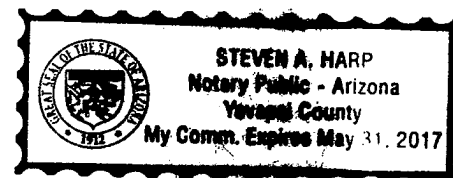
If YES, SEPARATE APPLICATIONS must be filed and fees paid for each license/location.

Type of current ownership:

Type of new ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ MANAGEMENT CO.
☐ TRIBE
☐ TRUST
☐ OTHER (Explain) _____

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ MANAGEMENT CO.
☐ TRIBE
☐ TRUST
☐ OTHER (Explain) _____

**SECTION 7 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)**

To be completed by Controlling Person or existing Agent (if no agent changes) OR NEW Agent if applying for Agent change as listed in Section 2 Question 1.

I, (Print full name) Sonia Martinez, hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.

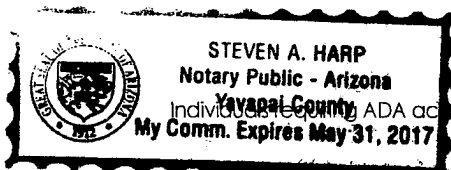
x Sonia Martinez
(Controlling Person/Existing Agent)

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

25th of August, 2015
Day Month Year

My commission expires on: May 31, 2017

Sh.C. Ly
Signature of NOTARY PUBLIC





TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. e.

Meeting Date: 11/10/2015
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: Lucys Place, 3020 N. Highway 89, Chino Valley

AGENDA ITEM TITLE:

- (i) Public Hearing regarding application from Lucys Place LLC for an Interim Permit and Person Transfer of a Series 6 (Bar) Liquor License for Lucys Place, located at 3020 N. Highway 89, Chino Valley.
- (ii) Consideration and possible action to recommend approval for an interim permit and person transfer of a Series 6 Liquor License application for Lucys Place.

RECOMMENDED ACTION:

- (i) Hold Public Hearing.
- (ii) Recommend approval for interim permit and person transfer of Lucys Place's Series 6 Liquor License.

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, 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.

Applicable "Policy"

A.R.S. § 4-201 Licensing; application procedure in city, town or county; burden of proof
 A.R.S. § 4-203 Licenses: issuance: transfer: reversion to state

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's requirements by recommending to the state liquor board whether the board should grant or deny the license.

Summary of Issues and Staff Rationale

David Zook has applied with the state for an interim permit and person transfer of a Series 6 (Bar) Liquor License for Lucys Place. The Bar (Series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar.

Per A.R.S. § 4-203, a spirituous liquor license issued to a bar, a liquor store or a beer and wine bar shall be transferable as to any permitted location within the same county, provided such transfer meets the requirements of an original application. A spirituous liquor license may be transferred to a person qualified to be a licensee, provided such transfer is pursuant to either judicial decree, nonjudicial foreclosure of a legal or equitable lien, including security interests held by financial institutions pursuant to section 4-205.05, a sale of the license, a bona fide sale of the entire business and stock in trade, or such other bona fide transactions as may be provided for by rule. Any change in ownership of the business of a licensee, directly or indirectly, as defined by rule is deemed a transfer.

The interim permit is required per A.R.S. § 4-203.01, if the applicant intends to continue operating while the application is pending.

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 April 23, 2013 through May 13, 2013.
- 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

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

**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).

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. f.

Meeting Date: 11/10/2015
Contact Person: James Gardner, Associate Planner
 Phone: 928-636-2646 x-1295
Department: Development Services
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: 2879 Arizona Trail

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 15-804 rezoning parcel 306-17-001H, consisting of approximately 2.5 acres, located in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, located at approximately 2879 Arizona Trail, from Industrial (I) to Commercial Light (CL). Applicant: Gary Denny. Staff: James Gardner, Planner.

RECOMMENDED ACTION:

Adopt Ordinance No. 15-804 allowing the rezoning of the property generally located at 2879 Arizona Trail from Industrial (I) to Commercial Light (CL).

SITUATION AND ANALYSIS:

Issue Statement

The purpose of this request is to rezone subject parcel 306-17-001H, consisting of approximately 2.5 acres. The property is located at approximately 2879 Arizona Trail. Surrounding uses include residential (SR-1) to the west, and Industrial (I) to the south, east and north. The property is zoned Industrial (I) and the applicant would like to rezone to Commercial Light (CL). The applicant is interested in rezoning the property to CL so that they can add a 400 square foot expansion to the existing restaurant building. The restaurant and addition will be used as a restaurant building by El Charro.

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

The current zoning classification assigned to the property is Industrial, which is incompatible with the surrounding residential uses, for example, it is possible for an automotive manufacturing plant, a gravel pit, a slaughterhouse, or even an oil refinery, to be built on the property under current zoning. The

rezoning of this property will serve to bring the zoning into line with the actual use of the property and will serve as a buffer from the more intensive industrial uses, which are currently allowed by-right on the property. The rezoning request will be in general conformance with the Town of Chino Valley's 2014 General Plan. The future land-use map identifies this area as commercial/floodplain/greenway corridors/aggregate areas. This request conforms with the commercial portion of that land use designation. This request also serves to satisfy Land Use Goal "Focus on Development of Community Cores and on Lifestyle Choices in Land Use" Target Strategy 3, which is to avoid proximity of incompatible land uses. The request to rezone will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare. The request to rezone is not in general conformance with the zoning classifications in the immediate area, however, may be a more appropriate zoning classification than the existing Industrial (I) zoning, due to the lack of a zoning buffer between the residential neighborhood to the west and the existing industrial zone. Surrounding uses include: I and SR-1. This zone change will bring the existing use of restaurant into conformance, as it is currently a legal non-conforming use.

Findings of Fact

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Site Plan

Ordinance 15-804

Legal Description Ordinance Exhibit A

Zoning Map Exhibit B

Vicinity Map

ORDINANCE NO. 15-804

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 2.5 ACRE(S) OF REAL PROPERTY GENERALLY LOCATED AT 2879 ARIZONA TRAIL, SECTION 11, TOWNSHIP 16N, RANGE 2W, FROM INDUSTRIAL (I) ZONING DISTRICT TO COMMERCIAL LIGHT (CL) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission, by a vote of 5-0 recommends approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for property consisting of approximately 2.5 acre(s), described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B, both attached hereto and incorporated herein by this reference, from Industrial (I) Zoning District to Commercial Light (CL) Zoning District.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of November, 2015 by the following vote:

AYES:	_____	ABSENT:	_____
NAYS:	_____	ABSTAINED:	_____

APPROVED this 10th day of November, 2015.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis L.N. Smiley

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 15-804 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 10th DAY OF NOVEMBER, 2015, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2015.

Jami C. Lewis, Town Clerk

Exhibit A

All that portion of Sections 2 and 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Commencing at the Northwest Corner of said Section 11;

Thence, North 89°58' East, 2974.72 feet along the section line;

Thence, South 00°18'00" East, 322.45 feet to the True Point of Beginning;

Thence, South 88°54'50" East, 258.82 Feet;

Thence, South 68°16'40" East, 96.60 feet;

Thence, South 48°23'35" East, 72.82 feet;

Thence, South 35°25'20" East, 50.66 feet;

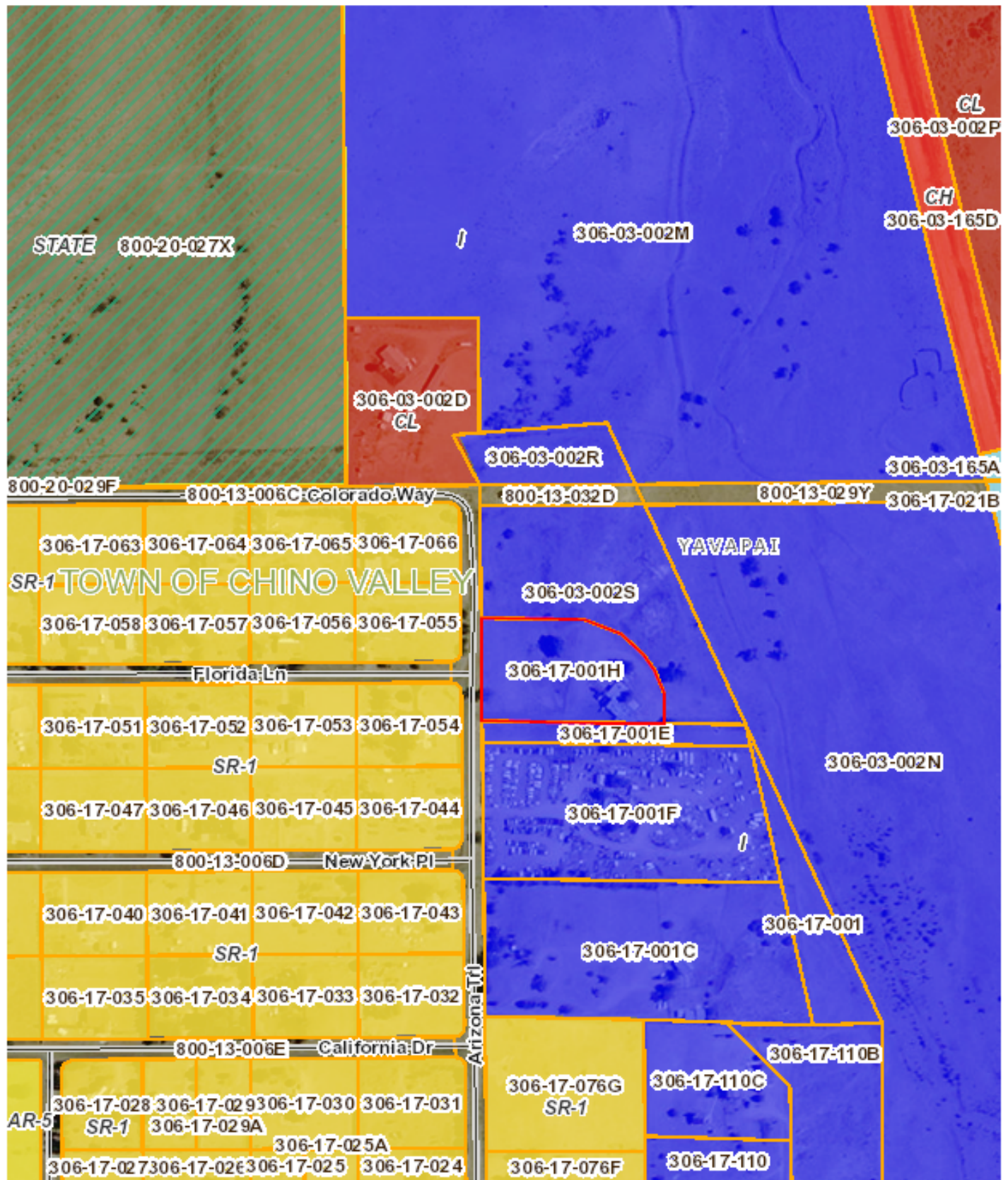
Thence, South 20°19'40" East, 59.99 feet;

Thence, South 00°23'05" East, 72.03 feet;

Thence, North 88°54'50" West, 452.42 feet;

Thence, North 00°18'00" West, 250.00 feet to the True Point of Beginning.

El Charro Zoning Map (Exhibit B)



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.



Map printed on: 10.21.2015



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. g.

Meeting Date: 11/10/2015
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Action Item - Presentation
Estimated length of staff presentation: 30 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to postpone, modify, or confirm the adopted Utility Rate Increases scheduled to go into effect in January 2016.

RECOMMENDED ACTION:

Review and take action to confirm, postpone, or modify the Utility Rate Increases scheduled to go into effect in January 2016.

SITUATION AND ANALYSIS:

Issue Statement

On February 12, 2103 the Town Council adopted Resolution No. 13-1005 adopting water and sewer rate increases for five fiscal years through January 2017.

Staff has prepared a detailed analysis of the financial impact of postponing or modifying the rate increases including other funding alternatives to offset the impact.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

Fiscal Impact will depend on action taken. Detailed staff report provides details on the estimated impact of each alternative reviewed.

Attachments

Current Water Rates
Resolution No. 13-1005

Town of Chino Valley					
Residential Water and Sewer Rates					
	Mar-13	Jan-14	Jan-15	Jan-16	Jan-17
Water Rates					
Bill for 7,500 gallons	\$ 35.44	\$ 36.48	\$ 37.62	\$ 38.68	\$ 39.89
% Increase		3%	3%	3%	3%
Sewer Rates					
Residential Customer	53.37	58.31	64.14	70.55	79.02
% Increase		9%	10%	10%	12%
Total Water and Sewer	\$ 88.81	\$ 94.79	\$ 101.76	\$ 109.23	\$ 118.91
% Increase		7%	7%	7%	9%

RESOLUTION NO. 13-1005**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI AND STATE OF ARIZONA, IN ACCORDANCE WITH THE TOWN OF CHINO VALLEY CODE OF ORDINANCES, TITLE V "PUBLIC WORKS" CHAPTER 51.250 "UTILITY FEES" TO CHANGE AND ESTABLISH CERTAIN WATER AND SEWER FEES**

WHEREAS, the Town of Chino Valley Town Code Section 51.250, et. seq., provides for the establishment of certain water and sewer fees; and

WHEREAS, increased regulatory and operating costs have occurred since the existing water and sewer rates were implemented; and

WHEREAS, such water and sewer cost increases are based on recommendations and an appropriate analysis of the water and sewer rate structure by Economists.com as presented to the Town Council on November 13, 2012 that are set forth in this Resolution; and

WHEREAS, on January 8, 2013, the Town Council adopted by motion a notice of intention to increase certain water and sewer rates and rate component fees, buy-in fees, and monthly service fees, and set February 12, 2013 as the date for a public hearing on the matter; and

WHEREAS, a copy of the notice of intention stating the date, time, and place of such public hearing has been properly published at least 20 days prior to the public hearing date and the public hearing has been conducted as scheduled; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to adopt new rates in order to maintain the financial integrity of the water and sewer enterprises; and

BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, in the County of Yavapai and State of Arizona as follows:

Section 1. The following (i) buy-in fees, (ii) monthly sewer service fees, and (iii) monthly water service fees shall be adopted, with the Base Charge for water service fees stated as gallons:

TOWN OF CHINO VALLEY PROPOSED WATER/WASTEWATER RATE SCHEDULE								
Water Rates								
	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
<i>Residential 3/4" Meter</i>								
Base Charge			\$4.84	\$4.99	\$5.13	\$5.29	\$5.45	\$5.61
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
<i>Residential 1" Meter</i>								
Base Charge			\$8.08	\$8.32	\$8.57	\$8.83	\$9.09	\$9.37
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
<i>Commercial 3/4" Meter</i>								
Base Charge			\$4.84	\$4.99	\$5.13	\$5.29	\$5.45	\$5.61
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
<i>Commercial 1" Meter</i>								
Base Charge			\$8.08	\$8.32	\$8.57	\$8.83	\$9.09	\$9.37
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00

	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Commercial 1½" Meter								
Base Charge			\$16.12	\$16.60	\$17.10	\$17.61	\$18.14	\$18.69
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 2" Meter								
Base Charge			25.80	26.57	27.37	28.19	29.04	29.91
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 3" Meter								
Base Charge			\$48.40	\$49.85	\$51.35	\$52.89	\$54.47	\$56.11
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Commercial 4" Meter								
Base Charge			\$80.76	\$83.18	\$85.68	\$88.25	\$90.90	\$93.62
Usage Charge	-	8,000	\$3.94	\$4.06	\$4.18	\$4.31	\$4.43	\$4.57
	8,001	20,000	\$4.93	\$5.08	\$5.23	\$5.39	\$5.55	\$5.72
	20,000	Above	\$6.90	\$7.11	\$7.32	\$7.54	\$7.77	\$8.00
Country West								
Base Charge			-	-	-	-	-	-
Usage Charge	-	8,000	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
	8,001	20,000	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
	20,000	Above	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70

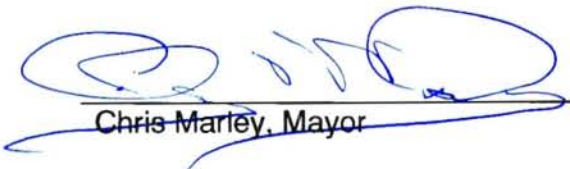
Wastewater Rates								
	Usage		Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Base Charge			\$48.40	\$53.37	\$58.31	\$64.14	\$70.55	\$79.02
Usage Charge			-	-	-	-	-	-
<i>Other</i>								
Base Charge			-	-	-	-	-	-
Usage Charge			-	-	-	-	-	-
<i>Commercial ¾"</i>								
Base Charge			\$48.40	\$53.37	\$58.31	\$64.14	\$70.55	\$79.02
Usage Charge			-	-	-	-	-	-
<i>Commercial 1"</i>								
Base Charge			\$81.00	\$89.31	\$97.58	\$107.34	\$118.07	\$132.24
Usage Charge			-	-	-	-	-	-
<i>Commercial 1½"</i>								
Base Charge			\$161.00	\$177.52	\$193.96	\$213.35	\$234.69	\$262.85
Usage Charge			-	-	-	-	-	-
<i>Commercial 2"</i>								
Base Charge			\$258.00	\$284.47	\$310.81	\$341.89	\$376.08	\$421.21
Usage Charge			-	-	-	-	-	-
<i>Commercial 4"</i>								
Base Charge			\$807.00	\$889.80	\$972.19	\$1,069.41	\$1,176.35	\$1,317.52
Usage Charge			-	-	-	-	-	-

	Usage	Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
<i>Country West</i>							
Base Charge			\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
Usage Charge			-	-	-	-	-
Connection Fees (Buy-In Fees)							
Water							
<i>Residential</i>							
¾" Meter Prior to 8/21/2004			\$854	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter Prior to 8/21/2004			\$1,424	\$4,000	\$4,000	\$4,000	\$4,000
¾" Meter After to 8/21/2004			\$854	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter After to 8/21/2004			\$1,424	\$4,000	\$4,000	\$4,000	\$4,000
<i>Multi-Family Residential</i>							
¾" Meter Prior to 8/21/2004			\$775	\$3,630	\$3,630	\$3,630	\$3,630
1" Meter Prior to 8/21/2004			\$1,294	\$3,630	\$3,630	\$3,630	\$3,630
¾" Meter After to 8/21/2004			\$775	\$3,630	\$3,630	\$3,630	\$3,630
1" Meter After to 8/21/2004			\$1,294	\$3,630	\$3,630	\$3,630	\$3,630
<i>Hotels/Motels Per Room</i>			\$719	\$3,056	\$3,056	\$3,056	\$3,056

	Usage	Current	Effective Mar. 2013	Effective Jan. 2014	Effective Jan. 2015	Effective Jan. 2016	Effective Jan. 2017
Commercial							
3/4" Meter		\$854	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
1" Meter		\$1,424	\$6,670	\$6,670	\$6,670	\$6,670	\$6,670
1 1/2" Meter		\$2,868	\$13,433	\$13,433	\$13,433	\$13,433	\$13,433
2" Meter		\$4,588	\$21,489	\$21,489	\$21,489	\$21,489	\$21,489
3" Meter		\$8,606	\$40,309	\$40,309	\$40,309	\$40,309	\$40,309
4" Meter		\$14,346	\$67,194	\$67,194	\$67,194	\$67,194	\$67,194
6" Meter		\$28,683	\$134,347	\$134,347	\$134,347	\$134,347	\$134,347
8" Meter		\$45,896	\$214,970	\$214,970	\$214,970	\$214,970	\$214,970
10" Meter		\$65,980	\$309,040	\$309,040	\$309,040	\$309,040	\$309,040
12" Meter		123,347	577,738	577,738	577,738	577,738	577,738
Wastewater							
Prior to 8/21/2004		\$1,683	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000
After to 8/21/2004		\$4,691	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000

Section 2. On the thirty-first (31st) day following the passage and adoption of this Resolution, any existing (i) buy-in fees, (ii) monthly sewer service fees, and (iii) monthly water service fees shall be rescinded and replaced with the fee schedule set forth above.

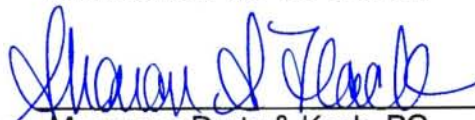
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 12th day of February, 2013.


Chris Marley, Mayor

ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Sharon I. Drutz & Kack, PC
Town Attorney