



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, February 19, 2019 @ 6:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Proclamation and Community Acknowledgements
- E. City Manager Report

F. City Clerk Report

- | | | |
|----|--|--------------------------------------|
| 1. | Consideration and action on the appointment of Bill Pupo to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2021. | None
Sherry Aguilar
City Clerk |
| 2. | Consideration and action on the appointment of Raymond Grim to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2019. | None
Sherry Aguilar
City Clerk |

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

- | | | | |
|----|------------|--|--|
| 1. | Citywide | Consideration and action on the Fiscal Year 2019 budget amendment reallocating appropriations in the amount of \$128,000 for contract building inspectors; Resolution 2019-14. | None

Community Development |
| 2. | Internal | Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$27,400 from contingency within the Grants Fund to FFY19 GOHS Pedestrian & Bicyclist Safety OT (\$25,000) within the Grants Fund to cover overtime expenses for additional pedestrian and bicyclist safety enforcement and \$2,400 to FFY19 GOHS Motorcycle Overtime Grant for the purchase of traffic cones for civilian motorcycle operations courses. Resolution #2019-20. | James Jackson
Police |
| 3. | Internal | Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$10,000 from contingency within the Grants Fund to the US Marshals Service Joint Law Enforcement Operations (JLEO) Overtime Task Force project within the Grants Fund to cover expenditures associated with Task Force overtime expenses; Resolution # 2019-22. | Police |
| 4. | Citywide | Consideration and action on the minutes of February 5, 2019 Regular City Council Work Session and Regular City Council Meeting. | None

Sherry Aguilar
City Clerk |
| 5. | District 1 | Consideration and action on a Series 10 (Beer & Wine Store) liquor license request for Dollar General Store #19349, located at 17174 W. Jomax Road, Surprise, AZ 85387. | None

Sherry Aguilar
City Clerk |
| 6. | Citywide | Consideration and action pertaining to a Fiscal Year 2019 Budget amendment reallocating appropriation of \$125,000 from Project P42040 to Project P42030 within the General Capital Projects Fund for preliminary design services on Litchfield Road; Resolution # 2019-21. | Community Development |
| 7. | District 5 | Consideration and action pertaining to approval of a Reciprocal Access and Parking Easement Agreement with Ottawa University. | Eric Fitzer
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|----------|--|---------|
| 8. | Citywide | A Public Hearing on the proposed adoption of a utility rate adjustment pursuant to A.R.S. 9-511.01. Following the public hearing, City Council during the regular agenda, will consider and take action pertaining to the adoption of utility rates for a 5 year period - FY2020 - FY2024. | Finance |
|----|----------|--|---------|

- | | | | |
|---|--|--|----------------------------------|
| 9. | District 1 | A public hearing pertaining to the Paloma Creek annexation proposal, case FS18-149, in accordance with Arizona Revised Statutes 9-471(A)(3). | None |
| | | | Community Development |
| 10. | District 1 | A public hearing pertaining to the Saddlehorn Ranch annexation proposal, case FS18-315, in accordance with Arizona Revised Statutes 9-471(A)(3). | Community Development |
| REGULAR AGENDA ITEM - NON-PUBLIC HEARING: | | | |
| 11. | District 5 | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations of \$657,000 from the Economic Development Contingency Fund to Capital Project P61420 City Center Public Infrastructure; Resolution # 2019-19. | Jeanine Jerkovic
Public Works |
| 12. | Citywide | Consideration and action pertaining to the approval of utility rates for a 5 year period - FY2020 - FY2024; Resolution #2019-17. | Finance |
| I. | Other Business and Future Agenda Items | | |
| J. | Mayor/City Council Reports | | |
| K. | Executive Session | | |

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

- | | | | |
|-----|----------|---|-----------------------------------|
| 13. | Internal | Consideration and action to enter into executive session for discussion and consultation with the City Attorney for legal advice and to consider the City Council's position and provide instruction regarding settlement of the Circle City Water Company condemnation litigation pursuant to A.R.S. 38-431.03(A)(3) and (4). | None

Robert Wingo
Legal |
| 14. | | Consideration and action to enter into executive session for discussion, consultation, and legal advice with city attorneys and staff in order to consider the City Council's position regarding contract negotiations pertaining to real property in proximity of Surprise City Hall pursuant to A.R.S 38431.03(A)(3) and (4). | None

Robert Wingo
Legal |

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Thursday, February 14, 2019 @ 2:48 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE

PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the appointment of Bill Pupo to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2021.

Motion:

I move to approve appointment of Bill Pupo to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2021.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PUPPO_Redacted
-

2-1-19
AJP

CITY OF SURPRISE

COMMUNITY AND RECREATION SERVICES COMMISSION APPLICATION

FEBRUARY 1, 2019

William Pupo



Resident: Yes. 19 years

Community and Recreation Services Commission

MBA Gonzaga University

Retired: Assistant City Manager and City Manager

Employment: Adjunct Faculty, Rio Salado College and owner of BP Consult, LLC

Special Qualifications: Understanding of all facets of local government operations, policy and capital planning. Understanding of intergovernmental relations and relationships to recreation and parks.

Board member of the Surprise Sundancers, Dysart Education Foundation, Emeritus board member Surprise Regional Chamber of Commerce and Cactus League Association board member and executive committee member. All at the present time.

I previously served for about one year on the Surprise Police Fire pension boards but due to business conflicts resigned the position. The business conflict related to interim services to the City of El Mirage

Statement as to why I want to serve as a Commission member for the City of Surprise:

I've lived in Surprise for nearly 19 years as of this April. I am now too a senior citizen. Through my involvement with the development of the Surprise Recreation Campus, Surprise Stadium and arrangements with bringing the Rangers and Royals to Surprise, it is important that we invest in recreational opportunities as Surprise grows. I have 5 grandchildren, 3 of which live in Surprise and 2 just outside of Surprise so their recreational opportunities for growth and development are important to me. New recreational facilities must be developed to meet the growing demands of youth in our community and region. The continued care and maintenance of the current facilities is critical too. Nearly all recreations facilities were opened in the past 15-19 years and they too need new investments to maintain them. If this done, Surprise will grow and prosper economically; if this is not done, Surprise will become more of a senior living environment attractive to more age restricted active adult communities and assisted living facilities. Our youth needs must be addressed and met.

I do certify that all information to the best of my knowledge is correct and misrepresentation is subject to dismissal. My signature is affixed electronically. William A. Pupo



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the appointment of Raymond Grim to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2019.

Motion:

Consideration and action to approve appointment of Raymond Grim to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2019.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. GRIM_Redacted
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Date/Time/Initials Received by Clerk's Office:

1-8-19

S-J
e-mailed

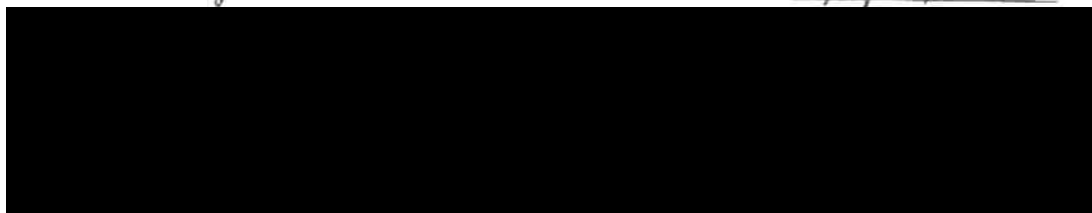


City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

Name: Raymond Grim

Date Submitted: 1/17/2019



Resident of Surprise: X Yes No Number of Years: 23

Board/Commission(s) you are applying for? Community & Recreation Advisory Commission

Education: High School Diploma
Some college courses

EMPLOYMENT BACKGROUND:

Present Employer/Position: Owner of Raymond E. Grim
Insurance Agency LLC. since 2001

Previous Employer(s)/Position (Last 5 Years): N/A

Special Qualifications (Include list of Surprise activities or organizations you have participated in and dates):

Coached baseball, basketball, soccer, kickball in Surprise since 1995 to
Played Adult Softball in Surprise from 2000-2015 Present

(Continued on Reverse Side)

Government Affairs committee with the Surprise Regional Chamber of
Aug 2013-Jan 2018 Commerce
Chair Person for 3 years

Do you currently serve, or have you previously served on any other City of Surprise Commissions? If yes, which one(s):

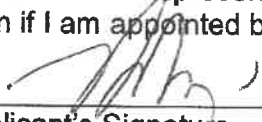
N/A

Statement as to why you want to serve as a Commission Member for the City of Surprise:

I've always work to give back to my community. My experience with coaching in the city, playing adult sports, and being a business owner in the city gives me a unique experience as to what the commission needs. Being the consumer of the parks and rec department has given me the experience of the end user of the department.

Additional Information/Comments:

I, Raymond Green certify that to the best of my knowledge, all information given herewith is true and correct. I understand that any falsification or misrepresentation of facts will be cause for dismissal from the position if I am appointed by the City Council.


Applicant's Signature

Please return to:

City Clerk's Office
16000 N. Civic Center Plaza
Surprise, AZ. 85374
623-222-1200

Please note that applications are accepted on an open rolling basis and shall be maintained as an active application for future vacancies.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019 Contact Person:
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the Fiscal Year 2019 budget amendment reallocating appropriations in the amount of \$128,000 for contract building inspectors; Resolution 2019-14.

Motion:

I move to approve Resolution # 2019-14.

Background:

The FY2019 the adopted budget included funding for one full time contract building inspector. The services of two contract building inspectors have been necessary in order to meet the workload requirements of building inspections in the City. The Building Safety Division anticipates the need for two full-time contract building inspectors for the remainder of the fiscal year.

Objective Analysis:

Hiring contract inspectors on an as-needed basis enables the Building Safety Division to provide residents and stakeholders with timely, quality service when experiencing extraordinary demand. This strategy also reduces any potential negative impact on city staff during times of economic slowdown.

Policy Compliant:

This action is consistent with City and Council policy.

Financial Impact:

This additional cost associated with contract building inspectors is estimated to be \$128,000. This action will allow the Community Development Department to meet the demand for building inspections in the City.

Budget Impact:

This action reallocates spending authority without increasing or decreasing the total budget for FY2019 and does not represent an actual transfer of funds.

FTE Impact:

The number of full-time equivalents (FTE) is not impacted by this item.

ATTACHMENTS:

RESOLUTION # 2019-14

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF \$128,000 FROM CONTINGENCY WITHIN THE GRANTS FUND TO THE GENERAL FUND FOR CONTRACT BUILDING INSPECTORS.

WHEREAS, the FY2019 budget was adopted included funding for one full time contract building inspector;

WHEREAS, the services of two contract building inspectors have been, and continue to be, necessary to support the substantial workload of building inspections;

WHEREAS, the increase in expenditures is supported by revenue collections;

WHEREAS, to date, the Community Development Department has collected eighty-three percent of FY2019 budgeted revenue amounts;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

APPROVED AND ADOPTED this _____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-14**Exhibit A**

1. Appropriation - The allocations below represent a reallocation of appropriations in the amount of \$128,000 from contingency within the Grants Fund to Services within the General Fund to increase the Community Development Building Safety Division's budget for contract building inspector costs. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants Fund	General Operations	Contingency	E	20,762,400	(128,000)	20,634,400
General Fund	Community Development	Services	E	187,000	128,000	315,000
Grants Fund	General Operations	Grants Revenue	R	20,726,200	(128,000)	20,598,200
General Fund	Community Development	Bldg Inspc Permit Revenue	R	2,657,300	128,000	2,785,300
Expense Total				20,949,400	-	20,949,400
Revenue Total				23,383,500	-	23,383,500

2. List of Operating Items Over \$50,000- Council approved monies for contract inspector. This amount was based on the Fiscal Year 2019 approved budget. With this budget amendment, the contract inspector line item will increase by \$128,000.

Reference ID	Description	Current Amount	Increase/ (Decrease)	Amended Amount
19257	Contract Inspector	187,000	128,000	315,000



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: Police
Staff Recommendations:

Contact Person: James Jackson
District: Internal

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$27,400 from contingency within the Grants Fund to FFY19 GOHS Pedestrian & Bicyclist Safety OT (\$25,000) within the Grants Fund to cover overtime expenses for additional pedestrian and bicyclist safety enforcement and \$2,400 to FFY19 GOHS Motorcycle Overtime Grant for the purchase of traffic cones for civilian motorcycle operations courses. Resolution #2019-20.

Motion:

I move to approve Resolution #2019-20.

Background:

The City of Surprise Police Department applied for and was awarded \$27,400 in grant funding from the Governor's Office of Highway Safety (GOHS). GOHS awarded Grant 2019-PB-008 (\$25,000) for overtime to enforce pedestrian and bicycle safety laws in high priority locations and to conduct and participate in bicycle and pedestrian outreach/education safety events as part of the Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts. GOHS also awarded Change Order 2019-17 for \$2,400 in additional funding for the Motorcycle Safety Enforcement and Education Grant for the purchase of traffic cones for civilian motorcycle operations courses. The Motorcycle Safety Grant 2019-MC-003 (\$20,000) was approved by Council at the October 16, 2018 meeting.

Objective Analysis:

The grant funds will provide overtime funding for pedestrian and bicyclist safety education and enforcement efforts and for motorcycle safety education equipment. Such enforcement efforts will contribute to fewer pedestrian and motorcycle accidents.

The one negative to obtaining any grant funding is the employee time spent in overseeing the grant and making regular reports back to the grantor.

Policy Compliant:

The grants are consistent with the City's past practice of using grant funding to supplement the enforcement of traffic laws and enhance highway safety enforcement efforts in the City of Surprise.

Financial Impact:

These are one-time grant awards totaling \$27,400. This action will allow for the acceptance of \$27,400

in grant funding from the Governor's Office of Highway Safety to support City traffic enforcement and education overtime and to purchase equipment. All employee related expenses (ERE) associated with this overtime will be absorbed by the Police Department's current operating budget.

Budget Impact:

This item was not included as part of the FY2019 budget. Acceptance of these grants will amend the budget to reallocate appropriations in the amount of \$27,400 from contingency within the Grants Fund to Pedestrian and Bicyclist Safety Enforcement OT (\$25,000) and Motorcycle Safety Enforcement equipment (\$2,400).

These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. Surprise PD 2019-PB-008 Award Letter & Contract
 2. 2019-MC-003 Change Order 2019-17
 3. Resolution 2019-20 Pedestrian and Bike Safety Grants
-



DOUGLAS A. DUCEY
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

Chief Terry Young
Surprise Police Department
14250 West Statler Plaza - Suite 103
Surprise, AZ 85374

PROJECT REFERENCE:

Agreement Number: 2019-PB-008
Total Estimated Costs: \$25,000.00
Purpose of Project: Pedestrian & Bicyclist Focus
Education & Enforcement Efforts

Dear Chief Young:

Attached is one copy of the referenced Pedestrian & Bicyclist Cooperative Agreement for your review and signature. This is not an authorization to proceed with the project.

Please complete the following steps:

1. Review the entire Agreement as there have been **significant changes** throughout the Agreement;
2. GOHS requires one single-sided copy with an original signature. If your agency requires additional copies with an original signature, print additional copies.
3. Have your fiscal staff complete the Reimbursement Instructions (Page 12);
4. As Project Director, sign and date the signature page;
5. Obtain the signature of Michael Frazier, City Manager, City of Surprise as the Authorized Official of Governmental Unit;
6. Return one completed and signed copy to the Governor's Office of Highway Safety, 1700 West Washington Street, Executive Tower, Suite 430, Phoenix, Arizona, 85007.

Please **do not** incur any costs at this time as it would nullify the Agreement. Once the signed copy is received, I will approve and sign the Agreement as the GOHS Director/Governor's Highway Safety Representative and an original executed Agreement with a letter of authorization to proceed will be forwarded to you.

Sincerely,

Alberto Gutier, Director
Governor's Highway Safety Representative

1-14-19
Date

Enclosures

PEDESTRIAN AND BICYCLIST SUB-GRANTEE COOPERATIVE AGREEMENT

This page and attached hereto and incorporated herein by reference, constitute the entire Agreement between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

US DOT NHTSA COOPERATIVE AGREEMENT NUMBER: DTNH2217H00009

1. APPLICANT AGENCY Surprise Police Department	GOHS AGREEMENT NUMBER: 2019-PB-008	
ADDRESS 14250 West Statler Plaza, Suite #103 Surprise, AZ 85374	PROGRAM AREA: Pedestrian and Bicyclist Safety	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Mike Robbins	
ADDRESS 16000 North Civic Center Drive Surprise, AZ 85374	3. PROJECT TITLE: Statewide Pedestrian and Bicyclist Focus Education and Enforcement Effort	
4. GUIDELINES: US DOT NHTSA Cooperative Agreement		
5. BRIEFLY STATE PURPOSE OF PROJECT: US DOT NHTSA Cooperative Agreement: DTNH2217H00009 will support Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts.		
6. BUDGET	Project Period	
COST CATEGORY	CY 2019	
I. Salaries and Benefits (max ERE 40%)	\$25,000.00	
II. Travel Costs	\$0.00	
III. Contractual Services	\$0.00	
IV. Materials and Supplies	\$0.00	
TOTAL ESTIMATED COSTS	\$25,000.00	
AGREEMENT PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 12/31/2019
US DOT NHTSA COOPERATIVE AGREEMENT PERIOD	FROM: 01/01/2019	TO: 12/31/2019
TOTAL FUNDS AWARDED THIS PROJECT PERIOD: \$25,000.00		

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Agreement must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Agreement.

US DOT NHTSA STATEMENT OF PURPOSE AND OBJECTIVES:

NHTSA has a number of education and enforcement strategies it learned from demonstrations in such Focus Cities as Chicago (IL), Tampa, Detroit (MI), New York City (NY), Louisville (KY), Philadelphia (PA), Albuquerque, Gallup, Farmington, Las Cruces, and Santa Fe (NM), and Durham, Wilson, and Charlotte (NC). With success in its demonstration cities, North Carolina expanded statewide. To promote further adoption of these education and enforcement strategies, collaboration among local and State agencies, and program sustainability, States and communities need examples of how to reproduce, implement and sustain direct support of local level motor vehicle-related pedestrian and bicyclist safety education and enforcement efforts.

Purpose of Project:

The purpose of this Agreement is to 1) provide assistance to eligible States to implement successful pedestrian and bicycle education and enforcement strategies statewide, and 2) demonstrate State management, implementation, and support of local level pedestrian and bicyclist safety enforcement and education strategies.

Project Objectives:

The objectives of this project include, but are not limited, to the following:

1. To develop and implement state programs that demonstrate the ability to support local jurisdictions to implement education and enforcement strategies aimed at reducing motor vehicle-related pedestrian and bicyclist fatalities and injuries.
2. To identify State processes, mechanisms, or approaches for ongoing support to local communities to address pedestrian and bicycle safety with behavioral-based strategies such as education and enforcement.
3. To document process and outcomes in a guidebook formation that State may use to replicate project efforts.
4. To identify processes, policies, procedures and resources to institutionalize support of efforts

AGENCY PROBLEM IDENTIFICATION AND RESOLUTION:

Agency Background:

The City of Surprise is located in the far northwest of the Phoenix Metropolitan area. They are a growing community where families choose to live, send their children to school, do their shopping, and seek their entertainment. Population is now above 127,000. The City of Surprise is home to four high schools which consistently add young and inexperienced drivers to the roadways as well as a University which brings inexperienced drivers from around the world to the city as part time residents. Surprise is also home to the fourth largest 65+ population in the nation (per-capita) which creates a challenging dynamic when attempting to address specific causes of collisions.

The Surprise Police Department is responsible for patrolling approximately 857 miles of roadway. The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

Pedestrian/Bicyclist Fatalities:

Type	2016	2017	2018
Vehicle Fatalities	3	2	2
Pedestrian Fatalities	0	0	1
Bicyclists Fatalities	0	1	0
Total Fatalities	0	3	3

Agency Problem/Attempts to Solve Problem:

The City of Surprise is home to 23+ grade schools, all of which create a significant volume of pedestrian and bicycle traffic. The City is also home to the fourth largest 65+ population in the nation (per-capita), which significantly increases the volume of pedestrian and bicycle traffic. The pedestrian and bicycle traffic volume has also seen a very recent increase when Ottawa University opened, a university that anticipates 10,000 residential students within the next 10 years. A great opportunity exists for the Surprise Police Department to reach out to the community and positively impact the safety of pedestrians through traffic safety enforcement and education.

During the calendar year of 2017, the City of Surprise reported 17 collisions involving a bicycle or pedestrian, a steep incline from 6 the year prior. Many of these collisions are the result of unsafe and illegal bicycling and walking practices.

Agency Funding:

US DOT NHTSA Cooperative Agreement: DTNH2217H00009 will support Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts.

How Agency Will Solve Problem with Funding:

The Surprise Police Department will use the grant funding for Pedestrian and Bicyclist Traffic Safety Enforcement within the City of Surprise and outside of the City during any possible Pedestrian and Bicyclist Traffic Safety Task Force Events. The funding will be used to support overtime enforcement efforts at known high pedestrian and bicyclist traffic areas, such as: near and around schools, City Civic Center, Ottawa University, shopping centers, and entertainment venues. They will continue to actively identify "hot-spot" locations where pedestrian and bicyclist crashes occur for enforcement action.

PROJECT MEASURES:

Agency Goals:

- To decrease the number of pedestrian/bicycle traffic-related collisions 25% from 8 in calendar year 2018 to 6 in calendar year 2019.
- To host and actively participate in the Task Force Deployments focused on high priority pedestrian and bicycle crash locations.
- Conduct/participate in one outreach/education bicycle and pedestrian safety (Bike Rodeo) event each quarter during calendar year 2019. Surprise Police officers trained in bicycle safety operation and the community relations officers will work alongside dedicated volunteer trained staff to participate in advertised GOHS sponsored Bike Rodeos.
- Release one pedestrian and bicycle safety related social media/press release message each quarter during the calendar year 2019. The PIO, working with the Traffic Unit, will release either a short video or message via social media/press release every month.
- The PIO will share traffic safety messages via social media and press releases. These messages are all part of the "Drive Wise, Surprise" campaign. These safety messages will include pedestrian and bicycle safety information.

Agreement Objectives:

1. Enforcement: Host and actively participate in the Task Force Deployments that are focused on high priority pedestrian and bicycle crash locations.
2. Education/Awareness: Conduct/participate in one outreach/education bicycle and pedestrian safety (Bike Rodeo) event each quarter during calendar year 2019. Surprise Police officers trained in bicycle safety operation and community relations officers will work alongside volunteer trained staff to participate in advertised GOHS sponsored Bike Rodeos.

OBJECTIVE	SPECIFIC ACTION	MEASURE
Media Outreach	PIO will share traffic safety messages via social media and press releases. These messages are all part the "Drive Wise, Surprise" campaign. These safety messages will include pedestrian and bicycle safety information.	At least once a quarter during calendar year 2019.
Educational Materials	Handout educational materials related to bicycle/pedestrian traffic safety during Bike Rodeos.	At least once a quarter during calendar year 2019.
Educational Outreach	Conduct/participate in bicycle and pedestrian safety (Bike Rodeo) events. Surprise Police officers trained in bicycle safety operation, and community relations officers will work alongside volunteer trained staff to participate in advertised GOHS sponsored Bike Rodeos.	At least once a quarter during calendar year 2019.
Data Driven Approach to Crime and Traffic (DDACTS)	The Surprise Police Department actively uses the DDACTS model. To identify tactical and strategic areas of enforcement.	Share the DDACTS information agency wide every two weeks.
Enforcement	Host and actively participate in the Task Force Deployments focused on high priority pedestrian and bicycle crash locations.	At least once a month during calendar year 2019.
Training	None	None

GOALS/OBJECTIVES:

US DOT NHTSA Cooperative Agreement: DTNH2217H00009, will support Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts.

Expenditures of funding pertaining to the Pedestrian and Bicycle Safety Program including Personnel Services and ERE, Contractual Services, Materials and Supplies, and/or Travel Costs shall comply with the Pedestrian and Bicycle Safety Program goals provided by the Arizona Governor's Office of Highway Safety. The Pedestrian and Bicycle Safety Program goal is to reduce the incidences of pedestrian and bicycle fatalities and injuries on roadways through enforcement and education throughout the State of Arizona.

PLEASE NOTE: Failure to submit Statistics, Monthly Progress and Quarterly Reports, and/or Invoices of Costs Incurred timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives: **Statewide Pedestrian and Bicyclist Focus Education and Enforcement**

PRESS RELEASE:

NO media or press releases regarding this Agreement shall be disseminated EXCEPT by the Governor's Office of Highway Safety.

SPECIFIC REQUIREMENTS:

CONTRACTUAL SERVICES/PUBLIC INFORMATION/MEDIA –

Requirements for Contractual Services:

A copy of all Contracts for "Contractual Services" must be submitted to the GOHS Director for written approval *before* execution.

Requirements for Public Information and Education Materials:

Prior to the printing and distribution of public information and education materials, a sample will be provided to the GOHS Director for review and written approval.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Monthly Progress and Quarterly Reports

The purpose of the Monthly Progress Report is to provide information on Agreement activities conducted at the conclusion of each month. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

Report Schedule (Customize to Project Period)

Reporting Period	Due Date
1 st Quarterly Report and Progress Reports 01/01/2019 to 03/31/2019	April 15, 2019
2 nd Quarterly Report and Progress Reports 04/01/2019 to 06/30/2019	July 15, 2019
3 rd Quarterly Report and Progress Reports 07/01/2019 to 09/30/2019	October 15, 2019
4 th Quarterly Report and Progress Reports 10/01/2019 to 12/31/2019	January 15, 2020
Final Report of Project Results	January 15, 2020

The Monthly and Quarterly Reports **shall be completed on the form provided by the GOHS Project Coordinator and can be submitted by email** to the Governor's Office of Highway Safety.

Final Report of Project Results

The Project Director shall submit a Final Report of Project Results to the GOHS **no later than fifteen (15) days after the conclusion of the project period end date**. All agencies receiving funding are required to submit a Final Report of Project Results.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of fund reimbursements or termination of the Agreement.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief of Police, shall serve as Project Director.

Mike Robbins, Sergeant, shall serve as Project Administrator.

Chris Held, Governor's Office of Highway Safety, shall serve as Project Coordinator.

INVOICING OF COSTS INCURRED:

The Agency shall submit an Invoice detailing cost incurred, with supporting documentation attached, to the Governor's Office of Highway Safety on regular basis, for each active quarter, in conjunction with the required report.

Accepted supporting documentation to submit with an Invoice includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

Invoices shall be typed and delivered via mail, hand delivered or electronically with appropriate supporting documentation to the Governor's Office of Highway Safety. Final Invoices will not be accepted fifteen (15) days after the conclusion of the project period end date. **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective file. Findings will be discussed with the designated Agreement representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Cooperative Agreement and terminate on project period end date as indicated on the Cooperative Agreement.

DURATION:

Agreements shall be effective on the date the Governor's Office of Highway Safety Director signs the Agreement and expire on the project period end date.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Agreement to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Agreement. Any unexpended funds remaining at the termination of the Agreement shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Salaries and Benefits (max ERE 40%)	\$25,000.00
II.	Travel Costs	\$0.00
III.	Contractual Services	\$0.00
IV.	Materials and Supplies	\$0.00
TOTAL ESTIMATED COSTS		*\$25,000.00

*Includes all applicable training, tax, freight, and advertising costs. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$25,000.00.

CERTIFICATIONS AND AGREEMENTS

This AGREEMENT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Agreement, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Agreement.
- B. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Agreement to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Agreement.
- C. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Agreement whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit Invoices to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".
- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

IV. Non-Assignment and Sub-Contracts

This Agreement is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE.

V. Non-Discrimination

During the performance of this Agreement/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this Agreement/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.
- F. If AGENCY fails or refuses to comply with its undertaking as set forth in these provisions, STATE or the USDOT may take any or all of the following actions:
 - 1. Cancel, terminate, or suspend, in whole or in part, the agreement, contract, or other arrangement with respect to which the failure or refusal occurred; and
 - 2. Refrain from extending any further Federal financial assistance to AGENCY under the Highway Safety Program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from AGENCY.
- G. Pursuant to the requirement of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), AGENCY must operate this Highway Safety Project so that it is accessible and otherwise non-discriminatory to handicapped persons.

VI. Cancellation

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Agreement unless the notice specifies a later time.

REIMBURSEMENT INSTRUCTIONS

1. Agency Official preparing the Invoices of Costs Incurred:

Name: Lisa Alexander-Frosland

Title: Accountant Principal

Telephone Number: (623) 222-1847 E-mail Address lisa.alexander@surpriseaz.gov

2. *REIMBURSEMENT INFORMATION:*

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

Surprise Police Department

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)



DOUGLAS A. DUCEY
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

DATE: January 16, 2019

TO: Chief Terry Young
Surprise Police Department
14250 W. Statler Plaza, Suite 103
Surprise, Arizona 85374

FROM: Alberto Gutier, Director
Governor's Highway Safety Representative
Governor's Office of Highway Safety

TRANSMITTAL: Change Order Number: 2019-17
Effective Date: January 16, 2019
Revision Number: 001
Project Coordinator: Gabriela Gallegos
Contract Number: 2019-MC-003
Program Area: 402-MC

NARRATIVE:

The purpose of this Change Order is to add additional funds for the Motorcycle grant, to purchase traffic cones for the Motorcycle Operations Courses for civilians. The cones will also be utilize as well for the motorcycles exercises.

There is a **\$2,400.00 increase** in Federal funds because of this Change Order.

ESTIMATED COSTS:

	<u>From</u>	<u>To</u>
I. Personnel Services (includes overtime)	\$20,000.00	\$20,000.00
II. Employee Related Expenses	\$0.00	\$0.00
III. Professional and Outside Services	\$0.00	\$0.00
IV. Travel In-State	\$0.00	\$0.00
V. Travel Out-of-State	\$0.00	\$0.00
VI. Materials and Supplies Traffic Cones	\$0.00	\$2,400.00
VII. Capital Outlay	\$0.00	\$0.00
TOTAL ESTIMATED COSTS	\$20,000.00	\$22,400.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of 40 percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$22,400.00.

AGREEMENT AND AUTHORIZATION TO PROCEED

by State Official responsible to the Governor for the
administration of the State Highway Safety Agency.



Alberto Gutier, Director
Governor's Highway Safety Representative
Governor's Office of Highway Safety

1-17-19

Date

RESOLUTION # 2019-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO TWO INTERGOVERNMENTAL AGREEMENTS WITH THE STATE OF ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY TO ACCEPT GRANT FUNDING AND AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF \$27,400 WITHIN THE GRANTS FUND.

WHEREAS, the Arizona Governor's Office of Highway Safety (GOHS) annually awards grants to local agencies to focus upon highway safety, motorcyclist safety and pedestrian and bicyclist safety;

WHEREAS, GOHS has awarded the City of Surprise \$25,000 for overtime expenses related to participation in the Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts with deployments in high priority crash areas and outreach/education efforts relative to pedestrian and bicycle safety;

WHEREAS, GOHS has also awarded the City of Surprise \$2,400 in additional funds to purchase traffic cones for the Motorcycle Operations Courses supplementing the already awarded and accepted Motorcycle Safety Enforcement and Education grant;

WHEREAS, the City of Surprise Police Department desires to accept the awards;

WHEREAS, the FY2018 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, these actions will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies require the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City is hereby authorized to accept a grant award in the amount of \$25,000 from the Governor's Office of Highway Safety for the City of Surprise Police Department to enforce pedestrian and bicycle safety laws in high priority locations and to conduct and participate in bicycle and pedestrian outreach/education safety events as part of the Statewide Pedestrian and Bicyclist Focus Education and Enforcement Efforts.

Section 2. The City is hereby authorized to accept a change order to the previously awarded and accepted Motorcycle Safety grant award in the amount of \$2,400 from the Governor's Office of Highway Safety for the City of Surprise Police Department to purchase traffic cones to be used in motorcycle training courses, thereby enhancing motorcycle safety and education.

Section 3. That the City Manager, or his designees, is authorized to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with said grants and related contracts.

Section 4. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-20

Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriations in the amount of \$27,400 from contingency within the Grants Fund to FFY 19 GOHS Ped & Bicyclist Focus Education (\$25,000) and FFY19 GOHS Motorcycle Enforcement (\$2,400) within the Grants Fund to cover projected expenditures associated with overtime expenses and operational equipment for additional pedestrian, bicyclist, and motorcyclist safety education and enforcement. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	General Operations	Other	R	20,726,200	(27,400)	20,698,800
Grants	General Operations	Contingency	E	20,762,400	(27,400)	20,735,000
Grants	Police	#G31371 FFY19 GOHS Ped & Bicyclist Focus Ed	E	-	25,000	25,000
Grants	Police	#G31371 FFY19 GOHS Ped & Bicyclist Focus Ed	R	-	25,000	25,000
Grants	Police	#G31390 FFY19 GOHS Motorcycle Enforcement	E	20,000	2,400	22,400
Grants	Police	#G31390 FFY19 GOHS Motorcycle Enforcement	R	20,000	2,400	22,400
Expense Total				20,782,400	-	20,782,400
Revenue Total				20,746,200	-	20,746,200



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: Police
Staff Recommendations:

Contact Person:
District: Internal

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$10,000 from contingency within the Grants Fund to the US Marshals Service Joint Law Enforcement Operations (JLEO) Overtime Task Force project within the Grants Fund to cover expenditures associated with Task Force overtime expenses; Resolution # 2019-22.

Motion:

I move to approve Resolution # 2019-22.

Background:

The Surprise Police Department will receive \$10,000 in overtime funding from the US Department of Justice Marshals Service to cover overtime expenses associated with the participation of one Surprise Police Officer in the Joint Law Enforcement Operations Task Force from October 1, 2018 to September 30, 2019.

Objective Analysis:

Acceptance of this funding will provide for the reimbursement of overtime expenses for one Surprise Police Officer's participation in the activities of the JLEO Task Force.

The one negative to obtaining any grant funding is the employee time spent in overseeing the grant and making regular reports back to the grantor.

Policy Compliant:

This action is consistent with City and Council Policy. The City regularly partners with other government entities when it is beneficial to do so.

Financial Impact:

This funding is to be used solely for overtime incurred as a result of participation in the JLEO Task Force and shall not include the officer's regular salary or any supplemental benefit costs such as retirement, FICA or other expenses. All employee related expenses (ERE) associated with this overtime will be absorbed by the Police Department's current operating budget.

Budget Impact:

This action will reallocate appropriations in the amount of \$10,000 from Contingency within the Grants

Fund to the Joint Law Enforcement Operations (JLEO) Task Force project within the Grants Fund. This allocation does not represent an actual transfer of funds, but only a transfer of spending authority.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 2019 USMS JLEO OVERTIME MOU
 2. Resolution 2019-22 US Marshals Service OT budget amendment
-

INSTRUCTIONS: See last page for detailed instructions.

SECTION 1: OBLIGATION

DOCUMENT CONTROL #: MMO: M-19-D08-O-

SECTION 2: PARTICIPATING AGENCIES

Notification to state and local agencies of funding provided in support of Joint Law Enforcement Operations, pursuant to the Memorandum of Understanding (MOU) between:

Surprise Police Department

and

District of Arizona (08)

All other terms and conditions of the MOU remain the same.

SECTION 3: PERIOD OF PERFORMANCE

October 1, 2018 to September 30, 2019

SECTION 4: APPROPRIATION DATA

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE	DOLLAR AMOUNT
2019	D08	AFF-B-OP	JLEOTFS4	25302 - TFO Overtime	\$10,000.00

Total Obligation Amount: **\$10,000.00**

ADD OBLIGATION LINE

SECTION 5: DESCRIPTION OF OBLIGATION

Task Force overtime funding for Surprise Police Department in the amount of \$10,000.00 for services rendered between October 1, 2018 and September 30, 2019. Funds are to be used solely for Overtime and shall not include any supplemental benefit costs such as retirement, FICA, and other expenses.

SECTION 6: CONTACT INFORMATION

DISTRICT/RFTF CONTACT:

Name: Dave Smith, SDUSM

Phone: 520-262-8056

E-mail: dave.smith9@usdoj.gov

STATE/LOCAL CONTACT:

Name: Lisa Alexander-Frosland

Phone: 623-222-1847

E-mail: lisa.alexander@surpriseaz.gov

SECTION 7: AUTHORIZATION

USMS Representative - Certification of Funds:

Signature: ANNE MORENO

Digitally signed by ANNE MORENO
Date: 2019.01.15 12:34:58 -0700

Date: 1/15/2019

Anne Moreno, Administrative Officer, USMS

Chief Deputy or RFTF Commander - Obligation Approval:

Signature: TIMOTHY HUGHES

Digitally signed by TIMOTHY HUGHES
Date: 2019.01.16 11:54:55 -0700

Date: 1/16/2019

Timothy Hughes, Chief Deputy U.S. Marshal

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted monthly or quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the Task Force during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator.

Departmental Representative - Acknowledgement:

Signature: _____ Date: _____

Agency Representative

FORM USM-607 INSTRUCTIONS

The Joint Law Enforcement Operations Task Force Obligation Document is designed to provide district and regional fugitive task forces with one standard obligating form to record new obligations in UFMS. To adjust funding in an existing obligation, please refer to Form USM-607A, Joint Law Enforcement Operations Task Force Modification Document. Funding in support of the JLEO mission is pursuant to the existing Memorandum of Understanding (MOU) between the USMS and the JLEO participant. Reimbursements are subject to the availability of funds and contingent upon the submission of proper documentation. Please note that overtime reimbursements require the submission of agency invoices and supporting documentation on a quarterly basis.

In the event that the USMS will use a payment method OTHER than reimbursement directly to the state or local agency, additional guidance will be provided by USMS Headquarters. The district or RFTF office is responsible for communicating payment procedures to their partnering agencies. All payments are made via Electronic Funds Transfer (EFT) through the U.S. Department of Treasury.

SECTION 1: Obligation Number

- A. Enter UFMS Document Control Number.

SECTION 2: Participating Agencies

- A. BOX 1: Enter name of state or local JLEO participating agency.
- B. BOX 2: Use drop down menu to select appropriate USMS District/RFTF.

SECTION 3: Period of Performance

- A. Insert valid period of performance for the obligation. Obligations created using the one-page JLEO Task Force Obligation Form may not cross fiscal years. If there is a need to cross fiscal years, please utilize a Purchase Order for the obligation.
- B. Period of performance must begin no earlier than the date of funds availability (provided by IOD and the Asset Forfeiture Division) and end no later than September 30 of the following calendar year.

SECTION 4: Appropriation Data

- A. Enter information across appropriate field for all items being obligated. All fields for a line item must be completed in order to proceed to the next step.
- B. Project Codes: District task force obligations are funded under the **JLEOTFS4** project code for a JLEO obligation. RFTF project codes have been assigned by region and will be entered by Headquarters IOD staff.

SECTION 5: Description of Obligation

- A. Enter description of obligation (optional). Include any pertinent information such as number of TFO vehicles, for example.

SECTION 6: Contact Information

- A. Enter District/RFTF contact information (Box 1) and State/Local contact information (Box 2).

SECTION 7: Authorization

- A. Certification of Funds: Signature will be applied by USMS District official or IOD representative (RFTF) after the Asset Forfeiture Division has confirmed that funds have been moved into the budget.
- B. Obligation Approval: Signature will be applied by District or RFTF representative upon receipt of obligation document. To ensure sufficient internal controls and proper segregation of duties, the district/RFTF representative approving obligation forms cannot also approve invoices or reimbursements related to the same obligation. (See U.S. Office of Management and Budget (OMB) Circular A-123 and USMS Office of Finance guidance for further information regarding internal controls.)
- C. Acknowledgement: Signature will be applied by state or local agency representative. The obligation is not valid until all parties have signed. When completed, the form will be returned to the District/RFTF office. Districts are responsible for entering obligations into UFMS. RFTF obligations will be forwarded to Headquarters IOD to be entered into UFMS.

RESOLUTION # 2019-22

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, U.S. MARSHAL'S SERVICE, AUTHORIZING THE RECEIPT OF GRANT FUNDING AND AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF \$10,000 WITHIN THE GRANTS FUND.

WHEREAS, the FY2019 budget was adopted and included funding for overtime for our Officer assigned to the US DOJ, US Marshal's Service Fugitive Task Force ("Marshal's Service");

WHEREAS, the Marshal's Service is providing overtime funding for the Officer in the amount of \$10,000 and the City of Surprise Police Department desires to accept the funding;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

SIGNATURES APPEAR ON THE NEXT PAGE

APPROVED AND ADOPTED this ____ day of _____, 2018.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-22
Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriations in the amount of \$10,000 from contingency within the Grants Fund to the FY19 US Marshals JLEO Task Force OT project within the Grants Fund to cover the projected expenditures associated with overtime expenses for one officer to participate in Task Force activities. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	Police	#G31361 FY19 JLEO Task Force OT	E		10,000	10,000
Grants	General Operations	Contingency	E	20,762,400	(10,000)	20,752,400
Grants	Police	#G31361 FY19 JLEO Task Force OT	R		10,000	10,000
Grants	General Operations	Other	R	20,726,200	(10,000)	20,716,200
Expense Total				20,762,400	-	20,762,400
Revenue Total				20,726,200	-	20,726,200



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the minutes of February 5, 2019 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 020519 Work Session amended
 2. 02052019 REGULAR MTG MINUTES
-

CITY OF SURPRISE
Regular City Council Work Session Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, February 5, 2019 @ 4:30PM

Call To Order

Roll Call

Mayor Hall called the Regular City Council Work Session to order at 04:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, February 5, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Council Member Hayden, Council Member Duffy and Council Member Remley, Council Member Judd and Council Member Sanders.

Staff Present:

City Manager, Michael Frazier, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Call To The Public

1. Presentation and discussion pertaining to the City's Development Impact Fees - NO ACTION

Asst. Finance Director, Holly Osborn introduced Ben Griffin with Tischler Bise, who provided the 105 page document covering development Impact Fees that is being presented this evening. A public hearing was held with an invite to approximately 1,500 people.

Citywide General Fee changes were discussed.

Mayor Hall - what do you mean by roads?

Ms. Osborn - The developer has to pay for a half street, can you clarify, I don't understand.

Community Development Director, Fitzer - We looked at roadways, areas of the City

that we still need to have a road built. We need to come back with a more cohesive plan.

Council Member Remley - Does it refer to the residential street that is running in front of your house?

Mr. Fitzer - no the larger roadways outside of the developments. Example, 163rd Avenue, we have portions that are adjacent to developments, and other areas where we are not sure what developments are coming in. Put the County island piece into the plan. We also looked at regional infrastructure that would benefit an entire area.

Ms. Osborn commented that most cities are reviewing their impact fees and they are not available online.

Mayor Hall - Did Peoria approve the fees on the report?

Ms. Osborn commented that Peoria is currently going through the process.

Ben Griffin continued the presentation and addressed Parks and Recreation Fee Components.

Mayor Hall - there were 2 or 3 different EDU's throughout the report, why is that?

Mr. Griffin clarified Mayor Hall's question.

Council Member Remley questioned value of land acquisition in the proposed plan. Concerned about land value increasing over the years.

Staff clarified the value of our existing parks and an estimate cost for land for future parks.

Mayor Hall asked for clarification of how the funds come in and pay down the bond? Holly explained that the debt would be covered first then the bond.

The next topic covered was Proposed Police Fees, then Water Fees (Service Areas).

Council Member Sanders asked for clarification on how the debt structure is set up. Have we looked at refinancing the old debt?

Ms. Osborn clarified the process for paying towards the debt. We did a debt refinancing in 2015, for a lower interest rate.

Next topic covered was Water Resources and Wastewater (SPA1 & SPA2).

Mayor Hall asked if we have a plant in moth balls?

DCM, Terry Lowe clarified that this is correct. It was mothballed, but not currently open right now, taking over the operation at 10% of capacity per the development agreement.

Council Member Judd commented on excess construction tax that is mentioned throughout the study and asked how it works?

Ben Griffin clarified what the excess construction sales tax means and how it works.

2. Presentation and discussion pertaining to the citys Census 2020 Outreach Plan - NO ACTION

DCM, Diane Arthur led the discussion and presentation on the Census 2020 and Census background and history.

Council Member Sanders commented on Federal Funding, can you name off the top of your head the benefits we may receive regarding funding?

Ms. Arthur - state shared revenues, federal funding, social service support, road projects, etc.

Council Member Judd asked for clarification on the 70% of returns, how do we receive the funding?

Ms. Arthur, actual people count is how this is calculated.

Executive Session

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Work Session of February 5, 2019 at 5:34 PM. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, February 5, 2019.**

Sherry Ann Aguilar, City Clerk, MMC

CITY OF SURPRISE
Regular Council Meeting
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, February 5, 2019 @ 6:00PM

A. Call To Order - Mayor Hall called the Regular Council Meeting to order at 6:00 p.m.

B. Roll Call - In attendance with Mayor, Skip Hall, Vice-Mayor, Roland F. Winters, Jr; Councilmembers Patrick Duffy; David Sanders; Chris Judd; Nancy Hayden and Ken Remley were also present.

Mayor Hall called the Regular City Council Meeting to order at 06:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, February 5, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Hayden, Council Member Duffy; Council Member Sanders; Council Member Judd and Council Member Remley.

Staff Present:

City Manager, Michael Frazier, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance was led by students of Cailbre Academy.

D. Proclamation and Community Acknowledgements

1. Mayor's proclamation for February as Career and Technical Education Month

Mayor Hall read the proclamation aloud and presented to James Grieshaber with the CTE program at the Dysart Unified School District.

E. City Manager Report

Reports

F. City Clerk Report

Reports

1. Consideration and Action to appoint James Conner to the Public Safety Personnel Retirement Board with a term expiration of June 30, 2021 - APPROVED

City Clerk Aguilar read the item, then turned over to Vice-Mayor Winters.

Council Member Hayden made the motion to approve the appointment of James Conner to the Public Safety Personnel Retirement System Commission with a term expiration of June 30, 2021. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

G. Call To The Public – none.

Regular City Council Meeting Agenda

CONSENT AGENDA:

Councilmember Remley requested items 5 & 9 be removed from consent for discussion.

Councilmember Duffy made the motion to approve the Consent Agenda with the removal of items 5 & 9. Councilmember Remley seconded the motion. 7 yes vote to approve items 1-4 and 6-8. Motion carried.

Council Member Duffy made the motion to approve the consent agenda, excluding items 5 and 9. Council Member Remley seconded the motion. Seven yes votes, motion carried.

2. Consideration and action on ownership change Addendum 1, Assignment Form of Altamira Development Agreement; Resolution # 2019-10I - APPROVED

3. Consideration and action pertaining to ownership change Addendum 1, Assignment of Verdugo Development Agreement to Fulton Homes; Resolution # 2019-09 - APPROVED

4. Consideration and action declaring the City's intention to create the SU-Fulton Homes at Escalante 154 Street Lighting Improvement District pursuant to A.R.S. 48-616; Resolution # 2019-06 – APPROVED.

5. Consideration and action pertaining to approval of an amendment to the FY19 Budget by reallocating appropriations from capital project P71230 SPA 1 Rancho Gabriela WSF-Arsenic to capital project P71260 Circle City Water Acquisition for ongoing legal expenses associated with the condemnation process; Resolution # 2019-16 – REMOVED FROM CONSENT – APPROVED.

Councilmember Remley asked for clarification on this item. Councilmember Remley made the motion to approve Resolution No. 2019-16. Seconded by Vice-Mayor Winters. 7 yes votes. Motion carried.

Council Member Remley asked how involved is this condemnation that we would need to spend \$300,000. for an attorney to represent us in this condemnation?

City Attorney Wingo clarified that utility is a specialized area of law, engaged litigation counsel to draft these types of agreements and documents. My office despite many years of experience, we felt we needed to engage outside counsel for specialty issues.

Council Member Remley - When we held the bond election for Circle City Water, did we anticipate condemnation in the bond process? If we have money left over from the \$300,000. what are we going to do with it?

Most likely put back into fund balance. Any savings from legal action will go back into fund balances in the water revenue fund.

Finance Director, Andrea Davis clarified.

made the motion to approve item 5. seconded the motion. Seven yes votes, motion carried.

6. Consideration and action on the minutes of the Special City Council Meeting of January 10, 2019 and the Regular City Council Meeting and Executive Session of January 15, 2019 - APPROVED

7. Consideration and action on a Class "A" Bingo License for Sierra Dawn Bingo located at Rose Garden - 11596 W. Sierra Dawn Boulevard, Surprise, AZ 85378 - APPROVED

8. Consideration and action pertaining to the acceptance of the Victims' Right Program (VRP) grant in the amount of \$2,200 and amending the FY19 budget by reallocating appropriations from grant contingency to the FY19 VRP Grant Fund to account for the grant; Resolution # 2019-08 - APPROVED

9. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 Operating List of Items Over \$50,000 to account for costs associated with Workers' Compensation Premiums; Resolution #2019-18 – REMOVED FROM CONSENT – APPROVED.

Councilmember Remley asked that this item be removed for clarification. Councilmember Judd made the motion to approve Resolution No. 2-19-18. Seconded by Councilmember Remley. 7 yes votes. Motion carried.

HR Risk Manager, Brian Carmichael introduced the item and is available for Council questions.

Council Member Judd asked for clarification of the amount being requested?

Mr. Carmichael gave an explanation of the overall premiums and for the policy period.

Mayor Hall asked for an explanation of the savings with going self insured?

Brian Carmichael clarified the question.

Council Member Remley - The annual payroll audit hasn't been done yet for FY 18?

Carmichael, yes this is the audit and we undershot when writing the policy.

Council Member Remley thanked him for his explanation.

REGULAR AGENDA ITEM - PUBLIC HEARING:

10. Public hearing pertaining to the Land Use Assumptions (LUA) and Infrastructure Improvement Plan (IIP).

No public comments were received on this item. No action was taken.

Holly Osborn gave a brief overview of this item.

No public comments were made.

Other Business and Future Agenda Items

City Council Reports

Council Members attended and/or reported on the following:

Council Member Remley - Email from a member at the Community Garden, dedicated to grow food for needy families, take to West Valley Food Bank, 60 lbs. of carrots. Attended a dinner at Benevilla's Gala, organizations like Benevilla, Salvation army, etc., would not exist for the donations they received from the public. Tax credit available to us, not available in any other state for these organizations and public schools.

Council Member Hayden - Many activities going on, MLK, Grand Opening of Fellowship Square, West Valley State of the State Address.

Vice Mayor Winters - Attended a number of events, MLK day of service, very successful. Also attended Fellowship Square on Sarival, finally completed.

Council Member Duffy - Events coming up around Spring Training; Ottawa events at the stadium; college baseball tournaments; pro circuit at the tennis center, lots of events coming up.

Council Member Sanders - Very busy attended various events, MLK, State of the State event, visited the fire house open house event over the weekend; went to West Valley Arts Headquarter for an event.

Council Member Judd - Thanked Mike Frazier and staff for issues at the tennis facility, appreciate the time and effort taking care of issue. Attended Rancho Gabriela for a talk to 2nd graders.

Mayor Hall - Busy couple of weeks, Fellowship Square, last Friday 5 Councilmembers attended My Goodies business from Washington. The sweets there are something else. Attended the Sight and Sound honor of Black History Month, open all month long at the West Valley Council. Veterans job..... Spring Training welcome back luncheon is coming up. Surprise Veterans Job Club this Thursday night (Feb. 7th) at the Techcelerator starting at 6:00 p.m.

Executive Session

Adjournment

Councilmember Remley made the motion to adjourn the Regular City Council Meeting of February 5, 2019 at 6:41 PM. Councilmember Duffy seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular Council Meeting of Tuesday, February 5, 2019.

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 1

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on a Series 10 (Beer & Wine Store) liquor license request for Dollar General Store #19349, located at 17174 W. Jomax Road, Surprise, AZ 85387.

Motion:

I move to approve a request for a Series 10 liquor license for Dollar General Store #19349.

Background:

This request is for a new business located in District 1. All departmental reports are attached and no concerns are noted.

Objective Analysis:

Policy Compliant:

Yes

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. DOLLAR GENERAL MAP
 2. DOLLAR GENERAL REPORT
 3. Dollar General
 4. Dollar General_Memo to Clerk_20190201
 5. 17174 W Jomax Dollar General Liquor License
-

Dollar General Store #19349

PAD
Desert Oasis

State Land

Unincorporated
Maricopa County

RM-9 PUD
Sunrise Ranch

Site

PAD
Desert Oasis

PAD
Asante North

PAD
Asante



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 4, 2019

To: Sherry Aguilar, City Clerk

From: Eric Fitzer, Community Development Director

By: James Stewart, Zoning Specialist

Re: Liquor License Application for:
Dollar General Store #19349
New License – Job # 48700
17174 W. Jomax Road, Surprise, Arizona 85387

The number and series of licenses in close proximity to the subject site are:

1. None

The immediate area is composed of commercial and residential land. The property is zoned PAD COMMERCIAL which is consistent with the proposed use.

Residential population will continue to grow. Commercial growth will likely remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no affect on parking in the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: February 4, 2019

LICENSE NUMBER – 48700
Series #10 – New License

APPLICANT:

Dollar General Store #19349

17174 W. Jomax Road
Surprise, Arizona 85387

FINDINGS:

- 1) *Evidence concerning the nature of the proposed business, its potential market and its likely customers.*

This store is a brand new build. Dollar General is a general store that carries a wide variety of products to include, food, health and beauty aids, cleaning supplies, housewares, apparel and many other products. The potential market should be residents from the northwest Surprise community and all of Surprise.

- 2) *Effect of vehicular traffic in close proximity.*

This entire area of northwest Surprise is expanding with new residential communities this first commercial project in the area. Traffic should increase slightly, however current roads should be able to handle the increased traffic. With the addition of the housing market in the area, some streets are planned for expansion along with the addition of traffic signals to help alleviate future increased traffic.

- 3) *The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.*

N/A. New construction.

- 4) *Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.*

There are no other retail businesses in close proximity to this store. The five closest Dollar General stores, according to their web site, all close by 9 PM every day. Four of those five open at 8 AM, with the other opening at 7 AM.

- 5) *Appropriateness of series license requested.*

A series 10 license is appropriate and applicable for the Dollar General per state guidelines for liquor retailers to sell beer & wine in their unopened packages.

Submitted by Officer Chris Tovar #2059



MEMO

Date: 2/1/2019

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Accounting Support Specialist

RE: Liquor License Application – Dollar General Store #19349

Business License Status:

License #1021921, pending for 2019, Certificate of Occupancy and additional documentation is still needed for full licensure.



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



January 31, 2019

To: Sherry Ann Aguilar, City Clerk
From: Keith Tanner, Fire Marshal
Subject: Liquor License Application
Applicant: Dollar General Store #19349
17174 W Jomax Road

This building is still in the construction process and has not been issued a final certificate of occupancy. In that we have not conducted any fire safety inspections, there are no known fire code violations at this time.

Therefore fire has no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner
Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019 Contact Person:
Submitting Department: Community Development District: Citywide
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to a Fiscal Year 2019 Budget amendment reallocating appropriation of \$125,000 from Project P42040 to Project P42030 within the General Capital Projects Fund for preliminary design services on Litchfield Road; Resolution # 2019-21.

Motion:

I move to approve Resolution # 2019-21.

Background:

The FY2019 budget included funding for 15% design and Pre-Environmental Assessment (EA) for the Litchfield and State Route 303 Loop (SR 303L). This budget amendment increase to 30% preliminary design services on Litchfield Road would include the design concept for a minor arterial roadway extending between the future SR303L TI and Happy Valley Road, including Scoping Document; 30% roadway plans; and Planning and Environmental Linkages (PEL) Document. This will give the City the ability to position this project for future funding as it becomes available.

Objective Analysis:

Due to savings in other Community Development projects, there is no additional budget impact.

Policy Compliant:

This action is consistent with City and Council Policy.

Financial Impact:

There is no financial impact. The increase to Project P42030 will be realized through savings to Project P42040.

Budget Impact:

This action transfers appropriation of \$125,000 from Project P42040 to Project P42030 with no additional impact to the General Capital Projects Fund.

FTE Impact:

There is no FTE impact.

ATTACHMENTS:

RESOLUTION # 2019-21

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF \$125,000 FROM PROJECT P42040 - WHITE TANKS CORRIDOR STUDY TO PROJECT P42030 - LITCHFIELD/303 TI DESIGN WITHIN THE GENERAL CAPITAL PROJECTS FUND FOR DESIGN SERVICES.

WHEREAS, the FY2019 adopted budget included funding for Project P42030 - Litchfield/303 TI (Transportation Improvement) Design;

WHEREAS, additional funding is required to increase design services for Litchfield Road from fifteen to thirty percent for roadway plans, scoping document, and Planning and Environmental Linkages (PEL) Document, and will position the project for future funding as it becomes available;

WHEREAS, the funding is available in Project P42040 - White Tanks Corridor Study;

WHEREAS, the future alignment for Interstate 11 has moved further west, extending the timing for future construction, shifting the focus of Project P42040 towards preservation of the corridor;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-21**Exhibit A**

1. Appropriation- The allocations below represent a reallocation of appropriations in the amount of \$125,000 from the White Tanks Corridor Study Project P42040 to the Litchfield/303 TI Design Project P42030 within the General Capital Projects Fund. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
General Capital Projects Fund	Community Development	P42040 Cptl-Design Engineering	E	250,000	-125,000	125,000
General Capital Projects Fund	Community Development	P42030 Cptl-Design Engineering	E	100,000	125,000	225,000
				350,000	0	350,000

2. List of Operating Items Over \$50,000- Council approved monies for projects P42030 and P42040. These amounts were based on the Fiscal Year 2019 approved budget. With this budget amendment, the White Tanks Corridor Study (P42040) will decrease by \$125,000, and the Litchfield/303 TI Design (P42030) will increase by \$125,000.

Reference ID	Description	Current Amount	Increase/ (Decrease)	Amended Amount
19034	White Tanks Corridor Study	250,000	-125,000	125,000
19033	Litchfield/303 TI Design	100,000	125,000	225,000



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019

Contact Person: Eric Fitzer, DIRECTOR - COMM
DEV

Submitting Department: Legal

District: District 5

Staff Recommendations:

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a Reciprocal Access and Parking Easement Agreement with Ottawa University.

Motion:

I move to approve the Reciprocal Access and Parking Easement Agreement with Ottawa University.

Background:

On March 20, 2018, the City entered into a Lease Agreement with Option with Ottawa University for its college campus adjacent to City Hall. Construction of the campus is ongoing. The City and Ottawa desire to enter into the subject Reciprocal Access and Parking Easement Agreement to allow shared use of a City parking and an Ottawa parking area located north of Tierra Buena Lane and west of North Civic Center Drive. The parking lots would be accessed by a driveway located on the City parking property. The shared use is intended to allow for parking during normal business hours and for public events sponsored by the City and/or Ottawa.

Objective Analysis:

Approval of the Reciprocal Access and Parking Easement Agreement would expand available parking for the City, visitors to City Center, and Ottawa University.

Policy Compliant:

Approval of the Reciprocal Access and Parking Easement Agreement is consistent with the City Council's policies of promoting university use of City Center and general economic development.

Financial Impact:

None.

Budget Impact:

None. The City already maintains its parking area in this location.

FTE Impact:

None.

ATTACHMENTS:

1. Reciprocal Access and Parking Easement agreement
-

WHEN RECORDED, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RECIPROCAL ACCESS AND PARKING EASEMENT AGREEMENT

This Reciprocal Access and Parking Easement Agreement ("Agreement") is entered into and effective this ____ day of _____, 2019 (the "Effective Date"), by and between the City of Surprise (the "City"), an Arizona municipal corporation, and Ottawa University, a Kansas non-profit corporation ("Ottawa"). These two entities may also be referred to individually as a "Party" or collectively as "Parties" to this Agreement.

RECITALS

WHEREAS, the Parties have entered into a Lease Agreement with Option dated March 20, 2018 (the "Lease") for the lease of real property of the City to Ottawa, and this Agreement is intended to describe the Parties' respective rights to access and parking on that real property subject to the Lease and other City property located adjacent thereto.

WHEREAS, the City is the owner and Ottawa is the lessee of certain real property located in Surprise, Arizona as described on Exhibit A and depicted on Exhibit A-1 each attached to this Agreement, located north of Tierra Buena Lane between North Bullard Avenue and North Civic Center Drive (the "Ottawa Property"); and

WHEREAS, the City is also the owner of certain real property located in Surprise, Arizona described on Exhibit B and depicted on Exhibit B-1 each attached to this Agreement, located north of Tierra Buena Lane between North Bullard Avenue and North Civic Center Drive (the "City Property"); and

WHEREAS, the Ottawa Property and the City Property are adjacent to each other: and

WHEREAS, there is a driveway (the "Driveway") from Tierra Buena Lane on the furthest east portion of the City Property that is approximately 22 feet in width and that provides access to both the City Property and the Ottawa Property, as described on Exhibit C and depicted on Exhibit C-1; and

WHEREAS, the City desires to provide to Ottawa an easement over the City Property (including the Driveway) to allow Ottawa and Ottawa's agents and Permittees to use the Driveway to access the City Property and the Ottawa Property, and to access and use, during public events, such parking lots and spaces as established from time-to-time by City on the City Property; and

WHEREAS, the City also desires to reserve to itself and Ottawa desires to provide to City an easement over the Ottawa Property to allow the City and the City's agents and Permittees to access and use, during normal City working hours as well as during public events, such parking lots and spaces as established from time-to-time by Ottawa on the Ottawa Property;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt, value, and sufficiency of which is hereby acknowledged, the Parties hereby covenant and agree as follows:

AGREEMENT

1. Definitions. In addition to the definitions provided in the Recitals above, the following definitions shall apply to this Agreement.

1.1 Occupant. The word "Occupant" shall mean and include Ottawa with respect to the Ottawa Property and the City with respect to the City Property and any person or entity who shall be, from time to time, entitled to the use and occupancy of the Ottawa Property or the City Property under any lease, sublease, license, concession, agreement, or other instrument or arrangement under which such rights are acquired, including, without limitation, mortgagees in possession. The word Occupant shall also include Occupant's employees, licensees, Permittees (defined below), and contractors, where applicable.

1.2 Permittees. The word "Permittees" shall mean and refer to all Occupants and Occupants' guests, including citizens with business at City Hall or using other nearby City amenities, students, staff and faculty of Ottawa, and employees, licensees, agents, contractors, vendors, and any other invitees of Occupants.

2. Easement Benefiting City Property. The City reserves to itself and Ottawa hereby grants to the City, as the owner of the City Property, for the benefit and use of City Occupants and Permittees, a non-exclusive easement over, upon,

across, and through such portions of the Ottawa Property as are improved with drive aisles and parking spaces for use of any drive aisles and parking spaces by City Occupants and Permittees, as well as pedestrian and vehicular ingress, egress, and access within and limited to those portions of the Ottawa Property which are improved for vehicular and parking use. Parking may only occur in those areas that Ottawa intends and marks for parking, and parking by City Occupants and Permittees is subject to reasonable regulation by Ottawa. City Occupants and Permittees shall be permitted to park on the Ottawa Property when conducting business at City Hall or using other nearby City amenities or during public events when such parking spaces are reasonably available and not occupied by Ottawa Occupants and Permittees. This easement benefitting the City Property does not permit City employees to regularly park their vehicles on the Ottawa Property for everyday business or employment-related use.

3. Easement Benefiting Ottawa Property. The City, as owner of the City Property, hereby grants to Ottawa, as lessee of the Ottawa Property, for the benefit and use of Ottawa Occupants and Permittees, a non-exclusive easement over, upon, across, and through the Driveway and such portions of the City Property as are improved with drive aisles and parking spaces for use of any drive aisles and parking spaces by Ottawa Occupants and Permittees, as well as pedestrian and vehicular ingress, egress, and access within and limited to those portions of the City Property which are improved for vehicular and parking use. Parking may only occur in those areas that City intends and marks for parking, and parking by Ottawa Occupants and Permittees is subject to reasonable regulation by the City. Ottawa Occupants and Permittees shall be permitted to park on the City Property while attending sporting events or other Ottawa-sponsored events on the Ottawa Property when such parking spaces are reasonably available and not occupied by City Occupants and Permittees or other members of the public. This easement benefitting the Ottawa Property does not permit Ottawa students, staff, or faculty to regularly park their vehicles on the City Property for everyday business, classroom, or residential use.

4. Non-Interference. No Occupant shall permit, operate or install any parked vehicle, other object, or any improvements on such Occupant's property which in any way unreasonably restricts or interferes with the reciprocal easements granted herein. A reasonable number of reserved parking spaces may be marked and set aside by the Parties, and such reserved parking spaces will not violate this non-interference clause.

5. Nature of Easements and Rights Granted.

5.1 Easements Appurtenant. Each of the easements and rights granted or created herein is an appurtenance to the applicable property, and none of such easements or rights may be transferred, assigned or encumbered except as an appurtenance to the applicable property.

5.2 Nature and Effect of Easements. All of the easements, covenants, restrictions and provisions contained in this Agreement:

5.2.1 Create equitable servitudes upon the Ottawa Property and the City Property in favor of the other property;

5.2.2 Constitute covenants running with the land; and

5.2.3 Bind every person or entity having any fee, leasehold or other interest in any portion of either property at any time or from time to time, to the extent that such portion is affected or bound by the easement, covenant, restriction, or provision in question, or to the extent that such easement, covenant, restriction or provision is to be performed on such portion.

5.3 Transfer of Title. The acceptance of any transfer or conveyance of title from any Occupant of all or any part of its interest in its property shall be deemed, without any further action by the grantor or the grantee, to:

5.3.1 require the grantee to agree not to use, occupy or allow any lessee or occupant of such property to use or occupy the property in any manner which would constitute a violation or breach of any of the easements and covenants contained herein; and

5.3.2 require the grantee to assume and agree to perform each and all of the obligations of the conveying Party under this Agreement with respect to all (or the applicable portion of) such property which will be conveyed to such grantee.

5.4 Successors. The obligations set forth in this Section 5 shall be binding on any successors or assigns of the Parties.

6. Maintenance, Insurance, and Taxes. The respective Occupants of the City Property and the Ottawa Property shall continue to be responsible for and pay all costs associated with maintenance, insurance, and taxes, including, without limitation, real estate taxes and special assessments, applicable to such properties, regardless of the easements and interests granted or created by this Agreement, unless otherwise altered by the an amendment to the Lease executed between City and Ottawa, or their respective successors in interest. Both Occupants shall maintain their respective properties in a manner that: i) preserves its appearance as integral facilities serving both the Ottawa Property and the City Property; ii) remains reasonably free of defects; and iii) remains serviceable to both Occupants.

6.1 Driveway Maintenance. The Driveway shall be maintained by City in a manner that: i) preserves its appearances as integral facilities serving both

the Ottawa Property and the City Property; ii) remains reasonably free of defects; and iii) remains serviceable to both Occupants.

7. Damage to Driveway and Easement Property. Each Occupant shall refrain from causing any damage to the other Occupant's property, the Driveway, or the easements described herein, and shall immediately repair any such damage caused by Occupant or its Permittees, at such Occupant's sole cost and expense.

8. Liability Insurance. Each Occupant shall, at its sole cost and expense, obtain, maintain, and keep in full force and effect, commercial general liability insurance with a combined single limit for bodily injury and property damage of at least \$2,000,000.00 for each claim, with an aggregate limit of no less than \$5,000,000.00, insuring against all liability of Occupant and its authorized representatives arising out of and in connection with Occupant's use or occupancy of the other Occupant's Property, or that of each Occupant's respective Occupants and Permittees. Such insurance policy shall name the other Occupant as an additional insured thereunder and provide that notice shall be given to the other Occupant not less than thirty (30) days prior to cancellation of such policy. Occupant shall provide the other Occupant with certificates evidencing such insurance policies prior to entry onto the property for the purposes herein stated. Further, Occupant shall not assign or delegate any of its rights hereunder or permit any contractor, subcontractor, or materialman to enter upon the other Occupant's Property for any purpose unless such person or entity is duly licensed, bonded, and insured to the extent hereinabove set forth. Occupant shall maintain evidence on file of said policies and shall provide such evidence to the other Occupant upon request.

9. Cross-Indemnification. The Occupant of the City Property shall defend, indemnify and hold the Occupant of the Ottawa Property and all of its employees or agents (but not any other Permittees) harmless from any and all claims, demands, or liability arising from alleged acts or omissions by the Occupant of the City Property or its employees or agents (but not any other Permittees), or the negligent maintenance, construction, or dangerous condition of the City Property improvements, or for damage caused to the Ottawa Property by the Occupant of the City Property or its employees or agents; and the Occupant of the Ottawa Property shall defend, indemnify and hold the Occupant of the City Property and all of its employees or agents (but not any other Permittees) harmless from any and all claims, demands, or liability arising from alleged acts or omissions by the Occupant of the Ottawa Property or its employees or agents (but not any other Permittees), or the negligent maintenance, construction or dangerous condition of the Ottawa Property improvements, or for damage caused to the Driveway or the City Property by the Occupant of the Ottawa Property or its employees or agents.

10. Non-Disturbance. Each Occupant, and its respective Permittees, shall

accommodate and not disturb the activities on, or adjacent to, the other Occupant's Property, as well as the activities of each Occupant's contractors, subcontractors, employees, agents, representatives, and any other invitees or licensees on the other Occupant's Property.

11. Notices. All notices, requests, demands, and other communications hereunder shall be in writing and shall be delivered in person or sent by registered or certified mail, postage prepaid, commercial overnight courier with written verification of receipt or by facsimile. A notice shall be deemed given: (a) when delivered by personal delivery (as evidenced by the receipt); (b) two (2) business days after deposit in the mail if sent by registered or certified mail; (c) one (1) business day after having been sent by commercial overnight courier (as evidenced by the written verification of receipt); or (d) on the date of confirmation if sent via facsimile. Notices shall be addressed as set forth below, but any addressee may change its address by written notice in accordance herewith.

If to Ottawa: Ottawa University
ATTN: Chancellor
1001 S. Cedar #20
Ottawa, Kansas 66067

With a copy to: Ottawa University
ATTN: Chief Financial Officer
1001 S. Cedar #20
Ottawa, Kansas 66067

If to City: City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374
Attn: City Manager

With a copy to: City of Surprise City Attorney's Office
16000 N. Civic Center Plaza
Surprise, AZ 85374

12. Termination. Unless terminated by mutual agreement of the Parties, this Agreement shall remain in effect during the duration of the Lease governing the Ottawa Property. If the Lease is terminated or expires, this Agreement shall terminate immediately and without notice. If the Lease is terminated upon purchase of the Ottawa Property by Ottawa or its successor in interest, this Agreement shall remain in effect until terminated by either Party, which termination will not take effect until three years after written notice of termination is first given.

13. General Provisions.

13.1 Entire Agreement. This Agreement (including Exhibits attached) constitutes the entire agreement and understanding between the Parties with respect to the subject matter contained herein, and supersedes any prior agreement and understanding about the subject matter hereof. This Agreement may be modified or amended only by a written instrument executed by the Parties hereto and recorded.

13.2 Headings. The subject headings of the sections and paragraphs of this Agreement are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

13.3 Severability. If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall not be affected thereby, but each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

13.4 Waiver. No waiver of any breach of any of the easements, covenants and/or agreements herein contained shall be construed as, or constitute a waiver of, any other breach or a waiver, acquiescence in or consent to any further or succeeding breach of the same or any other covenant and/or agreement.

13.5 Successors and Assigns. Each covenant and condition contained in this Agreement shall inure to the benefit of and be binding on the Parties to this Agreement and their respective heirs, executors, administrators, personal representatives, successors and assigns, except as otherwise provided herein.

13.6 Recording. After execution, this Agreement shall be recorded in the Office of the County Recorder of Maricopa County, Arizona.

13.7 Attorneys' Fees and Costs. If any legal action or any other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the successful or prevailing Party shall be

entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled, including the fees and costs incurred in enforcing any judgment which may be obtained in said action. The exclusive remedies for enforcement of this Agreement shall be specific performance and injunction. No money damages may be sought or recovered against either Party.

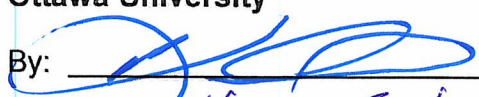
13.8 No Merger. The Parties agree that the real estate doctrine of merger shall not be applied to extinguish the easements in favor of either Party at any time while this Agreement is in effect.

13.9 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first written above.

Ottawa University

The City of Surprise, Arizona

By: 

By: _____

Name: Kevin Eichner

Name: Skip Hall

Its: Chancellor

Its: Mayor

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this ____ day of _____, 2019, by _____, the _____ for the City of Surprise, Arizona, as its authorized representative.

Notary Public

My Commission expires:

[SEAL]

STATE OF ARIZONA)
County of Maricopa) ss.

This instrument was acknowledged before me this 4 day of February, 2019, by Kevin Dickner, the Chancellor for Ottawa University, as its authorized representative.

[Signature]
Notary Public

My Commission expires:

3/23/21

[SEAL]

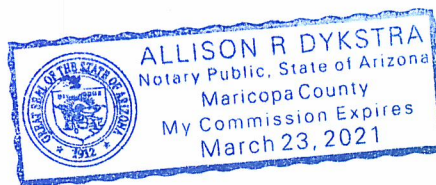


Exhibit A

EXHIBIT "A"

DESCRIPTION

INITIAL SITE

A parcel of land situated in the south half of Section 4, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows;

COMMENCING at the south quarter corner of said section 4, marked with a City of Surprise brass cap monument in a hand hole from which the southwest corner of said Section 4, marked with a City of Surprise brass cap flush, lies North 89°09'02" West 2636.03 feet;

Thence along the north-south midsection line of said Section 4 North 00°12'57" East 1382.37 feet;

Thence North 89°05'13" West 88.01 feet to the POINT OF BEGINNING;

Thence along the north line of Tierra Buena Lane North 89°05'13" West 1249.98 feet;

Thence departing said north line North 01°15'30" East 130.15 feet;

Thence North 00°00'08" West 61.84 feet to the beginning of a curve, concave westerly, having a radius of 34.00 feet;

Thence northerly along the arc of said curve through a central angle of 39°15'37" a distance of 23.30 feet;

Thence North 00°47'16" East 341.49 feet to the beginning of a non-tangent curve, concave northwesterly the center of which lies North 04°28'24" West 30.03 feet;

Thence northeasterly and northerly along the arc of said curve through a central angle of 97°45'16" a distance of 51.24 feet to the beginning of a non-tangent curve, concave northwesterly the center of which lies North 13°38'48" West 7.00 feet;

Thence northeasterly and northerly along the arc of said curve through a central angle of 76°25'33" a distance of 9.34 feet;

DESCRIPTION continued on page 2 of 3

DESCRIPTION (continued from page 1 of 3)

Thence North $00^{\circ}04'21''$ West 70.14 feet;

Thence North $43^{\circ}42'51''$ East 30.34 feet;

Thence South $82^{\circ}20'35''$ East 11.50 feet;

Thence South $89^{\circ}06'24''$ East 38.68 feet;

Thence North $65^{\circ}56'55''$ East 10.00 feet;

Thence South $89^{\circ}30'01''$ East 16.02 feet;

Thence South $00^{\circ}46'04''$ West 276.88 feet;

Thence South $89^{\circ}07'22''$ East 266.87 feet;

Thence North $45^{\circ}52'38''$ East 111.00 feet;

Thence South $89^{\circ}07'22''$ East 273.00 feet;

Thence South $44^{\circ}07'22''$ East 111.00 feet;

Thence South $89^{\circ}07'22''$ East 395.17 feet;

Thence North $00^{\circ}56'47''$ East 10.99 feet;

Thence South $89^{\circ}03'14''$ East 123.17 feet;

Thence North $00^{\circ}57'10''$ East 4.63 feet;

Thence South $89^{\circ}04'52''$ East 40.03 feet to the beginning of a non-radial curve, concave northwesterly, the center of which lies North $12^{\circ}42'42''$ West 180.36 feet;

Thence northeasterly along the arc of said curve through a central angle of $50^{\circ}36'17''$ a distance of 159.30 feet;

Thence South $63^{\circ}18'59''$ East 38.64 feet to a point on a non-tangent curve, concave northwesterly, the center of which lies North $63^{\circ}18'59''$ West 219.00 feet;

DESCRIPTION continued on page 3 of 3

DESCRIPTION (continued from page 2 of 3)

Thence southwesterly along the arc of said curve through a central angle of $57^{\circ}28'25''$ a distance of 219.68 feet to the beginning of a compound curve, concave southeasterly having a radius of 87.50 feet;

Thence southwesterly along the arc of said curve through a central angle of $83^{\circ}56'30''$ a distance of 128.19 feet;

Thence South $00^{\circ}12'57''$ West 270.10 feet;

Thence South $45^{\circ}34'25''$ West 46.38 feet to the POINT OF BEGINNING.

Containing 13.9297 acres, more or less.

Attached is Exhibit "A-1" and by this reference is made a part hereof.

End of description

Exhibit A-1

[illegible]

Page 80 of 157

Exhibit B

EXHIBIT "B"

DESCRIPTION

CITY PROPERTY

A parcel of land situated in the south half of Section 4, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows;

COMMENCING at the south quarter corner of said Section 4, marked with a City of Surprise brass cap monument in a hand hole from which the southwest corner of said Section 4, marked with a City of Surprise brass cap flush, lies North 89°09'02" West 2636.03 feet;

Thence along the north-south midsection line of said Section 4 North 00°12'57" East 1382.37 feet;

Thence North 89°05'13" West 1360.98 feet;

Thence North 01°15'30" East 54.62 feet to the POINT OF BEGINNING;

Thence North 89°05'13" West 951.72 feet;

Thence North 00°56'35" East 179.52 feet;

Thence North 89°02'57" West 252.89 feet;

Thence North 00°52'32" East 123.38 feet to the beginning of a curve, concave southeasterly, having a radius of 39.00 feet;

Thence northeasterly along the arc of said curve through a central angle of 90°03'21" a distance of 61.30 feet;

Thence South 89°04'08" East 444.64 feet to the beginning of a curve, concave southwesterly, having a radius of 39.00 feet;

Thence southeasterly along the arc of said curve through a central angle of 89°59'07" a distance of 61.25 feet;

Thence South 00°54'59" West 182.94 feet;

Thence South 89°05'13" East 403.82 feet;

Thence North 00°54'47" East 2.86 feet;

Thence South 89°05'13" East 278.90 feet;

Thence South 01°15'30" West 122.87 feet to the POINT OF BEGINNING.

Containing 4.9438 acres, more or less.

Attached is Exhibit "B-1" and by this reference is made a part hereof.

End of description

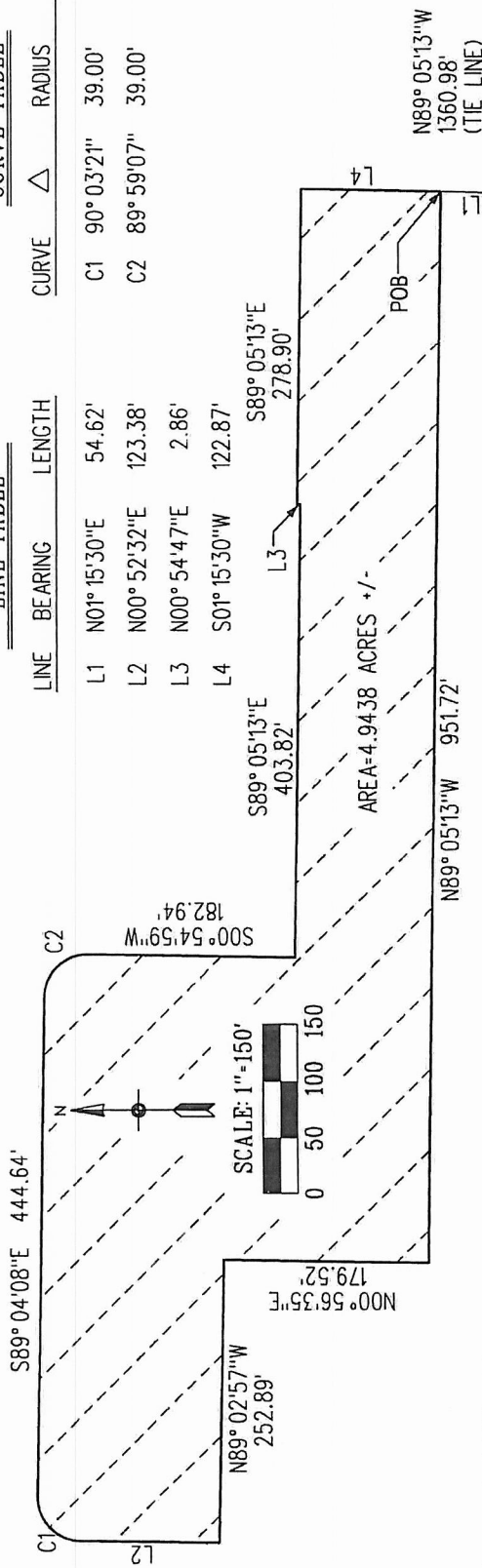
Exhibit B-1

EXHIBIT "B-1"

LINE TABLE

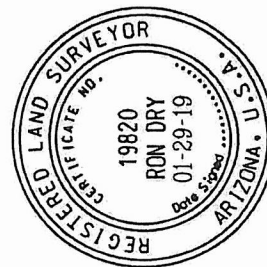
CURVE TABLE

LINE	BEARING	LENGTH	CURVE	△	RADIUS	LENGTH
L1	N01°15'30"E	54.62'	C1	90°03'21"	39.00'	61.30'
L2	N00°52'32"E	123.38'	C2	89°59'07"	39.00'	61.25'
L3	N00°54'47"E	2.86'				
L4	S01°15'30"W	122.87'				



LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- COS CITY OF SURPRISE
- BCF BRASS CAP FLUSH
- BCHH BRASS CAP IN HANDHOLE
- SUBJECT PROPERTY



BEARING BASE: The south line of the southwest quarter of Section 4, T3N, R1W according to the City of Surprise Ordinance No. 01-12 as recorded in Instrument 2001-1090773, Records of Maricopa County, cited as N89°09'02"W

CITY OF SURPRISE
 LAND SURVEY DEPARTMENT
 16000 N. CIVIC CENTER PLAZA
 SURPRISE AZ. 85374

EXHIBIT "B-1" CITY PROPERTY

PROJECT # 15030 DRAWN BY RCD DATE 01-29-19 SHEET 1 OF 1

POC
 S1/4 COR
 SEC 4
 T3N, R1W
 COS BCHH
 GREENWAY ROAD
 N89°09'02"W 2635.03'
 SOUTH LINE SW 1/4 SECTION 4 T3N R1W

SW COR
 SEC 4
 T3N, R1W
 COS BCF

N00°12'57"E 1382.37' (TIE LINE)

N89°05'13"W
 1360.98'
 (TIE LINE)

TIERRA BUENA LANE

Exhibit C

EXHIBIT "C"

DESCRIPTION

DRIVEWAY

A parcel of land situated in the south half of Section 4, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows;

COMMENCING at the south quarter corner of said Section 4, marked with a City of Surprise brass cap monument in a hand hole from which the southwest corner of said Section 4, marked with a City of Surprise brass cap flush, lies North 89°09'02" West 2636.03 feet;

Thence along the north-south midsection line of said Section 4 North 00°12'57" East 1382.37 feet;

Thence North 89°05'13" West 1337.98 feet to the POINT OF BEGINNING;

Thence North 89°05'13" West 23.00 feet;

Thence North 01°15'30" East 177.50 feet;

Thence South 89°05'13" East 21.95 feet;

Thence South 00°00'08" East 47.35 feet;

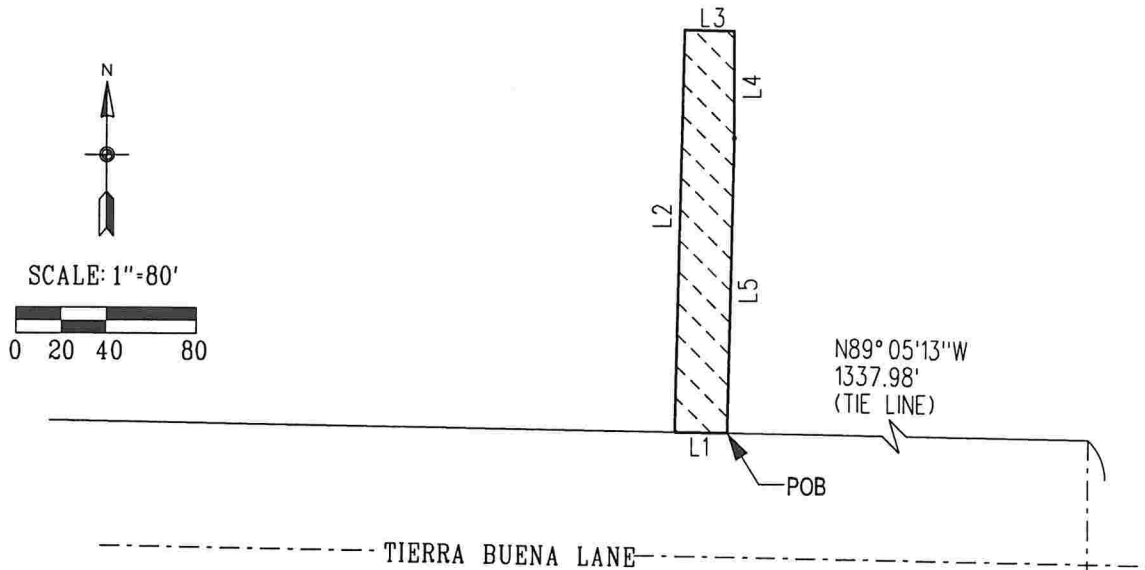
Thence South 01°15'30" West 130.15 feet to the POINT OF BEGINNING.

Attached is Exhibit "C-1" and by this reference is made a part hereof.

End of description

Exhibit C-1

EXHIBIT "C-1"



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
COS	CITY OF SURPRISE
BCF	BRASS CAP FLUSH
BCHH	BRASS CAP IN HANDHOLE
	DRIVEWAY

LINE TABLE

LINE	BEARING	LENGTH
L1	N89° 05' 13" W	23.00'
L2	N01° 15' 30" E	177.50'
L3	S89° 05' 13" E	21.95'
L4	S00° 00' 08" E	47.35'
L5	S01° 15' 30" W	130.15'

BEARING BASE: The south line of the southwest quarter of Section 4, T3N, R1W according to the City of Surprise Ordinance No. 01-12 as recorded in Instrument 2001-1090773, Records of Maricopa County, cited as N89° 09' 02" W

POC
S1/4 COR
SEC 4
T3N, R1W
COS BCHH



SW COR
SEC 4
T3N, R1W
COS BCF

GREENWAY ROAD
N89° 09' 02" W 2636.03'
SOUTH LINE SW 1/4 SECTION 4 T3N R1W

EXHIBIT "C-1" DRIVEWAY



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 15030

DRAWN BY RCD

DATE 01-29-19

SHEET 1 OF 1



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: Finance
Staff Recommendations:

Contact Person:
District: Citywide

Consent: No	Regular: Yes	Public Hearing: Yes	Report/Discussion: No
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Agenda Wording:

A Public Hearing on the proposed adoption of a utility rate adjustment pursuant to A.R.S. 9-511.01. Following the public hearing, City Council during the regular agenda, will consider and take action pertaining to the adoption of utility rates for a 5 year period - FY2020 - FY2024.

Motion:

No action will be taken during the public hearing. However, pursuant to A.R.S. 9-511.01, after this public hearing, City Council may, during the regular agenda, take action to adopt by resolution, the proposed rate or rate component, fee or service charge.

Background:

The last comprehensive utility rate study was performed in 2014 which developed rates effective from FY 2015 through FY 2019. In anticipation of the end of the approved five-year rate schedule, City staff, beginning in 2017, undertook the review of the current and projected revenues, expenses, and capital projects for the water, wastewater, and solid waste utilities. The study identified historical and projected operating shortfalls in the Solid Waste division due to rising operating costs indicating that unless rate relief was provided beginning in FY 2020, the enterprise fund would be depleted. The study also concluded that water and residential wastewater would not be seeking any rate adjustments. City staff is seeking additions to commercial wastewater business categories that are used to determine treatment flow rates. Many businesses are classified as "other" for flow rates. Adding additional business categories will closer match the business to its treatment flow costs. This will mean some business will be charged lower wastewater rates and some will be charged higher rates. The study also identified miscellaneous and one-time services that are being performed with no fees associated with it. The rate adjustments proposal would increase solid waste monthly rates from its current \$16.96 per month to \$20.70 per month. In FY 2021, that rate is increased to \$23.40. In FY2022, the rate increases to \$23.50. In FY2023, the rate increases to \$23.60 and \$23.70 in FY 2024. Proposed rate adjustments in commercial wastewater and the miscellaneous and one-time fees are recommended to be changed in FY2020 only with no further changes in subsequent years. On November 6, 2018 a Council work session was conducted to review the results of the rate study and its recommendations. The study concluded residential solid waste services needed monthly rate increases as well as adjustment to commercial wastewater volumetric charges. On December 18, 2018, council approved the notice of intent to adjust water, wastewater, and solid waste rates. Pursuant to Ariz. Rev. Stat. 9-511.01, the public hearing on the proposed utility increases follows a 60 day public notice of intent to increase rates. Council may thereafter take action on the proposed rate or rate component, fee or service charge increase or any lessor increase.

Objective Analysis:

The proposed rates for the next five-year cycle will develop a road map for financial stability to ensure the delivery of excellent customer service and efficient and effective utility services to the City's customers. If the rates are adopted, residents will see an increase to their solid waste utility bill. In addition, service fee categories have been added or updated and some commercial businesses will receive an increase to their wastewater utility charges, while others will be charged less than they are currently paying.

Policy Compliant:

This action is consistent with City policy.

Financial Impact:

If approved, the increases in service fees, charges for commercial wastewater, and solid waste utilities will increase the revenues needed to maintain the level of service provided by the City's utilities.

Budget Impact:

Although there is no budget impact at this time, the increases in services and charges for wastewater and solid waste utility funds will increase the revenues needed to to maintain the level of service provided by the City's utilities.

FTE Impact:

None at this time.

ATTACHMENTS:

1. 19.01.15 Res 2019-17 Adopting New Utility Rates - final
 2. 20190219 FY20-24 Utility Rates Public Hearing
-

RESOLUTION # 2019-17

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ADOPTING A NEW SCHEDULE OF RATES FOR WATER SERVICES, WASTEWATER SERVICES, SOLID WASTE SERVICES AND SERVICE FEES/UTILITY CHARGES WITHIN THE CITY SERVICE AREAS.

WHEREAS, the City of Surprise is a provider of water, wastewater, and solid waste services;

WHEREAS, the City has a responsibility to ensure that the rates charged to its customers fully recover the total cost of operating each system, including capital improvement and replacement, operations, maintenance, general administration, fiscal policy attainment, cash reserve management, and debt repayment;

WHEREAS, Ariz. Rev. Stat. § 9-511.01 permits the City to adjust the rates charged to water and wastewater utility customers after adopting and publishing a notice of intention and holding a public hearing;

WHEREAS, Ariz. Rev. Stat. § 9-499.15 permits the City to increase the rates charged to City residents for solid waste services after providing notice;

WHEREAS, all requirements of Ariz. Rev. Stat. § 9-511.01 and Ariz. Rev. Stat. § 9-499.15 regarding the increase of any water, wastewater and sanitation rate or rate component, fee or service charge have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The schedule of utility rates attached as Exhibit A is adopted as the schedule of rates for water, wastewater, and solid waste services and miscellaneous utility charges for the City of Surprise service areas.

Section 2. The rates and charges contained in Exhibit A shall become effective July 1, 2019 for all services billed thereafter.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Resolution # 2019-17
Exhibit A
City of Surprise
Utility Rates

MONTHLY UTILITY RATES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
WATER RATES (All Customers)						
Base Charges						
	<u>Meter Size</u>					
	0.625 inch	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82
	0.75 inch	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82
	1 inch	\$ 37.47	\$ 37.47	\$ 37.47	\$ 37.47	\$ 37.47
	1.5 inch	\$ 95.11	\$ 95.11	\$ 95.11	\$ 95.11	\$ 95.11
	2 inch	\$ 152.73	\$ 152.73	\$ 152.73	\$ 152.73	\$ 152.73
	3 inch	\$ 308.35	\$ 308.35	\$ 308.35	\$ 308.35	\$ 308.35
	4 inch	\$ 489.90	\$ 489.90	\$ 489.90	\$ 489.90	\$ 489.90
	6 inch	\$ 951.11	\$ 951.11	\$ 951.11	\$ 951.11	\$ 951.11
	8 inch	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19
Volumetric Charges						
	<u>Potable</u>					
	0 - 10,000 Gallons	\$ 2.37	\$ 2.37	\$ 2.37	\$ 2.37	\$ 2.37
	10,001 - 20,000 Gallons	\$ 4.68	\$ 4.68	\$ 4.68	\$ 4.68	\$ 4.68
	Over 20,000	\$ 5.44	\$ 5.44	\$ 5.44	\$ 5.44	\$ 5.44
	<u>Non-Potable</u>					
	0 - 10,000 Gallons	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	10,001 - 20,000 Gallons	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	Over 20,000	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	Effluent Reuse Agreement (1989) - per 1,000 Gallons	\$ 0.23	\$ 0.23	\$ 0.23	\$ 0.23	\$ 0.23
SOLID WASTE RATES						
Monthly Base						
	Per Solid Waste Can	\$ 20.70	\$ 23.40	\$ 23.50	\$ 23.60	\$ 23.70
WASTEWATER RATES						
Monthly Base						
	Single Family	\$ 24.78	\$ 24.78	\$ 24.78	\$ 24.78	\$ 24.78
	Multi-Family - Per Unit	\$ 21.77	\$ 21.77	\$ 21.77	\$ 21.77	\$ 21.77
	RV Resort - Per Unit/Space	\$ 12.47	\$ 12.47	\$ 12.47	\$ 12.47	\$ 12.47
	Commercial - Business Type	\$ 2.63	\$ 2.63	\$ 2.63	\$ 2.63	\$ 2.63
	Sewer Service Agreement - Cortessa and White Tank Foothills	\$ 3.36	\$ 3.36	\$ 3.36	\$ 3.36	\$ 3.36
Commercial Volumetric - Usage Charge Per 1,000 gallons						
	Bars w/o dining	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00
	Carwash	\$ 2.20	\$ 2.20	\$ 2.20	\$ 2.20	\$ 2.20
	Church	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83
	Funeral Home	\$ 6.48	\$ 6.48	\$ 6.48	\$ 6.48	\$ 6.48
	Garage & Service Stations	\$ 3.07	\$ 3.07	\$ 3.07	\$ 3.07	\$ 3.07
	Garden/Nursery	\$ 2.85	\$ 2.85	\$ 2.85	\$ 2.85	\$ 2.85
	Government Facilities	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Grocery Retail/Wholesale	\$ 5.92	\$ 5.92	\$ 5.92	\$ 5.92	\$ 5.92
	HOA Community Facilities	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83
	Hospitals, Convalescent, & Assisted Living	\$ 3.12	\$ 3.12	\$ 3.12	\$ 3.12	\$ 3.12
	Hotel	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00
	Industrial/Manufacturing	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Laundromats	\$ 2.36	\$ 2.36	\$ 2.36	\$ 2.36	\$ 2.36
	Medical Offices	\$ 3.33	\$ 3.33	\$ 3.33	\$ 3.33	\$ 3.33
	Mixed Use Retail	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Professional Office	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Restaurants & Bakeries	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Retail/Wholesale	\$ 3.01	\$ 3.01	\$ 3.01	\$ 3.01	\$ 3.01
	Schools, Parks & Recreation	\$ 2.58	\$ 2.58	\$ 2.58	\$ 2.58	\$ 2.58
	Storage/Warehouse	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Other	\$ 2.66	\$ 2.66	\$ 2.66	\$ 2.66	\$ 2.66
For Non-Residential Wastewater Customers that are not listed under the commercial business listing, the strength of the wastewater exceeds the Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS) of 150 parts per million respectively, the rate shall be calculated using the following table:						
		PER #BOD	PER #TSS	PER 1,000 Gal		
	Flow			\$ 0.6513		
	BOD	\$ 0.3078				
	TSS		\$ 0.2903			
	Capital			\$ 0.8627		
	Administrative			\$ 0.3899		

Resolution # 2019-17
Exhibit A
City of Surprise
Utility Rates

ANNUAL PREPAY RATES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
Single Annual Advance Payment (5% Prepayment Discount)						
SOLID WASTE RATES						
Per Solid Waste Can		\$ 235.97	\$ 266.76	\$ 267.90	\$ 269.04	\$ 270.18
WASTEWATER RATES						
Single Family		\$ 282.49	\$ 282.49	\$ 282.49	\$ 282.49	\$ 282.49
Multi-Family - Per Unit		\$ 248.18	\$ 248.18	\$ 248.18	\$ 248.18	\$ 248.18
RV Resort - Per Unit/Space		\$ 142.16	\$ 142.16	\$ 142.16	\$ 142.16	\$ 142.16
Sewer Service Agreement - Cortessa and White Tank Foothills		\$ 38.30	\$ 38.30	\$ 38.30	\$ 38.30	\$ 38.30
SERVICE FEES UTILITY CHARGES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
General	Delinquent Notice Fee (COS)	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00
General	Delinquent Notice Fee (EPCOR)	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00
General	Delinquent Shutoff/Reconnect Fee (EPCOR)	\$ 113.66	\$ 113.66	\$ 113.66	\$ 113.66	\$ 113.66
General	Delinquent Shutoff/Reconnect Fee After Hrs (EPCOR)	\$ 154.07	\$ 154.07	\$ 154.07	\$ 154.07	\$ 154.07
General	Disconnect for Non-Payment Fee (COS)	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
General	Reconnect for Non-Payment Fee (COS)	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
General	Annual Prepay Cancellation Fee (after due date)	\$ 37.50	\$ 37.50	\$ 37.50	\$ 37.50	\$ 37.50
General	Establish Service Fee (COS)	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
General	Establish Service Fee (Third Party Water)	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
General	Establish/Reestablish Service After Hrs (COS)	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
General	Unpaid Final Bill Collection Admin Fee (90 days)	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
General	Returned Payment Fees	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
General	Late Fee	1.5% of Bal	1.5% of Bal	1.5% of Bal	1.5% of Bal	1.5% of Bal
Solid Waste	Cans Pulled for Non-payment Fee	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Re-establish Delinquent Can Service	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Roll Off Program - Initial Delivery/Relocation	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00
Solid Waste	Roll-Off Haul Fee	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Solid Waste	Roll-Off Disposal Fee (3% Increase each year)	\$ 27.21	\$ 28.03	\$ 28.87	\$ 29.73	\$ 30.63
Solid Waste	Roll-Off Hard to Handle Fee	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Additional Pick up of Cans Fee (After One Courtesy Per Year)	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Solid Waste	Appliance Pick Up Fee	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Solid Waste	Bulk Pick Up Fee - Exceeds Pile Limit	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Solid Waste	Establish Service -New Can Delivery	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Residential Container Replacement	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
Solid Waste	Special Trip Bulk Pick Up Fee	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Solid Waste	Temporary Suspension Fee	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00
WATER	Broken Lock Fee	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
WATER	Hydrant Meter Deployment	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
WATER	Hydrant Meter Relocate	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
WATER	Meter Re-Read Fee	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
WATER	Meter Tampering/Unauthorized Use Fee	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
WATER	Misc Field Visit/Special Trip Fee	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
WATER	Meter/City Utility Facilities Damage Fee	Cost	Cost	Cost	Cost	Cost
WATER	Meter Testing Fee	Cost	Cost	Cost	Cost	Cost
DEPOSITS		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
Residential and Commercial Water		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Residential Wastewater		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Solid Waste		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Commercial Wastewater		\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
Hydrant Meter		\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00



SURPRISE

ARIZONA

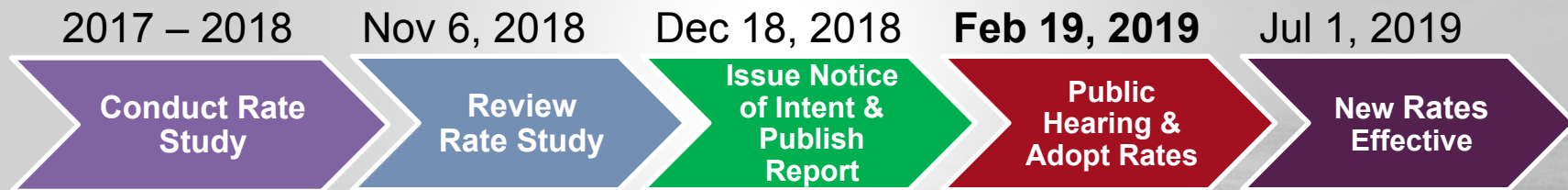
Proposed Utility Rate Increase Public Hearing

Rates Effective FY 2020-2024

FINANCE - PUBLIC WORKS - WATER RESOURCE
MANAGEMENT

February 19, 2019

Utility Rate Study Steps





Proposed Rate Changes

- Service Fees: Establishment service fees, appliance pick up fee.
- Water Rates: No increase
- Wastewater Rates:
 - Base Rate: No increase
 - Volume Rates: Commercial categories expanded and rates adjusted

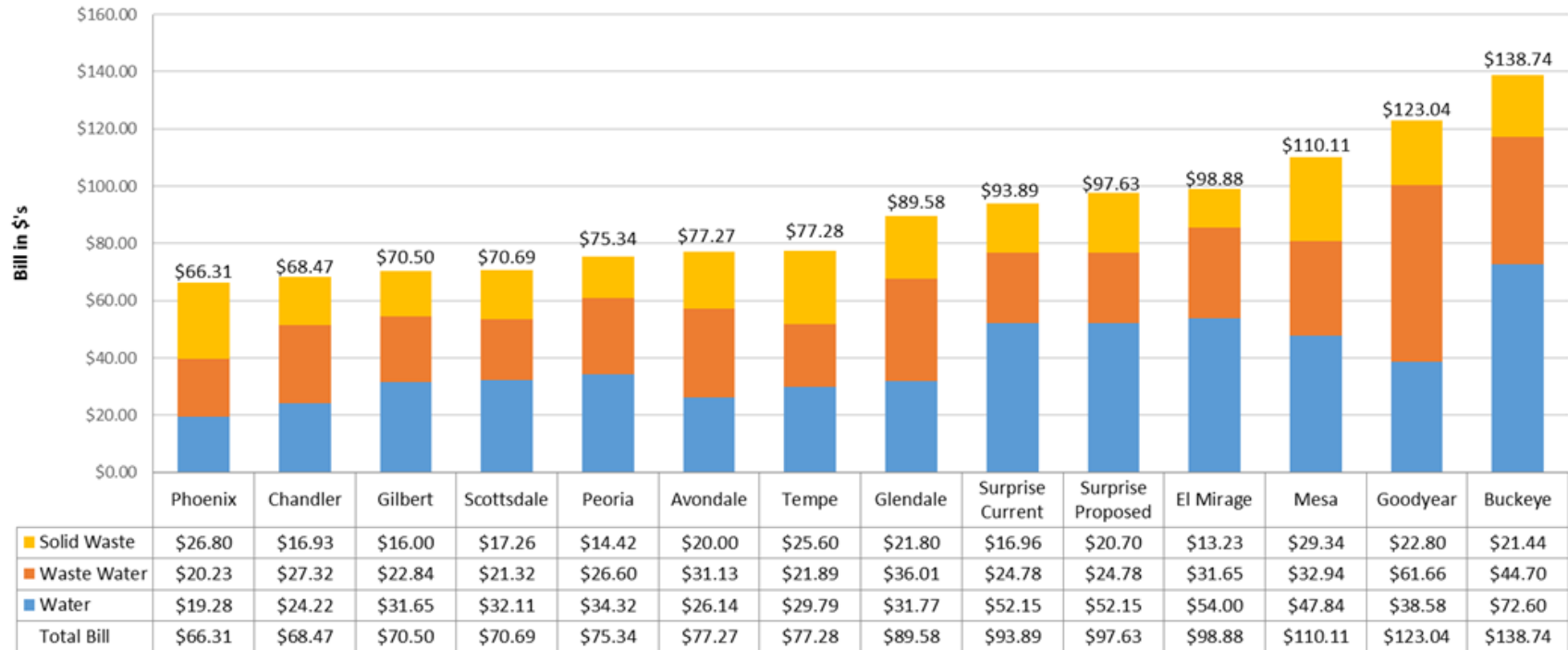
Proposed Rate Changes

Solid Waste

	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024
Monthly Rate	\$16.96	\$20.70	\$23.40	\$23.50	\$23.60	\$23.70
Monthly Increase	-	\$3.74	\$2.70	\$0.10	\$0.10	\$0.10

Proposed Rate Changes

Residential City Bill Comparison





Community Outreach



- Press Releases, Social Media Posts, Facebook, Twitter & NextDoor
- City of Surprise Website
- Progress Magazine
 - Winter (January – March)
 - Spring (April – June)
 - Summer (July – September)
- Utility Bill Messaging
- Outreach to specific Commercial Sewer Customers
- City News Ads in local publications
- Information posted at City Cashier



Required Council Action

February 19, 2019

- Public Hearing
- Action: Council Adopt Rates

July 1, 2019

- Rates effective



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019 Contact Person:
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

A public hearing pertaining to the Paloma Creek annexation proposal, case FS18-149, in accordance with Arizona Revised Statutes 9-471(A)(3).

Motion:

N/A; this item is for discussion, presentation, and public hearing only.

Background:

The property has 16 parcels with Maricopa County zoning districts that include R-5 Residential Unit of Planned Development (RUPD) and Rural-43. If annexed, the property will assume similar zoning of the Surprise Unified Development Code (SUDC) that includes Residential Medium Density (RM-9) with a maximum density of five dwelling units per acre (5du/ac) and Rural Residential (RR).

The applicant held a Citizen Review meeting on November 8, 2018 at the Sundown Mountain School. Advertisements were posted in a local newspaper and 3 signs were posted within the subject property. Surprise City Council approved Resolution # 2018-171, directing Staff to record a blank petition.

The blank petition was recorded with the Maricopa County Recorder's Office on January 25, 2019. Per the Arizona Revised Statutes (ARS) signatures of property owners may not be collected until 30 days after the recording of the blank petition and a public hearing must be held within the last ten days of the 30 day waiting period. Once the public hearing is held and the 30 day waiting period has expired state statute requires that an excess of 50% of the land owners and assessed valuation for all real and personal property sign the in order to validate the petition. The statute allows up to one year to obtain the signatures; staff anticipates obtaining the necessary signature in with the final signed petition being heard by the City Council

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and potential development fees. Negative impacts could include providing services in a 201.54 acre area where the City did not have to previously serve.

Policy Compliant:

No action is being taken at this time. However if the City Council moves forward to annex property into the City limits the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

At this time there are no financial impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be financial impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes. Also a Financial Impact Analysis will be conducted and submitted along with the final annexation documents.

Budget Impact:

At this time there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be minor budget impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes.

FTE Impact:

At this time there would be no additional FTEs associated with this item. If the City Council moves forward to annex property into the City limits staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

1. 00 FS18-149 Paloma Creek Annexation CC 2-19-19 Staff Report
 2. 01 FS18-149 Recorded Blank Petition
 3. 02 FS18-149 Paloma Creek - Vicinity Map
 4. 03 FS18-149 Paloma Creek - 2-19-19 CC Presentation
 5. FS18-149 Paloma Creek Blank Petition - Public Engagement Form
-



Case: FS18-149

Project Name: Paloma Creek

Council District: 1

City Council Date: February 19, 2019

Planner: Joshua Mike

Owner: Multiple Owners

Applicant: Kent A. Xander

Request: Annexation Public Hearing

Site Location: Generally located northeast of Happy Valley Road and 163rd Ave

Site Size: 201.54 acres (approx.)

Density: N/A

Actions: No Action at the times. City council has public hearing to discuss the annexation proposal

Introduction:

Kent A. Xander seeks annexation of an undeveloped parcel generally located between Happy Valley Road and Jomax Road, east of 163rd Ave. The annexation proposal is for 201.54 acres, consisting of multiple owners, of unincorporated land adjacent to the Surprise city limits.

Project Description:

The property has 16 parcels with Maricopa County zoning districts that include R-5 Residential Unit of Planned Development (RUPD) and Rural-43. If annexed, the property will assume similar zoning of the Surprise Unified Development Code (SUDC) that includes Residential Medium Density (RM-9) with a maximum density of five dwelling units per acre (5du/ac) and Rural Residential (RR). In a concurrent development application, this property is part of a rezoning case FS18-150 and will be heard by both the Planning and Zoning Commission and City Council on a later date.

45 Arizona Revised Statutes require the filling of a blank annexation petition. The blank petition
46 relating to the subject property was recorded with the Maricopa County Recorder's Office on
47 January 25, 2019 (see attached). Arizona Revised Statutes also require that no signatures be
48 obtained during the first 30 days following the filing of the blank petition and that a public
49 hearing must be held during the last 10 days of the 30-day waiting period. Once the public
50 hearing is held and the 30-day waiting period has ended, signatures may be collected. State
51 statute further requires that an excess of 50% of the land owners and assessed valuation for all
52 real and personal property sign the petition in order to validate the petition. State statute also
53 allows up to one year following the end of the 30-day period to obtain the required number of
54 signatures.

55

56 **Summary:**

57

58 The proposed annexation is requested for 201.54 acres and requires signatures after the
59 Arizona Revised Statutes required 30-day waiting period that concludes on February 25, 2019.
60 Upon receiving those signatures, Paloma Creek will be eligible for annexation by the City of
61 Surprise City Council. The parcel to be annexed complies with all requirements for size, shape,
62 and contiguity set forth in the Arizona annexation statutes.

63

64 Attachments:

65 01 FS18-315 Paloma Creek- Annexation Recorded Blank Petition (8 page)

66 02 FS18-315 Paloma Creek-Annexation Vicinity Map (1 page)

67 03 FS18-315 Paloma Creek-Annexation Presentation (7 pages)

Recording requested by:

City of Surprise
City Clerk's Office
16000 N Civic Center Plaza
Surprise, Arizona 85374

ANNEXReso2018171-8-1-1--
Yorkm

**ANNEXATION PETITION
OF THE CITY OF SURPRISE, ARIZONA
RESOLUTION 2018-171**

RESOLUTION # 2018-171

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DIRECTING THE RECORDING OF A BLANK PETITION FOR ANNEXATION PURSUANT TO A.R.S. § 9-471, PERTAINING TO A CERTAIN PROPERTY THAT ADJOINS AND IS CONTIGUOUS TO THE CITY OF SURPRISE CONSISTING OF 201.54 ACRES LOCATED NORTH OF HAPPY VALLEY ROAD, EAST OF 163RD AVENUE, SOUTH OF W. BRILLES ROAD, AND WEST OF 154TH AVENUE, MARICOPA COUNTY, ARIZONA.

WHEREAS, it has been proposed that the City of Surprise annex certain property within Sections 5 and 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, generally located at the Northeast corner of 163rd Avenue and Happy Valley Road, more particularly described in the attached Exhibit A;

WHEREAS, the area to be annexed adjoins the exterior boundary of the City of Surprise for at least 300 feet and is otherwise contiguous to the City; and

WHEREAS, A.R.S. § 9-471(A)(1) requires that the City file, in the office of the Maricopa County, Arizona Recorder, a blank petition setting forth the legal description, attached hereto as Exhibit A, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City Clerk shall record with the Office of the Maricopa County Recorder a blank annexation petition containing the legal description of the property, attached hereto as Exhibit A, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as Exhibit B. The City Clerk shall also record a sworn affidavit verifying that no part of the territory proposed to be annexed is already subject to an earlier filing for annexation.

Section 2. The City Clerk shall call a public hearing for the purpose of consideration of the proposed annexation, said hearing to be noticed for a date approximately 21 days after filing the blank annexation petition, in accordance with A.R.S. § 9-471(A)(3).

SIGNATURES TO FOLLOW ON THE NEXT PAGE

APPROVED AND ADOPTED this 20 day of Nov., 2018.


_____, Mayor

Attest:

Approved as to form:



Sherry Aguilar, City Clerk



for Robert Wingo, City Attorney

Exhibit A**SURPRISE ANNEXATION PARCEL LEGAL DESCRIPTION**

That portion of Sections 5 and 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the West quarter corner of said Section 5;

Thence South 89° 41' 02" East along the North line of the Southwest quarter of Section 5 a distance of 654.57 feet to the West line of the East 655.08 feet of the North half of Northwest quarter of the Southwest quarter of the Section 5;

Thence South 00° 05' 23" West along said West line a distance of 660.04 feet to the South line of the North half of the Northwest quarter of the Southwest quarter of the Section 5 and the North line of that Parcel Annexed by the City of Surprise per Ordinance 05-60 as recorded in Document No. 2006-104870, Official Records;

Thence North 89° 39' 59" West along said line a distance of 655.22 feet to the common line between Sections 5 and 6;

Thence North 89° 47' 36" West along the South line of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 657.76 feet;

Thence South 00° 06' 30" West along the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 6 and the West line of said Annexation Parcel a distance of 659.68 feet;

Thence North 89° 46' 48" West along the North line of the South half of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 1971.96 feet;

Thence South 00° 00' 23" East along the North-South mid-section line of Section 6 and the West line of said Annexation Parcel a distance of 1318.45 feet to the South quarter corner of Section 6;

Thence North 89° 45' 13" West along the South line of Section 6 and the North line of said Annexation Parcel a distance of 1795.95 feet to the East line of the West 55.00 feet of the Southwest quarter of Section 6 and the East line of that Parcel Annexed by the City of Surprise per Ordinance 88-24 as recorded in Document No. 1988-594510, Official Records;

Thence North 00° 23' 29" East along said East line a distance of 2635.25 feet to the East-West mid-section line of Section 6;

Thence North 00° 22' 45" East along the East line of the West 55.00 feet of the Northwest quarter of Section 6 and the East line of said Annexation Parcel a distance of 1317.51 feet to the North line of Lot 5 of Section 6;

Thence South 89° 50' 48" East along said North line a distance of 450.04 feet to the Northeast corner of said Lot 5;

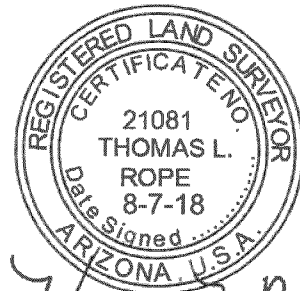
Exhibit A**SURPRISE ANNEXATION PARCEL LEGAL DESCRIPTION**

Thence South 00° 06' 11" East along the East line thereof a distance of 1317.84 feet to the East-West mid-section line of Section 6;

Thence South 89° 48' 24" East along said mid-section line a distance of 1316.52 feet to the Center of Section 6;

Thence continuing South 89° 48' 24" East along said mid-section line a distance of 2632.80 feet to the **POINT OF BEGINNING**.

Containing 201.54 acres



Thomas L. Rope

Land Survey Services PLC
3160 N. 302nd Lane
Buckeye, AZ 85396

Expires 3-31-2019

Job No. 10019

AFFIDAVIT REGARDING ANNEXATION

Personally appears before me, Eric Fitzer, who, first being duly sworn, deposes and says as follows:

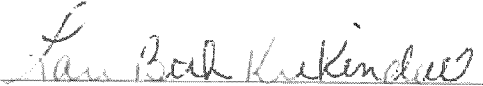
1. I make this affidavit of my own personal knowledge.
2. I am the duly appointed Community Development Director of the City of Surprise, Arizona and I am qualified to make this affidavit on behalf of and for the City.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Surprise and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City of Surprise Annexation Petition, which is filed herewith, with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471(A)(6), that no part of the territory associated with Surprise Case #FS18-149 for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.

FURTHER AFFIANT SAYETH NOT.



(Eric Fitzer, Surprise Community Development Director)

SWORN TO AND SUBSCRIBED before me
this 24th day of January, 2019.



Notary Public for the State of Arizona

My commission expires: 10/8/19



ANNEXATION PETITION

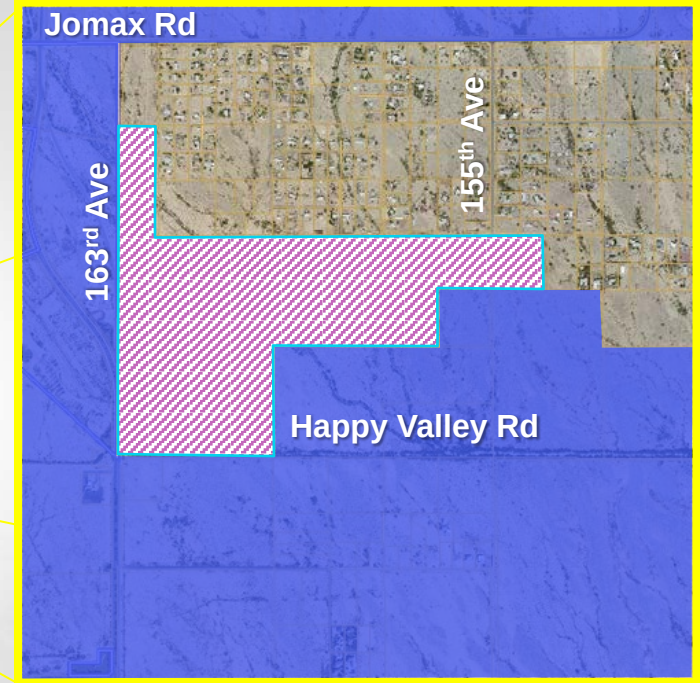
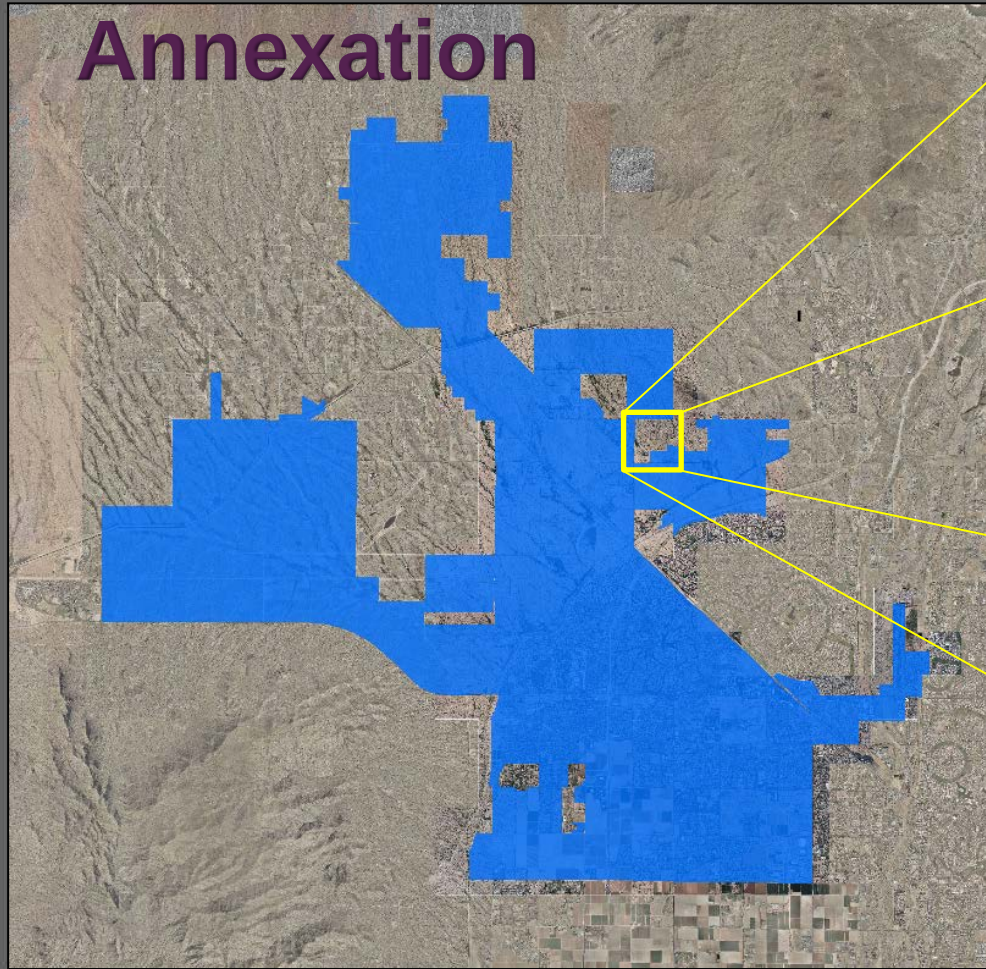
**TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:**

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION

Annexation



Existing Surprise Incorporated Limits



Paloma Creek Annexation Boundary

FS18-149



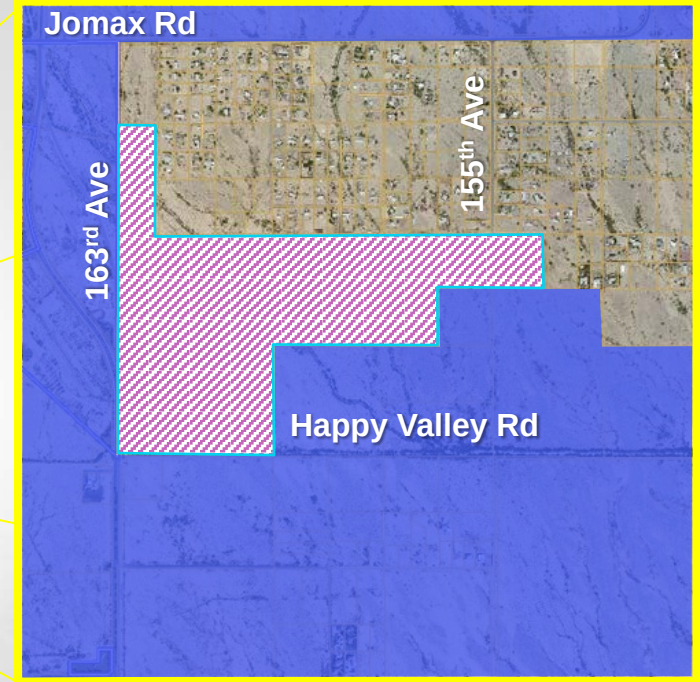
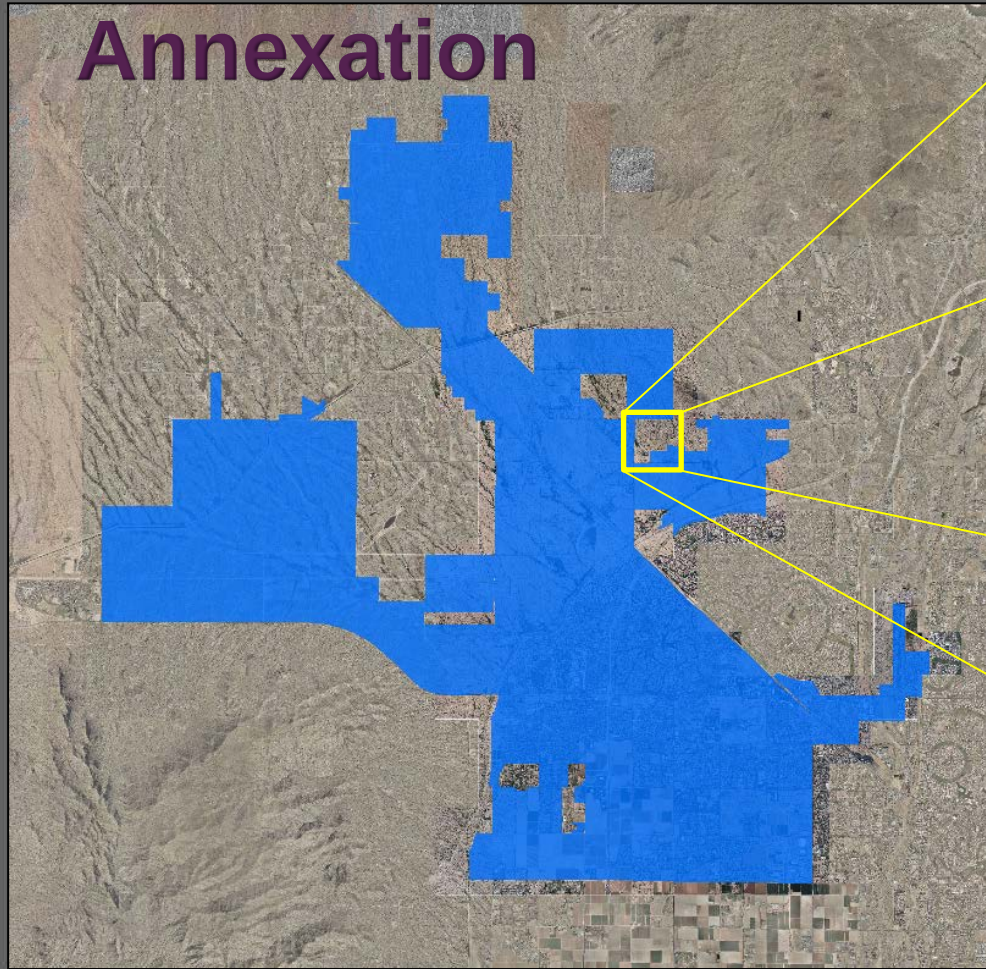
City Council

February 19, 2019



FS18-149
Paloma Creek
Annexation - Recorded Blank Petition

Annexation



-  Existing Surprise Incorporated Limits
-  Paloma Creek Annexation Boundary

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek Annexation Boundary

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek R-5 RUPD
Maricopa County Zoning
-  RU-43 Maricopa County Zoning

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek RM-9
Surprise Zoning (Max Density: 5 du/ac)
-  RR Surprise Zoning

FS18-149

Next Steps

Resolution for the Intent to Annex

- City Council – November 20, 2018

Filed Blank Petition: January 25, 2019

- Begins 30-day waiting period; ends February 25, 2019
- Reach out to County Assessor and Dept of Revenue

Public Hearing: February 19, 2019

- City council has public hearing to discuss the annexation proposal

Obtain signatures on annexation petitions: February 26, 2019

- Petition complete
- City Council adopts annexation ordinance

Concurrent Cases

Planning and Zoning Commission and City Council

➤ **FS18-150 Paloma Creek:**

- ✓ Rezoning: From RM-9 to RM-9 PUD
- ✓ Preliminary Plat (proposed 537 units)



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: FS18-149 Paloma Creek Annexation

OVERALL PUBLIC INVOLVEMENT LEVEL:

The applicant held a Citizen Review meeting on October 23, 2018 at the Sundown Mountain School. Advertisements were posted in a local newspaper and 3 signs were posted within the subject property. Neighboring residents attended to express their concerns about the compatibility with their residences.

IDENTIFY STAKEHOLDERS:

Property owners in the immediate area.

OBJECTIVES:

Communicating the applicant's request to annex 201.5 acres of unincorporated land and develop a subdivision with a maximum density of 5 dwelling units/acre.

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) October 23, 2018 6:00pm - 8:00pm

Future Council Work Session/Meetings target dates November 22, 2018

Election dates (if applicable) N/A

Project start/completion dates N/A

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☒ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☒ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☒ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☒ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019 Contact Person:
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No	Regular: No	Public Hearing: Yes	Report/Discussion: No
-------------	-------------	---------------------	-----------------------

Agenda Wording:

A public hearing pertaining to the Saddlehorn Ranch annexation proposal, case FS18-315, in accordance with Arizona Revised Statutes 9-471(A)(3).

Motion:

N/A; this item is for discussion, presentation, and public hearing only.

Background:

Two property owners are seeking annexation of undeveloped land generally located one-half mile north of Happy Valley Road on the east side of 151st Avenue. The annexation proposal is for 19.87 acres of unincorporated land. The property has 2 parcels with Maricopa County zoning districts of Rural-43. If annexed, the property will assume similar zoning of the Surprise Unified Development Code (SUDC) of Rural Residential (RR).

The applicant held a Citizen Review meeting on November 8, 2018 at the Sundown Mountain School. Advertisements were posted in a local newspaper and 3 signs were posted within the subject property. Surprise City Council approved Resolution # 2018-171, directing Staff to record a blank petition.

The blank petition was recorded with the Maricopa County Recorder's Office on January 25, 2019. Per the Arizona Revised Statutes (ARS) signatures of property owners may not be collected until 30 days after the recording of the blank petition and a public hearing must be held within the last ten days of the 30 day waiting period. Once the public hearing is held and the 30 day waiting period has expired state statute requires that an excess of 50% of the land owners and assessed valuation for all real and personal property sign the in order to validate the petition. The statute allows up to one year to obtain the signatures; staff anticipates obtaining the necessary signature in with the final signed petition being heard by the City Council.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and potential development fees. Negative impacts could include providing services in a 19.87 acre area where the City did not have to previously serve.

Policy Compliant:

No action is being taken at this time. However if the City Council moves forward to annex property into

the City limits the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

At this time there are no financial impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be financial impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes. Also a Financial Impact Analysis will be conducted and submitted along with the final annexation documents.

Budget Impact:

At this time there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be minor budget impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes.

FTE Impact:

At this time there would be no additional FTEs associated with this item. If the City Council moves forward to annex property into the City limits staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

1. 00 FS18-315 Annexation CC 2-19-19 Staff Report (2) (1)
 2. 01 FS18-315 - Recorded Blank Petition
 3. 02 FS18-315 Saddlehorn Ranch - Viniety Map
 4. 03 FS18-315 Annexation 2-19-19 CC Presentation
-



Case: FS18-315

Project Name: Saddlehorn Ranch

Council District: 1

City Council Date: February 19, 2019

Planner: Joshua Mike

Owner: JK5SURPRISE LLC and KAX LLC

Applicant: Kent A. Xander

Request: Annexation Public Hearing

Site Location: Generally located 1/2 mile north of Happy Valley Road, on the east side of 151st Ave

Site Size: 19.89 acres (approx.)

Density: N/A

Actions: No action at this time. This is a public hearing to discuss the annexation proposal

Introduction:

Kent A. Xander seeks annexation of an undeveloped parcel generally located between Happy Valley Road and Jomax Road, east of 151st Ave. The annexation proposal is for 19.89 acres, consisting of 2 different owners, of unincorporated land adjacent on 2 sides within Surprise city limits.

Project Description:

The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume similar Rural Residential (RR) zoning under the Surprise Unified Development Code (SUDC). In a concurrent development application, this property is part of a rezoning case FS18-316 and will be heard by both the Planning and Zoning Commission and City Council at later dates.

Arizona Revised Statutes require the filing of a blank annexation petition. The blank petition relating to the subject property was recorded with the Maricopa County Recorder's Office on

January 25, 2019 (see attached). Arizona Revised Statutes also require that no signatures be obtained during the first 30 days following the filing of the blank petition and that a public hearing must be held during the last 10 days of the 30-day waiting period. Once the public hearing is held and the 30-day waiting period has ended, signatures may be collected. State statute further requires that in excess of 50% of the land owners and 50% of the owners of the assessed valuation for all real and personal property sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.

Summary:

The proposed annexation is requested for two vacant parcels totaling 19.89 acres. Thus, only two signatures must be obtained after the required 30-day waiting period that concludes on February 25, 2019. Upon receiving those signatures, Saddlehorn Ranch will be eligible for annexation by the City Council. The property to be annexed complies with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes.

Attachments:

- 01 FS18-315 Saddlehorn Ranch- Annexation Recorded Blank Petition (7 page)
- 02 FS18-315 Saddlehorn Ranch-Annexation Vicinity Map (1 page)
- 03 FS18-315 Saddlehorn Ranch-Annexation Presentation (9 pages)

Recording requested by:

City of Surprise
City Clerk's Office
16000 N Civic Center Plaza
Surprise, Arizona 85374

ANNEXReso2018172-7-1-1--
Garcia

**ANNEXATION PETITION
OF THE CITY OF SURPRISE, ARIZONA
RESOLUTION 2018-172**

RESOLUTION # 2018-172

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DIRECTING THE RECORDING OF A BLANK PETITION FOR ANNEXATION PURSUANT TO A.R.S. § 9-471, PERTAINING TO A CERTAIN PROPERTY THAT ADJOINS AND IS CONTIGUOUS TO THE CITY OF SURPRISE CONSISTING OF 19.87 ACRES LOCATED ONE-HALF MILE NORTH OF HAPPY VALLEY ROAD ON THE EAST SIDE OF 151ST AVENUE (NEC SADDLEHORN ROAD AND 151ST AVENUE), MARICOPA COUNTY, ARIZONA

WHEREAS, it has been proposed that the City of Surprise annex certain property within South half Northwest quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, generally located at the Northeast corner Saddlehorn Road and 151st Avenue, more particularly described in the attached Exhibit A;

WHEREAS, the area to be annexed adjoins the exterior boundary of the City of Surprise for at least 300 feet and is otherwise contiguous to the City; and

WHEREAS, A.R.S. § 9-471(A)(1) requires that the City file, in the office of the Maricopa County, Arizona Recorder, a blank petition setting forth the legal description, attached hereto as Exhibit A, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City Clerk shall record with the Office of the Maricopa County Recorder a blank annexation petition containing the legal description of the property, attached hereto as Exhibit A, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as Exhibit B. The City Clerk shall also record a sworn affidavit verifying that no part of the territory proposed to be annexed is already subject to an earlier filing for annexation.

Section 2. The City Clerk shall call a public hearing for the purpose of consideration of the proposed annexation, said hearing to be noticed for a date approximately 21 days after filing the blank annexation petition, in accordance with A.R.S. § 9-471 (A)(3).

[SIGNATURES TO FOLLOW ON THE NEXT PAGE]

APPROVED AND ADOPTED this 20 day of Nov., 2018.


_____, Mayor

Attest:

Approved as to form:



Sherry Aguilar, City Clerk



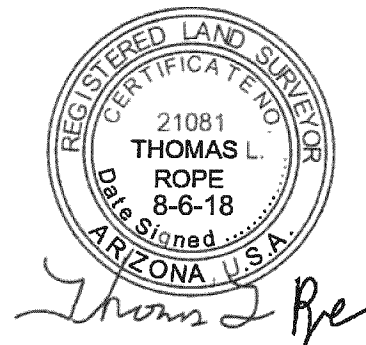
for Robert Wingo, City Attorney

Exhibit A**LEGAL DESCRIPTION**

The portion of the South half Northwest quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described by metes and bounds as follows:

Commencing at the South quarter corner of said Section 5, from whence the Southeast corner of Section 5 bears South 89° 37' 05" East (Basis of Bearings) a distance of 2627.00 feet;
 Thence North 00° 02' 07" East along the North-South mid-section line of Section 5 and along the westerly line of that Parcel annexed by the City of Surprise per Ordinance 07-47 as recorded in Document No. 2007-1218674, Official Records, a distance of 1321.13 feet to the **POINT OF BEGINNING**;
 Thence continuing North 00° 02' 07" East along said mid-section line a distance of 660.57 feet;
 Thence South 89° 40' 19" East a distance of 1310.83 feet to the westerly line of said Parcel annexed by the City of Surprise;
 Thence South 00° 02' 31" East along said westerly line a distance of 660.98 feet;
 Thence North 89° 39' 14" West along the northerly line of said Parcel a distance of 1311.72 feet to the **POINT OF BEGINNING**.

Containing 866,441 sq. ft. or 19.8907 acres



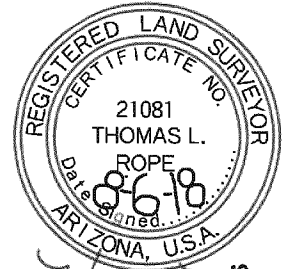
Land Survey Services PLC
 3160 N. 302nd Lane
 Buckeye, AZ 85396

Expires 3-31-2019

Job No. 16017

Exhibit B

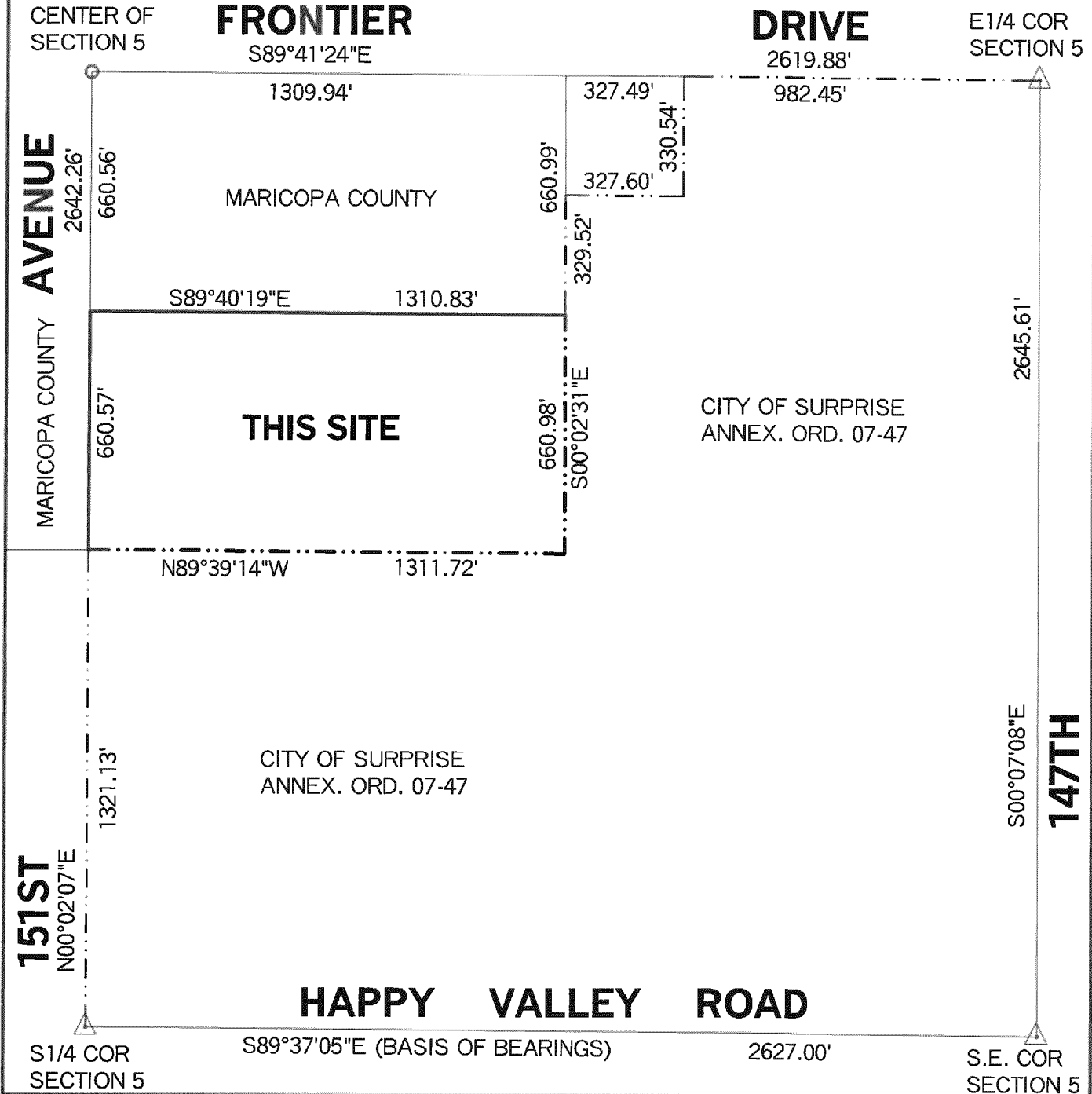
A PORTION OF THE S.E. QUARTER SECTION 5,
T4N, R1W, G&SRBM, MARICOPA COUNTY AZ



Expires 3/31/2019

1"=400'

----- LIMITS OF ANNEXATION PARCEL
ORD. 07-47, DOC #2007-1218674



AFFIDAVIT REGARDING ANNEXATION

Personally appears before me, Eric Fitzer, who, first being duly sworn, deposes and says as follows:

1. I make this affidavit of my own personal knowledge.
2. I am the duly appointed Community Development Director of the City of Surprise, Arizona and I am qualified to make this affidavit on behalf of and for the City.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Surprise and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City of Surprise Annexation Petition, which is filed herewith, with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471(A)(6), that no part of the territory associated with Surprise Case #FS18-315 for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.

FURTHER AFFIANT SAYETH NOT.


(Eric Fitzer, Surprise Community Development Director)

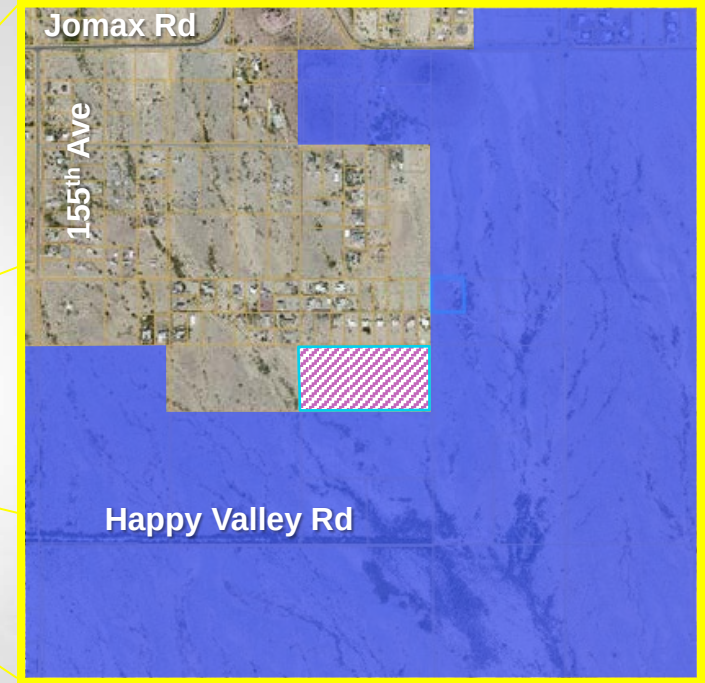
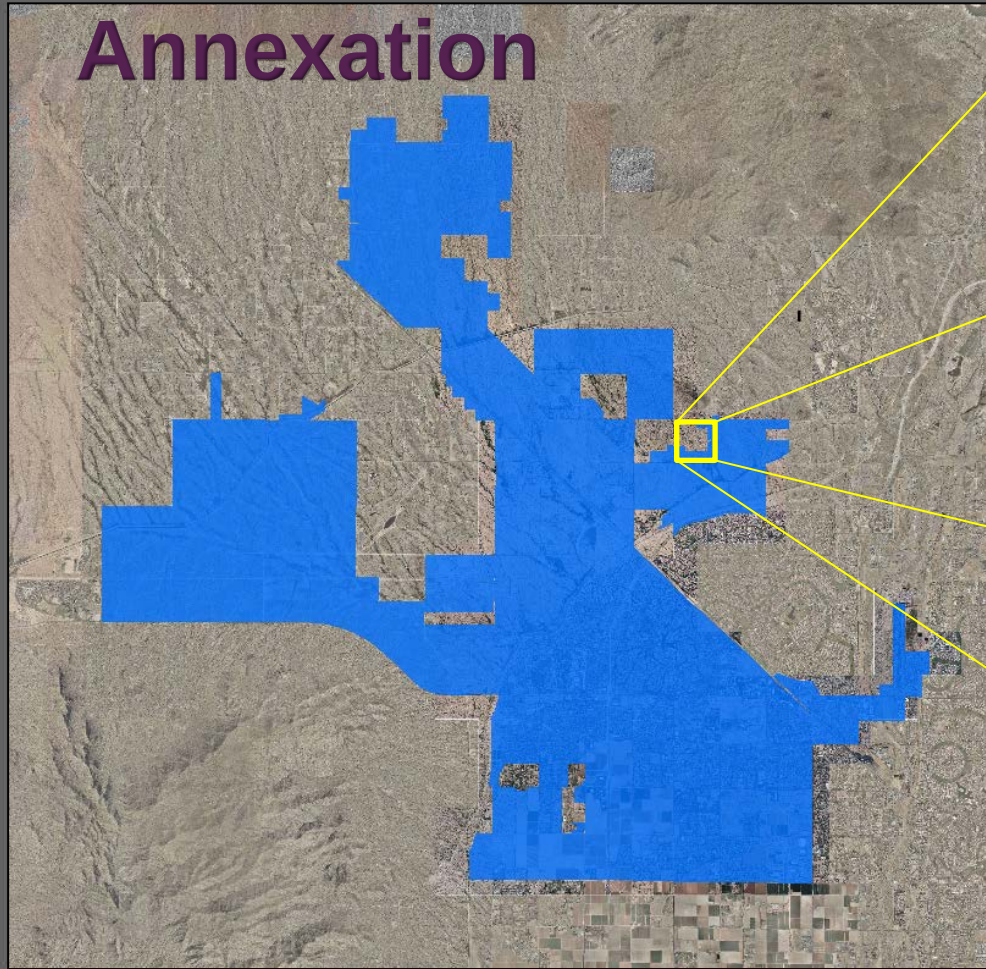
SWORN TO AND SUBSCRIBED before me
this 24th day of January, 2019.


Notary Public for the State of Arizona

My commission expires: 10/8/19



Annexation



-  Existing Surprise Incorporated Limits
-  Saddlehorn Ranch Annexation Boundary

FS18-315



City Council

February 19, 2019

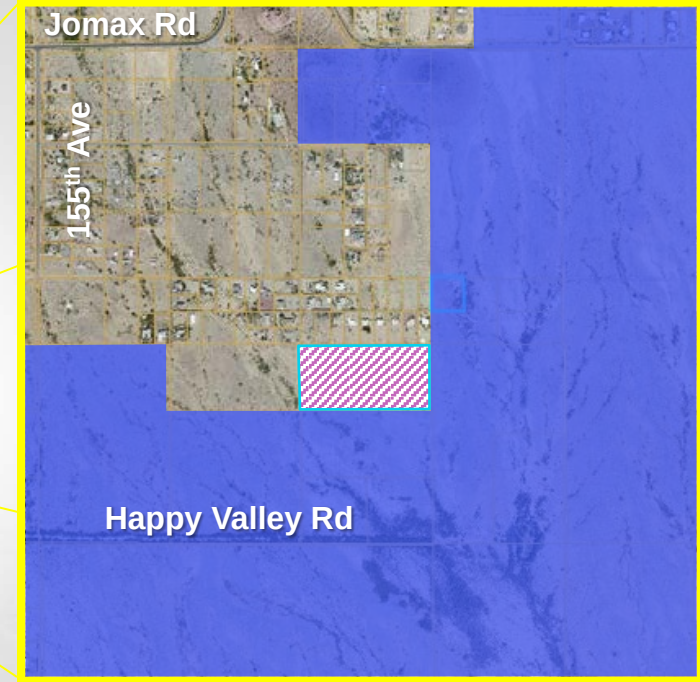
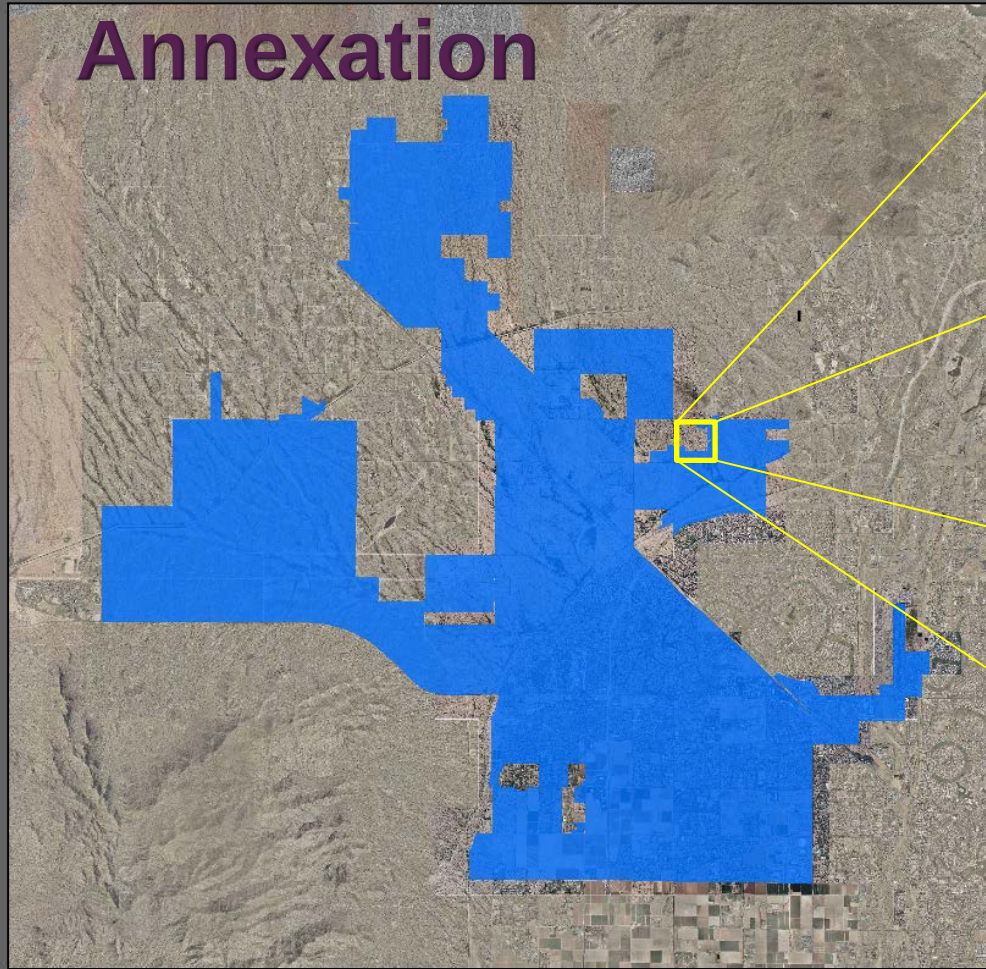


FS18-315

Saddlehorn Ranch

Annexation - Recorded Blank Petition

Annexation



-  Existing Surprise Incorporated Limits
-  Saddlehorn Ranch Annexation Boundary

FS18-315

Jomax Rd

155th Ave

Happy Valley Rd

Annexation



Existing Surprise Incorporated Limits



Saddlehorn Ranch Annexation Boundary

FS18-315

Jomax Rd

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  RU-43 Maricopa County Zoning

FS18-315

Jomax Rd

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  RR Surprise Zoning

FS18-315

Next Steps

Resolution for the Intent to Annex

- City Council – November 20, 2018

Filed Blank Petition: January 25, 2019

- Begins 30-day waiting period; ends February 25, 2019
- Reach out to County Assessor and Dept of Revenue

Public Hearing: February 19, 2019

- City council has public hearing to discuss the annexation proposal

Obtain signatures on annexation petitions: February 26, 2019

- Petition complete
- City Council adopts annexation ordinance

Concurrent Cases

Planning and Zoning Commission and City Council

➤ **FS18-316 Saddlehorn Ranch**

- ✓ Rezoning: from RR to RL-5 PUD (proposed 62 dwelling units)



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019

Contact Person: Jeanine Jerkovic, DIRECTOR -
ECON DEV

Submitting Department: Public Works

District: District 5

Staff Recommendations:

Consent: No	Regular: Yes	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations of \$657,000 from the Economic Development Contingency Fund to Capital Project P61420 City Center Public Infrastructure; Resolution # 2019-19.

Motion:

I move to approve Resolution # 2019-19.

Background:

The Civic Center Infrastructure improvement project is focused on delivering the infrastructure necessary to support and sustain the development within the square mile surrounding City Hall. The project may include, but is not limited to, the payment of city fees (plan review, regulatory, permit, impact, system); payment of public infrastructure (road, parking, landscaping, water, sewer, gas, drainage, power, telecom); payment of special inspection services; and shared public facilities (stadium, field, park, restrooms).

This item amends the capital budget in order to locate the necessary power and gas utilities for future development of the City Center.

Objective Analysis:

If this amendment is approved the project will continue to develop the necessary infrastructure to support future growth. If not, infrastructure improvements may be slowed and growth may be delayed.

Policy Compliant:

This item is in line and compliant with Council's strategic plan goal to develop economic growth within the City.

Financial Impact:

The actual costs of the infrastructure improvements will be based on service contracts to install the improvements. The budget amendment associated with this item will allow the Public Works department to process the associated invoices with this action item.

Budget Impact:

If approved, this item will amend the appropriated budget for FY2019 by moving Economic Development Contingency dollars to capital project P61420 City Center Public Infrastructure in the amount of \$657,000 and amending the FY2019 Operating List of Items Over \$50,000 by adding the necessary amounts for item # 19050 - City Center Public Infrastructure.

FTE Impact:

There are no FTE's associated with this item.

ATTACHMENTS:

1. Res. 2019-19 City Center Infrastructure BA-final 2.11.19
-

RESOLUTION # 2019-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF \$657,000 FROM THE ECONOMIC DEVELOPMENT CONTINGENCY FUND (10118199-90020) TO PROJECT P61420 CITY CENTER PUBLIC INFRASTRUCTURE TO COVER CAPITAL COSTS ASSOCIATED WITH BRINGING THE NECESSARY UTILITIES TO SERVE THE CITY CENTER AND ASSOCIATED FEES.

WHEREAS, the FY2019 budget was adopted including funding for Economic Development Contingency in the general fund and P61420 City Center Public Infrastructure in the general capital fund;

WHEREAS, Project P61420 City Center Public Infrastructure project has estimates from utility providers that will fulfil the intent of this capital improvement project which require additional FY19 funding;

WHEREAS, Economic Development contingency has \$955,000 in budget authority remaining;

WHEREAS, this project supports the City's economic development strategic plan;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

[SIGNATURE TO FOLLOW ON NEXT PAGE]

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-19
Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriations in the amount of \$657,000 for infrastructure improvements associated with the utility provider costs, and associated fees. The City is in the process of bringing the utilities necessary to complete the City Center Public Infrastructure project P61420. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
General Fund	General Operations	Contingency	E	\$955,000	(\$657,000)	\$298,000
General Capital Projects Fund	Public Works	#P61420 City Center Public Infrastructure	E	\$1,318,400	\$657,000	\$1,975,400

2. List of Operating Items Over \$50,000 - Council approved monies for City Center Public Infrastructure improvements for the purpose of Citywide Operations Fiscal Year 2019 Capital and Operating List of Items Over \$50,000. This amount was based the approved budget. With this budget amendment and additional line item adjustments within the operating budget those amounts will change accordingly.

Reference#	Description	Current Amount	Increase/ (Decrease)	Amended Amount
19050	City Center Public Infrastructure (P61420)	\$1,588,000	\$657,000	\$2,245,000



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 19, 2019
Submitting Department: Finance
Staff Recommendations:

Contact Person:
District: Citywide

Consent: No	Regular: Yes	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the approval of utility rates for a 5 year period - FY2020 - FY2024; Resolution #2019-17.

Motion:

I move to approve Resolution #2019-17.

Background:

The last comprehensive utility rate study was performed in 2014 which developed rates effective from FY 2015 through FY 2019. In anticipation of the end of the approved five-year rate schedule, City staff, beginning in 2017, undertook the review of the current and projected revenues, expenses, and capital projects for the water, wastewater, and solid waste utilities. The study identified historical and projected operating shortfalls in the Solid Waste division due to rising operating costs indicating that unless rate relief was provided beginning in FY 2020, the enterprise fund would be depleted. The study also concluded that water and residential wastewater would not be seeking any rate adjustments. City staff is seeking additions to commercial wastewater business categories that are used to determine treatment flow rates. Many businesses are classified as "other" for flow rates. Adding additional business categories will closer match the business to its treatment flow costs. This will mean some business will be charged lower wastewater rates and some will be charged higher rates. The study also identified miscellaneous and one-time services that are being performed with no fees associated with it. The rate adjustments proposal would increase solid waste monthly rates from its current \$16.96 per month to \$20.70 per month. In FY 2021, that rate is increased to \$23.40. In FY2022, the rate increases to \$23.50. In FY2023, the rate increases to \$23.60 and \$23.70 in FY 2024. Proposed rate adjustments in commercial wastewater and the miscellaneous and one-time fees are recommended to be changed in FY2020 only with no further changes in subsequent years. On November 6, 2018 a Council work session was conducted to review the results of the rate study and its recommendations. The study concluded residential solid waste services needed monthly rate increases as well as adjustment to commercial wastewater volumetric charges. On December 18, 2018, council approved the notice of intent to adjust water, wastewater, and solid waste rates. Pursuant to Ariz. Rev. Stat. 9-511.01, the public hearing on the proposed utility increases follows a 60 day public notice of intent to increase rates.

Objective Analysis:

The proposed rates for the next five-year cycle will develop a road map for financial stability to ensure the delivery of excellent customer service and efficient and effective utility services to the City's customers. If the rates are adopted, residents will see an increase to their solid waste utility bill. In addition, some commercial businesses will receive an increase to their wastewater utility charges, while others will be charged less than they are currently paying.

Policy Compliant:

This action is consistent with City policy and complies with all applicable state law pertaining to adoption procedure, including notice to the public and subsequent public hearing.

Financial Impact:

If approved, the increases in service fees and charges for commercial wastewater and solid waste utilities will increase the revenues needed to maintain the level of service provided by the City's utilities.

Budget Impact:

Although there is no budget impact at this time, the increases in services and charges for wastewater and solid waste utility funds will increase the revenues needed to maintain the level of service provided by the City's utilities.

FTE Impact:

None at this time.

ATTACHMENTS:

1. 19.01.15 Res 2019-17 Adopting New Utility Rates - final
-

RESOLUTION # 2019-17

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ADOPTING A NEW SCHEDULE OF RATES FOR WATER SERVICES, WASTEWATER SERVICES, SOLID WASTE SERVICES AND SERVICE FEES/UTILITY CHARGES WITHIN THE CITY SERVICE AREAS.

WHEREAS, the City of Surprise is a provider of water, wastewater, and solid waste services;

WHEREAS, the City has a responsibility to ensure that the rates charged to its customers fully recover the total cost of operating each system, including capital improvement and replacement, operations, maintenance, general administration, fiscal policy attainment, cash reserve management, and debt repayment;

WHEREAS, Ariz. Rev. Stat. § 9-511.01 permits the City to adjust the rates charged to water and wastewater utility customers after adopting and publishing a notice of intention and holding a public hearing;

WHEREAS, Ariz. Rev. Stat. § 9-499.15 permits the City to increase the rates charged to City residents for solid waste services after providing notice;

WHEREAS, all requirements of Ariz. Rev. Stat. § 9-511.01 and Ariz. Rev. Stat. § 9-499.15 regarding the increase of any water, wastewater and sanitation rate or rate component, fee or service charge have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The schedule of utility rates attached as Exhibit A is adopted as the schedule of rates for water, wastewater, and solid waste services and miscellaneous utility charges for the City of Surprise service areas.

Section 2. The rates and charges contained in Exhibit A shall become effective July 1, 2019 for all services billed thereafter.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Resolution # 2019-17
Exhibit A
City of Surprise
Utility Rates

MONTHLY UTILITY RATES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
WATER RATES (All Customers)						
Base Charges						
	<u>Meter Size</u>					
	0.625 inch	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82
	0.75 inch	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82	\$ 28.82
	1 inch	\$ 37.47	\$ 37.47	\$ 37.47	\$ 37.47	\$ 37.47
	1.5 inch	\$ 95.11	\$ 95.11	\$ 95.11	\$ 95.11	\$ 95.11
	2 inch	\$ 152.73	\$ 152.73	\$ 152.73	\$ 152.73	\$ 152.73
	3 inch	\$ 308.35	\$ 308.35	\$ 308.35	\$ 308.35	\$ 308.35
	4 inch	\$ 489.90	\$ 489.90	\$ 489.90	\$ 489.90	\$ 489.90
	6 inch	\$ 951.11	\$ 951.11	\$ 951.11	\$ 951.11	\$ 951.11
	8 inch	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19	\$ 1,536.19
Volumetric Charges						
	<u>Potable</u>					
	0 - 10,000 Gallons	\$ 2.37	\$ 2.37	\$ 2.37	\$ 2.37	\$ 2.37
	10,001 - 20,000 Gallons	\$ 4.68	\$ 4.68	\$ 4.68	\$ 4.68	\$ 4.68
	Over 20,000	\$ 5.44	\$ 5.44	\$ 5.44	\$ 5.44	\$ 5.44
	<u>Non-Potable</u>					
	0 - 10,000 Gallons	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	10,001 - 20,000 Gallons	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	Over 20,000	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89
	Effluent Reuse Agreement (1989) - per 1,000 Gallons	\$ 0.23	\$ 0.23	\$ 0.23	\$ 0.23	\$ 0.23
SOLID WASTE RATES						
Monthly Base						
	Per Solid Waste Can	\$ 20.70	\$ 23.40	\$ 23.50	\$ 23.60	\$ 23.70
WASTEWATER RATES						
Monthly Base						
	Single Family	\$ 24.78	\$ 24.78	\$ 24.78	\$ 24.78	\$ 24.78
	Multi-Family - Per Unit	\$ 21.77	\$ 21.77	\$ 21.77	\$ 21.77	\$ 21.77
	RV Resort - Per Unit/Space	\$ 12.47	\$ 12.47	\$ 12.47	\$ 12.47	\$ 12.47
	Commercial - Business Type	\$ 2.63	\$ 2.63	\$ 2.63	\$ 2.63	\$ 2.63
	Sewer Service Agreement - Cortessa and White Tank Foothills	\$ 3.36	\$ 3.36	\$ 3.36	\$ 3.36	\$ 3.36
Commercial Volumetric - Usage Charge Per 1,000 gallons						
	Bars w/o dining	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00
	Carwash	\$ 2.20	\$ 2.20	\$ 2.20	\$ 2.20	\$ 2.20
	Church	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83
	Funeral Home	\$ 6.48	\$ 6.48	\$ 6.48	\$ 6.48	\$ 6.48
	Garage & Service Stations	\$ 3.07	\$ 3.07	\$ 3.07	\$ 3.07	\$ 3.07
	Garden/Nursery	\$ 2.85	\$ 2.85	\$ 2.85	\$ 2.85	\$ 2.85
	Government Facilities	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Grocery Retail/Wholesale	\$ 5.92	\$ 5.92	\$ 5.92	\$ 5.92	\$ 5.92
	HOA Community Facilities	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83	\$ 2.83
	Hospitals, Convalescent, & Assisted Living	\$ 3.12	\$ 3.12	\$ 3.12	\$ 3.12	\$ 3.12
	Hotel	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00
	Industrial/Manufacturing	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Laundromats	\$ 2.36	\$ 2.36	\$ 2.36	\$ 2.36	\$ 2.36
	Medical Offices	\$ 3.33	\$ 3.33	\$ 3.33	\$ 3.33	\$ 3.33
	Mixed Use Retail	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Professional Office	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Restaurants & Bakeries	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20	\$ 6.20
	Retail/Wholesale	\$ 3.01	\$ 3.01	\$ 3.01	\$ 3.01	\$ 3.01
	Schools, Parks & Recreation	\$ 2.58	\$ 2.58	\$ 2.58	\$ 2.58	\$ 2.58
	Storage/Warehouse	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68	\$ 2.68
	Other	\$ 2.66	\$ 2.66	\$ 2.66	\$ 2.66	\$ 2.66
For Non-Residential Wastewater Customers that are not listed under the commercial business listing, the strength of the wastewater exceeds the Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS) of 150 parts per million respectively, the rate shall be calculated using the following table:						
		PER #BOD	PER #TSS	PER 1,000 Gal		
	Flow			\$ 0.6513		
	BOD	\$ 0.3078				
	TSS		\$ 0.2903			
	Capital			\$ 0.8627		
	Administrative			\$ 0.3899		

Resolution # 2019-17
Exhibit A
City of Surprise
Utility Rates

ANNUAL PREPAY RATES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
Single Annual Advance Payment (5% Prepayment Discount)						
SOLID WASTE RATES						
Per Solid Waste Can		\$ 235.97	\$ 266.76	\$ 267.90	\$ 269.04	\$ 270.18
WASTEWATER RATES						
Single Family		\$ 282.49	\$ 282.49	\$ 282.49	\$ 282.49	\$ 282.49
Multi-Family - Per Unit		\$ 248.18	\$ 248.18	\$ 248.18	\$ 248.18	\$ 248.18
RV Resort - Per Unit/Space		\$ 142.16	\$ 142.16	\$ 142.16	\$ 142.16	\$ 142.16
Sewer Service Agreement - Cortessa and White Tank Foothills		\$ 38.30	\$ 38.30	\$ 38.30	\$ 38.30	\$ 38.30
SERVICE FEES UTILITY CHARGES		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
General	Delinquent Notice Fee (COS)	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00
General	Delinquent Notice Fee (EPCOR)	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00
General	Delinquent Shutoff/Reconnect Fee (EPCOR)	\$ 113.66	\$ 113.66	\$ 113.66	\$ 113.66	\$ 113.66
General	Delinquent Shutoff/Reconnect Fee After Hrs (EPCOR)	\$ 154.07	\$ 154.07	\$ 154.07	\$ 154.07	\$ 154.07
General	Disconnect for Non-Payment Fee (COS)	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
General	Reconnect for Non-Payment Fee (COS)	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
General	Annual Prepay Cancellation Fee (after due date)	\$ 37.50	\$ 37.50	\$ 37.50	\$ 37.50	\$ 37.50
General	Establish Service Fee (COS)	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
General	Establish Service Fee (Third Party Water)	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
General	Establish/Reestablish Service After Hrs (COS)	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
General	Unpaid Final Bill Collection Admin Fee (90 days)	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
General	Returned Payment Fees	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
General	Late Fee	1.5% of Bal	1.5% of Bal	1.5% of Bal	1.5% of Bal	1.5% of Bal
Solid Waste	Cans Pulled for Non-payment Fee	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Re-establish Delinquent Can Service	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Roll Off Program - Initial Delivery/Relocation	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00
Solid Waste	Roll-Off Haul Fee	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Solid Waste	Roll-Off Disposal Fee (3% Increase each year)	\$ 27.21	\$ 28.03	\$ 28.87	\$ 29.73	\$ 30.63
Solid Waste	Roll-Off Hard to Handle Fee	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Additional Pick up of Cans Fee (After One Courtesy Per Year)	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Solid Waste	Appliance Pick Up Fee	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
Solid Waste	Bulk Pick Up Fee - Exceeds Pile Limit	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Solid Waste	Establish Service -New Can Delivery	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Solid Waste	Residential Container Replacement	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
Solid Waste	Special Trip Bulk Pick Up Fee	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Solid Waste	Temporary Suspension Fee	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00
WATER	Broken Lock Fee	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
WATER	Hydrant Meter Deployment	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
WATER	Hydrant Meter Relocate	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
WATER	Meter Re-Read Fee	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
WATER	Meter Tampering/Unauthorized Use Fee	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
WATER	Misc Field Visit/Special Trip Fee	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00	\$ 32.00
WATER	Meter/City Utility Facilities Damage Fee	Cost	Cost	Cost	Cost	Cost
WATER	Meter Testing Fee	Cost	Cost	Cost	Cost	Cost
DEPOSITS		07/01/2019 - 06/30/2020	07/01/2020 - 06/30/2021	07/01/2021 - 06/30/2022	07/01/2022 - 06/30/2023	07/01/2023 - 06/30/2024
Residential and Commercial Water		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Residential Wastewater		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Solid Waste		(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge	(3) times base charge
Commercial Wastewater		\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
Hydrant Meter		\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019

Contact Person: Robert Wingo, CITY
ATTORNEY

Submitting Department: Legal

District: Internal

Staff Recommendations: None

Consent: No

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to enter into executive session for discussion and consultation with the City Attorney for legal advice and to consider the City Council's position and provide instruction regarding settlement of the Circle City Water Company condemnation litigation pursuant to A.R.S. 38-431.03(A)(3) and (4).

Motion:

I move to enter into Executive Session.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 19, 2019

Contact Person: Robert Wingo, CITY
ATTORNEY

Submitting Department: Legal

District: Internal

Staff Recommendations: None

Consent: No	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action to enter into executive session for discussion, consultation, and legal advice with city attorneys and staff in order to consider the City Council's position regarding contract negotiations pertaining to real property in proximity of Surprise City Hall pursuant to A.R.S 38431.03(A)(3) and (4).

Motion:

I move to enter into Executive Session.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
