CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, April 19, 2022 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Any prayer or invocation that may be offered before the start of the Regular Council Meeting is a voluntary offering by a private resident of Surprise; has not been previously reviewed or approved by City Council or City staff; should not be considered an endorsement of any particular religion by the City or its officials, as the beliefs, viewpoint, and content are personal to the speaker; and no participation by any person in attendance is required. A list of volunteers is maintained by the office of the City Clerk and interested persons should contact the Clerk's Office for further information.

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

Fair Housing

E. City Manager Report

F. City Clerk Report

1.	Citywide	Consideration and action to appoint the following applicants to fill Board/Commission vacancies as follows: Appoint Christopher Whitwell to fill the remainder of a term on the Arts & Cultural Advisory Commission with term expiration of June 30, 2023 and Allison Wisniewski and Jennifer Quintero to fill the remainder of terms on the Veterans, Disability and Human Services Commission both with term expirations of June 30, 2023.	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.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

2.	Citywide	Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of April 5, 2022.	None Sherry Aguilar City Clerk
3.	District 6	Consideration and action to approve a request for a Series 12 (Restaurant) and Agent Change for NATIVE GRILL & WINGS located at 13929 W. Waddell Road, Surprise. AZ. 85379.	None Sherry Aguilar City Clerk
4.	District 3	Consideration and action pertaining to approval of the Final Re-Plat entitled, “Toll at Prasada, Unit K – Phase 3” and dated February 22, 2022, a re-plat of an approximately 42.19 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-853.	None Trever Fleetham Community Development
5.	District 1	Consideration and action pertaining to approval of an Easement Agreement and acceptance of an easement from LCD Asante, LLC, for a Communication Tower at the SPA 2 Waste Water Treatment Facility.	None Lloyd Abrams Community Development
6.	District 1	Consideration and action to accept a Drainage and Slope Easement from Saguaro Acres Community Facilities District for the purpose of roadway improvements along 171st Avenue at Dynamite Boulavard.	None Lloyd Abrams Community Development
7.	District 1	Consideration and action to accept an Utility Easement from HE Capital Asante, LLC, at the SPA 2 Waste Water Treatment Facility.	None Lloyd Abrams Community Development
8.	District 4	Consideration and action declaring the City's intention to create of a lighting improvement district known as, "City of Surprise, Arizona, SU-OTSCommSouth197 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2022-03.	None Kristin Tytler Public Works
9.	District 3	Consideration and action declaring the City's intention to create the lighting improvement district known as, "City of Surprise, Arizona, SU-WaddelNSarval198 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2022-04.	None Kristin Tytler Public Works
10.	District 5	Consideration and action declaring the City's intention to create the lighting improvement district known as, "City of Surprise, Arizona, SU-CityCenter01187 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the	None Kristin Tytler Public Works

		purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2022-38.	
11.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by reallocating appropriations of $4,000 within the Grants Fund from Contingency to Salaries in Project G54102 in order to accept a distribution from the Michael Phelps Foundation for the reimbursement of expenses related to implementing the Michael Phelps IM program; Resolution #2022-31.	None Holly Osborn Parks and Recreation
12.	Citywide	Consideration and action pertaining to the renewal of an Intergovernmental Agreement with Maricopa County authorizing the City to send police recruits to the Maricopa County Sheriff's Office Training Academy; Resolution #2022-39.	None Benny Pina Police
13.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority of $2,975,000 from contingency to the Fire-Medical Department for the purpose of covering increased operational costs and wildland fire deployments; Resolution #2022-42.	None Andrea Davis Fire - Medical
14.	Internal	Consideration and action pertaining to approval of an amendment to the FY2022 budget by moving budget authority in the amount of $200,000 from contingency to services within the Finance Department for consulting services; Resolution #2022-41.	None Andrea Davis Finance
	REGULAR AGENDA ITEM - PUBLIC HEARING:		
15.	District 3	Consideration and action pertaining to a Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density for the development of attached and detached multi-family rental community on the northeast corner of Peoria Avenue and Sarival Avenue; Ordinance #2022-08.	None Chris Sexton Community Development
16.	Citywide	Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to amend the approval processes for Site Plans and Preliminary Plats; Ordinance #2022-10.	None Trever Fleetham Community Development
	REGULAR AGENDA ITEM - NON-PUBLIC HEARING:		
17.	Internal	Presentation and discussion pertaining to the fiscal year 2021 annual audit and Annual Comprehensive Financial Report, and associated reports.	None Andrea Davis Finance
18.	Citywide	Consideration and action pertaining to approval of a Master Facilities Use Agreement with Ottawa University for Ottawa's use of City facilities; Resolution #2022-32.	None Kendra Pettis Sports and Tourism
19.	Citywide	Consideration and action pertaining to approval of the funding priorities for the Community Development Block Grant Program Annual Action Plan for Program Year 2022-2023.	Adam Lane Human Svcs and Comm Vitality

20.	Citywide	Presentation and discussion pertaining to City Roadway Standards and Maintenance	None Public Works

I. Other Business and Future Agenda Items

J. 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).

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 14, 2022 at 11:55 AM

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: April 19, 2022
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:
Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:
FTE Impact:

ATTACHMENTS:

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Contact Person:
Submitting Department: Human Svcs and Comm Vitality
District: Citywide
Staff Recommendations:

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

Agenda Wording:
Fair Housing

Motion:
No action

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

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

Agenda Wording:

Consideration and action to appoint the following applicants to fill Board/Commission vacancies as follows: Appoint Christopher Whitwell to fill the remainder of a term on the Arts & Cultural Advisory Commission with term expiration of June 30, 2023 and Allison Wisniewski and Jennifer Quintero to fill the remainder of terms on the Veterans, Disability and Human Services Commission both with term expirations of June 30, 2023.

Motion:

I move to appoint the following applicants to fill Board/Commission vacancies as follows: Appoint Christopher Whitwell to fill the remainder of a term on the Arts & Cultural Advisory Commission with term expiration of June 30, 2023 and Allison Wisniewski and Jennifer Quintero to fill the remainder of terms on the Veterans, Disability and Human Services Commission both with term expirations of June 30, 2023.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. WHITWELL_Redacted
2. WISNIEWSKI_Redacted
3. QUINTERO_Redacted

Date: 2-10-22
Time: 11:30 am
Served by:
Badge No.:
Accepted by: SS
~~LT/NOC~~ No.:

SURPRISE
ARIZONA

City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

(Per City Code, All applicants must reside in the City of Surprise)

Name: Christopher Whitwell

Address: [redacted] City & Zip: Surprse, AZ 85304

Phone (Home): [redacted] Cell: [redacted]

E: Mail Address: [redacted]

Year(s) you have resided in the City of Surprise? : 6 months

Board/Commission(s) you are applying for?

Arts & Cultural Advisory Commission

Education: Freshman at Ottawa University, Psychology Major

EMPLOYMENT BACKGROUND:

Present Employer/Position: American Dining Creations at the Hetrick Canteen at Ottawa University, Suprise

Kitchen Manager

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

Zesty Inc, San Franciso. Corporate Catering Start-up, until it was acquired by DoorDash. Sous Chef, 4 years

(Continued on Reverse Side)

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

Currently; President of the OUAZ Theatre Club in its inaugral year, Student Body Senator- OUAZ, Participated in the play 'Barefoot in the Park' with Mayor Skip Hall 11/2021, Enrolled in the City of Surprise City Academy -2022

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

None

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

I have a strong interest in the arts and cultures of the world, I moved to Surprise, in August 2021, to attent Ottawa University with a goal of a degree in Cultural Anthropology. I grew up in Alaska, and moved to San Francisco to continue my culinary career, previously I had worked all over Alaska in a varrying arraying of commercial kitchens. I am a member of the Ottawa tribe and am Yup'ik Eskimo, and i I want to learn about and preserve the arts and cultures of the local Native Americans. OUAZ being a new school and athletically driven in its first years, I as, the President of the Theatre Club, am trying to bring the arts and cultures of the students of the school to the surrouding community and I think that being a member of this committee would, help bridge the gap of Surprise and Ottawa University.

I, Christopher Whitnell 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, or email to: clerk@surpriseaz.gov

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

Allison Wisniewski

Surprise, AZ, 85388
Phone: [redacted]
Email: [redacted]

PROJECT MANAGER / OFFICE SUPERVISOR

Experienced in Project Managing outside plant teams / broadband engineering & design, office management and customer service. Highly motivated project administrator/office manager with the ability to drive complex projects from concept to completion. Proficient in daily administrative tasks necessary to maintain operations. Efficiently manages goals, quality standards and timelines for multiple projects.

- 12 years as Manager - Engineering Outside Plant (OSPE)
- 6 years as Manager - Broadband Design
- 3 years as Managing Supervisor
- 14 years as Project Coordination / Management of complex facility operations / services
- 23 years of High-Quality Customer Service
- Strong Vendor Relations and Communication skills
- Office Organizational Management / Time management
- Leadership and Training

Self-motivated, Team oriented and Interpersonal skills
Problem-solving, Trouble-shooting strengths
Proficient in Microsoft Office 2016, Telecom Databases – Network

PROFESSIONAL EXPERIENCE

ATT Communications (aka: SBC, Ameritech) Blue Island, IL 60406

Manager – OSP Engineering Design, Project Management ***2006 - 2018***
Manager – Broadband Engineering ***2000 - 2006***

- Project managed implementation of 300+ large scale corporate initiatives within the Chicagoland markets IE: Project Light-Gig (FTTP), Connected Community UVerse, Project Lightspeed (FTTN), Office of Underground Construction for CDOT (Chicago Department of Transportation), Presidential HELD orders initiatives: analyzing 350+ project for construction overruns, using MIC, JAM & Telco databases; throughout completion.

- Supervised (3) Engineering design assistants & (2) contractors, provided 1st level escalation single point of contact for HiCap Center, negotiated ordering critical dates for service delivery and monitored monthly performance checks on network facilities, to ensure facility performance.

- Built solid inter-departmental relationships and vendor accountability. Accomplished 100% of engineering corporate objectives and surpassed corporate result targets 92% during major deployments/conversions.

- Provide management operational support, address market segment planning issues to produce 98-100% on-time results and eliminate or minimize expedites/escalations; ensuring customer and vendor satisfaction levels at 100% and project success.

- Evaluated project progress/roadblocks; analyzing best practices, explaining the advantages and repercussion of various strategies. Quality control checks on new projects with 92% + review score, as projects dispatch to the field teams. Collaborate with peers, to improve APEX training documents & increase efficiency.

- Exceed at resolving corporate challenges with innovative solutions, systems and process improvements that increase efficiency, customer/vendor satisfaction and company revenue; while reducing corporate costs. Analyzing engineering IT systems for facility impact, completing 225+ reviews per month for permitting with the Office of Underground Coordination of Chicago.

- Collaborated with Six Sigma teams on a project that reduced multiple K-tasks - per one task function in the Midwest. Improvements to streamline of NETDSL/DAVAR testing by creating a one & done environment. Resulted in a 72.83% reduction of multiple k-tasks with $123k actual savings; resulting in $793k total overall savings per year.

Engineering Design Assistant – Project Coordination ***1999 - 2000***
Customer Service – Operator Services ***1995 - 1999***

- Detail-oriented and dedicated office management professional with experience handling a wide range of service concerns, design issues, permitting, technical, administrative and executive-level requirements. Leveraging strong multitasking skills to improve upon customer service and corporate goals.

- Excelled daily, reaching customer call volume and providing exceptional customer service in Operator Services at 1000+ calls per day within the allotted timeframe of 17 seconds.

EDUCATION AND PROFESSIONAL DEVELOPMENT

ATT University - Management and Career Development
Extensive OTJ training/classes: Business Fundamentals, Leadership & Mentoring, How to Excel at Customer Service, Engineering Design & Implementation, Field Safety/OSHA, Managing Employees & Building the Human Spirit

Skilled in Telco Systems: MIC, FEI, ARES/ARAMIS, JAM, TELCO11i, NIMS, Visio, WFA, ACAS, Autodesk, Buzzsaw

ACCOMPLISHMENTS

- 2014 Net-Ops Star performance award for Best in Class Network performance - for outstanding performance in the Project Light Speed project.

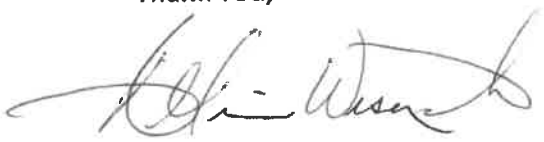
- 2014 AT&T Service Excellence Award - for providing excellence customer service.

- 1995 – 1999, (7) Commendations for Performance Excellence Customer Service.

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

Being a resident of the City of Surprise for 3 ½ years & retired, I found after 40 years of customer service that my passion is giving back to the community & for our veterans, to help navigate their needs in any way possible. It all started out with volunteering for the Reveille Foundation as my father a Korean War vet received information on veterans' benefits. From there I ended up becoming a NAU, AmeriCorps member for the past 2 years. As now I navigate resources for our active duty, veterans, and their families@ the West Valley Veterans Success Center @ the Surprise Resource Center. My knowledge from working with the Arizona Coalition for Military Families and Be Connected can bring wide variety of assets to the commission and have firsthand knowledge of what veterans' need, who can help the most, and what we can do better to those who have sacrificed and served our country!!

-Thank You,-



Allison Wisniewski

3-8-2022

SURPRISE
ARIZONA

City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

(Per City Code, All applicants must reside in the City of Surprise)

Name: Allison Wisniewski

Address: [redacted] City & Zip: Surprise, 85388

Phone (Home): ——— Cell: [redacted]

E: Mail Address: [redacted]

Year(s) you have resided in the City of Surprise? : 3½ Years

Board/Commission(s) you are applying for?

Veterans, Disability & Human Services Commission

Education: See Attached Resume'

EMPLOYMENT BACKGROUND:

Present Employer/Position: NAU, AmeriCorps Veteran Services

Previous Employer(s)/Position (Last 5 Years): See Attached Resume'

(Continued on Reverse Side)

Special Qualifications (Include list of Surprise activities or organizations you have participated in and dates):
SURPRISE OUTREACH FOR HOMELESS EVERY OTHER TUESDAY 2021 / to PRESENT
NATIONAL GUARD RESOURCE FAIR 12/10/21 SURPRISE CARE & SHARE EXPO 11/13/21
NAU. AMERICORPS MEMBER SINCE SEPTEMBER 2020 - PARTNERSHIP WITH BE CONNECTED® ARIZONA COALITION FOR MILITARY FAMILIES

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

No

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

SEE ATTACHED STATEMENT

I, ALLISON WISNIEWSKI 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, or email to: clerk@surpriseaz.gov

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

ASR 3-22-2022

SURPRISE
ARIZONA

City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

(Per City Code, All applicants must reside in the City of Surprise)

Name: Jennifer Quintero

Address: 19024 W. Mercer Ln City & Zip: Surprise 85388

Phone (Home): _____ Cell: 623-505-8870

E: Mail Address: Jenquintero1@gmail.com

Year(s) you have resided in the City of Surprise? : 20

Board/Commission(s) you are applying for?

Veterans, Disability and Human Services Commission

Education: BA- Wayland Baptist University AA - Community College of the Air Force

Certified Salesforce Administrator, Scrum Master, and Scrum Product Owner

EMPLOYMENT BACKGROUND:

Present Employer/Position: Salesforce, Lead Solution Engineer

Previous Employer(s)/Position (Last 5 Years): AZ Strategic Enterprise Technology Group - State of AZ

(Continued on Reverse Side)

Special Qualifications (Include list of Surprise activities or organizations you have participated in and dates):
current – Mentor for Veterans – Veterati and hiring our Heros

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

NO

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

I am a female USAF veteran and a Surprise resident. I have personally been through the process for Veteran disability support and would love to be part of the changes supporting Veterans in Surprise. I have a diverse background and believe I can be a great asset to the group.

I, Jennifer Quinteno 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, or email to: clerk@surpriseaz.gov

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: April 19, 2022
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 the Regular City Council Work Session and Regular City Council Meeting of April 5, 2022.

Motion:
I move to approve the meeting minutes

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
1. 45wks
2. 4.5.22 REG

CITY OF SURPRISE

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

Tuesday, April 5, 2022 @ 4:00PM

- **Call To Order**
- **Roll Call**

  - Mayor Hall called to order the Regular City Council Work Session of April 5, 2022 at 4:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Cline and Council Members: Winters, Duffy, Hastings and Judd (Remley-excused).

    Staff Present: City Manager, Bob Wingenroth; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

- **Call To The Public**
- **Regular City Council Work Session Agenda**
- **REGULAR AGENDA ITEM - NON-PUBLIC HEARING:**
- **1. Presentation and discussion pertaining to the FY2023 Budget Department Overview - Public Safety, General Government, & Community Services - NO ACTION**

  - City Court
    Police Department

    Vice Mayor Cline - Questioned dispatch program

    Fire-Medical

    Council Member Judd asked about staffing for new station and a

timeline.

Mayor Hall asked for clarification on the ladder truck replacement.

Council Member Hastings - questioned the land for a fire station and where we are at for closing?

City Manager Wingenroth commented that he has a meeting with Maricopa Water District on this issue.

Council Member Winters - How are we doing with our ambulance situation? Are we making money?

Community Services (HSCV):

Mayor Hall asked what is the result of a housing study?

Mr. Dyson commented that this will allow us to analyze housing trends with census data, trends, gap analysis, etc., Will also assist with acquiring HUD dollars.

Vice Mayor Cline complimented HSCV for their accomplishments

Parks & Recreation:

City Manager Winters - do we have 2 park rangers yet on staff? 2 positions, almost fully staffed with 2.

Mayor Hall asked how are we doing at Gaines Park? We don't have a park ranger there all the time. An uptick in vandalism, but we are working on it. Bathrooms are locked early.

Council Member Duffy - Asked about Marley Park, and lighting at Veramonte.

Mayor Hall asked about park at Sierra Montana lighting, etc.

Mayor Hall commented that we didn't finish a lot of things, we went through a tough economic time, we got a lot of left over things to fix as a City.

City Manager Wingenroth commented we can do inventory before the next meeting on capital projects.

Sports & Tourism:

Mayor Hall questioned the name of White Tanks.

Council Member Duffy - Permanent structure in right field instead of a tent? Would like to look at a permanent structure.

- Turned over presentation to Eric Boyles to continue with general government.

Mayor/Council:

City Manager's Office

Marketing & Communications:

Council Member Winters commented that its a great idea to separate this department into its own department.

City Auditor:

Council Member Judd - Will this be a third position in City Auditor? Yes correct.

Vice Mayor Cline - Happy to see a third auditor to provide a greater evaluation of our services in a more timely manner.

City Attorney:

City Manager Wingenroth complimented our legal department.

Mayor Hall commented that when I first came on to Council there were lots of complaints about our legal department, that has changed significantly.

Mayor Hall asked for clarification on Fire Premium Insurance? We receive a portion of the premiums. Digger Oster gave an explanation.

City Clerk:

Mayor Hall gave compliments to the Clerk's Office.

Finance Department:

Mayor Hall asked about the position being in public works professional estimator? Yes correct.

Human Resources:

Mayor asked for an explanation on comp class study. Also asked for explanation of compression.

Information Technology:

Council Member Judd asked about timing, when are we going to go over the actual budget itself.

- **Executive Session**
- **Adjournment**
    - Vice Mayor Cline made the motion to adjourn the Regular City Council Work Session of April 5, 2022 at 5:24 PM. Council Member Winters seconded the motion. Six yes votes, one excused (Remley), 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, April 5, 2022.**

_____
Sherry Ann Aguilar, City Clerk, MMC

CITY OF SURPRISE

Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, April 5, 2022 @ 6:00PM

- **Call To Order**
- **Invocation**
  - Led by Dan Johnson.
- **Roll Call**
  - Mayor Hall called to order the Regular City Council Meeting of April 5, 2022 at 6:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Cline and Council Members: Winters, Duffy, Hastings and Judd (Remley-excused).

    Staff Present: City Manager, Bob Wingenroth; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.
- **Pledge of Allegiance**
  - Led by Canyon Ridge Elementary School- Character Club
- **Proclamation and Community Acknowledgements**
  - Mayor Hall read aloud the proclamation for Water Awareness Month and presented to Water Services Director, Lee Lambert.
- **2. Water Awareness Month Proclamation**
- **1. Presentation by Friends of the Surprise Libraries pertaining to its annual bookmark contest.**
  - Mayor introduced Friends of the Library - Michelle Simpson and Lisa Fowler.

Student awards were presented.

- **City Manager Report**
    - Surprise Youth Council reports:

      Liv Shults - 12th grade Paradise Honors High School

      Sydney Main 9th grade Home School- Business Entrepreneur
    - New Emergency Manager - Kimberly Campbell

- **City Clerk Report**
- **Call To The Public**
- **Regular City Council Meeting Agenda**
- **CONSENT AGENDA:**
    - Vice Mayor Cline made the motion to approve the consent agenda. Council Member Duffy seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **1. Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of March 15, 2022 - APPROVED**
- **2. Consideration and action to approve a Series 10 (Beer & Wine) liquor license for A to Z Polish Market located at 17221 N. Litchfield Road, Surprise, AZ 85374 - APPROVED**
- **3. Consideration and action to approve a Series 12 (Restaurant) liquor license for Golden Wei Chinese Cuisine located at 17014 W. Bell Road, #106 & #107 Surprise, AZ 85379 - APPROVED**
- **4. Consideration and action to approve a Series 09 (Liquor Store) liquor license for Total Wine & More #1013 located at 13440 N. Prasada Parkway, Surprise, AZ 85388 - APPROVED**
- **5. Consideration and action pertaining to approval of the Central Arizona Project Subcontractor Compensated Conservation**

Program Agreement and associated Fiscal Year 2022 budget amendment by moving budget authority of $849, 900 from the Contingency Fund to Intergovernmental Revenue within the Water Operations Fund, moving $645, 400 from Services in the Water Operations Fund, moving $604, 200 from Contigency to the Water Utility Capital Fund in Project P71240 Water Acquisitions and authorizing an inter-fund cash transfer and amendment to the contract awarding list to facilitate the purchase of long-term water storage credits; Resolution #2022-35 - APPROVED

- **6. Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority of $13,200 within the Southwest Gas Capital Expenditures Fund from Contingency to Services in project A71020 Asset Replacement Wastewater; Resolution #2022-34 - APPROVED**
- **7. Consideration and action pertaining to approval of the Map of Dedication entitled, Ellen Ranch Model Phase and dated January 10, 2022, a property generally located near the northeast corner of 163rd Avenue and Happy Valley Road in a portion of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona. Â Case FS21-507 - APPROVED**
- **8. Consideration and action pertaining to approval of the Final Plat entitled, The G Ranch and dated February 16, 2022, a property generally located at the northwest corner of Peakview Road and 163rd Avenue; Case FS21-730 - APPROVED**
- **9. Consideration and action pertaining to approval of the Easement and Joint Use Agreement with Dysart Unified School District No 89; Resolution #2022-29 - APPROVED**
- **10. Consideration and action pertaining to approval of vacating the City of Surprise's interest in a portion of certain public roadways within Section 22, Township 4 North, Range 3 West, generally located west of the Beardsley Road alignment and west of 227th Avenue; Resolution # 2022-24 - APPROVED**
- **REGULAR AGENDA ITEM - PUBLIC HEARING:**
- **11. Consideration and action pertaining to a rezone from Rural Residential (RR) to Community Commercial (C-2) for approximately**

10.66 gross acres generally located west of the intersection of Grand Avenue and Happy Valley Road; Ordinance #2022-09 - THIS ITEM WAS REFERRED BACK TO THE PLANNING AND ZONING COMMISSION

- Council Member Judd made the motion to refer this item back to the Planning and Zoning Commission for further review. Council Member Winters seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **12. Consideration and action pertaining to continuing the potential adoption of the Property Maintenance Ordinance (PMO) beyond April 19, 2022 - POSTPONED INDEFINITELY**

  - Council Member Winters made the motion to postpone this item indefinitely. Council Member Judd seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **REGULAR AGENDA ITEM - NON-PUBLIC HEARING:**

- **13. Presentation and discussion pertaining to the fiscal year 2021 annual audit and Annual Comprehensive Financial Report, and associated reports - THIS ITEM WAS RESCHEDULED AS THE AUDITOR WAS NOT AVAILABLE**

- **14. Consideration and action by City Council determining, in accordance with A.R.S. Â§ 9-481(H),Â that the City of Suprise has complied with A.R.S.Â§ 41-1494, an Arizona law Â which prohibits a state agency, including cities, from requiring, or expending public funds on, certain training, orientation or therapy; Resolution #2022-25 - APPROVED**

  - Finance Director Davis commented that this was going to be presented with the CAFR and is now an action item.

    City Attorney Wingo explained the new requirement.

    This item will be presented to Council annually.

    Vice Mayor Cline made the motion to approve Resolution 2022-25. Council Member Judd seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **15. Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County to receive funding in the amount of $18,000,000 to build a general administration building for City of Surprise services to include a multi-generational Community Resource Center, Project G51730A; Resolution #2022-30 - APPROVED**

    - HSCV Director Dyson and Jacqueline Edwards, Maricopa County assisted with presentation on this item.

      Mayor Hall thanked Jacqueline for coming here and supporting our HSCV. He further asked why is this going to take so long? We need it sooner.

      Vice Mayor Cline commented that this is near and dear to my heart. I am excited about the Head Start Program coming to Surprise.

      Council Member Winters - I am so excited about this project. Thank you for bringing forward. What is going to happen with the old senior center? We will keep it, need space.

      Council Member Judd - How many people do we serve for these services now?

      Vice Mayor Cline made the motion to approve Resolution 2022-30. Council Member Winters seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **16. Consideration and action pertaining to approval of an amendment to Fiscal Year 2022 Budget by moving budget authority of $50,000 from Contingency to services within the Tourism Fund to establish a budget for Perfect Game Baseball Tournaments through December 2022; Resolution #2022-32 - APPROVED**

    - Sports and Tourism Director, Kendra Pettis commented that two applications are being presented tonight.

      CEO Brad Clement gave a powerpoint presentation to Council.

Council Member Duffy made the motion to approve Resolution 2022-32. Vice Mayor Cline seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **17. Consideration and action pertaining to approval of an amendment to Fiscal Year 2022 Budget by moving budget authority of $25,000 from contingency to services within the Tourism Fund to support the Vista Center for the Arts programming for the 2022-2023 Season; Resolution #2022-33 - APPROVED AS AMENDED**

    - Director of the Vista Center, John Williams gave an overview and presentation of this item.

      Council Member Judd made the motion to increase the amount from $25,000 to $45,000. Council Member Duffy seconded the motion. Six yes votes, one excused (Remley), motion carried.

      Vice Mayor Cline made the motion to approve Resolution 2022-23 as amended. Council Member Judd seconded the motion. Six yes votes, one excused (Remley), motion carried.

- **Other Business and Future Agenda Items**

    - Council Member Duffy - Road standards, seconded by Council Member Judd.

- **City Council Reports**

    - Council Member Hastings - Bark in the Park public meeting; State of the City; Kingswood Park Spring Fling

      Council Member Duffy - Today Last day of Spring Training;

      Council Member Judd - Benevilla, dinner in the desert; hosted meet and greet at Spenser's Place; Surprise Community Outreach Program grant meeting;

      Council Member Winters attended Bark in the Park meeting; introduction to Surprise Hall of Fame - Charlie Woodland; tomorrow celebration at stadium - Sun Dancers

Vice Mayor Cline - New Leaf fund raiser services in the community

Mayor Hall - Parks & Rec Eggstravaganza; 5th Annual Bean Bag Day event

- **Executive Session**
- **Adjournment**
    - Vice Mayor Cline made the motion to adjourn the Regular City Council Meeting of April 5, 2022 at 7:41 PM. Council Member Hastings seconded the motion. Six yes votes, one excused (Remley), 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 Meeting of **Tuesday, April 5, 2022.**

_____
Sherry Ann Aguilar, City Clerk, MMC

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 6

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

Agenda Wording:

Consideration and action to approve a request for a Series 12 (Restaurant) and Agent Change for NATIVE GRILL & WINGS located at 13929 W. Waddell Road, Surprise. AZ. 85379.

Motion:

I move to approve a request for a Series 12 (Restaurant) and Agent Change for NATIVE GRILL & WINGS located at 13929 W. Waddell Road, Surprise. AZ. 85379.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PD Native Grill & Wings April 2022
2. NATIVE GRILL AND WINGS
3. Finance 03.31.2022_NATIVE GRILL & WINGS-13929 W WADDELL RD
4. Fire 13929 W Waddell Native Grill Liquor License
5. CD Native Grill & Wings, 4-7-22 Report
6. CD Native Grill & Wings, 4-7-22 MAP

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: April 13, 2022

LICENSE NUMBER 12079626
Agent Change/Acquisition of Control - Series 12

APPLICANT:
Native Grill & Wings
13929 W Waddell Road
Surprise, Arizona 85379

FINDINGS:

1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Native Grill & Wings is a full-service family restaurant serving lunch and dinner. The restaurant seating capacity is listed as 232 persons, including 42 persons in the designated bar area. The market is people of all ages, from the greater Surprise area and surrounding communities.

2) ***Effect of vehicular traffic in close proximity.***
This agent change/acquisition of control will have no effect on vehicular 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.***
Since April 2017, there have been two reported incidents of disorderly conduct, one report of theft, a report of burglary from vehicle in the parking lot, and a reported intoxicated patron.

4) Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.
Native Grill & Wings is a stand-alone family restaurant, which has a separate bar area geared around viewing sports with a listing of 20 televisions on sight. The restaurant closes at approximately 10 PM during the week and at 11 PM on Friday and Saturday nights. There are some other fast food restaurants and smaller businesses in the general area. None of them appear to be open past 11 PM on the weekends.

5) Appropriateness of requested license.
The series 12 license is approved for restaurants per Arizona State law.

Submitted by Officer C. E. Tovar #2059

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210
Type or Print with Black Ink

805-127

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 189113

1. **Check the Appropriate Box** →

☐ Controlling Person ☑ Agent ☐ Premises Manager (complete all questions except #12)

2. Name: THURAISINGAM, NAVAYOGASINGAM Birth Date: [redacted] (NOT a public record)
Last First Middle

3. Social Security #: [redacted] Driver License #: [redacted] State: AZ

4. Place of birth: TG. MALIM, PERAK, MALAYSIA Height: 5'6" Weight: 190 Eyes: BR Hair: BLK
City State COUNTRY (not county)

5. Name of current/most recent spouse: THURAISINGAM LETICIA EMILIA Birth Date: [redacted] (NOT a public record)
Last First Middle

6. Are you a bona fide resident of Arizona? ☑ Yes ☐ No If yes, what is your date of residency: 5/1/1993

7. Daytime telephone number: 480.329.0149 E-mail address: NAVASINGAM@MSN.COM

8. Business Name: NATIVE GRILL & WINGS Business Phone: 480 / 696 / 3079

9. Business Location Address: 13929 W WADDELL RD SURPRISE, AZ MARICOPA 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
05/2005	CURRENT	CEO	KIND HOSPITALITY - 1225 N GILBERT RD MESA, AZ 85203

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
6/2021	CURRENT	8215 E VIEWCREST CIRCLE MESA, AZ 85207
8/2003	6/2021	4617 E GROVE CIRCLE MESA, AZ 85206

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☑ Yes ☐ No
If you answered YES, then answer **#13 below. If NO, skip to #14.**

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☑ Yes ☐ No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☑ No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐ Yes ☑ No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☑ No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐ Yes ☑ No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐ Yes ☑ No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I **(Print Full Name)** NAVAYOGASINGAM THURAISINGAM hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: _____ State of AZ County of MARICOPA

The foregoing instrument was acknowledged before me this

My Commission Expires on: 10-12-2024 (Date) 10 (Day) Day of MARCH (Month), 2022 (Year)

BRIAN DURETTE
Notary Public - Arizona
Maricopa County
Commission # 588940
My Comm. Expires Oct 12, 2024

_____
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ **SIGNATURE:** _____

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

ARIZONA STATEMENT OF CITIZENSHIP OR ALIEN STATUS FOR STATE PUBLIC BENEFITS

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

INDIVIDUAL OWNER/AGENT NAME (Print or type) NAVAYOGASINGAM THURAISINGAM

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? ☑ Yes ☐ No

If **Yes**, indicate place of birth:

City Tg. Malim State (or equivalent) PERAK Country or Territory MALAYSIA

If you answered **Yes**, 1) Attach a legible copy of a document from the attached list.

2) Name of document: PASSPORT
Go to Section IV.

If you answered **No**, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C.§§ 1621(a)(1),-1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- ☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- ☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C)

- ☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- ☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- ☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present

- ☐ 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section.
I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

NAVAYOGASINGAM THURAISINGAM
Individual Owner/Agent Printed Name

Individual Owner/Agent Signature

3-10-2022
Today's Date

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

'22 MAR 15 AM 8:34

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210
Type or Print with Black Ink

805-127

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 189113

1. **Check the Appropriate Box** →

☑ Controlling Person ☐ Agent ☐ Premises Manager (complete all questions except #12)

2. Name: THURAISINGAM ARYANNA DEVI Birth Date: [redacted] (NOT a public record)
Last First Middle

3. Social Security # [redacted] Driver License# [redacted] State: AZ

4. Place of birth: FLAGSTAFF AZ USA Height: 5'1" Weight: 125 Eyes: BRO Hair: BLK
City State COUNTRY (not county)

5. Name of current/most recent spouse: N/A Birth Date: ____/____/____ (NOT a public record)
Last First Middle

6. Are you a bona fide resident of Arizona? ☑ Yes ☐ No If yes, what is your date of residency: MAY 1997

7. Daytime telephone number: 480.696.3079 E-mail address: ARYSINGAM@MSN.COM

8. Business Name: NATIVE GRILL & WINGS Business Phone: 480 / 696 / 3079

9. Business Location Address: 13929 W WADDELL RD SURPRISE, AZ MARICOPA 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
07/2021	CURRENT	STUDENT	914 KEITH HILLS RD. LILLINGTON, NC 27546
11/2020	06/2021	HEALTH COACH	IORA HEALTH - 5916 MCKELLIPS RD MESA, AZ 85215
09/2019	10/2020	LAB TECHNICIAN	U OF A - 475 N 5TH ST. PHOENIX, AZ 85004
09/2018	09/2019	AMERICORPS VOLUNTEER	EMMAUS INC - 100 WINTER ST. HAVERHILL, MA 01830
08/2015	05/2018	STUDENT	4617 E GROVE CIR. MESA, AZ 85206

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
07/2021	CURRENT	914 KEITH HILLS RD. LILLINGTON, NC 27546
05/2021	07/2021	8215 E VIEWCREST CIR. MESA, AZ 85207
09/2019	05/2021	4617 E GROVE CIR. MESA, AZ 85206
09/2018	09/2019	100 WINTER ST. HAVERHILL, MA 01830
08/2003	09/2018	4617 E GROVE CIR. MESA, AZ 85206

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☐Yes ☑No
If you answered YES, then answer **#13 below. If NO, skip to #14.**

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☑No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐Yes ☑No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☑No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☑No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) ARYANNA DEVI THURAISINGAM hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: A D T

State of AZ County of MARICOPA
The foregoing instrument was acknowledged before me this

My Commission Expires on: 10-12-2024 (Date)

10 (Day) Day of MARCH (Month), 2022 (Year)

BRIAN DURETTE
Notary Public - Arizona
Maricopa County
Commission # 588940
My Comm. Expires Oct 12, 2024

B H
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ **SIGNATURE:** _____

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

ARIZONA STATEMENT OF CITIZENSHIP OR ALIEN STATUS FOR STATE PUBLIC BENEFITS

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

INDIVIDUAL OWNER/AGENT NAME (Print or type) ARYANNA DEVI THURAISINGAM

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? ☑ Yes ☐ No

If **Yes**, indicate place of birth:

City FLAGSTAFF State (or equivalent) AZ Country or Territory USA

If you answered **Yes**, 1) Attach a legible copy of a document from the attached list.

2) Name of document: DRIVER'S LICENSE
Go to Section IV.

If you answered **No**, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C.§§ 1621(a)(1),-1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- ☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- ☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C)

- ☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- ☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- ☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present

- ☐ 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section.
I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

ARYANNA DEVI THURAISINGAM
Individual Owner/Agent Printed Name

Individual Owner/Agent Signature

3-10-2022
Today's Date

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210
Type or Print with Black Ink

805127

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 18913

1. **Check the Appropriate Box** →

☐ Controlling Person ☐ Agent ☑ Premises Manager (complete all questions except #12)

2. Name: Boettcher (Last) Derek (First) Todd (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security #: [redacted] Driver License#: [redacted] State: AZ

4. Place of birth: VANDENBURG AFB, CA USA (City / State / COUNTRY (not county)) Height: 6'3" Weight: 290 Eyes: BLUE Hair: BROWN

5. Name of current/most recent spouse: BOETTCHER (Last) GLORIA (First) SUZZANE (Middle) Birth Date: [redacted] (NOT a public record)

6. Are you a bona fide resident of Arizona? ☑ Yes ☐ No If yes, what is your date of residency: 2008

7. Daytime telephone number: 602.377.5665 E-mail address: DEREK@KINDHOSPITALITY.COM

8. Business Name: NATIVE GRILL & WINGS Business Phone: 480 / 696 / 3079

9. Business Location Address: 13929 W WADDELL RD SURPRISE, AZ MARICOPA 85379 (Street (do not use PO Box) / City / State / County / Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
02/2015	CURRENT	EXECUTIVE VP	KIND HOSPITALITY

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
07/2015	CURRENT	5737 E HILLERY DR, SCOTTSDALE AZ 85254

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? If you answered YES, then answer **#13 below. If NO, skip to #14.** ☑ Yes ☐ No

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☑ No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☑ No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐ Yes ☑ No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☑ No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐ Yes ☑ No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐ Yes ☑ No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) DEREK BOETTCHER hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: _____ State of AZ County of MARICOPA

The foregoing instrument was acknowledged before me this

My Commission Expires on: 10-12-2024 (Date) 10 (Day) Day of MARCH (Month), 2022 (Year)

BRIAN DURETTE
Notary Public - Arizona
Maricopa County
Commission # 588940
My Comm. Expires Oct 12, 2024

_____
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: NAVAYOGASINGAM THURAISINGAM **SIGNATURE:** _____

SURPRISE
ARIZONA

MEMO

Date: 03/31/2022

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk

From: Sarah Williams

RE: Liquor License Application – NATIVE GRILL & WINGS-13929 W WADDELL RD

Business License Status:

☐ Application link emailed on .

☐ License # , current and valid for .

☑ Applied for license but is still pending and waiting on customer to provide additional information or documents.

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

March 31, 2022

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Native Grill and Wings
13929 W Waddell Rd
Surprise, AZ 85379

The Surprise Fire-Medical Department recently conducted a fire inspection at the above referenced location within the last 12 months to ensure compliance with the applicable fire codes within the tenant space and building. 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

COMMUNITY DEVELOPMENT DEPARTMENT

SURPRISE
ARIZONA

Date: April 6, 2022

To: Sherry Aguilar, City Clerk

From: Chris Boyd, Community Development Director
James Stewart, Zoning Specialist

Re: Liquor License Application for:

NATIVE GRILL & WINGS
13929 W. Waddell Road, Surprise, Arizona 85379

Series 12 (Restaurant) New License/Agent Change – Application # 189113

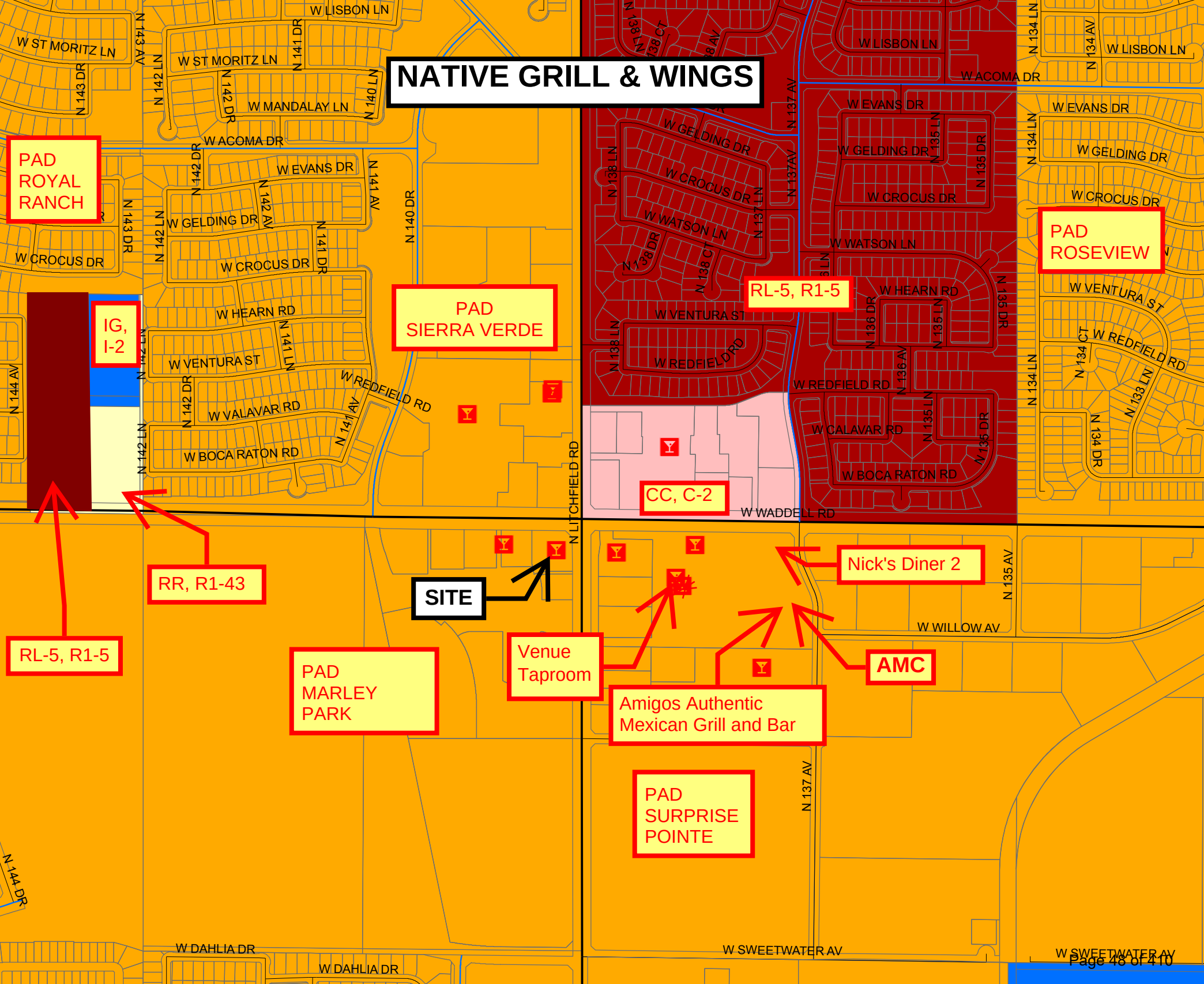
The number and series of licenses in close proximity to the subject site are:

1. N & B Pizza (Series 12) – 14010 N. Litchfield Rd.#212
2. Fry's Marketplace #674 (Series 9) – 13982 W. Waddell Rd.
3. Safeway Food & Drug # 2699 (Series # 9) – 13828 W Waddell Rd.
4. Walgreen's #12087 (Series 10) – 13723 N. Litchfield Rd.
5. Song Lynn Vietnamese Cuisine (Series 12) – 13749 N. Litchfield Rd. #109
6. Nick's Diner 2 (Series 12) – 13765 N. Litchfield Rd. (Under Renewal)
7. AMC Surprise Pointe 14 (Series 6) – 13649 N. Litchfield Rd. (Not Shown)
8. Amigos Authentic Mexican Grill and Bar (Series 12) – 13621 N. Litchfield Rd. (Not Shown)
9. Uptown Alley II (Series 6) – 13525 N. Litchfield Rd.
10. Venue Taproom (Series 12) – 13699 N. Litchfield Rd. (Not Shown - Expired)
11. Quiktrip #466 (Series 10) – 14057 W. Waddell Rd. (Expired)

The immediate area is comprised of commercial establishments. The property is zoned PAD C-2 which is consistent with the proposed use.

Commercial and residential growth is expected to grow.

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.


NATIVE GRILL & WINGS
PAD ROYAL RANCH
IG, I-2
PAD SIERRA VERDE
RL-5, R1-5
PAD ROSEVIEW
CC, C-2
RR, R1-43
SITE
RL-5, R1-5
PAD MARLEY PARK
Venue Taproom
Amigos Authentic Mexican Grill and Bar
Nick's Diner 2
AMC
PAD SURPRISE POINTE
W ST MORITZ LN
W LISBON LN
W MANDALAY LN
W ACOMA DR
W EVANS DR
W GELDING DR
W CROCUS DR
W WATSON LN
W HEARN RD
W VENTURA ST
W REDFIELD RD
W VALAVAR RD
W BOCA RATON RD
W CALAVAR RD
W WADDELL RD
W WILLOW AV
W DAHLIA DR
W SWEETWATER AV
N LITCHFIELD RD
N 143 AV
N 142 LN
N 141 DR
N 140 LN
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N 133 LN
N 134 DR

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 3
Staff Recommendations: None

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

Agenda Wording:
Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Unit K – Phase 3" and dated February 22, 2022, a re-plat of an approximately 42.19 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-853.

Motion:
I move to approve the Final Re-Plat entitled, "Toll at Prasada, Unit K – Phase 3" and dated February 22, 2022.

Background:
The subject request involves a Final Plat for Unit K of the Toll at Prasada project. The proposed Final Plat will create 176 standard lots consisting of four (4) lot products. Unit K was also included in the Phase 2 Infrastructure Plat that was approved under case FS19-061 and was depicted in said Final Plat as a single development parcel.

Objective Analysis:
The subject Final Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the LDO. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:
The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.17 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The site also lies within the 0-6 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by the GDC.

Financial Impact:
While this item does not have an immediate or direct financial impact, ongoing development activity in

the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 00 - FS21-853 Toll at Prasada Unit K Final Plat - Staff Report 041922 CC
2. 01 - FS21-853 Toll at Prasada Unit K - Vicinity Map
3. 02 - FS21-853 Toll at Prasada Unit K - Case Map
4. 03 - FS21-853 Toll at Prasada Unit K - Final Plat
5. FS21-853 Toll at Prasada Unit K Final Plat Presentation 041922 CC

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS21-853**
Project Name:	Toll at Prasada Unit K Final Plat
Council District:	3 - Mesquite
Meeting Date:	**April 19, 2022**
Planner:	Trever Fleetham, AICP

Owner:	Toll Prasada, LLC
Applicant:	Aaron Insco of Toll Bros, Inc.
Request:	A Final Plat for Toll at Prasada Unit K in the Prasada PAD
Site Location:	Generally located west of Cotton Lane, between Cactus Road and Peoria Avenue
Lot Yield:	176
Area:	42.19 acres (approx.)
Density:	4.17 DU/Ac.
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	None known

Findings:

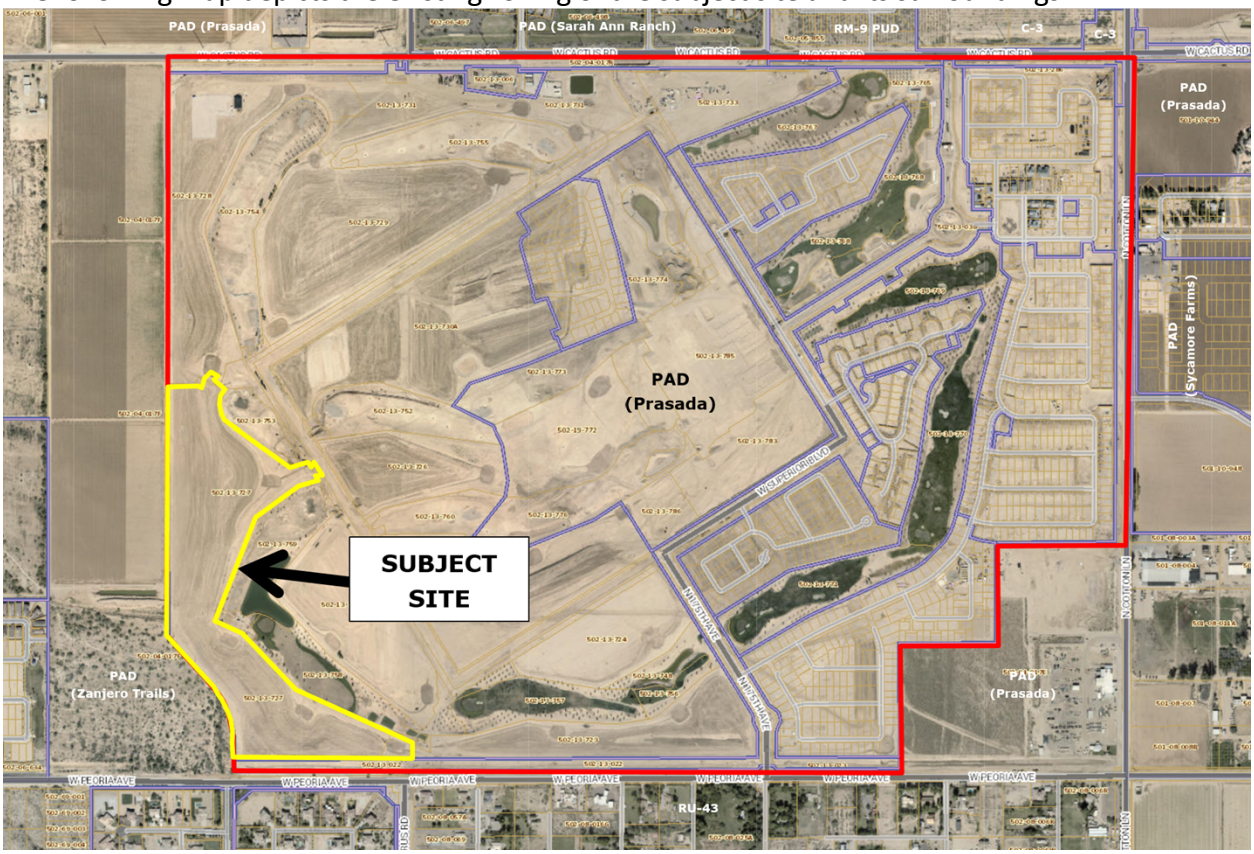
- The proposed Final Plat is consistent with the Prasada PAD.
- The proposed Final Plat is consistent with the Preliminary Plat as approved under FS21-399.
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

PROJECT DESCRIPTION:

The subject request involves a Final Plat for a Unit K of the Toll at Prasada project. The proposed Final Plat will create 176 standard lots consisting of four (4) lot products. Unit K was also included in the Phase 2 Infrastructure Plat that was approved under case FS19-061 and was depicted in said Final Plat as a single development parcel.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surroundings.



BACKGROUND:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

December 21, 2016: Staff approved a Minor Amendment to the Lake Village portion of the Prasada PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development standards.

February 12, 2018: Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada Lake Village under case FS17-587 for the purpose of revising specific development standards related to the Toll Brothers development.

April 17, 2018: The City Council approved the original Preliminary Plat for Toll at Prasada under case FS17-394.

January 15, 2019: The City Council approved the Final Plat for Toll at Prasada Phase I Infrastructure under case FS18-290.

August 6, 2019: The City Council approved the Final Plat for Toll at Prasada Phase 2 Infrastructure under case FS19-061.

May 18, 2021: The applicant filed case FS21-399, a Preliminary Plat for Unit K.

October 27, 2021: The applicant filed case FS21-853, the subject case, for a Final Plat for Unit K.

December 7, 2021: The City Council approved the Preliminary Plat for Unit K under case FS21-399.

ANALYSIS AND DISCUSSION:

The proposed subdivision of the 42.19 acre site will create 176 lots with 4.48 acres of open space, including 1.32 acres of active open space. Primary access to this subdivision will be via Mountainair Street, which is located near the northeast of Unit K. Secondary access will be via Julian Street, extending from Unit G to the southeast. Sausalito Drive will eventually continue north into the future Unit L.

City Council approval of the subject Final Plat will allow the applicant to obtain the civil construction permits necessary to begin construction of the infrastructure associated with Unit K. The proposed Final Plat is in substantial conformance with the Preliminary Plat, is consistent with the Prasada PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the Final Plat.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.17 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The site also lies with the 0-6 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by the GDC.

REVIEWING AGENCIES:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air Force Base, Maricopa Water District, and Maricopa County Flood Control District were included in the routing of this case. These agencies also indicate no objections.

Summary:

The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable requirements as set forth in the LDO. All city reviewing departments have reviewed the request and expressed no concerns.

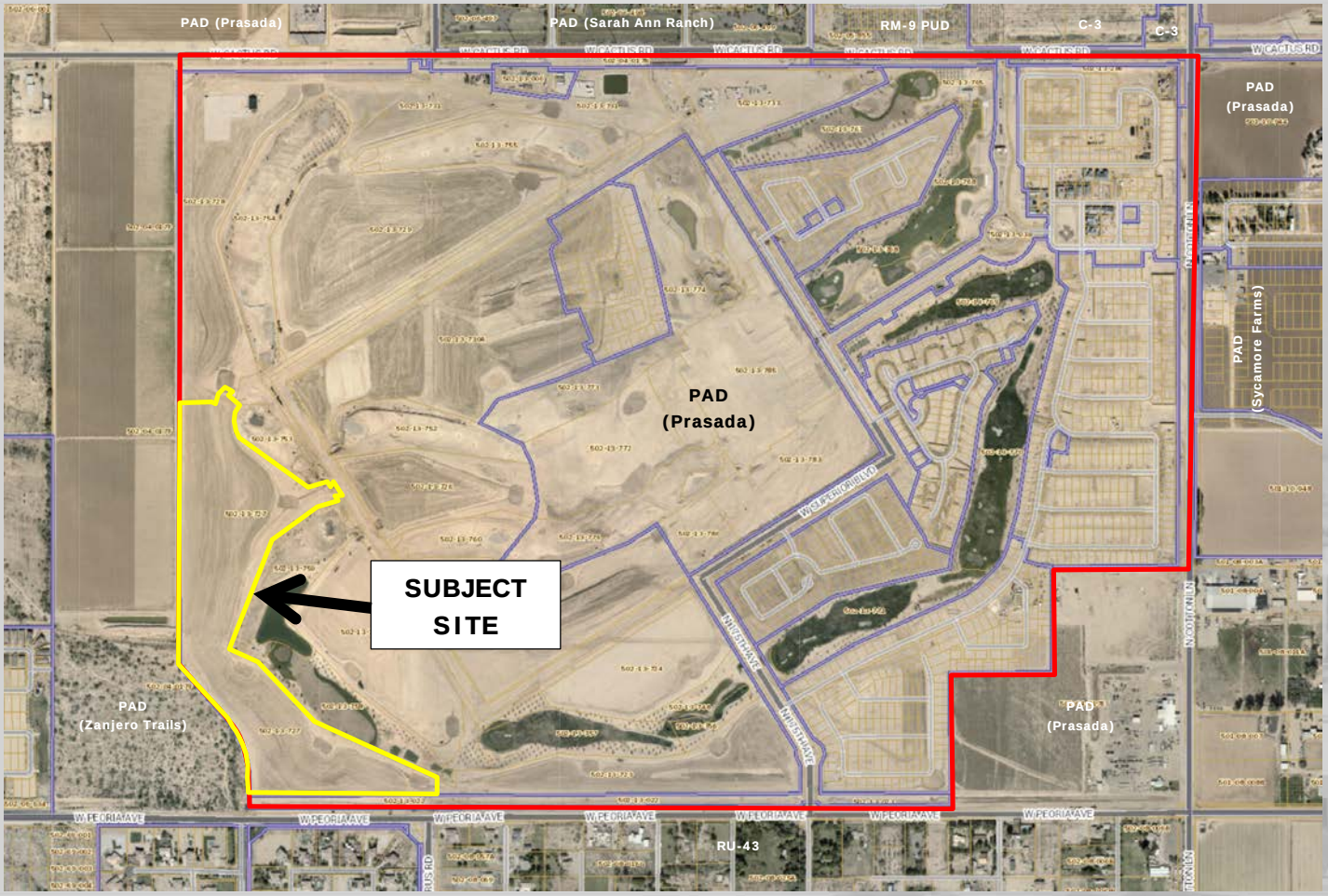
Attachments:

00 Staff Report
01 Toll at Prasada Unit K Vicinity Map
02 Toll at Prasada Unit K Case Map
03 Toll at Prasada Unit K Final Plat
PPT

FS21-853 Vicinity Map



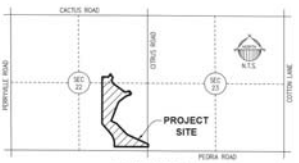
FS21-853 Case Map



FINAL RE-PLAT

Toll at Prasada, Unit K - Phase 3

BEING A RE-PLAT OF A PORTION OF PARCEL G, A PORTION OF PARCEL K, A PORTION OF PARCEL L, A PORTION OF TRACT C, A PORTION OF TRACT H, A PORTION OF TRACT HOLE 3, A PORTION OF TRACT HOLE 15 AND A PORTION OF TRACT HOLE 16, TOLL AT PRASADA, PHASE 2 MASTER PLAT AS RECORDED IN BOOK 1576 OF MAPS, PAGE 33, M.C.R., SITUATED IN A PORTION OF THE EAST HALF OF SECTION 22 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN MARICOPA COUNTY, ARIZONA



VICINITY MAP

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY, "OWNER", HAS SUBDIVIDED UNDER THE NAME TOLL AT PRASADA, UNIT K – PHASE 3, BEING A RE-PLAT OF A PORTION OF PARCEL G, A PORTION OF PARCEL K, A PORTION OF PARCEL L, A PORTION OF TRACT C, A PORTION OF TRACT H, A PORTION OF TRACT HOLE 3, A PORTION OF TRACT HOLE 15 AND A PORTION OF TRACT HOLE 16, TOLL AT PRASADA, PHASE 2 MASTER PLAT, AS RECORDED IN BOOK 1576 OF MAPS, PAGE 33, M.C.R., SITUATED IN PORTIONS OF SECTIONS SECTIONS 22 AND 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN MARICOPA COUNTY, ARIZONA, BEING A SUBDIVISION LOCATED IN A PORTION OF THE EAST HALF OF SECTION 22 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF TOLL AT PRASADA, UNIT K – PHASE 3 AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET AND EASEMENT CONSTITUTING THE SAME, AND THAT EACH LOT, TRACT, STREET AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR AND NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UNDER, UPON, AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS APPLICABLE: SEWER LINES AND MANHOLES, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE SEWER LINES AND MANHOLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS, AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS, AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENTS AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELDS.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNERS AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE PUBLIC UTILITY ACCESS IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PRIVATE STREET TRACTS.

TRACTS "K-A" THROUGH "K-H" ARE NOT DEDICATED TO THE PUBLIC, BUT ARE PLATTED AS COMMON PROPERTY FOR THE USE AND ENJOYMENT OF THE HOMEOWNERS ASSOCIATION, AS MORE FULLY SET FORTH IN IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. SAID HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR MAINTAINING SAID TRACTS.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAMES TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 2022.

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____ DATE: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2022 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____ _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

NOTICE OF PRASADA PRE-ANNEXATION DEVELOPMENT AGREEMENT

OWNER'S PREDECESSOR, SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, AND WESTCOR/SURPRISE LLC, AN ARIZONA LIMITED LIABILITY COMPANY HAVE ENTERED INTO A PRE-ANNEXATION DEVELOPMENT AGREEMENT DATED SEPTEMBER 12, 2006 ("AGREEMENT") WITH CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON SEPTEMBER 18, 2006, AT THE MARICOPA COUNTY RECORDER'S OFFICE AT DOCUMENT NO. 2006-1238109. AGREEMENT WAS RECENTLY AMENDED AND RECORDED ON JULY 20, 2018, AT THE MARICOPA COUNTY RECORDER'S OFFICE DOCUMENT NO. 2018-0551464. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT.

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 8, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TURF LANDS OR DECLARATIONS OF URBANIZED AREA, THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS, AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA

IN LOCATIONS WHERE APPLICABLE, INCLUDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL THE UTILITY SERVICE PROVIDER'S USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA PRIOR TO THE USE OR OCCUPANCY OF THE EASEMENTS GRANTED UNDER THE IGA. SUCH USE OR OCCUPANCY OF THE EASEMENTS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THE IGA.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE, A MAP DEPICTING THE MOST CURRENT ADOPTED WAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.

EPCOR PLAT DEDICATION

EXCEPT AS TO ANY AREAS SUBJECT TO THE EASEMENT OR EASEMENTS GRANTED TO MARICOPA WATER DISTRICT, AS DEPICTED ON THIS PLAT AND RECORDED IN THE OFFICE OF THE RECORDER, MARICOPA COUNTY, ARIZONA, A PERPETUAL WATER EASEMENT AS DESCRIBED IN THIS PLAT IS GRANTED TO EPCOR WATER ARIZONA INC., AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES. TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN. GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (AS MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "ZONE X SHADED," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1635L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
4. THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."
5. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS (#4751 AND 14710), WHEN APPLICABLE.
7. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE OWNER.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY HOMEOWNERS' ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
9. ZONING OF THE PROPERTY IS PER SURPRISE ZONING CASE FS17-587 OR AS SUBSEQUENTLY AMENDED.
10. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT AS APPROVED UNDER CITY OF SURPRISE CASE FS21-396.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 1901-2076 (176 LOTS)	1,281,167	29.4122
TRACTS K-A – K-H	195,320	4.4838
PRIVATE STREETS (TRACT K-PST)	361,444	8.2978
GROSS AREA	1,837,931	42.1930

100 YEAR ASSURED WATER SUPPLY

THE SUBDIVIDER HAS OBTAINED A CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY FROM THE DEPARTMENT OF WATER RESOURCES.

27-701007.0000 — 11/14/2018
CERTIFICATE NUMBER — DATE

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, BEING SOUTH 89°59'57" WEST AS MEASURED AND BEING SOUTH 89°59'41" WEST AS SHOWN ON MARICOPA COUNTY GDACS SURVEY RECORDED IN BOOK 661, PAGE 19, MARICOPA COUNTY RECORDS.

NOTICE OF TOLL AT PRASADA DEVELOPMENT AND WATER DELIVERY AGREEMENT

LANDOWNER ENTERED INTO THE TOLL AT PRASADA DEVELOPMENT AND WATER DELIVERY AGREEMENT DATED JANUARY 2, 2019 ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON JANUARY 3, 2019, AT THE MARICOPA COUNTY RECORDERS' OFFICE AT 2019-0002436. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT. THE AGREEMENT AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENT, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENT IS ON FILE AT THE OFFICES OF TOLL PRASADA LLC, AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 7 AND SECTION 8, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____, 2022.

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

ATTEST:

BY: _____ BY: _____
CHRISTINE CAIN GLEN VORTHERMS

ITS: PROPERTY & CONTRACTS MANAGER ITS: ASSISTANT SECRETARY

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____

ITS: _____

ENGINEER

EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, STE. 120
MESA, ARIZONA 85201
TEL: (480) 503-2250
FAX: (480) 503-2258
CONTACT: JAMES ROGERS, P.E.

OWNER/DEVELOPER

TOLL BROTHERS
8767 E VIA DE VENTURA, SUITE 390
SCOTTSDALE, AZ 85258
TEL: (602) 999-5684
CONTACT: AARON WOOD

SHEET INDEX

1	COVER SHEET
2	LOT AREA TABLE, TRACT AREA & USAGE TABLE, CURVE TABLE, LINE TABLE
3 – 7	FINAL PLAT PLAN SHEETS
8	FINAL PLAT PLAN SHEET & LEGAL DESCRIPTION

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT TOLL AT PRASADA COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "TOLL AT PRASADA, UNIT K – PHASE 3" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, TOLL AT PRASADA COMMUNITY ASSOCIATION, INC. HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 2022.

TOLL AT PRASADA COMMUNITY ASSOCIATION, INC.,
AN ARIZONA NON-PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2022 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____ _____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2022, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ _____
CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____, 2022

ATTEST:

_____ _____
MAYOR DATE

_____ _____
CITY CLERK DATE

CERTIFICATION

I, ROBERT A. JOHNSTON, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF OCTOBER, 2021; THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

ROBERT A. JOHNSTON, RLS 37495
EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, STE. 120
MESA, ARIZONA 85201
PHONE: (480) 503-2250
FAX: (480) 503-2258

DATE OF PREPARATION: 10/18/21 (REVISED DECEMBER 27, 2021 & REVISED FEBRUARY 02, 2022)

CASE NUMBER: FS21-853

EPS GROUP
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201 | P. 480.503.2250
w w w . e p s g r o u p i n c . c o m

Toll at Prasada
Unit K - Phase 3
Surprise, Arizona

FINAL RE-PLAT

Revisions:

Designer: RAJ
Drawn by: TJP

ROBERT A. JOHNSTON 37495

Job No.
16-339
FP01
Sheet No.
1
of 8

LOT #	AREA (SF)	AREA (AC)	CATEGORY
1901	8,481	0.1947	D2
1902	7,564	0.1736	D1
1903	8,286	0.1902	D1
1904	12,017	0.2758	D1
1905	11,378	0.2589	D1
1906	11,391	0.2615	D2
1907	11,920	0.2737	D2
1908	9,417	0.2162	D1
1909	10,815	0.2437	D1
1910	9,842	0.2259	D1
1911	11,004	0.2526	D1
1912	9,000	0.2066	D1
1913	5,704	0.1309	D1
1914	5,503	0.1263	D1
1915	5,500	0.1263	D1
1916	5,500	0.1263	D1
1917	5,500	0.1263	D1
1918	5,500	0.1263	D1
1919	8,824	0.2026	D1
1920	9,137	0.2098	D1
1921	5,500	0.1263	D1
1922	5,500	0.1263	D1
1923	6,600	0.1515	D1
1924	6,600	0.1515	D1
1925	7,614	0.1748	D2
1926	7,614	0.1748	D2
1927	6,600	0.1515	D1
1928	6,600	0.1515	D1
1929	5,500	0.1263	D1
1930	6,649	0.1526	D1
1931	10,805	0.2481	D1
1932	9,955	0.2285	D2
1933	6,600	0.1515	D1
1934	6,600	0.1515	D1
1935	7,614	0.1748	D2
1936	7,614	0.1748	D2
1937	6,600	0.1515	D1
1938	10,024	0.2301	C
1939	10,232	0.2349	C
1940	7,150	0.1641	D1
1941	7,614	0.1748	D2
1942	5,500	0.1263	D1
1943	5,500	0.1263	D1
1944	5,500	0.1263	D1
1945	6,600	0.1515	D1
1946	6,600	0.1515	D1
1947	6,600	0.1515	D1
1948	5,500	0.1263	D1
1949	5,500	0.1263	D1
1950	5,500	0.1263	D1
1951	6,600	0.1515	D1
1952	6,600	0.1515	D1
1953	7,700	0.1768	C
1954	7,449	0.1710	D1
1955	8,042	0.1846	D1
1956	7,293	0.1674	D1
1957	7,739	0.1777	C
1958	9,041	0.2076	C
1959	9,434	0.2166	C
1960	7,264	0.1668	D1
1961	6,684	0.1534	D1
1962	6,600	0.1515	D1
1963	5,500	0.1263	D1
1964	5,500	0.1263	D1
1965	5,500	0.1263	D1
1966	5,500	0.1263	D1
1967	6,648	0.1526	D1
1968	7,396	0.1698	D1

LOT #	AREA (SF)	AREA (AC)	CATEGORY
1969	9,449	0.2169	C
1970	9,425	0.2164	C
1971	9,439	0.2167	C
1972	9,433	0.2166	C
1973	8,372	0.1922	D2
1974	5,500	0.1263	D1
1975	5,500	0.1263	D1
1976	5,500	0.1263	D1
1977	5,500	0.1263	D1
1978	5,500	0.1263	D1
1979	5,499	0.1262	D1
1980	6,563	0.1511	D1
1981	5,500	0.1263	D1
1982	5,500	0.1263	D1
1983	5,500	0.1263	D1
1984	5,500	0.1263	D1
1985	5,500	0.1263	D1
1986	6,600	0.1515	D1
1987	8,327	0.1912	D2
1988	13,260	0.3044	D2
1989	7,246	0.1663	D1
1990	6,956	0.1597	D1
1991	6,666	0.1530	D1
1992	6,376	0.1464	D1
1993	6,086	0.1397	D1
1994	8,119	0.1864	D2
1995	7,955	0.1826	D2
1996	7,450	0.1711	D1
1997	6,613	0.1518	D1
1998	6,976	0.1602	D1
1999	11,945	0.2742	D1
2000	8,372	0.1922	D1
2001	9,504	0.2182	D1
2002	12,604	0.2893	D1
2003	13,291	0.3051	D1
2004	10,025	0.2301	D1
2005	12,708	0.2922	D2
2006	6,686	0.1535	D1
2007	6,324	0.1429	D1
2008	7,527	0.1728	D1
2009	11,263	0.2586	D2
2010	7,033	0.1615	D1
2011	5,683	0.1305	D1
2012	6,806	0.1562	D1
2013	9,594	0.2203	D2
2014	9,205	0.2113	D2
2015	7,824	0.1796	D2
2016	6,780	0.1556	D1
2017	6,025	0.1383	D1
2018	5,650	0.1297	D1
2019	5,650	0.1297	D1
2020	5,650	0.1297	D1
2021	5,702	0.1309	D1
2022	6,128	0.1407	D1
2023	6,128	0.1407	D1
2024	6,128	0.1407	D1
2025	5,855	0.1344	D1
2026	6,780	0.1556	D1
2027	6,780	0.1556	D1
2028	7,824	0.1796	D2
2029	14,252	0.3272	C
2030	11,724	0.2692	D2
2031	8,090	0.1857	D1
2032	7,916	0.1817	D1
2033	6,220	0.1428	D1
2034	6,220	0.1428	D1
2035	8,622	0.1979	D2
2036	7,824	0.1796	D2

LOT #	AREA (SF)	AREA (AC)	CATEGORY
2037	6,780	0.1556	D1
2038	6,780	0.1556	D1
2039	5,941	0.1364	D1
2040	6,322	0.1451	D1
2041	6,322	0.1451	D1
2042	5,817	0.1335	D1
2043	5,650	0.1297	D1
2044	5,650	0.1297	D1
2045	5,650	0.1297	D1
2046	6,780	0.1556	D1
2047	6,780	0.1556	D1
2048	7,824	0.1796	D2
2049	5,500	0.1263	D1
2050	5,500	0.1263	D1
2051	7,358	0.1689	D1
2052	7,645	0.1755	D1
2053	9,052	0.2078	C
2054	6,600	0.1515	D1
2055	6,600	0.1515	D1
2056	6,600	0.1515	D1
2057	6,600	0.1515	D1
2058	5,500	0.1263	D1
2059	5,500	0.1263	D1
2060	5,499	0.1262	D1
2061	7,979	0.1832	D1
2062	6,600	0.1515	D1
2063	6,600	0.1515	D1
2064	5,500	0.1263	D1
2065	5,500	0.1263	D1
2066	5,500	0.1263	D1
2067	5,500	0.1263	D1
2068	5,500	0.1263	D1
2069	5,500	0.1263	D1
2070	5,500	0.1263	D1
2071	5,500	0.1263	D1
2072	5,500	0.1263	D1
2073	5,500	0.1263	D1
2074	6,600	0.1515	D1
2075	6,600	0.1515	D1
2076	10,667	0.2449	D2

TRACT	USE	AREA (SF)	AREA (AC)
K-A	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	1,151	0.0264
K-B	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	225	0.0052
K-C	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	14,364	0.3435
K-D	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	13,792	0.3168
K-E	LANDSCAPE, OPEN SPACE, ** PUBLIC UTILITY EASEMENT & ** SIGHT VISIBILITY TRIANGLE EASEMENT	10,129	0.2325
K-F	LANDSCAPE, OPEN SPACE, ** PUBLIC UTILITY EASEMENT & ** SIGHT VISIBILITY TRIANGLE EASEMENT	2,315	0.0781
K-G	LANDSCAPE, OPEN SPACE, ** PUBLIC UTILITY EASEMENT & ** SIGHT VISIBILITY TRIANGLE EASEMENT	2,043	0.0469
K-H	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	15,888	0.3647
K-I	LANDSCAPE, OPEN SPACE, ** PUBLIC UTILITY EASEMENT & ** SIGHT VISIBILITY TRIANGLE EASEMENT	41,615	0.9553
K-J	LANDSCAPE, OPEN SPACE, DRAINAGE & ** PUBLIC UTILITY EASEMENT	3,015	0.0692
K-K	LANDSCAPE, OPEN SPACE, DRAINAGE & ** PUBLIC UTILITY EASEMENT	1,600	0.0367
K-L	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	4,230	0.0971
K-M	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	13,402	0.3077
K-N	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	5,563	0.1277
K-O	LANDSCAPE, OPEN SPACE & ** EPCOR WATER EASEMENT	57,857	1.3238
K-P	LANDSCAPE & OPEN SPACE	131	0.0030
K-PS1	PRIVATE STREET TRACT & PUBLIC UTILITY EASEMENT	361,444	8.2978
K-Q	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	3,330	0.0758
K-R	LANDSCAPE, OPEN SPACE & ** PUBLIC UTILITY EASEMENT	3,330	0.0758

NOTES

1. COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS, AND/OR AMENITIES.
2. SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAT ARE FULLY DELINEATED ON THE FOLLOWING SHEETS.
3. ** THE EASEMENTS LISTED ABOVE (SHOWN WITH AN ASTERIX **) ONLY AFFECT A PORTION OF THE TRACT WITH WHICH THEY ARE LISTED, AND ARE FULLY DELINEATED WITHIN THE PLAT. OTHER "USES" LISTED ABOVE ARE COMMON AREA.



KEY MAP (NTS)

LINE	BEARING	LENGTH
L1	S58°25'06"W	72.87'
L2	N31°34'54"W	110.63'
L3	S76°34'54"E	21.66'
L4	S13°25'06"W	21.66'
L5	N31°34'54"W	40.54'
L6	N31°34'54"W	40.85'
L7	N58°25'06"E	8.06'
L8	N58°25'06"E	8.06'
L9	N58°25'06"E	11.37'
L10	S58°25'06"W	8.00'
L11	S13°25'06"W	28.28'
L12	N58°25'06"E	8.00'
L13	N76°34'54"W	28.28'
L14	N58°25'06"E	11.37'
L15	N52°40'10"E	64.45'
L16	S38°54'07"W	52.61'
L17	S13°25'11"W	57.66'
L18	S55°49'15"E	51.47'
L19	S89°59'05"W	31.11'
L20	S68°42'32"E	35.65'
L21	S30°54'21"W	64.39'
L22	S58°45'01"W	64.44'
L23	S11°57'02"E	64.33'
L24	S34°04'16"E	64.78'
L25	S51°23'30"E	57.29'
L26	N89°50'14"W	53.37'
L27	S00°09'46"W	38.00'
L28	N42°31'44"E	20.75'
L29	S60°32'41"E	22.27'
L30	N60°32'41"W	50.53'
L31	N60°32'41"W	50.53'
L32	N60°32'41"W	60.63'
L33	N60°32'41"W	71.46'
L34	S68°49'20"E	50.00'
L35	S53°55'44"E	50.00'
L36	S53°55'44"E	50.00'
L37	S53°55'44"E	50.00'
L38	S53°55'44"E	50.00'
L39	S53°55'44"E	50.00'
L40	S53°55'44"E	50.00'
L41	S53°55'44"E	57.48'
L42	S68°49'20"E	18.88'
L43	N49°18'33"E	50.00'
L44	S84°24'38"E	33.13'
L45	S84°24'38"E	43.10'
L46	S25°55'16"W	38.35'
L47	S25°35'21"W	27.65'
L48	S42°25'38"E	38.00'
L49	N49°18'33"E	6.62'
L50	N49°18'33"E	6.62'
L51	S43°51'25"E	34.44'
L52	N88°02'24"E	20.46'
L53	S43°51'25"E	60.00'
L54	S43°51'25"E	50.00'
L55	S43°51'25"E	50.00'
L56	S43°51'25"E	50.00'
L57	S43°51'25"E	38.06'
L58	S85°18'38"E	29.39'
L59	S39°17'48"E	20.34'

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	10.13'	372.00'	1°33'36"	5.06'	10.13'	N56°11'54"E
C2	10.13'	292.00'	1°58'13"	5.06'	10.13'	N59°24'44"E
C3	164.17'	300.00'	31°21'16"	84.20'	162.15'	N74°05'45"E
C4	181.68'	332.00'	31°21'16"	93.18'	179.42'	N74°05'45"E
C5	159.20'	364.00'	31°21'16"	102.16'	196.72'	N74°05'45"E
C6	39.21'	272.00'	8°15'34"	19.64'	39.18'	N69°26'12"E
C7	468.22'	655.00'	41°02'42"	245.19'	458.25'	N20°10'03"W
C8	483.55'	675.00'	41°02'42"	252.61'	473.28'	N20°10'03"W
C9	145.58'	333.00'	25°02'56"	73.91'	144.42'	S33°48'56"W
C10	224.16'	325.00'	39°31'08"	116.75'	219.75'	S28°34'46"W
C11	533.76'	305.00'	100°16'07"	365.22'	468.21'	S03°47'41"E
C12	498.76'	285.00'	100°16'07"	341.27'	437.50'	S03°47'41"E
C13	27.75'	277.00'	5°44'25"	13.89'	27.74'	S42°28'10"W
C14	29.09'	20.00'	83°20'31"	17.80'	26.59'	N48°09'30"E
C15	29.09'	20.00'	83°20'31"	17.80'	26.59'	N48°09'58"W
C16	30.90'	20.00'	88°31'31"	19.49'	27.92'	S45°53'31"W
C17	271.83'	58.00'	268°31'31"	59.51'	83.07'	S44°08'08"E
C18	213.39'	325.00'	37°37'08"	110.70'	209.58'	S25°18'17"E
C19	30.26'	20.00'	86°40'36"	18.87'	27.45'	N00°46'24"W
C20	29.15'	20.00'	83°30'37"	17.85'	26.64'	S84°19'00"W
C21	33.69'	20.00'	96°29'28"	22.40'	29.84'	S05°47'00"E
C22	36.87'	20.00'	105°37'53"	26.36'	31.87'	S73°15'19"W
C23	177.60'	240.00'	42°23'58"	93.09'	173.58'	S21°21'45"W
C24	162.80'	220.00'	42°23'58"	85.33'	159.11'	S21°21'45"W
C25	70.78'	200.00'	20°16'36"	35.76'	70.41'	S10°18'04"W
C26	24.08'	20.00'	68°58'08"	13.74'	22.65'	S34°19'41"E
C27	48.16'	40.00'	68°58'08"	27.48'	45.30'	S34°19'41"E
C28	72.24'	60.00'	68°58'08"	41.23'	67.96'	S34°19'41"E
C29	31.42'	20.00'	90°00'00"	20.00'	28.28'	N33°49'20"W
C30	31.42'	20.00'	90°00'00"	20.00'	28.28'	N66°10'40"E
C31	110.44'	325.00'	19°28'15"	55.76'	109.91'	S30°54'48"W
C32	171.93'	305.00'	32°17'49"	88.31'	169.66'	S37°19'25"W
C33	160.65'	285.00'	32°17'49"	82.52'	158.53'	S37°19'25"W
C34	33.01'	20.00'	94°34'38"	21.97'	29.39'	N06°38'25"W
C35	25.34'	20.00'	72°35'46"	14.69'	23.68'	N89°46'23"E
C36	157.46'	100.00'	90°13'41"	136.14'	141.19'	N00°13'37"W
C37	224.35'	120.00'	107°04'14"	163.37'	193.45'	N00°13'37"W
C38	103.89'	140.00'	42°31'00"	54.47'	101.52'	N32°53'07"E
C39	27.50'	20.00'	78°46'53"	16.43'	25.39'	S00°21'36"W
C40	21.95'	20.00'	62°52'11"	12.22'	20.86'	S58°47'32"E
C41	64.53'	140.00'	26°24'17"	33.06'	64.35'	N40°38'36"W
C42	31.42'	20.00'	90°00'00"	20.00'	28.28'	N66°10'40"E
C43	31.42'	20.00'	90°00'00"	20.00'	28.28'	N23°49'20"W

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C44	38.75'	20.00'	111°00'34"	29.11'	32.97'	S55°40'13"W
C45	77.50'	40.00'	111°00'34"	58.22'	65.94'	S55°40'13"W
C46	116.25'	60.00'	111°00'52"	87.32'	98.90'	S55°40'14"W
C47	24.08'	20.00'	68°58'08"	13.74'	22.65'	S34°19'41"E
C48	72.24'	60.00'	68°58'05"	41.23'	67.96'	S34°19'48"E
C49	31.42'	20.00'	90°00'00"	20.00'	28.28'	N23°49'20"W
C50	31.42'	20.00'	90°00'00"	20.00'	28.28'	N66°10'40"E
C51	209.13'	140.00'	85°35'19"	129.62'	190.22'	S21°37'00"E
C52	179.26'	120.00'	85°35'19"	111.10'	163.05'	S21°37'00"E
C53	149.38'	100.00'	85°35'19"	92.58'	135.87'	S21°37'00"E
C54	31.42'	20.00'	90°00'00"	20.00'	28.28'	N19°24'39"W
C55	31.42'	20.00'	90°00'00"	20.00'	28.28'	S70°35'21"W
C56	108.84'	300.00'	20°46'41"	55.04'	108.23'	N36°04'41"E
C57	102.52'	280.00'	20°46'41"	51.84'	101.95'	N36°04'41"E
C58	262.43'	58.00'	259°14'25"	70.06'	89.35'	S03°48'48"E
C59	34.16'	20.00'	97°51'36"	22.85'	30.16'	N76°52'38"E
C60	107.62'	300.00'	20°33'15"	54.40'	107.04'	N04°08'02"W
C61	114.80'	320.00'	20°33'15"	58.02'	114.18'	N04°08'02"W
C62	121.97'	340.00'	20°33'15"	61.65'	121.32'	N04°08'02"W
C63	31.42'	20.00'	90°00'00"	20.00'	28.28'	N69°08'35"E
C64	31.42'	20.00'	90°00'00"	20.00'	28.28'	N68°51'25"W
C65	31.42'	20.00'	90°00'00"	20.00'	28.28'	S01°08'35"W
C66	62.83'	40.00'	90°00'00"	40.00'	56.57'	S01°08'35"W
C67	94.25'	60.00'	90°00'00"	60.00'	84.85'	S01°08'35"W
C68	226.97'	606.00'	21°27'34"	114.83'	225.65'	S54°35'11"E
C69	219.48'	586.00'	21°27'34"	111.04'	218.20'	S54°35'11"E
C70	211.99'	566.00'	21°27'34"	107.25'	210.75'	S54°35'11"E
C71	15.33'	453.00'	1°56'22"	7.67'	15.33'	S44°48'36"E
C72	63.92'	453.00'	8°05'04"	32.01'	63.87'	S49°50'19"E
C73	63.92'	453.00'	8°05'04"	32.01'	63.87'	S57°55'23"E
C74	26.48'	453.00'	3°21'03"	13.25'	26.48'	S63°38'23"E
C75	31.42'	20.00'	90°00'00"	20.00'	28.28'	N89°41'02"E
C76	62.83'	40.00'	90°00'00"	40.00'	56.57'	N89°41'02"E
C77	94.25'	60.00'	90°00'00"	60.00'	84.85'	N89°41'02"E
C78	31.42'	20.00'	90°00'00"	20.00'	28.28'	N20°18'58"W
C79	31.42'	20.00'	90°00'00"	20.00'	28.28'	S69°41'02"W
C80	127.34'	340.00'	21°27'34"	64.43'	126.60'	S54°35'11"E
C81	119.85'	320.00'	21°27'34"	60.64'	119.15'	S54°35'11"E
C82	112.36'	300.00'	21°27'34"	56.85'	111.71'	S54°35'11"E
C83	81.53'	190.00'	24°35'08"	41.40'	80.90'	S77°36'23"E
C84	72.95'	170.00'	24°35'08"	37.04'	72.39'	S77°36'23"E
C85	64.36'	150.00'	24°35'08"	32.69'	63.87'	S77°36'23"E

EPS GROUP
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Mesa, AZ 85201
p. 480.503.2250 f. 480.503.2258
w w w . e p s g r o u p i n c . c o m

Toll at Prasada
Unit K - Phase 3
Planning Area: Prasada

FINAL RE-PLAT

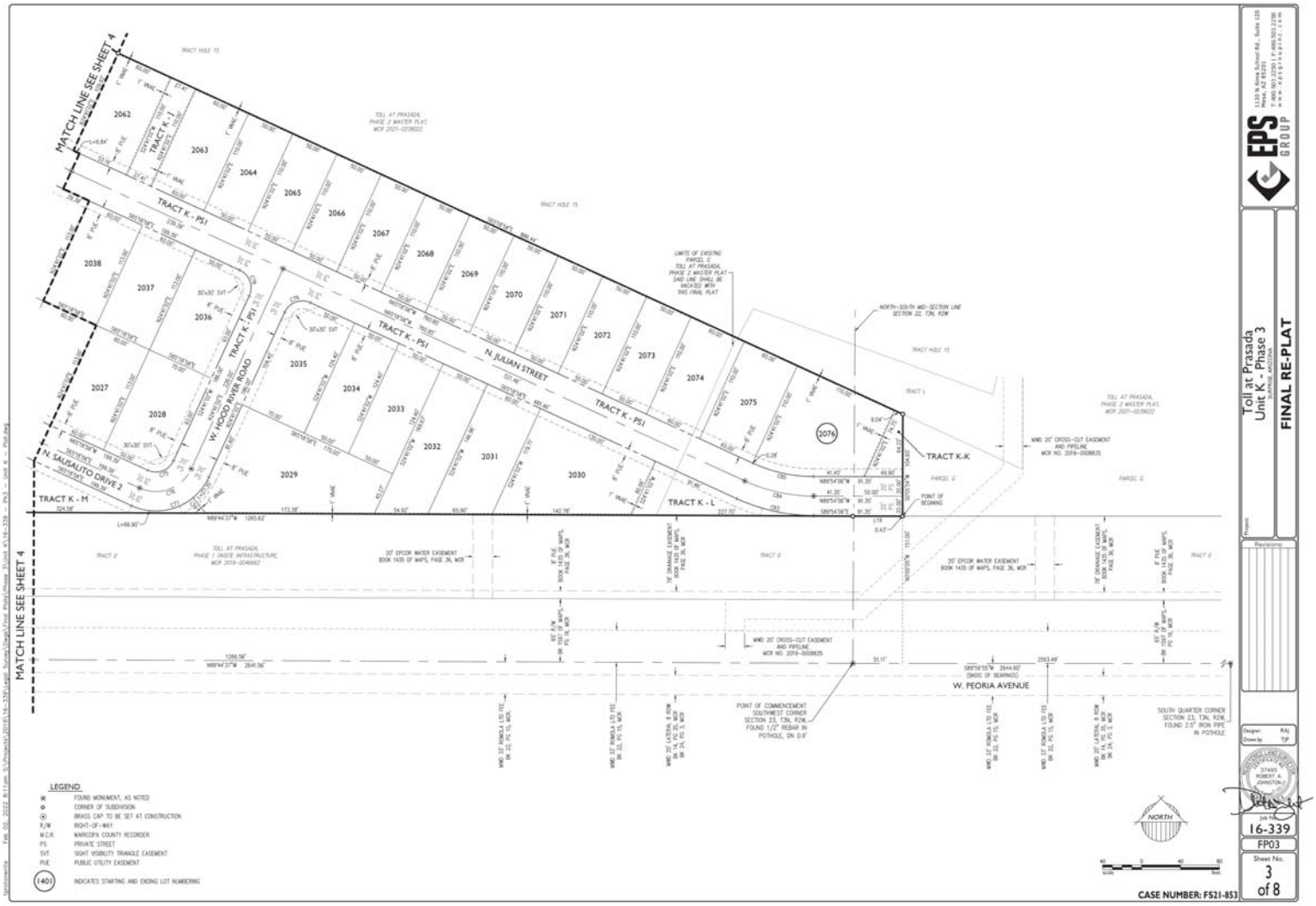
Revisions

Designer: RAJ
Drawn by: TP

Job No.
16-339
FP02
Sheet No.
2
of 8

CASE NUMBER: FS21-853

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MATCH LINE SEE SHEET 4
MATCH LINE SEE SHEET 4
TRACT K - PS1
TRACT K - PS1
TRACT K - PS1
N. JULIAN STREET
W. HOOD RIVER ROAD
N. SAUSALITO DRIVE 2
TRACT K - M
TRACT K - L
TRACT K-K
W. PEORIA AVENUE
POINT OF BEGINNING
POINT OF COMMENCEMENT SOUTHWEST CORNER SECTION 23, T3N, R2W, FOUND 1/2" REBAR IN POTHOLE, ON 0.9'
SOUTH QUARTER CORNER SECTION 23, T3N, R2W, FOUND 2.5" IRON PIPE IN POTHOLE
TOLL AT PRASADA, PHASE 2 MASTER PLAT, MCR 2021-0239022
TOLL AT PRASADA, PHASE 1 UNDIE INFRASTRUCTURE, MCR 2019-0246662
LIMITS OF EXISTING PARCEL G TOLL AT PRASADA, PHASE 2 MASTER PLAT. SAID LINE SHALL BE VACATED WITH THIS FINAL PLAT
NORTH-SOUTH MID-SECTION LINE SECTION 22, T3N, R2W
20' EPCOR WATER EASEMENT BOOK 1435 OF MAPS, PAGE 36, MCR
8' PUE BOOK 1435 OF MAPS, PAGE 36, MCR
19' DRAINAGE EASEMENT BOOK 1435 OF MAPS, PAGE 36, MCR
60' R/W BK 1357 OF MAPS, PG 16, MCR
MWD 20' CROSS-CUT EASEMENT AND PIPELINE MCR NO. 2019-0008835
MWD 20' CROSS-CUT EASEMENT AND PIPELINE MCR NO. 2019-0008835
MWD 20' RONDA LTD TITE BK 22, PG 15, MCR
MWD 20' LATERAL & ROW BK 24, PG 1, MCR
LEGEND
FOUND MONUMENT, AS NOTED
CORNER OF SUBDIVISION
BRASS CAP TO BE SET AT CONSTRUCTION
R/W RIGHT-OF-WAY
M.C.R. MARICOPA COUNTY RECORDER
PS PRIVATE STREET
SVT SIGHT VISIBILITY TRIANGLE EASEMENT
PUE PUBLIC UTILITY EASEMENT
(401) INDICATES STARTING AND ENDING LOT NUMBERING
NORTH
CASE NUMBER: FS21-853
EPS GROUP
1135 N Arma School Rd., Suite 120 Mesa, AZ 85201 p 480.503.2250 f 480.503.2258 w w w . e p s g r o u p i n c . c o m
Toll at Prasada Unit K - Phase 3
FINAL RE-PLAT
Revisions
Designer: RAJ
Drawn by: TJP
Job No. 16-339
FP03
Sheet No. 3 of 8

SURPRISE
ARIZONA

City Council

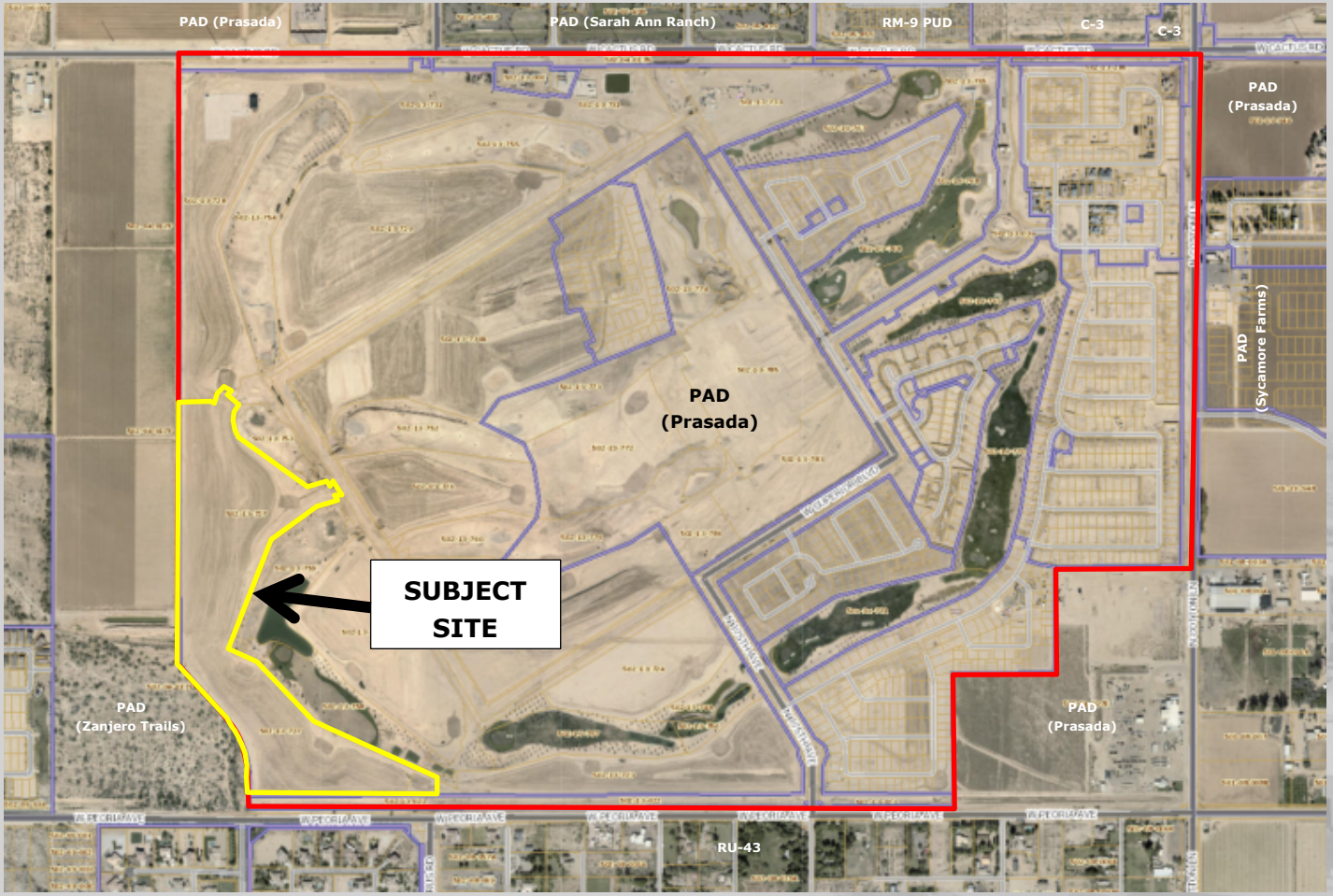
April 19, 2022

Toll at Prasada
Unit K Final Plat
FS21-853

FS21-853 Vicinity Map



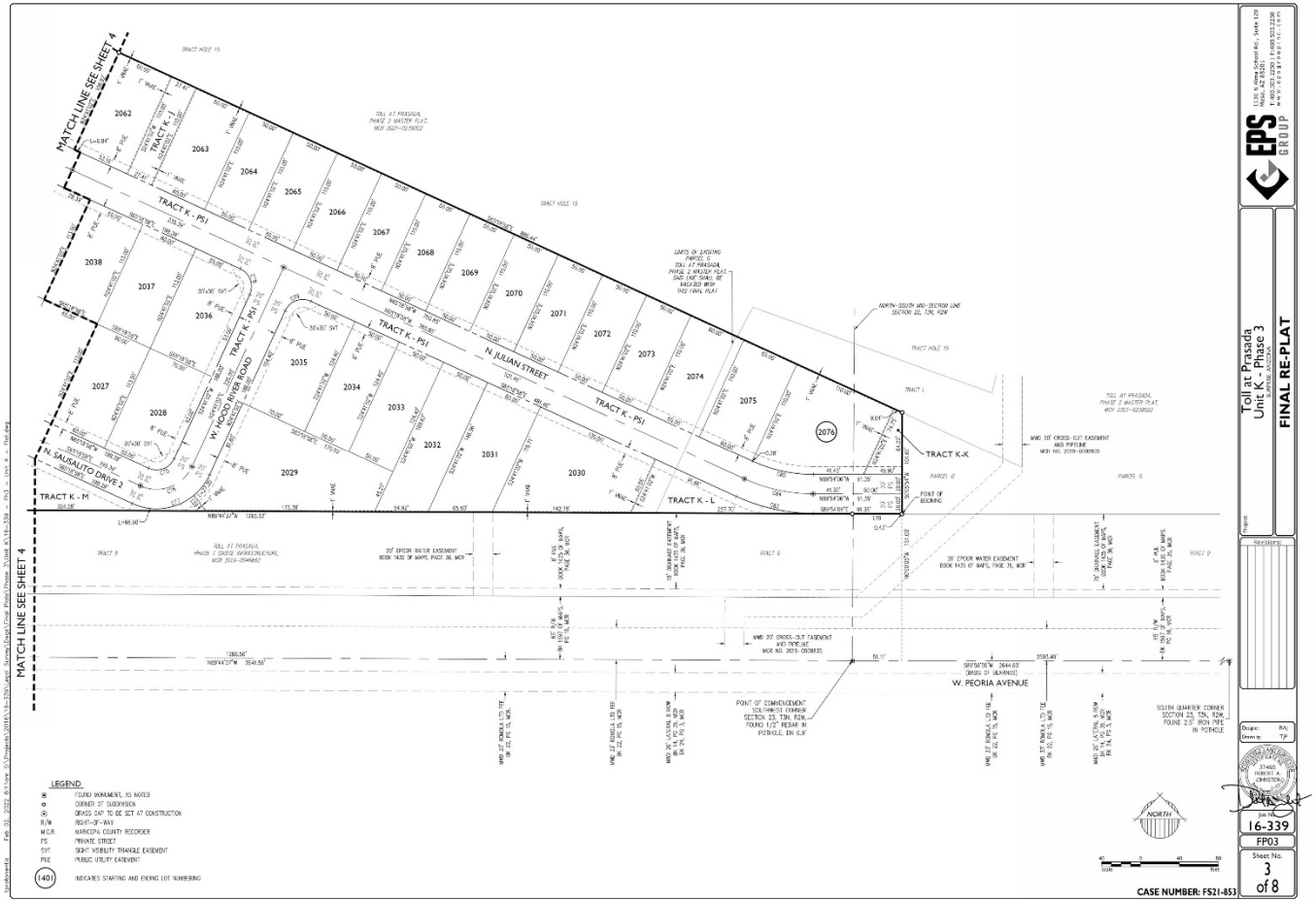
FS21-853 Case Map



Sterling Grove Master Plan



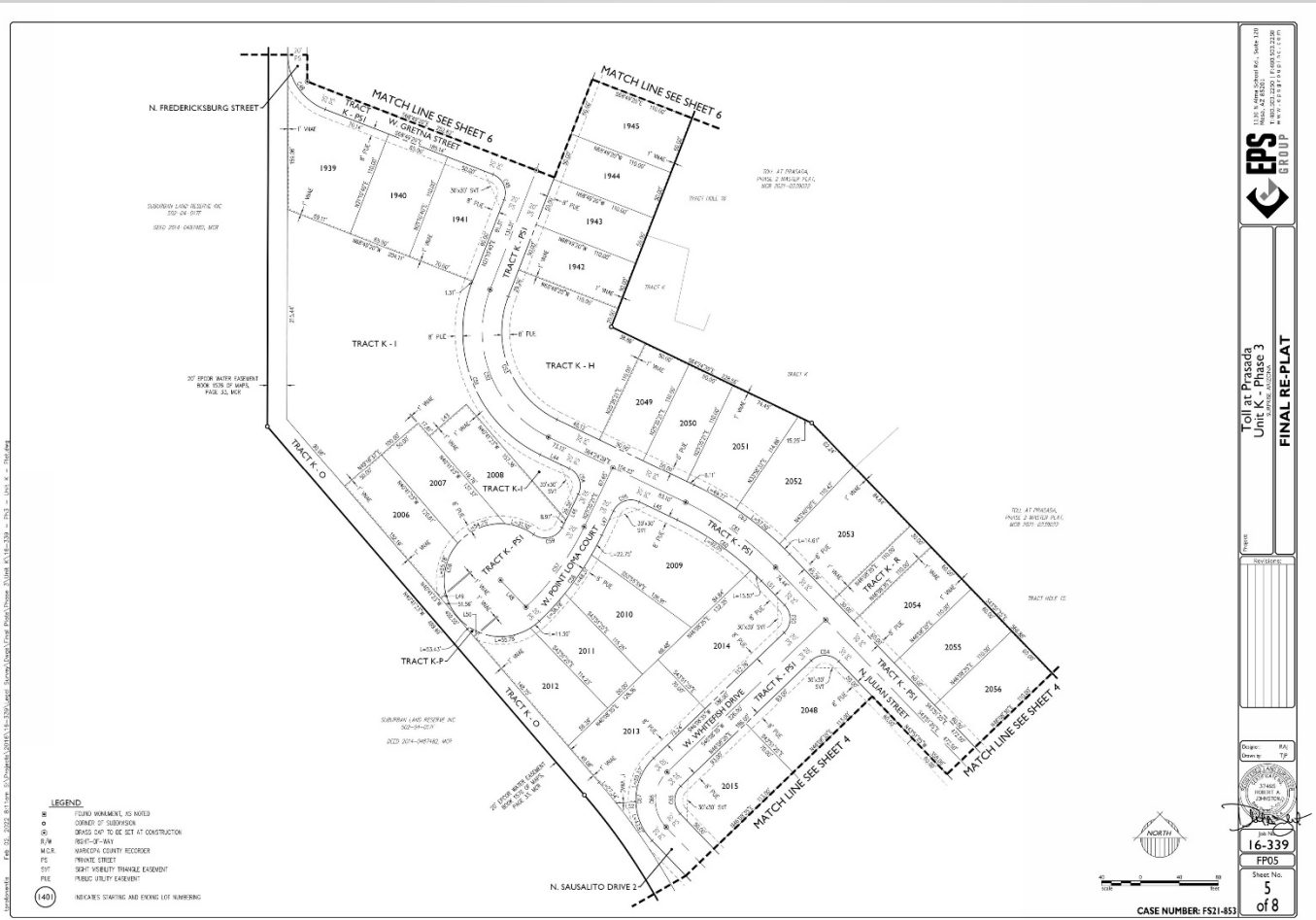
FS21-853 Final Plat





FS21-853 Final Plat

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Toll at Prasada
Unit K - Phase 3

FINAL RE-PLAT

EPS GROUP

16-339

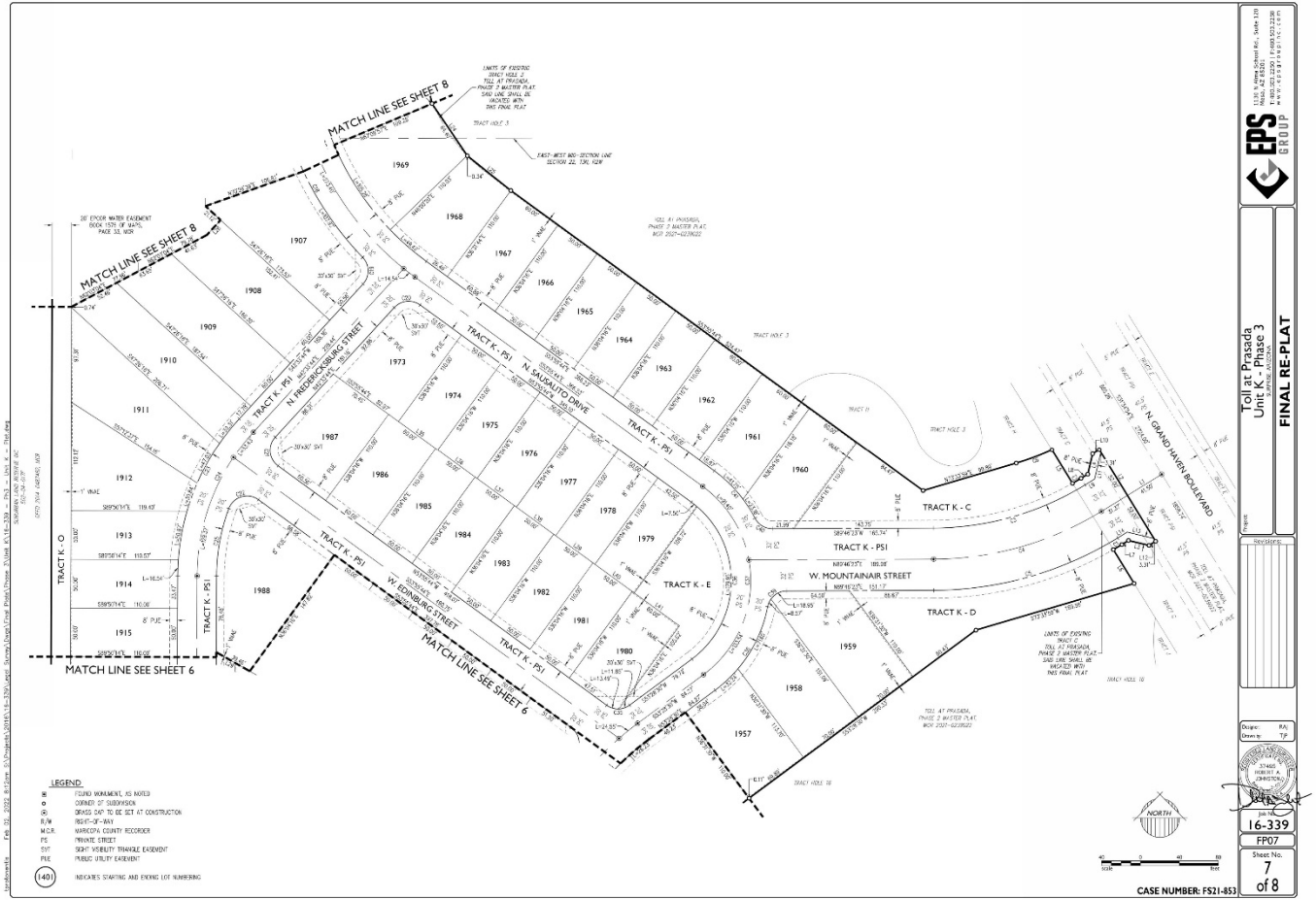
FP05

Sheet No. 5 of 8



FS21-853 Final Plat

FS21-853 Final Plat



Toll at Prasada
Unit K - Phase 3
FINAL RE-PLAT

EPS GROUP

16-339

FP07

Sheet No. 7 of 8

FS21-853 Final Plat

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR AT THE SOUTHWEST CORNER OF SAID SECTION 23, FROM WHICH A PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 23 BEARS SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 2644.60 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, NORTH 89 DEGREES 59 MINUTES 55 SECONDS EAST, 51.11 FEET TO A POINT ON SAID SOUTH LINE;

THENCE, DEPARTING SAID SOUTH LINE, NORTH 0 DEGREES 00 MINUTES 05 SECONDS WEST, 751.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 51.11 FEET;

THENCE NORTH 89 DEGREES 44 MINUTES 37 SECONDS WEST, 1205.62 FEET;

THENCE NORTH 0 DEGREES 29 MINUTES 19 SECONDS EAST, 163.94 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 235.00 FEET;

THENCE, NORTHWESTERLY 169.22 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41 DEGREES 02 MINUTES 42 SECONDS;

THENCE NORTH 40 DEGREES 41 MINUTES 23 SECONDS WEST, 480.99 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 46 SECONDS EAST, 1020.89 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS EAST, 215.62 FEET;

THENCE SOUTH 68 DEGREES 42 MINUTES 32 SECONDS EAST, 27.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 68 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 333.00 FEET;

THENCE NORTHEASTERLY 145.58 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 25 DEGREES 02 MINUTES 55 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 43 DEGREES 39 MINUTES 37 SECONDS EAST, 56.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 43 DEGREES 39 MINUTES 37 SECONDS EAST A DISTANCE OF 277.00 FEET;

THENCE SOUTHWESTERLY 37.75 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5 DEGREES 44 MINUTES 25 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 40 DEGREES 24 MINUTES 03 SECONDS EAST, 106.52 FEET;

THENCE SOUTH 30 DEGREES 04 MINUTES 31 SECONDS WEST, 64.33 FEET;

THENCE SOUTH 11 DEGREES 57 MINUTES 02 SECONDS EAST, 64.33 FEET;

THENCE SOUTH 34 DEGREES 04 MINUTES 16 SECONDS EAST, 64.78 FEET;

THENCE SOUTH 59 DEGREES 33 MINUTES 30 SECONDS EAST, 57.26 FEET;

THENCE SOUTH 53 DEGREES 55 MINUTES 44 SECONDS EAST, 524.47 FEET;

THENCE NORTH 73 DEGREES 33 MINUTES 59 SECONDS EAST, 95.88 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 372.80 FEET;

THENCE, NORTHEASTERLY 39.21 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 6 DEGREES 15 MINUTES 34 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 21 DEGREES 34 MINUTES 24 SECONDS EAST, 40.04 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 19 DEGREES 35 MINUTES 39 SECONDS WEST A DISTANCE OF 292.80 FEET;

THENCE NORTHEASTERLY 90.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1 DEGREES 59 MINUTES 15 SECONDS;

THENCE NORTH 55 DEGREES 25 MINUTES 05 SECONDS EAST, 8.65 FEET;

THENCE NORTH 13 DEGREES 25 MINUTES 06 SECONDS EAST, 27.66 FEET;

THENCE NORTH 68 DEGREES 25 MINUTES 05 SECONDS EAST, 8.60 FEET;

THENCE SOUTH 39 DEGREES 34 MINUTES 54 SECONDS EAST, 113.63 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 06 SECONDS WEST, 8.00 FEET;

THENCE NORTH 76 DEGREES 34 MINUTES 54 SECONDS WEST, 27.66 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 05 SECONDS WEST, 8.06 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 372.80 FEET;

THENCE SOUTHWESTERLY 90.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1 DEGREES 23 MINUTES 38 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 31 DEGREES 34 MINUTES 54 SECONDS EAST, 40.85 FEET;

THENCE SOUTH 73 DEGREES 33 MINUTES 59 SECONDS WEST, 189.56 FEET;

THENCE SOUTH 53 DEGREES 28 MINUTES 30 SECONDS WEST, 289.23 FEET;

THENCE SOUTH 52 DEGREES 40 MINUTES 10 SECONDS WEST, 64.45 FEET;

THENCE SOUTH 38 DEGREES 04 MINUTES 07 SECONDS WEST, 63.64 FEET;

THENCE SOUTH 23 DEGREES 18 MINUTES 11 SECONDS WEST, 57.06 FEET;

THENCE SOUTH 21 DEGREES 10 MINUTES 40 SECONDS WEST, 719.72 FEET;

THENCE SOUTH 64 DEGREES 24 MINUTES 28 SECONDS EAST, 229.56 FEET;

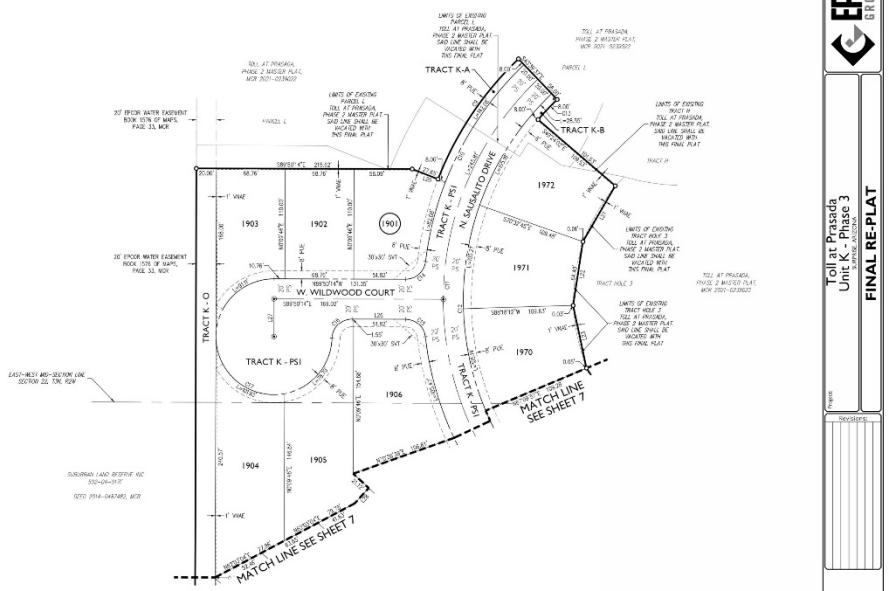
THENCE SOUTH 43 DEGREES 51 MINUTES 25 SECONDS EAST, 509.69 FEET;

THENCE SOUTH 56 DEGREES 49 MINUTES 15 SECONDS EAST, 91.47 FEET;

THENCE SOUTH 60 DEGREES 18 MINUTES 58 SECONDS EAST, 886.44 FEET;

THENCE SOUTH 0 DEGREES 26 MINUTES 54 SECONDS WEST, 104.65 FEET TO THE POINT OF BEGINNING.

CONTAINS 42.1931 ACRES, MORE OR LESS.


TRACT K-A
TRACT K-B
TRACT K-PSI
TRACT K-O
N. SALSALITO DRIVE
W. WILDWOOD COURT
1903
1902
1901
1972
1971
1970
1906
1905
1904
MATCH LINE SEE SHEET 7
MATCH LINE SEE SHEET 7
20' EPCOR WATER EASEMENT BOOK 1578 OF MAPS, PAGE 33, MCR
20' EPCOR WATER EASEMENT BOOK 1578 OF MAPS, PAGE 33, MCR
EAST-WEST MID-SECTION LINE SECTION 22, T3N, R3W
TOLL AT PRASADA, PHASE 2 MASTER PLAT, MCR 2021-0378052
LIMITS OF EXISTING PARCEL L TOLL AT PRASADA, PHASE 2 MASTER PLAT SAID LINE SHALL BE VACATED WITH THIS FINAL PLAT
LIMITS OF EXISTING TRACT H TOLL AT PRASADA, PHASE 2 MASTER PLAT SAID LINE SHALL BE VACATED WITH THIS FINAL PLAT
LIMITS OF EXISTING TRACT WOLF 3 TOLL AT PRASADA, PHASE 2 MASTER PLAT SAID LINE SHALL BE VACATED WITH THIS FINAL PLAT
LIMITS OF EXISTING TRACT WOLF 2 TOLL AT PRASADA, PHASE 2 MASTER PLAT SAID LINE SHALL BE VACATED WITH THIS FINAL PLAT
TOLL AT PRASADA, PHASE 2 MASTER PLAT, MCR 2021-0378052
TOLL AT PRASADA, PHASE 2 MASTER PLAT, MCR 2021-0378052
PARCEL L
TRACT H
TRACT WOLF 3
TRACT WOLF 2
1' VNAE
8' PUE
6' PUE
5' PUE
7' PUE
30'x30' SVT
20'x20' SVT
S89°59'47"E 215.62'
S89°59'47"E 106.02'
S89°59'47"E 101.62'
S89°59'47"E 101.62'
S89°59'47"E 101.62

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:
Consideration and action pertaining to approval of an Easement Agreement and acceptance of an easement from LCD Asante, LLC, for a Communication Tower at the SPA 2 Waste Water Treatment Facility.

Motion:
I move to approve the Easement Agreement and accept the easement from LCD Asante, LLC.

Background:
The Easement Agreement will allow the City to build and maintain a new area for a Public Safety Communication System at the SPA 2 Waste Water Treatment Facility. The Easement allows the City to finalize the improvements and utilize the area for the tower while the City works towards finalizing the turnover agreement of the area.

Objective Analysis:
Approval of this item will allow the public safety communication system to move forward for construction.

Policy Compliant:
Approval of this item is policy compliant. The proposed easement will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:
While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:
There is currently no budgetary impact related to approval of this item. The City will plan for future O&M when the Utility line communication tower is in place.

FTE Impact:

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

ATTACHMENTS:

1. SPA 2 Tower Easement (executed by Lennar)
2. Public Safety Tower Easement Location Map

WHEN RECORDED, RETURN TO:

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

EASEMENT AGREEMENT
(Communication Tower Compound)

This Easement Agreement ("**Agreement**") is executed this _____ day of _____, 2022, by and between LCD Asante, LLC, a Delaware limited liability company, hereinafter referred to as "**Grantor**" and the City of Surprise, an Arizona municipal corporation, hereinafter referred to as "**Grantee**".

RECITALS

1. Grantor is the fee title owner of a parcel of land legally described and depicted in **Exhibit "A"** ("**Property**").

2. Grantee desires to acquire from Grantor and Grantor desires to grant to Grantee:

a. an exclusive communication tower easement over, under, and across the portion of the Property (the "**Communication Tower Easement Area**") legally described in **Exhibit "A-1"** and depicted on **Exhibit "B-1"**; and

b. a non-exclusive easement for ingress and egress and utilities over, under and across the portion of the Property (the "**Ingress-Egress Easement Area**") legally described in **Exhibit "A-2"** and depicted on **Exhibit "B-2"**. The Communication Tower Easement Area and the Ingress-Egress Easement Area may be referred to collectively in this Agreement as the "**Easement Areas**."

NOW, THEREFORE, for valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, and for the purposes set forth in the foregoing Recitals which are incorporated herein by reference, the parties agree as follows:

1. Easements. Grantor hereby grants and conveys to Grantee, its successors and assigns, the following easements:

a. an exclusive communication tower easement over, under, and across the Communication Tower Easement Area for the construction, installation, operation, use, maintenance, repair, and replacement of self-support communications tower, utility improvements, equipment, and facilities described in the plans and specifications for Surprise, AZ P25 Upgrade Project bearing Case #: FS21-587 (the "**Plans**"); and

b. a non-exclusive easement for ingress and egress and utilities over, under and across the Ingress-Egress Easement Area for the construction, installation, operation, use,

maintenance, repair, and replacement of an access road and utilities described in the Plans to the Communication Tower Easement Area; subject, however, to the right of Grantor and Grantor's successors, assigns, employees, agents, and licensees to maintain and replace presently existing improvements and to erect and maintain other improvements in the Ingress-Egress Easement Area, provided such improvements do not unreasonably interfere with Grantee's construction, installation, operation, use, maintenance, repair, and replacement of the access road and utilities to be installed and maintained by Grantee in the Ingress-Egress Easement Area pursuant to this Agreement.

2. Restoration of Property. Grantee, its successors and assigns, or any other person or entity entering upon, performing any work within, or otherwise using the Easement Areas pursuant to the rights granted pursuant to this Agreement shall (a) promptly repair and restore any damage to the Property and the Easement Areas resulting from such entry, work, or use; and (b) promptly remove any mechanic's or materialmen's lien arising from any such work within the Easement Areas. For purposes of clarification only, and not to the exclusion of any other use associated with the Easement Areas, Grantee may clear and grub, blade, or otherwise construct permanent fixtures within the Easement Areas which use of the Easement Areas shall not be deemed "damage" as used in clause (a) of this paragraph 2. Grantee will use its best efforts, and will request its contractors to use their best efforts, to minimize, to the extent practicable, material interference with the activities of Grantor, the occupants of the Property, and their respective customers, agents, servants, employees, licenses, and invitees, in connection with Grantee's operations.

3. Runs with the Land. The Agreement shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective administrators, personal representatives, successors, and assigns.

4. Not a Public Dedication. Other than the grant of the easements as set forth in this Agreement, nothing contained in this Agreement shall be deemed to be a conveyance or dedication of any portion of the Property, the Communication Tower Easement Area or the Ingress-Egress Easement Area to the general public for any public purpose whatsoever. Neither the Grantee nor the Grantee's contractors shall unreasonably interfere with or prohibit access to the land or improvements owned by Grantor adjacent to the Easement Areas and in no event does this Agreement permit the Grantee or the Grantee's contractors to interfere with access to or prohibit the use, operation, or maintenance of the Developer Phase 1A waste water reclamation facility owned by Grantor.

5. Exception. There is excepted and reserved to Grantor: (i) all rights to utilize the Property other than the Communication Tower Easement Area; (ii) all rights to utilize the Ingress-Egress Easement Area for any and all purposes that do not unreasonably interfere with Grantee's rights under this Agreement; and (iii) all rights of Grantor to grant at its sole discretion and at any time, any and all additional easements to any other person across the Ingress-Egress Easement Area provided that such additional easements do not unreasonably interfere with Grantee's rights under this Agreement. Specifically included, without limitation, in such reservations are the rights to grant underground utilities and other rights to place facilities within the Ingress-Egress Easement Area by the Grantor. Should Grantor wish to grant underground utilities and other rights to place facilities within the Communication Tower Easement Area, Grantor must first obtain

written authorization from Grantee, which shall not be unreasonably withheld. However, should Grantee determine, in Grantee's sole and exclusive discretion, that such underground utilities or other facilities within the Communication Tower Easement Area would unreasonably interfere with the construction, installation, operation, use, maintenance, repair, and replacement of the self-support communications tower, utility improvements, equipment, and facilities situated within the Communication Tower Easement Area, Grantee may deny Grantor's request without penalty or damage hereunder.

6. Indemnification. Grantee shall indemnify, defend and hold harmless Grantor from and against any and all claims, liabilities, loss, damages, or injuries of any kind or nature to any person or property asserted against or incurred by Grantor arising from the use of the Easement Areas by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, or from any accident arising from the use of the Easement Areas by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, unless such loss, damage or injury was a result of the negligence or intentional conduct of Grantor.

7. Miscellaneous. Headings in this Agreement are for convenience only and shall not define or limit the provision hereof. This Agreement shall be construed according to its ordinary meaning and shall not be strictly construed for or against the Grantor or the Grantee. This Agreement shall be governed by the laws of the State of Arizona. The waiver by any party of any breach or violation of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach or violation hereof. Any modification or waiver of any term of this Agreement, including a modification or waiver of this term, must be in writing signed by the party or parties against which enforcement of the modification or waiver is sought. Should any term, provision, covenant, or condition of this Agreement be adjudicated by a court of competent jurisdiction void, invalid, or inoperative, the same shall not affect any other term, provision, covenant, or condition of this Agreement, but the remainder thereof shall be effective as though such void, invalid, or inoperative term, provision, covenant, or condition had not been contained herein. This Agreement may be executed in one or more counterparts, each of which shall, for all purposes, be deemed an original and all such counterparts, taken together, shall constitute one and the same instrument. This Agreement is subject to A.R.S. §38-511 and in the event Grantee elects to cancel this Agreement due to a conflict of interest as outlined in A.R.S. § 38-511, as amended, the Grantee agrees to immediately give notice thereof to Grantor.

SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the date above-written.

GRANTOR:

LCD ASANTE, LLC, a Delaware limited liability company

By: Lennar Communities Development, LLC, a Delaware limited liability company
Its: Manager

By: _____

Name: Jeff Gunderson

Title: Vice President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing Easement Agreement was acknowledged before me on this 24th day of March, 2022, by Jeff Gunderson, the Vice President of Lennar Communities Development, LLC, a Delaware limited liability company, the Manager of LCD ASANTE, LLC, a Delaware limited liability company, for and on behalf of the company.

Gail A. Woelfel
Notary Public

My Commission expires:

Feb. 17, 2024

GAIL A WOELFEL
Notary Public - Arizona
Pinal County
Commission # 577877
My Comm. Expires Feb 17, 2024

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the date above-written.

GRANTEE:

CITY OF SURPRISE,
An Arizona municipal corporation

By:_____
Skip Hall
Its: Mayor

Attest:

_____
Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by _____, known by me as the Mayor of the City of Surprise, an Arizona municipal corporation.

_____
Notary Public

My Commission Expires:

_____

EXHIBIT "A"

THE PROPERTY
(LEGAL DESCRIPTION FOR
DEVELOPER PHASE LAND)

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18, BEING AN IRON PIPE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 18, BEING AN IRON PIPE, BEARS NORTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, A DISTANCE OF 2634.93 FEET;

THENCE NORTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, ALONG SAID NORTH SECTION LINE, A DISTANCE OF 173.98 FEET TO THE SOUTH LINE OF THE BEARDSLEY CANAL PER BOOK 584 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 56 DEGREES 26 MINUTES 15 SECONDS WEST, DEPARTING SAID NORTH SECTION LINE AND ALONG SOUTH LINE OF SAID PARCEL, A DISTANCE OF 805.45 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 33 DEGREES 33 MINUTES 45 SECONDS EAST, A DISTANCE OF 212.00 FEET;

THENCE SOUTH 56 DEGREES 26 MINUTES 15 SECONDS WEST, A DISTANCE OF 135.48 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, THE RADIUS OF WHICH BEARS SOUTH 33 DEGREES 33 MINUTES 46 SECONDS EAST, A DISTANCE OF 903.54 FEET;

THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 43 MINUTES 10 SECONDS, A DISTANCE OF 232.12 FEET;

THENCE SOUTH 41 DEGREES 43 MINUTES 12 SECONDS WEST, A DISTANCE OF 191.42 FEET;

THENCE SOUTH 39 DEGREES 43 MINUTES 44 SECONDS EAST, A DISTANCE OF 114.09 FEET;

THENCE NORTH 50 DEGREES 16 MINUTES 16 SECONDS EAST, A DISTANCE OF 270.47 FEET;

THENCE SOUTH 39 DEGREES 18 MINUTES 26 SECONDS EAST, A DISTANCE OF 281.46 FEET;

THENCE SOUTH 50 DEGREES 41 MINUTES 34 SECONDS WEST, A DISTANCE OF 514.69 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 27 SECONDS EAST, A DISTANCE OF 29.33 FEET;

THENCE NORTH 39 DEGREES 18 MINUTES 26 SECONDS WEST, A DISTANCE OF 148.76 FEET;

THENCE NORTH 89 DEGREES 12 MINUTES 33 SECONDS WEST, A DISTANCE OF 524.77 FEET TO THE SOUTH LINE OF THE BEARDSLEY CANAL PER BOOK 584 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 41 DEGREES 43 MINUTES 12 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 791.78 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, THE RADIUS OF WHICH BEARS SOUTH 48 DEGREES 16 MINUTES 55 SECONDS EAST, A DISTANCE OF 1,115.51 FEET;

THENCE NORTHEASTERLY, CONTINUING ALONG SAID SOUTH LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 43 MINUTES 10 SECONDS, A DISTANCE OF 286.58 FEET;

THENCE NORTH 56 DEGREES 26 MINUTES 15 SECONDS EAST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 135.48 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

CONTAINING 410,296 SQUARE FEET OR 9.4191 ACRES, MORE OR LESS.

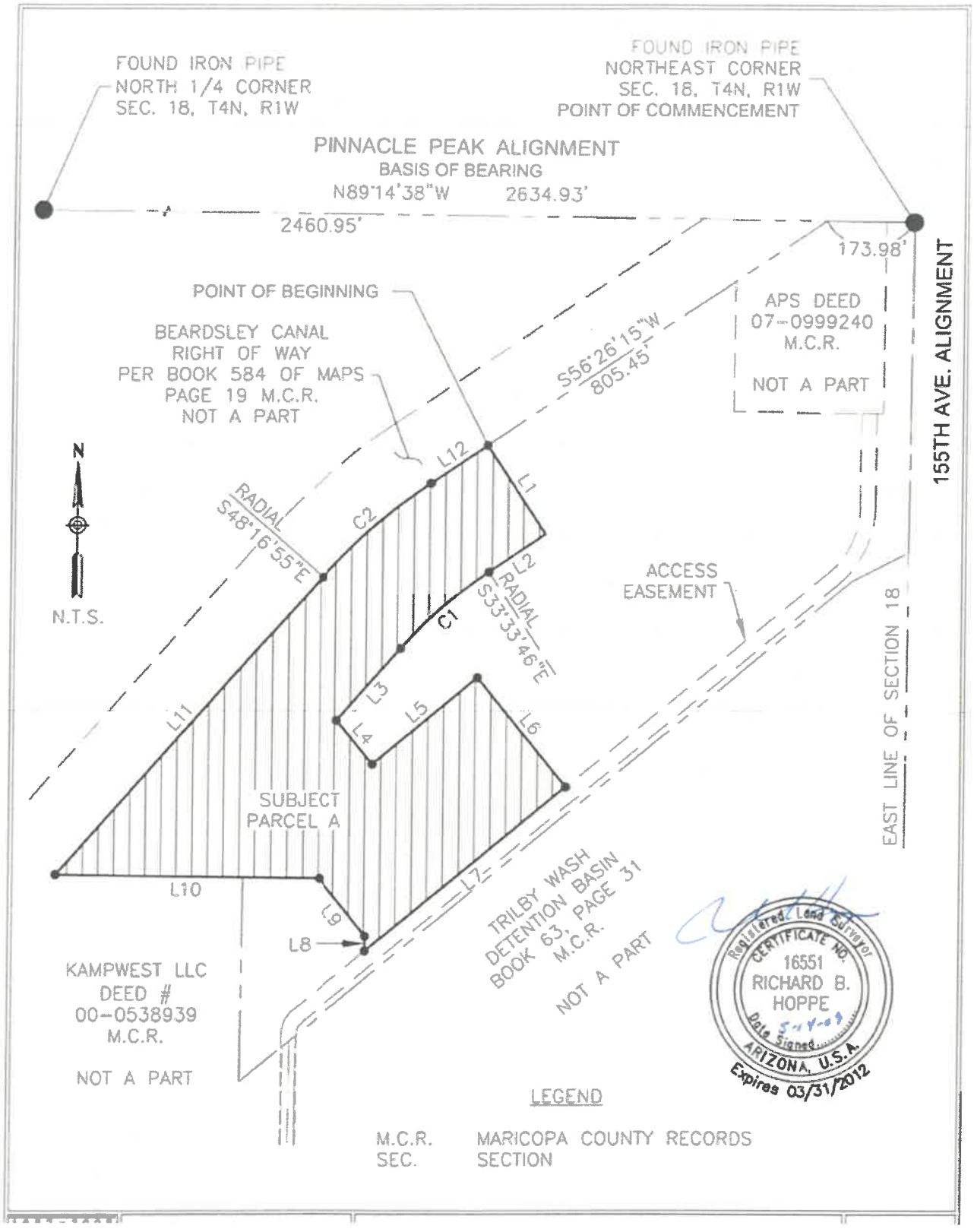

FOUND IRON PIPE
NORTH 1/4 CORNER
SEC. 18, T4N, R1W
FOUND IRON PIPE
NORTHEAST CORNER
SEC. 18, T4N, R1W
POINT OF COMMENCEMENT
PINNACLE PEAK ALIGNMENT
BASIS OF BEARING
N89°14'38"W 2634.93'
2460.95'
173.98'
155TH AVE. ALIGNMENT
POINT OF BEGINNING
BEARDSLEY CANAL
RIGHT OF WAY
PER BOOK 584 OF MAPS
PAGE 19 M.C.R.
NOT A PART
S56°26'15"W
805.45'
APS DEED
07-0999240
M.C.R.
NOT A PART
N
N.T.S.
RADIAL
S48°16'55"E
RADIAL
S33°33'46"E
L1
L2
L3
L4
L5
L6
L7
L8
L9
L10
L11
L12
C1
C2
ACCESS
EASEMENT
EAST LINE OF SECTION 18
SUBJECT
PARCEL A
TRILBY WASH
DETENTION BASIN
BOOK 63, PAGE 31
M.C.R.
NOT A PART
KAMPWEST LLC
DEED #
00-0538939
M.C.R.
NOT A PART
Registered Land Surveyor
CERTIFICATE NO.
16551
RICHARD B.
HOPPE
Date Signed 5-14-09
ARIZONA, U.S.A.
Expires 03/31/2012
LEGEND
M.C.R. MARICOPA COUNTY RECORDS
SEC. SECTION

EXHIBIT "A-1"

DESCRIPTION

COMMUNICATION TOWER EASEMENT

A portion of Parcel No. 5 (LENNAR WASTEWATER TREATMENT PLANT PROPERTY) as described in that Special Warranty Deed recorded as Instrument 2009-0486171, Records of Maricopa County, Arizona, being located in the Northeast Quarter of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:
COMMENCING at the Northeast Comer of said Section 18, from which the North Quarter Comer of said Section 18 lies North 89°14'38" West 2634.93 feet;
Thence South 40°48'41" West 1551.28 feet to a comer of an existing 7' tall chain link fence and the POINT OF BEGINNING;
Thence along said fence South 37°33'35" East 56.31 feet; Thence
departing said fence South 52°26'25" West 35.00 feet; Thence
North 37°33'35" West 55.00 feet;
Thence North 50°17'19" East 3.76 feet to a comer of said fence;
Thence along said fence North 50°17'19" East 31.26 feet the POINT OF BEGINNING.

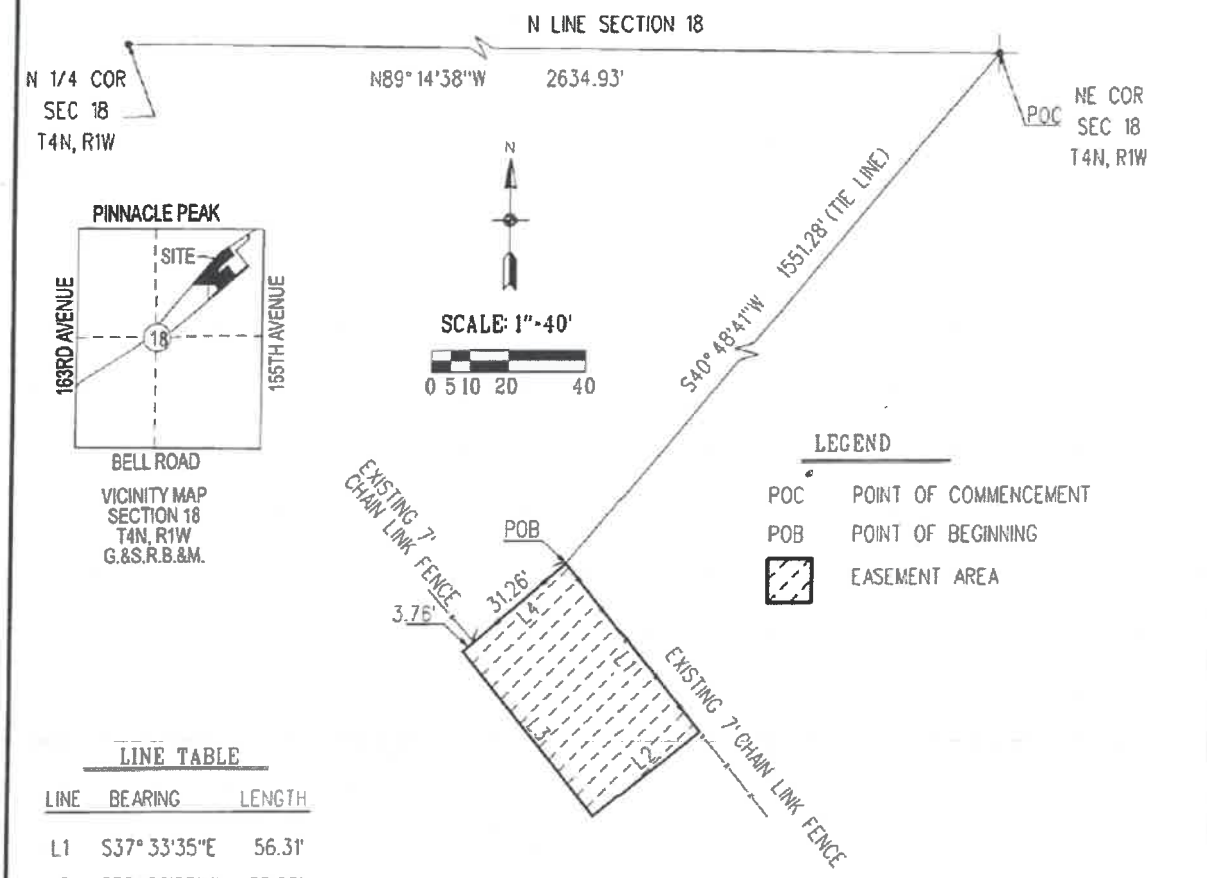
Containing 1948 square feet, more or less.

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

of description



EXHIBIT "B-1"



LINE TABLE

LINE	BEARING	LENGTH
L1	S37° 33'35"E	56.31'
L2	S52° 26'25"W	35.00'
L3	N37° 33'35"W	55.00'
L4	N50° 17'19"E	35.02'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19820
RON DRY
02-01-22
Date Signed
ARIZONA, U.S.A.

BEARING BASE: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS STATED IN PARCEL NO. 5 (LENNAR WASTEWATER TREATMENT PLANT PROPERTY) AS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT 2009-0486171, RECORDS OF MARICOPA COUNTY, ARIZONA, CITED AS NORTH 89° 14'38" WEST.

COMMUNICATION TOWER EASEMENT	SURPRISE ARIZONA	CITY OF SURPRISE LAND SURVEY DEPARTMENT	
PROJECT # 21018	DRAWN BY RCD	DATE 02-01-22	SHEET 1 OF 1

54532510.4

EXHIBIT "A-2"

DESCRIPTION

INGRESS-EGRESS EASEMENT

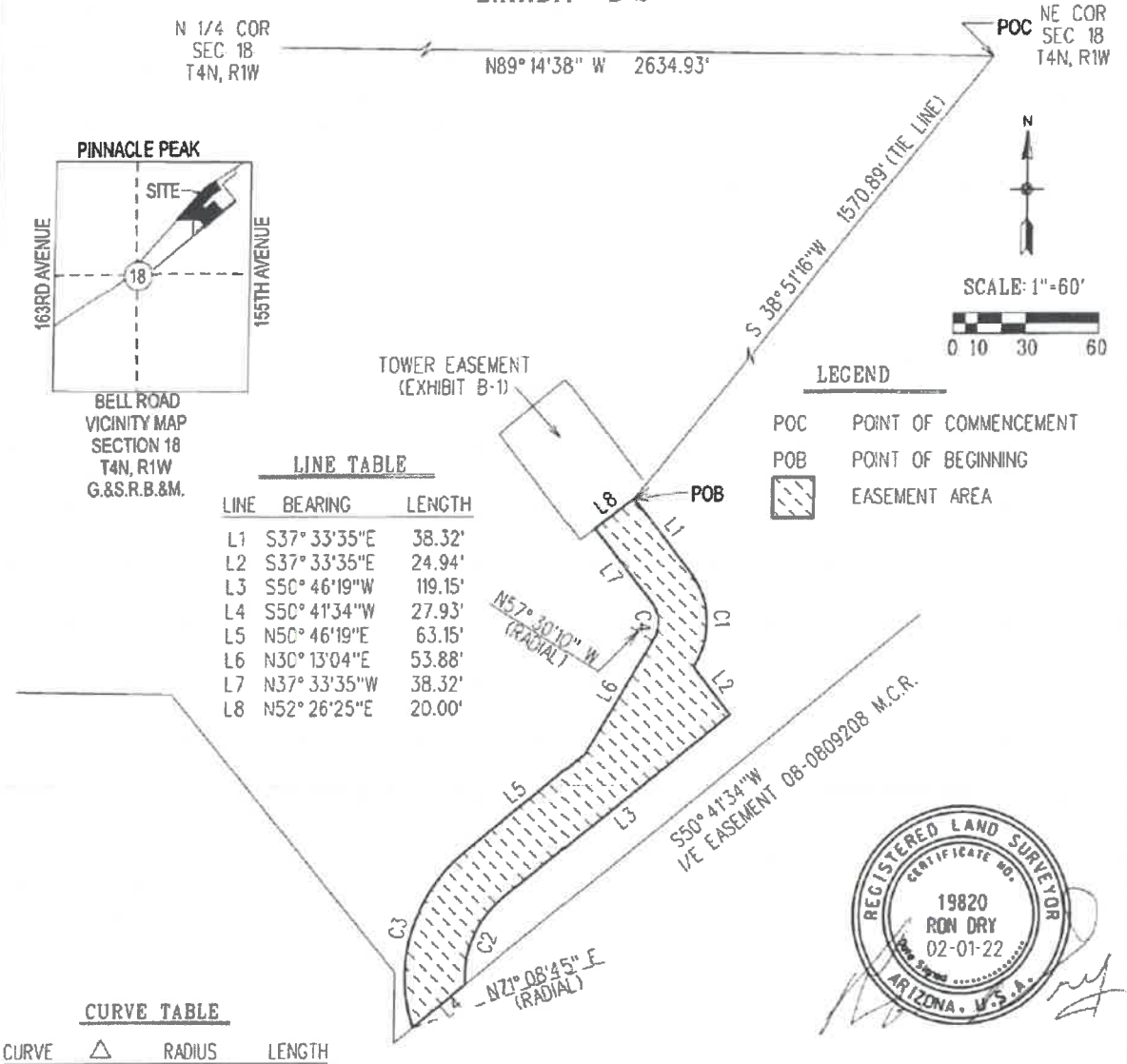
A portion of Parcel No. 5 (LENNAR WASTEWATER TREATMENT PLANT PROPERTY) as described in that Special Warranty Deed recorded as Instrument 2009-0486171, Records of Maricopa County, Arizona, being located in the Northeast Quarter of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:
COMMENCING at the Northeast Corner of said Section 18, from which the North Quarter Corner of said Section 18 lies North 89°14'38" West 2634.93 feet;
Thence South 38°51'16" West 1570.89 to the POINT OF BEGINNING;
Thence South 37°33'35" East 38.32 feet to the beginning of a tangent curve, concave westerly, having a radius of 34.05 feet;
Thence southerly along the arc of said curve through a central angle of 70°03'25" a distance of 41.63 feet;
Thence South 37°33'35" East 24.94 feet;
Thence South 50°46'19" West 119.15 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 41.21 feet;
Thence southwesterly, along the arc of said curve, through a central angle of 55°55'32" a distance of 40.23 feet;
Thence South 50°41'34" West 27.93 feet to the beginning of a non-tangent curve, concave easterly, the center of which lies North 71°08'45" East 66.21 feet;
Thence northerly along the arc of said curve through a central angle of 69°37'33" a distance of 80.46 feet;
Thence North 50°46'19" East 63.15 feet;
Thence North 30°13'04" East 53.88 feet to the beginning of a non-tangent curve, concave westerly, the center of which lies North 57°30'10" West 14.05 feet;
Thence northerly along the arc of said curve through a central angle of 70°03'25" a distance of 17.18 feet;
Thence North 37°33'35" West 38.32 feet;
Thence North 52°26'25" East 20.00 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B-2" and by this reference is made a part hereof.

End of description



EXHIBIT "B-2"



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
	EASEMENT AREA

LINE TABLE

LINE	BEARING	LENGTH
L1	S37° 33'35"E	38.32'
L2	S37° 33'35"E	24.94'
L3	S50° 46'19"W	119.15'
L4	S50° 41'34"W	27.93'
L5	N50° 46'19"E	63.15'
L6	N30° 13'04"E	53.88'
L7	N37° 33'35"W	38.32'
L8	N52° 26'25"E	20.00'

CURVE TABLE

CURVE	△	RADIUS	LENGTH
C1	70° 03'25"	34.05'	41.63'
C2	55° 55'32"	41.21'	40.23'
C3	69° 37'33"	66.21'	80.46'
C4	70° 03'25"	14.05'	17.18'

BEARING BASE: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE G&A AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS STATED IN PARCEL NO. 5 (LENNAR WASTEWATER TREATMENT PLANT PROPERTY) AS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED AS INSTRUMENT 2009-0486171, RECORDS OF MARICOPA COUNTY, ARIZONA, CITED AS NORTH 89°14'38" WEST.

INGRESS-EGRESS EASEMENT	SURPRISE ARIZONA	CITY OF SURPRISE LAND SURVEY DEPARTMENT	
PROJECT # 22002	DRAWN BY RCD	DATE 02-01-22	SHEET 1 OF 1

54532510.4


HAPPY VALLEY ROAD
163 AVENUE
Location of the Proposed Public Safety Communication Tower Easement
LOOP 303
SR 303
GRAND AVENUE

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:
Consideration and action to accept a Drainage and Slope Easement from Saguaro Acres Community Facilities District for the purpose of roadway improvements along 171st Avenue at Dynamite Boulavard.

Motion:
I move to accept the Drainage and Slope Easement from Saguaro Acres Community Facilities District.

Background:
The easement being dedicated is in association with the road improvements being done by the developer to improve 171st Avenue to access the Tierra Rico Development.

Objective Analysis:
The planned improved roadway will need the additional drainage area on the east side of 171st Avenue for the completion of the roadway improvement in association with the Tierra Rico Development.

Policy Compliant:
Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:
While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:
There is currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:
This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 171st Ave - Saguaro Acres Drainage Esmt
2. Proposed Drainage and Slope Easement Location Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE & SLOPE EASEMENT

FOR AND IN CONSIDERATION of One Dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Saguaro Acres Community Facilities District, ("Grantor")

Do hereby grant and convey to the **City of Surprise** ("**Grantee**"), an Arizona municipal corporation, a **Drainage & Slope Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit "A" to be granted as a Drainage & Slope Easement for installation, maintenance, and repair of any drainage & slope purposes including without limitation, roadways, earthwork, slopes, drainage structures, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage & Slope Easement shall prohibit or unreasonably interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR: Saguaro Acres
Community Facilities District

By: _____
Mark Chentfant
Its: President

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: _____
Skip Hall
Its: Mayor

ATTEST:

_____

Sherry Aguilar, City Clerk

STATE OF Arizona)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this 8 day of February, 2022 by Mark Clentfant

My commission expires:

June 8, 2023

Notary Public:

PATRICIA PADILLA
NOTARY PUBLIC - ARIZONA
Maricopa County
Commission # 567732
My Commission Expires
June 8, 2023

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this___day of

_____, 2021, by_____, known by me as the Mayor of the City of Surprise, an Arizona Municipal Corporation.

My commission expires:

_____

Notary Public:

_____

Exhibit A

Legal Description

See Attached

TIERRA RICO
SLOPE & DRAINAGE EASEMENT
LEGAL DESCRIPTION

A portion of land being situated within the Southwest quarter of Section 25, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found 2 inch Maricopa County aluminum cap flush accepted as the Southwest corner of said Section 25 from which a found 2-1/2" inch G.L.O. brass cap accepted as the West quarter corner thereof bears North 00°17'09" East, 2646.08 feet;

Thence North 00°17'09" East, 55.00 feet along the west line of said Southwest quarter to the intersection of said west line and a line that is parallel with and 55.00 feet north of the south line of said Southwest quarter;

Thence leaving said west line and along said parallel line, South 89°32'39" East, 15.00 feet;

Thence leaving said parallel line, South 09°11'24" East, 30.37 feet to a line that is parallel with and 20.00 feet east of the west line of said Southwest quarter;

Thence along last said parallel line, South 00°17'09" West, 25.06 feet to the intersection of said parallel line and the south line of said Southwest quarter;

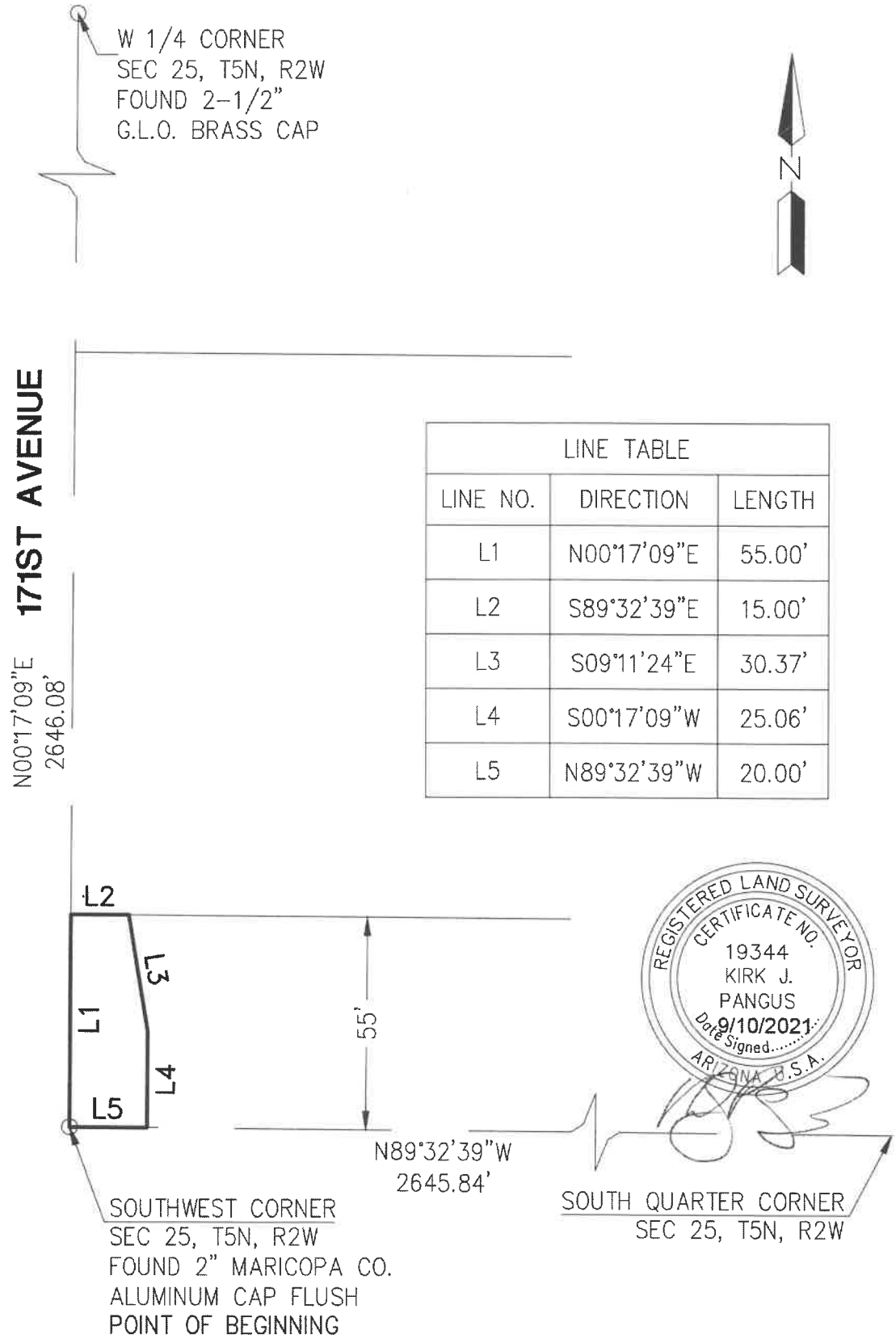
Thence along said south line, North 89°32'39" West, 20.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,025 sq. ft. (0.0235 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1308
Date: September 2021





LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N00°17'09"E	55.00'
L2	S89°32'39"E	15.00'
L3	S09°11'24"E	30.37'
L4	S00°17'09"W	25.06'
L5	N89°32'39"W	20.00'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19344
KIRK J.
PANGUS
Date Signed 9/10/2021
ARIZONA U.S.A.

PROJ.NO.:	1308
DATE:	SEPT. 2021
SCALE:	N.T.S.
DRAWN BY:	JDL
CHECKED BY:	KJP

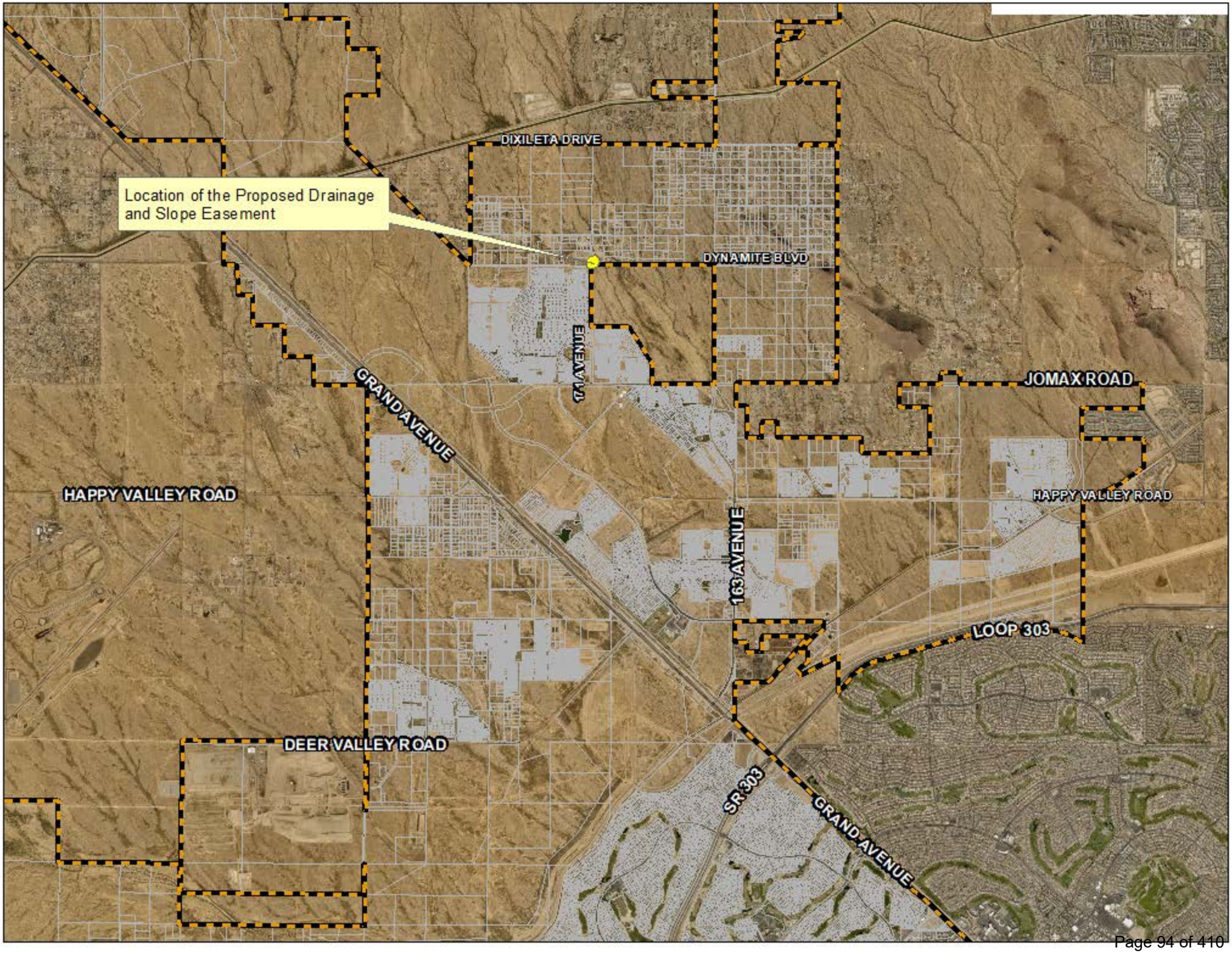
TIERRA RICO
SLOPE & DRAINAGE EASEMENT
SURPRISE, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

©2021, HILGARTWILSON, LLC

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Location of the Proposed Drainage and Slope Easement
DIXILETA DRIVE
DYNAMITE BLVD
71 AVENUE
GRAND AVENUE
JOMAX ROAD
HAPPY VALLEY ROAD
HAPPY VALLEY ROAD
163 AVENUE
LOOP 303
DEER VALLEY ROAD
SR 303
GRAND AVENUE

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:
Consideration and action to accept an Utility Easement from HE Capital Asante, LLC, at the SPA 2 Waste Water Treatment Facility.

Motion:
I move to accept the Utility Easement from HE Capital Asante, LLC.

Background:
The Utility Easement will connect the City's water treatment facility to the developer built plant to utilize the full potential of the City's treatment facility.

Objective Analysis:
Approval of this item will allow the future development to have access to City serves in this area.

Policy Compliant:
Approval of this item is policy compliant. The proposed easement will advance the goals and policies of the Surprise General Plan and the City Council’s Strategic Plan.

Financial Impact:
While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:
There is currently no budgetary impact related to approval of this item. The City will plan for future O&M when the Utility line is in place.

FTE Impact:
This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Utility Easment
2. Proposed Utility Easement Location Map

WHEN RECORDED, RETURN TO:

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

UTILITY EASEMENT

This Utility Easement Agreement ("Agreement") is executed this _____ day of _____, 2021 by and between HE Capital Asante, LLC, a Delaware limited liability company, hereinafter referred to as "Grantor" and the City of Surprise, an Arizona municipal corporation, hereinafter referred to as "Grantee".

RECITALS

1. Grantor is the fee title owner of a parcel of land legally described in Exhibit "A" ("Property").

2. Grantee desires to acquire from Grantor and Grantor desires to grant to Grantee a perpetual, non-exclusive Utility Easement over, under, and across the Property (the "Easement Area"). The Easement Area is legally described in Exhibit "A" and depicted on Exhibit "B".

NOW, THEREFORE, for valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, and for the purposes set forth in the foregoing Recitals which are incorporated herein by reference, the parties agree as follows:

1. Easements. Grantor hereby grants and conveys to Grantee, its successors and assigns, a perpetual, non-exclusive utility easement over, under and across the Easement Area, subject to the right of Grantor and Grantor's successors, assigns, employees, agents, and licensees to erect and maintain improvements in the Easement Area, provided such improvements do not unreasonably interfere with Grantee's construction, installation, maintenance, and replacement of the sewer and other utility lines to be installed and maintained by Grantee pursuant to this Agreement. This Utility Easement also includes ingress and egress to and from the Easement Area in order to construct, install, maintain, repair, and replace said utilities such as a sewer line, effluent line, and electrical conduit.

2. Restoration of Property. Grantee, its successors and assigns, or any other person or entity entering upon, performing any work within, or otherwise using the Easement Area pursuant to the rights granted pursuant to this Agreement shall (a) promptly repair and restore any damage to the Property or the Easement Area resulting from such entry, work, or use; and (b) promptly remove any mechanic's or materialmen's lien arising from any such work within the Easement Area. Grantee will cause the least possible interference with the activities of Grantor, the occupants of the Property, and their respective customers, agents, servants, employees, licenses, and invitees in connection with its operations.

3. Runs with the Land. The Agreement shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective administrators, personal representatives, successors, and assigns.

4. Not a Public Dedication. Other than the grant of the easement as set forth herein, nothing contained in this Agreement shall be deemed to be a conveyance or dedication of any portion of the Property or the Easement Area to the general public or any public purpose whatsoever.

5. Exception. There is excepted and reserved to Grantor from this Agreement and the easement granted hereby: (i) all rights to utilize the Easement Area for any and all purposes not inconsistent with Grantee's rights hereunder; and (ii) all rights of Grantor to grant at its sole discretion and at any time, any and all additional easements to any other person across the Easement Area provided that such additional easements do not interfere in a material or adverse manner with Grantee's rights hereunder. Specifically included, without limitation, in such reservations are the rights to grant underground utilities and other rights to place facilities by the Grantor.

6. Indemnification. Grantee shall indemnify, defend and hold harmless Grantor from and against any loss, damage, or injury of any kind or nature to any person or property arising from the use of the Easement Area by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, or from any accident arising from the use of the Easement Area by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, unless such loss, damage or injury was a result of the negligence or intentional conduct of Grantor.

7. Miscellaneous. Headings in this Agreement are for convenience only and shall not define or limit the provision hereof. This Agreement shall be construed according to its ordinary meaning and shall not be strictly construed for or against the Grantor or the Grantee. This Agreement shall be governed by the laws of the State of Arizona. Should any term, provision, covenant, or condition of this Agreement be adjudicated by a court of competent jurisdiction void, invalid, or inoperative, the same shall not affect any other term, provision, covenant, or condition of this Agreement, but the remainder thereof shall be effective as though such void, invalid, or inoperative term, provision, covenant, or condition had not been contained herein. This Agreement is subject to A.R.S. §38-511.

SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, the parties hereto have executed this Utility Easement Agreement as of the date above-written.

GRANTOR:

HE CAPITAL ASANTE, LLC,
a Delaware limited liability company

By: Highland Capital Management, LP, its Manager
Name: David Klos
Its: CFO & COO

STATE OF Texas)
) SS.
County of Dallas)

The foregoing instrument was acknowledged before me this 21 day of July, 2021, by David Klos the CFO / COO of HE Capital Asante, LLC, a Delaware limited liability company, on behalf of the Company.

Sworn to and subscribed before me on the 21st day of July 2021 by: Naomi Chisum

Notary Public

Naomi Chisum
My Commission Expires
03/22/2025
ID No. 132987623

My Commission Expires:
03/22/2025

52164349.2

IN WITNESS WHEREOF, the parties hereto have executed this Utility Easement Agreement as of the date above-written.

GRANTEE:

CITY OF SURPRISE,
An Arizona municipal corporation

By:_____
Skip Hall
Its: Mayor

Attest:

_____
Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by _____, known by me as the Mayor of the City of Surprise, an Arizona municipal corporation.

_____
Notary Public

My Commission Expires:

_____

EXHIBIT "A"

DESCRIPTION

UTILITY EASEMENT

A portion of Parcel No. 8 (HEC WASTEWATER TREATMENT PLANT PROPERTY) as described in that Special Warranty Deed recorded as Instrument 2009-0812783 Records of Maricopa County, Arizona, being located in the Northeast Quarter of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northeast Corner of said Section 18, from which the North Quarter Corner of said Section 18 lies North 89°14'38" West 2634.93 feet;

Thence South 21°03'22" West 965.00 feet to the most easterly east corner of said Parcel No. 8;

Thence along a northeast line of said property North 39°18'26" West 42.50 feet to the north corner of that ingress/egress easement recorded as Instrument 2008-0809208, Records of said County, being also the POINT OF BEGINNING;

Thence along the northwest line of said easement South 50°41'34" West 400.98 feet to a common property line between said Parcel No. 8 and Parcel No. 5 (LENNAR WASTEWATER TREATMENT PLANT PROPERTY) as described in that Special Warranty Deed recorded as Instrument 2009-0486171, Records of said County;

Thence along said line North 39°18'26" West 25.00 feet;

Thence departing said line North 50°41'34" East 400.98 feet to the aforesaid northeast line of Parcel No. 8;

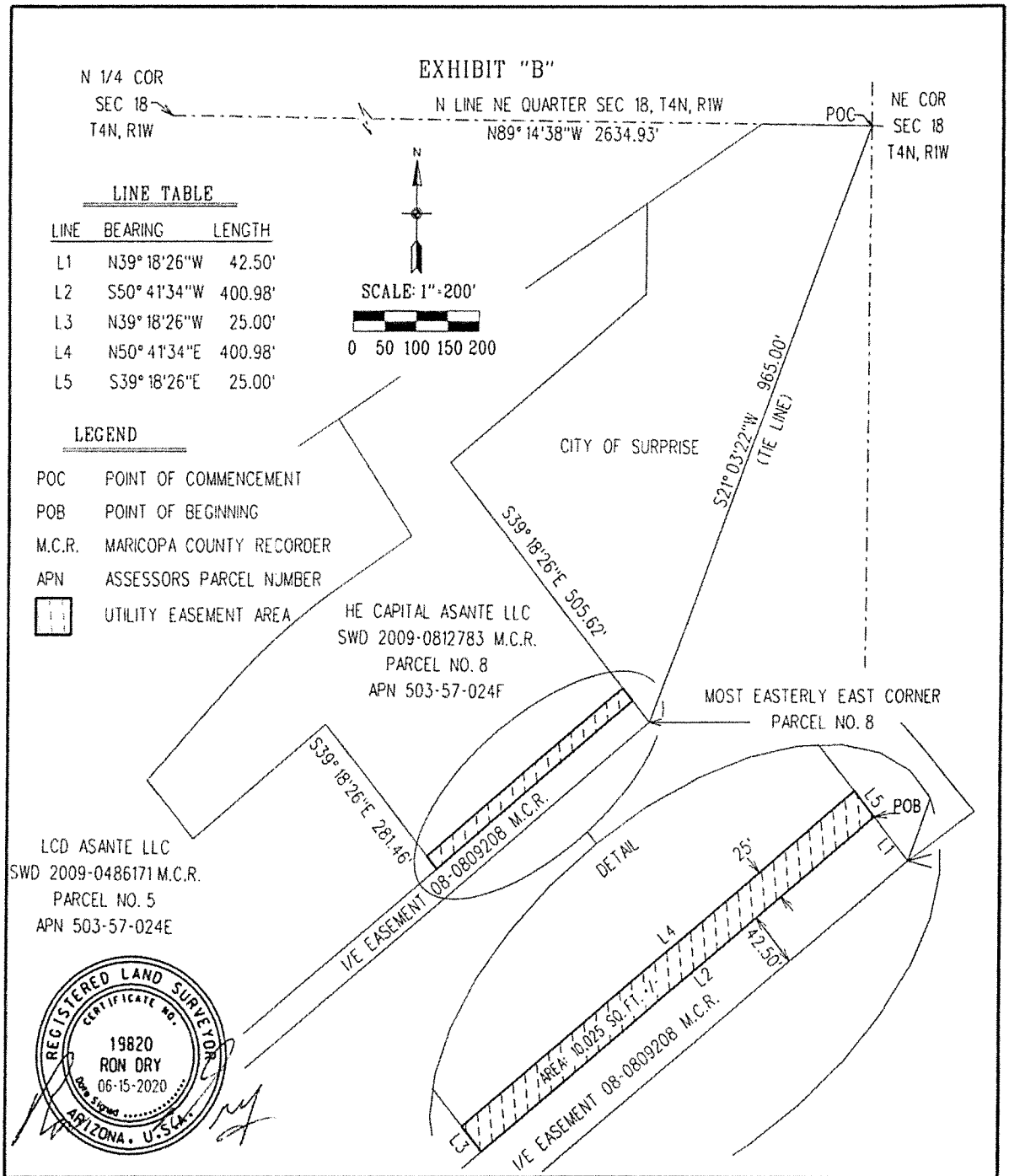
Thence along said northeast line South 39°18'26" East 25.00 feet to the POINT OF BEGINNING.

Containing 10,025 square feet, more or less.

Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description





UTILITY EASEMENT	SURPRISE ARIZONA	CITY OF SURPRISE LAND SURVEY DEPARTMENT	
PROJECT # 20023	DRAWN BY RCD	DATE 06-15-2020	SHEET 1 OF 1

52164349.2

CONSENT AND APPROVAL OF LENDER

The undersigned lender which is the beneficiary under that certain Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing (Arizona), dated June 25, 2009, recorded on June 26, 2009, at Instrument No. 2009-0589313, and re-recorded on August 31, 2009, at Instrument No. 2009-0812784 in the official records of Maricopa County, Arizona (the "**Deed of Trust**") as a first lien on the property described in the Deed of Trust, for and on behalf of itself and its successors and assigns, hereby acknowledges receipt of, consents to, and approves that certain Utility Easement Agreement by and between HE Capital Asante, LLC, a Delaware limited liability company, as grantor, and the City of Surprise, an Arizona municipal corporation, as grantee (the "**Utility Easement**"), and agrees that in the event the beneficiary under the Deed of Trust, its successors or assigns, exercises the power of sale under the Deed of Trust or otherwise forecloses the lien evidenced by the Deed of Trust the Utility Easement shall continue in full force and effect notwithstanding that the Utility Easement is subordinate to the Deed of Trust.

NEXBANK, a Texas state-chartered bank, formerly known as NexBank SSB

By _____

Its EVP / CCO

STATE OF TEXAS)
) ss.
County of Dallas)

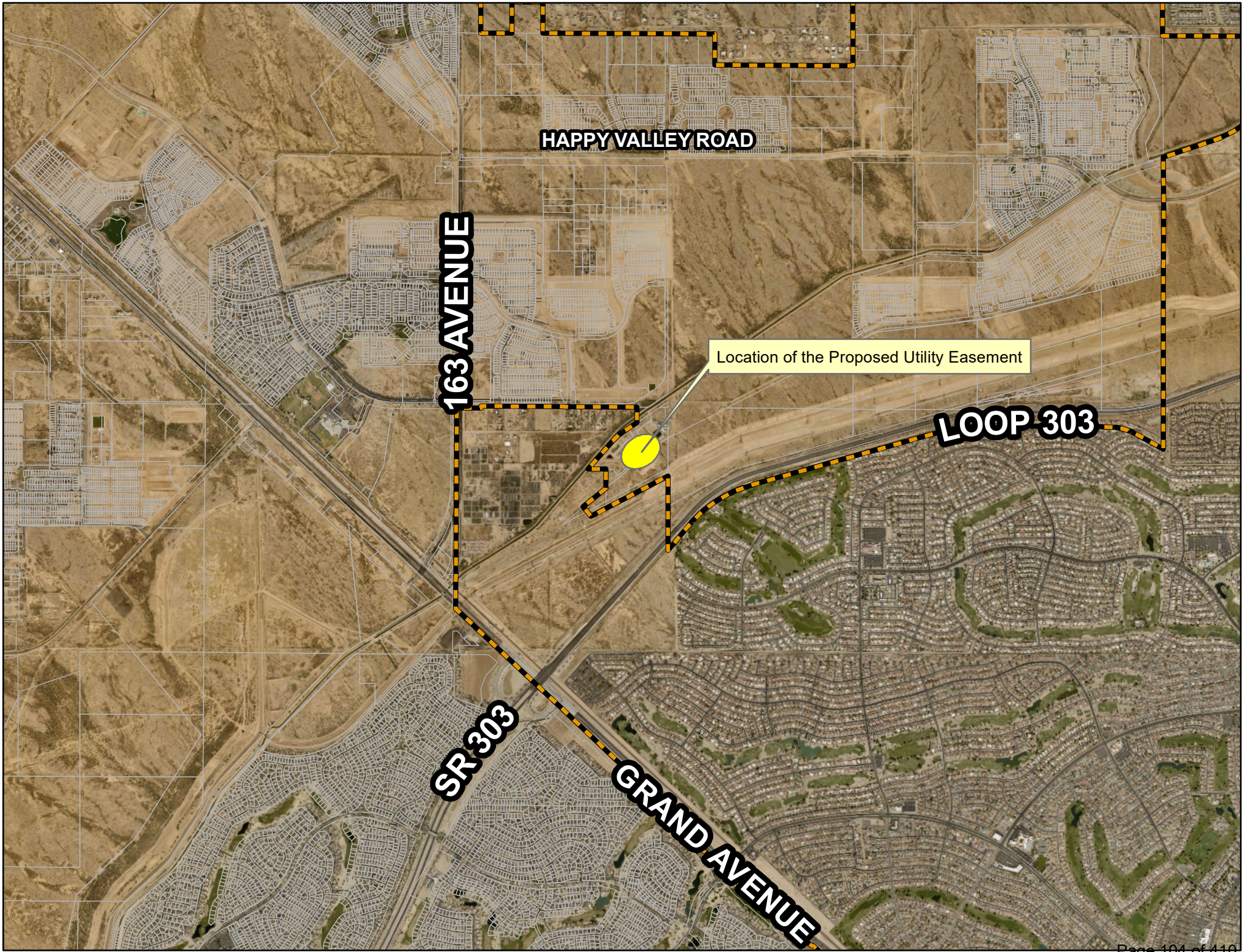
The foregoing instrument was acknowledged before me this 27 day of JULY, 2021, by RHETT MILLER the EVP / CCO of NEXBANK, on behalf thereof.

_____
Notary Public

My Commission Expires: 09-15-2024

VALERIE APHAY
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 124963254

52164349.2


HAPPY VALLEY ROAD
163 AVENUE
Location of the Proposed Utility Easement
LOOP 303
SR 303
GRAND AVENUE

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Kristin Tytler, Department Director
District: District 4

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

Agenda Wording:
Consideration and action declaring the City's intention to create of a lighting improvement district known as, "City of Surprise, Arizona, SU-OTSCommSouth197 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2022-03.

Motion:
I move to approve Resolution #2022-03.

Background:
The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City and Arizona Public Service Company (“APS”) have approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes based on the number and classification of properties within the district.

Objective Analysis:
A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area’s street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the SU-OTSCommSouth197 development.

Policy Compliant:
Surprise Municipal Code requires that street lighting that serves a defined area be paid for through

revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2022 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2022, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2023, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01 Res 2022-03_ Shaughnessy SLID_FINAL
2. 02 FS20-799 SIGNED PETITION SLID Revised
3. 03 Shaughnessy Council Exhibit

RESOLUTION # 2022-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF EQUAL APPORTIONMENT OF TAXES BASED ON THE NUMBER AND CLASSIFICATION OF PROPERTIES WITHIN THE DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, SU-OTSCommSouth197 LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public streets and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District, and

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Surprise, Arizona, as follows:

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, SU-OTSCommSouth197 LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvements as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of an equal apportionment of taxes based on the number and classification of properties within the District to be known and designated as "City of Surprise, Arizona SU-OTSCommSouth197 Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by an equal apportionment of taxes based on the number and classification of the properties within the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed One Dollar and Twenty Cents ($1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT "A"
DESCRIPTION OF SHAUGHNESSY LAND

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SURPRISE IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Parcel 1:

Lot 42, Surprize, according to the Plat recorded in Book 25 of Maps, page 26, records of Maricopa County, Arizona.

EXCEPT any portion of said lot lying within the right of way of the Phoenix-Prescott Highway, as described in Docket 9, page 130.

Parcel 2:

Lots 43 and 44, Surprize, according to the Plat recorded in Book 25 of Maps, page 26, records of Maricopa County, Arizona.

EXCEPT any portion of said lot lying within the right of way of the Phoenix-Prescott Highway, as described in Docket 9, page 130; AND

EXCEPT that part of Lots 43 and 44, Surprize, described as follows;

Beginning at the point of intersection of the South line of the 150 foot right-of-way shown in Book 356 of Deeds, Page 413 and the Easterly line of Lot 44;
Thence in a Northwesterly direction along the South line of said right-of-way, a distance of 125 feet to a point;
Thence Southwesterly 125 feet along a line parallel to and 125 feet Northwesterly of said Easterly line of Lot 44;
Thence Southeasterly 125 feet to a point on said Easterly lint of Lot 44 which is 125 feet Southwesterly from the POINT OF BEGINNING;
Thence Northeasterly along said Easterly line to the POINT OF BEGINNING.

APN: 501-22-017A

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY EQUITY TITLE AGENCY, INC., COMMITMENT NO. 02741770-027-LR1, DATED AUGUST 21, 2020.

TOGETHER with the northerly extension said property to the centerline of Grand Avenue and the southerly extension of said property to the centerline of Market Street.

BEING FURTHER bounded and described as follows:

COMMENCING at the intersection of the extension of Lot 44 with the centerline of Market Street; Thence North 45°00'00" W, a distance of 225.06'; Thence North 45°00'00" E, a distance of 301.19' to the centerline of Grand Avenue; Thence South 44°58'53" E, a distance of 100.06'; Thence South 45°00'00" W, a distance of 150.00'; Thence South 44°58'53" E, a distance of 125.00'; Thence South 45°00'00" W, a distance of 151.11' to the POINT OF BEGINNING.

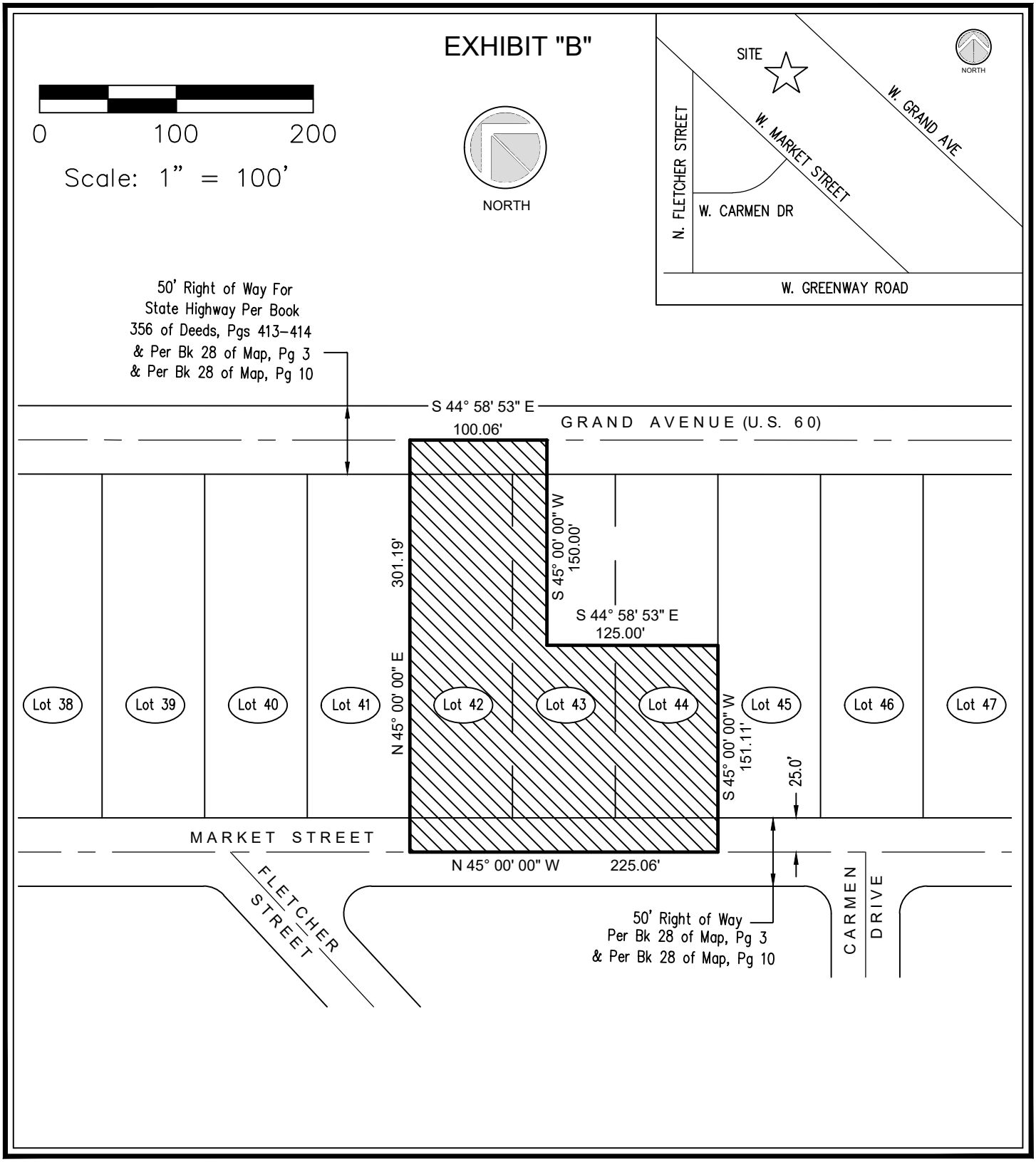
JOSHUA L. VUKODER
REGISTRATION NO. 41114
IN THE STATE OF ARIZONA
DATE: 3/23/21
REVISED: 6/25/21
JOB #5568

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
41114
JOSHUA L.
VUKODER
DATE SIGNED 03/23/21
ARIZONA, U.S.A.

NV5

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR
PROJECT NAME
DATE OF FIELD SURVEY: November 2019
NETWORK PROJECT NUMBER. #5568
1-(800)-SURVEYS (787-8397)
TRANSACTION SERVICES
www.bockandclark.com maywehelpyou@bockandclark.com www.NV5.com
SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

EXHIBIT "B"



JOSHUA L. VUKODER
REGISTRATION NO. 41114
IN THE STATE OF ARIZONA
DATE: 3/23/21
REVISED: 6/25/21
JOB #5568

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
41114
JOSHUA L.
VUKODER
DATE SIGNED 03/23/21
ARIZONA, U.S.A.

NV5

ALTA/NSPS LAND TITLE SURVEY

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SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, within the district named below. We petition the City Council of the City of Surprise, Arizona, to establish a street light improvement district under Arizona Revised Statutes (A.R.S.) §48-571 to 48-622, and any amendments, and specifically A.R.S. §48-615 to 48-617, to purchase electricity for lighting the public streets and/or parks within the district whose boundaries and area is described in Exhibits A and B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to order the proposed improvements, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Expenses of the District (**PICK ONE**)

○ shall be paid by the levy and collection of ad valorem taxes upon assessed value of all property in the District

☒ shall be paid by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to form the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the proposed street light improvements district shall be:

SU-OTSCommSouth197

(Leave Blank - to be assigned by City staff)

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Jabs Holding, LLC	12723 W. Grand Ave	501-22-017A	

AVAILABILITY

This rate schedule is applicable to those portions of cities, towns and unincorporated communities in which the Company does a general retail electric business and where the Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered.

DESCRIPTION

E-58 is a rate that is applicable for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities.

TIME PERIODS

Dusk: Time between sunset and full night when photocontrol senses the lack of sufficient sunlight and turns on the lights.

Dawn: The time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

CHARGES

The monthly bill will consist of the following charges, plus adjustments.

I. FIXTURES (Includes Mounting Arm, if Applicable)

				CHARGES	
	Lumen	Watts	kWh	Investment by Company	Investment by Others
A. Acorn	3,835 LED	75	26	$21.63	$7.59
	4,796 LED	75	26	$17.38	$6.46
	5,003 LED	100	35	$23.45	$8.71
	5,904 LED	100	35	$23.03	$8.60
	6000 IND	85	29	$19.24	$5.14
B. Architectural	6,200 IND	85	29	$10.13	$3.93
	8,400 IND	100	34	$10.69	$4.36
	10,200 IND	120	41	$11.75	$4.99
	13,000 IND	150	52	$12.98	$5.93
	20,500 IND	200	69	$14.78	$7.37
	22,500 IND	265	91	$17.63	$9.28
	3,300 LED	43	15	$10.24	$3.79
	3,800 LED	32	12	$7.73	$2.92
	3,900 LED	32	12	$9.96	$3.51
	4,050 LED	63	22	$18.63	$6.52
	4,100 LED	45	16	$10.34	$3.89
	4,800 LED	41	15	$8.27	$3.27
	5,000 LED	41	15	$9.61	$3.62

				CHARGES	
	Lumen	Watts	kWh	Investment by Company	Investment by Others
	5,100 LED	60	21	$10.18	$4.19
	5,300 LED	67	24	$10.47	$4.48
	5,800 LED	94	32	$17.81	$5.16
	5,890 LED	89	31	$20.56	$7.66
	6,000 LED	62	22	$18.63	$6.52
	6,000 LED	67	24	$19.89	$6.99
	6,400 LED	89	31	$17.89	$5.10
	6,810 LED	101	35	$18.89	$7.50
	7,100 LED	62	22	$19.70	$6.80
	7,400 LED	127	44	$20.42	$6.34
	7,500 LED	73	26	$20.08	$7.18
	7,700 LED	86	30	$18.41	$7.02
	8,200 LED	88	31	$10.45	$4.97
	8,200 LED	95	33	$11.87	$5.48
	8,300 LED	72	25	$17.93	$6.54
	8,300 LED	106	37	$12.45	$5.91
	8,500 LED	88	31	$11.69	$5.30
	9,020 LED	139	48	$22.94	$9.47
	9,200 LED	139	48	$25.60	$7.30
	9,900 LED	130	45	$13.82	$6.84
	10,000 LED	93	32	$21.43	$7.96
	10,000 LED	113	39	$13.26	$6.28
	10,600 LED	126	44	$22.56	$9.09
	11,100 LED	108	38	$12.76	$6.07
	11,500 LED	108	38	$13.16	$6.18
	12,300 LED	203	70	$25.48	$8.85
	12,900 LED	119	41	$22.31	$8.82
	13,260 LED	202	70	$27.11	$12.12
	13,620 LED	202	70	$28.49	$9.24
	14,000 LED	171	59	$26.07	$11.08
	15,000 LED	136	47	$24.93	$9.94
	15,400 LED	144	50	$25.21	$10.22
	18,300 LED	162	56	$16.13	$8.22
	19,200 LED	257	89	$26.87	$13.38
	20,000 LED	258	89	$26.87	$13.38
	20,300 LED	193	67	$17.17	$9.26
	21,000 LED	193	67	$24.77	$11.28
C. Cobra	6,200 IND	75	26	$10.54	$3.77
	6,400 IND	85	29	$8.97	$3.78
	8,000 IND	88	30	$10.47	$4.04
	8,400 IND	100	34	$9.70	$4.24
	10,200 IND	120	41	$10.44	$4.81

					CHARGES	
		Lumen	Watts	kWh	Investment by Company	Investment by Others
C. Cobra		13,000 IND	150	52	$11.50	$5.73
		15,250 IND	200	69	$13.86	$7.25
		22,500 IND	250	86	$18.55	$9.06
	Gray/Bronz	3,500 IND	55	19	$10.50	$3.27
		6,000 LED	95	33	$17.05	$5.13
		8,700 LED	142	49	$19.17	$6.53
		9,600 LED	157	54	$20.40	$7.04
		11,600 B-LED	181	62	$19.03	$7.44
	Gray/Bronz	3,300 LED	43	15	$9.00	$2.79
	Gray/Bronz	5,300 LED	67	23	$10.45	$3.54
	Gray/Bronz	8,300 LED	106	37	$13.55	$4.94
	Gray/Bronz	10,500 LED	130	45	$15.08	$5.69
	Gray/Bronz	20,000 LED	258	89	$26.21	$10.27
D. Decorative		5,300 LED	75	26	$28.44	$6.12
Transit		8,300 LED	100	34	$30.45	$6.97
		8,147 LED	75	26	$35.76	$11.36
		9,522 LED	100	35	$36.14	$12.09
		10,500 LED	150	52	$32.69	$8.52
		14,896 LED	150	52	$39.98	$14.29
	Double	8,147 LED	75	26	$64.74	$18.96
	Double	9,522 LED	100	35	$64.67	$19.58
	Double	14,896 LED	100	52	$70.67	$22.32
	Copper	6,000 IND	85	29	$18.87	$5.09
	Gray/Black	8,000 IND	88	30	$14.86	$4.62
	Gray/Black	4,350 LED	86	30	$13.48	$4.44
E. Flood		14,470 LED	148	51	$23.93	$9.95
		16,000 LED	125	43	$23.17	$9.19
F. Pendant		8,678 LED	75	26	$26.36	$8.85
		13,964 LED	100	35	$27.84	$9.88
G. Post Top		4,350 LED	86	30	$13.43	$5.69
		6,400 LED	30	30	$13.43	$5.69
		6,600 LED	83	29	$13.33	$5.59
H. Roadway		3,300 LED	43	15	$9.46	$3.58
		3,800 LED	32	12	$7.24	$2.79
		3,900 LED	32	12	$9.18	$3.30
		4,100 LED	45	16	$9.56	$3.68
		4,800 LED	41	15	$7.76	$3.13
		5,000 LED	41	15	$9.12	$3.49
		5,100 LED	60	21	$9.69	$4.06
		5,300 LED	67	24	$9.98	$4.35
		8,200 LED	88	31	$9.72	$4.77

	8,200 LED	95	33	$11.36	$5.34
	8,300 LED	106	37	$11.74	$5.72
	8,500 LED	88	31	$11.18	$5.16
	9,900 LED	130	45	$13.31	$6.70
	10,000 LED	113	39	$12.75	$6.14
	11,100 LED	108	38	$12.03	$5.88
	11,500 LED	108	38	$12.65	$6.04
	18,300 LED	162	56	$15.23	$7.98
	19,200 LED	257	89	$19.11	$11.32
	20,000 LED	258	89	$19.11	$11.32
	20,300 LED	193	67	$16.27	$9.02
	21,000 LED	193	67	$17.01	$9.22

FROZEN	4,000 INC	295	103	$10.54	$5.89
	7,000 MV	175	73	$13.65	$7.83
	11,000 MV	250	96	$17.09	$10.43
	20,000 MV	400	150	$26.84	$15.21
FROZEN ACORN	9,500 HPS	100	41	$29.14	$9.93
	16,000 HPS	150	69	$32.35	$12.55
FROZEN ARCHITECTURAL	9,500 HPS	100	41	$16.56	$7.90
	16,000 HPS	150	69	$19.77	$19.34
	30,000 HPS	250	99	$22.95	$13.57
	50,000 HPS	400	153	$28.32	$19.53
	14,000 MH	175	72	$23.17	$12.70
	21,000 MH	250	101	$26.31	$15.66
	36,000 MH	400	159	$32.89	$21.54
	8,000 LPS	55	30	$24.08	$10.58
	13,500 LPS	90	50	$28.39	$12.76
	22,500 LPS	135	72	$32.43	$15.56
	33,000 LPS	180	90	$39.01	$18.33
FROZEN COBRA ROADWAY	5,800 HPS	70	29	$9.40	$5.56
	9,500 HPS	100	41	$11.07	$6.81
	16,000 HPS	150	69	$13.86	$9.50
	30,000 HPS	250	99	$16.72	$12.35
FROZEN COBRA ROADWAY	50,000 HPS	400	153	$22.69	$17.63
	14,000 MH	175	72	$16.12	$10.99
	21,000 MH	250	101	$18.84	$13.67
	36,000 MH	400	159	$24.81	$18.99
	8,000 FL	100	38	$18.53	$5.43
FROZEN DECORATIVE TRANSIT	9,500 HPS	100	41	$39.95	$11.96
	16,000 HPS	150	69	$39.72	$13.36
	30,000 HPS	250	99	$45.74	$17.26
FROZEN FLOOD	30,000 HPS	250	99	$22.20	$13.79
	50,000 HPS	400	153	$27.53	$19.14
	21,000 MH	250	101	$23.69	$14.58
	36,000 MH	400	159	$28.89	$19.76
FROZEN Colonial Gray	8,000 FL	100	38	$19.97	$5.64

FROZEN

POST TOP	Colonial Gray	9,500 HPS	100	41	$11.42	$7.16
	Colonial Black	9,500 HPS	100	41	$13.15	$7.41
	Decorative	9,500 HPS	100	41	$34.97	$11.03

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.

2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the Customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.

3. Listed kWhs reflect the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.

4. HPS = High Pressure Sodium

5. MH = Metal Halide

6. LPS = Low Pressure Sodium

7. FL = Fluorescent

8. INC = Incandescent. Incandescent lighting charges are applicable and available only to those Customers being served and those installations in service on November 1, 1986.

9. MV = Mercury Vapor. Mercury Vapor lighting charges are applicable and available only to those Customers being served and those installation in service on November 1, 1986 in accordance with A.R.S. §49-1104(A).

10. LED = Light Emitting Diode

11. IND = Induction

II. POLES

				CHARGES	
			Height	Investment by Company	Investment by Others
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	12 ft.	$13.11	$1.81
			22 ft.	$14.75	$2.03
			25 ft.	$15.97	$2.21
			30 ft.	$18.34	$2.52
			32 ft.	$19.27	$2.55
		2 Simplex Adapters	12 ft.	$13.98	$1.93
			22 ft.	$16.06	$2.22
			25 ft.	$16.75	$2.31
			30 ft.	$19.47	$2.68
			32 ft.	$20.77	$2.87
	Square Steel	5"	13 ft.	$15.03	$2.06
			15 ft.	$13.43	$1.85
			23 ft.	$15.93	$2.19
			25 ft.	$17.51	$2.41
			28 ft.	$19.44	$2.67
			32 ft.	$19.33	$2.66
	Concrete		12 ft.	$44.79	$6.17
	Fiberglass		12 ft.	$37.93	$5.22
	Decorative Transit	4"	16 ft.	$36.98	$5.10
	Decorative Transit	6"	30 ft.	$71.39	$9.83
	Hinged Poles	Square	15 ft.	$14.21	$1.16
		Round	19 ft.	$12.85	$1.05
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	$12.61	$1.73
			22 ft.	$14.26	$1.96
			25 ft.	$15.46	$2.13
			30 ft.	$17.85	$2.47
			32 ft.	$18.75	$2.58
		2 Simplex Adapters	12 ft.	$13.47	$1.85
			22 ft.	$15.05	$2.06
			25 ft.	$16.24	$2.23
			30 ft.	$18.97	$2.60
			32 ft.	$20.26	$2.79
		3 Bolt	32 ft.	$23.28	$3.20
	Square Steel	5"	13 ft.	$14.54	$2.01
			15 ft.	$14.86	$2.03
			23 ft.	$15.43	$2.13
			25 ft.	$17.02	$2.36
			28 ft.	$18.91	$2.60
			32 ft.	$19.63	$2.69

II POLES (cont)

				CHARGES	
			Height	Investment by Company	Investment by Others
C. Direct Bury	Round Steel		19 ft.	$19.84	$2.74
			30 ft.	$15.49	$2.87
			38 ft.	$18.90	$2.94
		Self	40 ft.	$23.28	$3.69
		Stepped	25 ft.	$53.55	$4.37
			32 ft.	$56.40	$4.60
			49 ft.	$70.00	$9.65
	Square Steel	4"	34 ft.	$17.09	$2.96
		5"	20 ft.	$16.23	$2.68
			30 ft.	$16.92	$2.79
			38 ft.	$18.36	$3.19
		8"	28 ft.	$30.64	$2.49
			32 ft.	$32.03	$2.62
	Decorative Transit		41 ft 6	$22.05	$3.24
	Decorative Transit		47 ft.	$27.47	$4.04
	Steel Distribution Pole (for lighting only)		35 ft.	$25.36	$3.34
D. Post Top	Decorative Transit Anchor Base		16 ft.	$37.77	$5.19
	Gray Steel/Fiberglass		23 ft.	$13.10	$2.15
	Black Steel		23 ft.	$14.44	$2.38
E. Existing distribution pole suitable for streetlight use				$1.59	--
F. FROZEN	Wood Poles		30 ft.	$9.64	$1.67
			35 ft.	$9.64	$1.59

FROZEN

NOTE: The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the Customer provides earthwork and conduit (excluding the underground to overhead transition).

III. ANCHOR BASE

			CHARGES	
		Height	Investment by Company	Investment by Others
A. Flush		4 ft.	$10.67	$1.47
		6 ft.	$12.73	$2.21
B. Pedestal		8 ft.	$14.59	$2.54
	For 32' Round Steel Pole only	4 ft. 6"	$10.12	$1.75

IV. CHARGES FOR OPTIONAL OR ADDITIONAL EQUIPMENT

	CHARGE Company Owned
Underground Circuit Charges:	
a. Per foot of cable, installed under paving	$0.17000
b. Per foot of cable, not installed under paving	$0.06000

FROZEN

V. DETERMINATION OF CHARGES FOR NEW EQUIPMENT

Monthly charges for new lighting fixtures, poles and other equipment not included in Sections I, II, or III above will be determined by the Company using the following method:

Step 1 Determination of Charges for each Charge Type

Charge Type	Monthly Charge		Cost Inputs		PV Factor		Monthly Fixed Charge Rate
1	Carrying Cost (fixtures)	=	Equipment Cost (installed)	x	NA	x	1.518%
2	Carrying Cost (poles)	=	Equipment Cost (installed)	x	NA	x	1.296%
3	Fixture Replacement Cost	=	Equipment Cost (installed)	x	0.257	x	1.518%
4	Pole, Anchor Replacement Cost	=	Equipment Cost (installed)	x	0.110	x	1.296%
5	Lighting O&M	=	O&M Cost (lifecycle)	x	0.427	x	1.518%

Charge Type	Monthly Charge		kWh Input		$/kWh
6	Generation	=	kWh per month	x	0.06760
7	T&D, RCS, SB	=	kWh per month	x	0.02738

Step 2 Determination of Total Monthly Charge

The total monthly charge will be the summation of the charges for each applicable charge type

Equipment	Charge Type
Fixture - IBC	1,5,6,7
Fixture - IBO	3,5,6,7
Pole, Anchor Base - IBC	2
Pole, Anchor Base - IBO	4

TRIP CHARGE

A $100.00 trip charge per light will be charged when a Customer requests a disconnect or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street lighting equipment.

ADJUSTMENTS

The bill will include the following adjustments:

1. The Renewable Energy Standard charge, Adjustment Schedule REAC-1.
2. The Power Supply Adjustment charges, Adjustment Schedule PSA-1.
3. The Transmission Cost Adjustment charge, Adjustment Schedule TCA-1.
4. The Environmental Improvement Surcharge, Adjustment Schedule EIS.
5. The Demand Side Management Adjustment charge, Adjustment Schedule DSMAC-1.
6. The Lost Fixed Cost Recovery Adjustment charge, Adjustment Schedule LFCR.
7. Direct Access Customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge, Adjustment Schedule RCDAC-1.
8. Any applicable taxes and governmental fees that are assessed on APS's revenues, prices, sales volume, or generation volume.

SERVICE DETAILS

1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.

2. The Customer will be responsible for notifying the Company when the streetlighting facilities are not operating as intended. The Company will use reasonable efforts to complete normal maintenance (replacement of lamps, photocontrols or fixtures) within ten (10) working days from notification by Customer. If the maintenance requires cable replacement or repairs, the Company will use reasonable efforts to complete said repairs within twenty (20) working days.

3. The Customer's bill will not be reduced due to lamp, photocontrol or cable repair or replacement outages.

4. Lighting equipment which is not specified in this rate schedule will be billed at the rates corresponding to the most similar equipment, as determined by the Company.

5. Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.

6. The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the Customer. When the extension is underground the customer will provide earthwork as specified in the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.

   a. Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.

7. APS provides electric service under the Company's Service Schedules. These schedules provide details about how the Company serves its Customers, and they have provisions and charges that may affect the Customer's bill. In addition, service may be subject to special terms and conditions as provided for in a Customer contract or service agreement.

Shaughnessy



Street Lights:

- Street Light Pole
- 3 poles
- SLID Boundary

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Kristin Tytler, Department Director
District: District 3

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

Agenda Wording:

Consideration and action declaring the City's intention to create the lighting improvement district known as, "City of Surprise, Arizona, SU-WaddelNSarval198 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2022-04.

Motion:

I move to approve Resolution #2022-04.

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City and Arizona Public Service Company (“APS”) have approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of ad valorem taxes based upon the assessed value of all property in the District.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area’s street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the SU-WaddelNSarval198 development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through

revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2022 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2022, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2023, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01 Res 2022-04 SLID_Hancock Comm
2. 02 FS21-289 Dist Petition_Hancock Comm_apprvd
3. 03 FS21-289 Street Light Plan_Hancock Comm Prasada_not approved
4. 04 FS21-289 Council Map_Hancock Communities_apprvd

RESOLUTION # 2022-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES UPON THE ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN A CERTAIN DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, *SU-WADDELNSARVAL198* LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public street and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District, and

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Surprise, Arizona, as follows:

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, *SU-WADDELNSARVAL198* LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvement as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of ad valorem taxes upon the assessed value of all real and personal property in the District to be known and designated as "City of Surprise, Arizona *SU-WaddelNSarval198* Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by ad valorem taxes upon all of the property of the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed One Dollar and Twenty Cents ($1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RECEIVED
10/01/2021

Bowman

September 7, 2021
Project # 050752-01-001

EXHIBIT A

LEGAL DESCRIPTION
STREET LIGHT IMPROVEMENT DISTRICT

THAT PORTION OF THE NORTH HALF OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18, BEING A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE NORTH QUARTER CORNER OF SAID SECTION 18, BEARS NORTH 89°04'48" WEST, A DISTANCE OF 2637.69 FEET;

THENCE NORTH 89°04'48" WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1978.23 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPATING SAID NORTH LINE, SOUTH 00°06'49" WEST, A DISTANCE OF 1228.23 FEET;

THENCE SOUTH 84°23'37" WEST, A DISTANCE OF 105.20 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 683.66 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE SOUTHERLY, HAVING A RADIUS OF 187.50 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°41'12”, AND AN ARC DISTANCE OF 87.33 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 63°18'48" WEST, A DISTANCE OF 82.60 FEET;

THENCE NORTH 26°41'12" WEST, A DISTANCE OF 640.29 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE EASTERLY, HAVING A RADIUS OF 900.00 FEET;

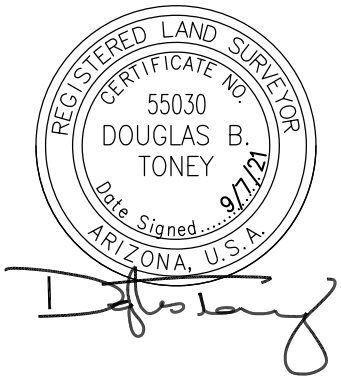
THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°35'13”, AND AN ARC DISTANCE OF 433.34 FEET TO A POINT OF TANGENCY;

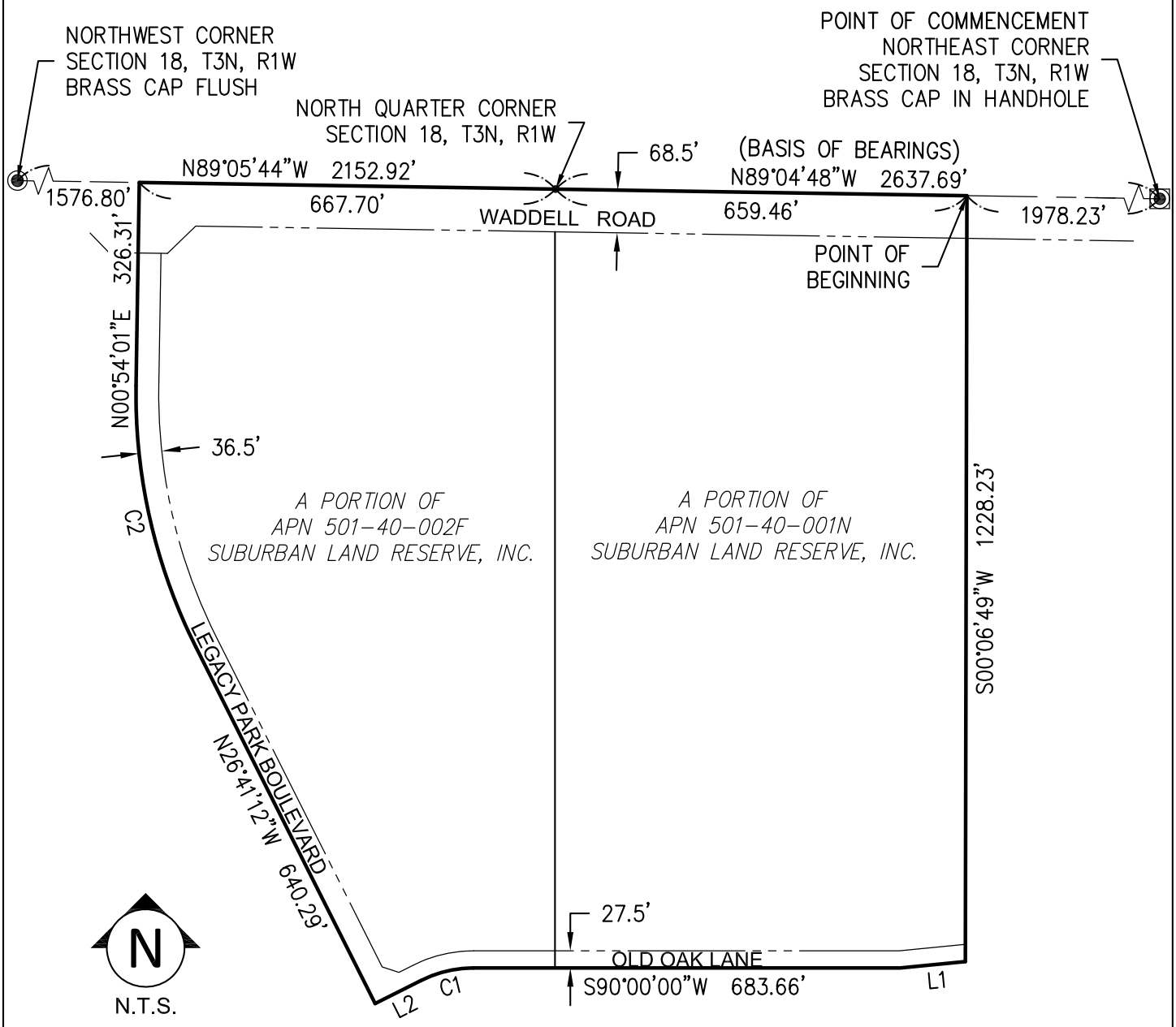
THENCE NORTH 00°54'01" EAST, A DISTANCE OF 326.31 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18;

THENCE SOUTH 89°05'44" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 667.70 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 18;

THENCE SOUTH 89°04'48" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 659.46 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,536,775 SQ.FT. OR 35.2795 ACRES, MORE OR LESS.





LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	105.20'	S84°23'37"W
L2	82.60'	S63°18'48"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	87.33'	187.50'	026°41'12"
C2	433.34'	900.00'	027°35'13"

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
55030
DOUGLAS B.
TONEY
Date Signed 9/7/21
ARIZONA, U.S.A.

SHEET 1 OF 1

DATE: 9/7/21

EXHIBIT B
STREET LIGHT IMPROVEMENT DISTRICT

BY: TL | CHK: DT | QC:

BCG PROJECT NO: 050752-01 TASK: 001
CLIENT REF NO:

Bowman
1600 N Desert Drive, #210
Tempe, AZ 85281
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com

STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, within the district named below. We petition the City Council of the City of Surprise, Arizona, to establish a street light improvement district under Arizona Revised Statutes (A.R.S.) §48-571 to 48-622, and any amendments, and specifically A.R.S. §48-615 to 48-617, to purchase electricity for lighting the public streets and/or parks within the district whose boundaries and area is described in Exhibits A and B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to order the proposed improvements, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Expenses of the District (**PICK ONE)**

(●) shall be paid by the levy and collection of ad valorem taxes upon assessed value of all property in the District

( ) shall be paid by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to form the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the proposed street light improvements district shall be:
SU-WaddelNSarval198

(Leave Blank - to be assigned by City staff)

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Suburban Land Reserve, Inc. Matt Baldwin	13742 N SARIVAL AVE SURPRISE 85379	501-40-002F, 501-40-001N	

AVAILABILITY

This rate schedule is applicable to those portions of cities, towns and unincorporated communities in which the Company does a general retail electric business and where the Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered.

DESCRIPTION

E-58 is a rate that is applicable for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities.

TIME PERIODS

Dusk: Time between sunset and full night when photocontrol senses the lack of sufficient sunlight and turns on the lights.

Dawn: The time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

CHARGES

The monthly bill will consist of the following charges, plus adjustments.

I. FIXTURES (Includes Mounting Arm, if Applicable)

				CHARGES	
	Lumen	Watts	kWh	Investment by Company	Investment by Others
A. Acorn	3,835 LED	75	26	$21.63	$7.59
	4,796 LED	75	26	$17.38	$6.46
	5,003 LED	100	35	$23.45	$8.71
	5,904 LED	100	35	$23.03	$8.60
	6000 IND	85	29	$19.24	$5.14
B. Architectural	6,200 IND	85	29	$10.13	$3.93
	8,400 IND	100	34	$10.69	$4.36
	10,200 IND	120	41	$11.75	$4.99
	13,000 IND	150	52	$12.98	$5.93
	20,500 IND	200	69	$14.78	$7.37
	22,500 IND	265	91	$17.63	$9.28
	3,300 LED	43	15	$10.24	$3.79
	3,800 LED	32	12	$7.73	$2.92
	3,900 LED	32	12	$9.96	$3.51
	4,050 LED	63	22	$18.63	$6.52
	4,100 LED	45	16	$10.34	$3.89
	4,800 LED	41	15	$8.27	$3.27
	5,000 LED	41	15	$9.61	$3.62

				CHARGES	
	Lumen	Watts	kWh	Investment by Company	Investment by Others
	5,100 LED	60	21	$10.18	$4.19
	5,300 LED	67	24	$10.47	$4.48
	5,800 LED	94	32	$17.81	$5.16
	5,890 LED	89	31	$20.56	$7.66
	6,000 LED	62	22	$18.63	$6.52
	6,000 LED	67	24	$19.89	$6.99
	6,400 LED	89	31	$17.89	$5.10
	6,810 LED	101	35	$18.89	$7.50
	7,100 LED	62	22	$19.70	$6.80
	7,400 LED	127	44	$20.42	$6.34
	7,500 LED	73	26	$20.08	$7.18
	7,700 LED	86	30	$18.41	$7.02
	8,200 LED	88	31	$10.45	$4.97
	8,200 LED	95	33	$11.87	$5.48
	8,300 LED	72	25	$17.93	$6.54
	8,300 LED	106	37	$12.45	$5.91
	8,500 LED	88	31	$11.69	$5.30
	9,020 LED	139	48	$22.94	$9.47
	9,200 LED	139	48	$25.60	$7.30
	9,900 LED	130	45	$13.82	$6.84
	10,000 LED	93	32	$21.43	$7.96
	10,000 LED	113	39	$13.26	$6.28
	10,600 LED	126	44	$22.56	$9.09
	11,100 LED	108	38	$12.76	$6.07
	11,500 LED	108	38	$13.16	$6.18
	12,300 LED	203	70	$25.48	$8.85
	12,900 LED	119	41	$22.31	$8.82
	13,260 LED	202	70	$27.11	$12.12
	13,620 LED	202	70	$28.49	$9.24
	14,000 LED	171	59	$26.07	$11.08
	15,000 LED	136	47	$24.93	$9.94
	15,400 LED	144	50	$25.21	$10.22
	18,300 LED	162	56	$16.13	$8.22
	19,200 LED	257	89	$26.87	$13.38
	20,000 LED	258	89	$26.87	$13.38
	20,300 LED	193	67	$17.17	$9.26
	21,000 LED	193	67	$24.77	$11.28
C. Cobra	6,200 IND	75	26	$10.54	$3.77
	6,400 IND	85	29	$8.97	$3.78
	8,000 IND	88	30	$10.47	$4.04
	8,400 IND	100	34	$9.70	$4.24
	10,200 IND	120	41	$10.44	$4.81

					CHARGES	
		Lumen	Watts	kWh	Investment by Company	Investment by Others
C. Cobra		13,000 IND	150	52	$11.50	$5.73
		15,250 IND	200	69	$13.86	$7.25
		22,500 IND	250	86	$18.55	$9.06
	Gray/Bronz	3,500 IND	55	19	$10.50	$3.27
		6,000 LED	95	33	$17.05	$5.13
		8,700 LED	142	49	$19.17	$6.53
		9,600 LED	157	54	$20.40	$7.04
		11,600 B-LED	181	62	$19.03	$7.44
	Gray/Bronz	3,300 LED	43	15	$9.00	$2.79
	Gray/Bronz	5,300 LED	67	23	$10.45	$3.54
	Gray/Bronz	8,300 LED	106	37	$13.55	$4.94
	Gray/Bronz	10,500 LED	130	45	$15.08	$5.69
	Gray/Bronz	20,000 LED	258	89	$26.21	$10.27
D. Decorative		5,300 LED	75	26	$28.44	$6.12
Transit		8,300 LED	100	34	$30.45	$6.97
		8,147 LED	75	26	$35.76	$11.36
		9,522 LED	100	35	$36.14	$12.09
		10,500 LED	150	52	$32.69	$8.52
		14,896 LED	150	52	$39.98	$14.29
	Double	8,147 LED	75	26	$64.74	$18.96
	Double	9,522 LED	100	35	$64.67	$19.58
	Double	14,896 LED	100	52	$70.67	$22.32
	Copper	6,000 IND	85	29	$18.87	$5.09
	Gray/Black	8,000 IND	88	30	$14.86	$4.62
	Gray/Black	4,350 LED	86	30	$13.48	$4.44
E. Flood		14,470 LED	148	51	$23.93	$9.95
		16,000 LED	125	43	$23.17	$9.19
F. Pendant		8,678 LED	75	26	$26.36	$8.85
		13,964 LED	100	35	$27.84	$9.88
G. Post Top		4,350 LED	86	30	$13.43	$5.69
		6,400 LED	30	30	$13.43	$5.69
		6,600 LED	83	29	$13.33	$5.59
H. Roadway		3,300 LED	43	15	$9.46	$3.58
		3,800 LED	32	12	$7.24	$2.79
		3,900 LED	32	12	$9.18	$3.30
		4,100 LED	45	16	$9.56	$3.68
		4,800 LED	41	15	$7.76	$3.13
		5,000 LED	41	15	$9.12	$3.49
		5,100 LED	60	21	$9.69	$4.06
		5,300 LED	67	24	$9.98	$4.35
		8,200 LED	88	31	$9.72	$4.77

	8,200 LED	95	33	$11.36	$5.34
	8,300 LED	106	37	$11.74	$5.72
	8,500 LED	88	31	$11.18	$5.16
	9,900 LED	130	45	$13.31	$6.70
	10,000 LED	113	39	$12.75	$6.14
	11,100 LED	108	38	$12.03	$5.88
	11,500 LED	108	38	$12.65	$6.04
	18,300 LED	162	56	$15.23	$7.98
	19,200 LED	257	89	$19.11	$11.32
	20,000 LED	258	89	$19.11	$11.32
	20,300 LED	193	67	$16.27	$9.02
	21,000 LED	193	67	$17.01	$9.22

FROZEN	4,000 INC	295	103	$10.54	$5.89
	7,000 MV	175	73	$13.65	$7.83
	11,000 MV	250	96	$17.09	$10.43
	20,000 MV	400	150	$26.84	$15.21
FROZEN ACORN	9,500 HPS	100	41	$29.14	$9.93
	16,000 HPS	150	69	$32.35	$12.55
FROZEN ARCHITECTURAL	9,500 HPS	100	41	$16.56	$7.90
	16,000 HPS	150	69	$19.77	$19.34
	30,000 HPS	250	99	$22.95	$13.57
	50,000 HPS	400	153	$28.32	$19.53
	14,000 MH	175	72	$23.17	$12.70
	21,000 MH	250	101	$26.31	$15.66
	36,000 MH	400	159	$32.89	$21.54
	8,000 LPS	55	30	$24.08	$10.58
	13,500 LPS	90	50	$28.39	$12.76
	22,500 LPS	135	72	$32.43	$15.56
	33,000 LPS	180	90	$39.01	$18.33
FROZEN COBRA ROADWAY	5,800 HPS	70	29	$9.40	$5.56
	9,500 HPS	100	41	$11.07	$6.81
	16,000 HPS	150	69	$13.86	$9.50
	30,000 HPS	250	99	$16.72	$12.35
FROZEN COBRA ROADWAY	50,000 HPS	400	153	$22.69	$17.63
	14,000 MH	175	72	$16.12	$10.99
	21,000 MH	250	101	$18.84	$13.67
	36,000 MH	400	159	$24.81	$18.99
	8,000 FL	100	38	$18.53	$5.43
FROZEN DECORATIVE TRANSIT	9,500 HPS	100	41	$39.95	$11.96
	16,000 HPS	150	69	$39.72	$13.36
	30,000 HPS	250	99	$45.74	$17.26
FROZEN FLOOD	30,000 HPS	250	99	$22.20	$13.79
	50,000 HPS	400	153	$27.53	$19.14
	21,000 MH	250	101	$23.69	$14.58
	36,000 MH	400	159	$28.89	$19.76
FROZEN Colonial Gray	8,000 FL	100	38	$19.97	$5.64

FROZEN

POST TOP	Colonial Gray	9,500 HPS	100	41	$11.42	$7.16
	Colonial Black	9,500 HPS	100	41	$13.15	$7.41
	Decorative	9,500 HPS	100	41	$34.97	$11.03

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.

2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the Customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.

3. Listed kWhs reflect the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.

4. HPS = High Pressure Sodium

5. MH = Metal Halide

6. LPS = Low Pressure Sodium

7. FL = Fluorescent

8. INC = Incandescent. Incandescent lighting charges are applicable and available only to those Customers being served and those installations in service on November 1, 1986.

9. MV = Mercury Vapor. Mercury Vapor lighting charges are applicable and available only to those Customers being served and those installation in service on November 1, 1986 in accordance with A.R.S. §49-1104(A).

10. LED = Light Emitting Diode

11. IND = Induction

II. POLES

				CHARGES	
			Height	Investment by Company	Investment by Others
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	12 ft.	$13.11	$1.81
			22 ft.	$14.75	$2.03
			25 ft.	$15.97	$2.21
			30 ft.	$18.34	$2.52
			32 ft.	$19.27	$2.55
		2 Simplex Adapters	12 ft.	$13.98	$1.93
			22 ft.	$16.06	$2.22
			25 ft.	$16.75	$2.31
			30 ft.	$19.47	$2.68
			32 ft.	$20.77	$2.87
	Square Steel	5"	13 ft.	$15.03	$2.06
			15 ft.	$13.43	$1.85
			23 ft.	$15.93	$2.19
			25 ft.	$17.51	$2.41
			28 ft.	$19.44	$2.67
			32 ft.	$19.33	$2.66
	Concrete		12 ft.	$44.79	$6.17
	Fiberglass		12 ft.	$37.93	$5.22
	Decorative Transit	4"	16 ft.	$36.98	$5.10
	Decorative Transit	6"	30 ft.	$71.39	$9.83
	Hinged Poles	Square	15 ft.	$14.21	$1.16
		Round	19 ft.	$12.85	$1.05
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	$12.61	$1.73
			22 ft.	$14.26	$1.96
			25 ft.	$15.46	$2.13
			30 ft.	$17.85	$2.47
			32 ft.	$18.75	$2.58
		2 Simplex Adapters	12 ft.	$13.47	$1.85
			22 ft.	$15.05	$2.06
			25 ft.	$16.24	$2.23
			30 ft.	$18.97	$2.60
			32 ft.	$20.26	$2.79
		3 Bolt	32 ft.	$23.28	$3.20
	Square Steel	5"	13 ft.	$14.54	$2.01
			15 ft.	$14.86	$2.03
			23 ft.	$15.43	$2.13
			25 ft.	$17.02	$2.36
			28 ft.	$18.91	$2.60
			32 ft.	$19.63	$2.69

II POLES (cont)

				CHARGES	
			Height	Investment by Company	Investment by Others
C. Direct Bury	Round Steel		19 ft.	$19.84	$2.74
			30 ft.	$15.49	$2.87
			38 ft.	$18.90	$2.94
		Self	40 ft.	$23.28	$3.69
		Stepped	25 ft.	$53.55	$4.37
			32 ft.	$56.40	$4.60
			49 ft.	$70.00	$9.65
	Square Steel	4"	34 ft.	$17.09	$2.96
		5"	20 ft.	$16.23	$2.68
			30 ft.	$16.92	$2.79
			38 ft.	$18.36	$3.19
		8"	28 ft.	$30.64	$2.49
			32 ft.	$32.03	$2.62
	Decorative Transit		41 ft 6	$22.05	$3.24
	Decorative Transit		47 ft.	$27.47	$4.04
	Steel Distribution Pole (for lighting only)		35 ft.	$25.36	$3.34
D. Post Top	Decorative Transit Anchor Base		16 ft.	$37.77	$5.19
	Gray Steel/Fiberglass		23 ft.	$13.10	$2.15
	Black Steel		23 ft.	$14.44	$2.38
E. Existing distribution pole suitable for streetlight use				$1.59	--
F. FROZEN	Wood Poles		30 ft.	$9.64	$1.67
			35 ft.	$9.64	$1.59

FROZEN

NOTE: The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the Customer provides earthwork and conduit (excluding the underground to overhead transition).

III. ANCHOR BASE

			CHARGES	
		Height	Investment by Company	Investment by Others
A. Flush		4 ft.	$10.67	$1.47
		6 ft.	$12.73	$2.21
B. Pedestal		8 ft.	$14.59	$2.54
	For 32' Round Steel Pole only	4 ft. 6"	$10.12	$1.75

IV. CHARGES FOR OPTIONAL OR ADDITIONAL EQUIPMENT

	CHARGE Company Owned
Underground Circuit Charges:	
a. Per foot of cable, installed under paving	$0.17000
b. Per foot of cable, not installed under paving	$0.06000

FROZEN

V. DETERMINATION OF CHARGES FOR NEW EQUIPMENT

Monthly charges for new lighting fixtures, poles and other equipment not included in Sections I, II, or III above will be determined by the Company using the following method:

Step 1 Determination of Charges for each Charge Type

Charge Type	Monthly Charge		Cost Inputs		PV Factor		Monthly Fixed Charge Rate
1	Carrying Cost (fixtures)	=	Equipment Cost (installed)	x	NA	x	1.518%
2	Carrying Cost (poles)	=	Equipment Cost (installed)	x	NA	x	1.296%
3	Fixture Replacement Cost	=	Equipment Cost (installed)	x	0.257	x	1.518%
4	Pole, Anchor Replacement Cost	=	Equipment Cost (installed)	x	0.110	x	1.296%
5	Lighting O&M	=	O&M Cost (lifecycle)	x	0.427	x	1.518%

Charge Type	Monthly Charge		kWh Input		$/kWh
6	Generation	=	kWh per month	x	0.06760
7	T&D, RCS, SB	=	kWh per month	x	0.02738

Step 2 Determination of Total Monthly Charge

The total monthly charge will be the summation of the charges for each applicable charge type

Equipment	Charge Type
Fixture - IBC	1,5,6,7
Fixture - IBO	3,5,6,7
Pole, Anchor Base - IBC	2
Pole, Anchor Base - IBO	4

TRIP CHARGE

A $100.00 trip charge per light will be charged when a Customer requests a disconnect or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street lighting equipment.

ADJUSTMENTS

The bill will include the following adjustments:

1. The Renewable Energy Standard charge, Adjustment Schedule REAC-1.
2. The Power Supply Adjustment charges, Adjustment Schedule PSA-1.
3. The Transmission Cost Adjustment charge, Adjustment Schedule TCA-1.
4. The Environmental Improvement Surcharge, Adjustment Schedule EIS.
5. The Demand Side Management Adjustment charge, Adjustment Schedule DSMAC-1.
6. The Lost Fixed Cost Recovery Adjustment charge, Adjustment Schedule LFCR.
7. Direct Access Customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge, Adjustment Schedule RCDAC-1.
8. Any applicable taxes and governmental fees that are assessed on APS's revenues, prices, sales volume, or generation volume.

SERVICE DETAILS

1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.

2. The Customer will be responsible for notifying the Company when the streetlighting facilities are not operating as intended. The Company will use reasonable efforts to complete normal maintenance (replacement of lamps, photocontrols or fixtures) within ten (10) working days from notification by Customer. If the maintenance requires cable replacement or repairs, the Company will use reasonable efforts to complete said repairs within twenty (20) working days.

3. The Customer's bill will not be reduced due to lamp, photocontrol or cable repair or replacement outages.

4. Lighting equipment which is not specified in this rate schedule will be billed at the rates corresponding to the most similar equipment, as determined by the Company.

5. Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.

6. The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the Customer. When the extension is underground the customer will provide earthwork as specified in the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.

   a. Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.

7. APS provides electric service under the Company's Service Schedules. These schedules provide details about how the Company serves its Customers, and they have provisions and charges that may affect the Customer's bill. In addition, service may be subject to special terms and conditions as provided for in a Customer contract or service agreement.

FS1-289

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PRASADA
W WADDELL ROAD
STREET LIGHT DESIGN

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.

STREET LIGHTING REQUIREMENTS

5.00 GENERAL NOTES:

THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS. SHOULD THERE BE A CONFLICT WITH THE SPECIFICATIONS, THIS DOCUMENT SHALL TAKE PRECEDENCE.

ALTERNATES SHALL BE PRE-APPROVED BY THE CITY ENGINEERING MANAGER. APPROVAL OF ALTERNATE PRODUCTS SHALL BE ON AN EQUAL BASIS WITH THE PRODUCT SPECIFIED AND SHALL BE SUBMITTED A MINIMUM OF TEN (10) DAYS PRIOR TO BID OPENING. STRUCTURAL CALCULATIONS SHALL BE FURNISHED FOR ALTERNATE PRODUCTS AND CERTIFIED BY A STRUCTURAL ENGINEER, REGISTERED IN THE STATE OF ARIZONA. LUMINAIRES AND LAMPS SHALL MEET OR EXCEED THE PHOTOMETRIC, ELECTRICAL, AND MECHANICAL REQUIREMENTS FOR THE SPECIFIED PRODUCTS.

THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES, AND MANUFACTURER'S RECOMMENDATIONS.

THE SUBMITTAL PACKAGE SHALL CONSIST OF THREE (3) COPIES OF EQUIPMENT/MATERIAL TO BE INSTALLED AND SHALL BE BOUND/STAPLED IN A FOLDER AND SUBMITTED AT THE TIME OF PERMIT APPLICATION.

PRIOR TO SUBMITTING A PROPOSAL, THE BIDDER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT. NO SUBSEQUENT ALLOWANCE WILL BE MADE IN THIS CONNECTION IN THE BEHALF OF THE CONTRACTOR FOR ANY ERROR OR NEGLIGENCE ON HIS PART.

PRIOR TO ORDERING ANY MATERIALS OR DOING ANY WORK, THE CONTRACTOR SHOULD VERIFY DIMENSIONS AT THE SITE. IMMEDIATELY REPORT DIFFERENCES TO THE ENGINEERING MGR. AND SHOULD NOT PROCEED WITH WORK UNTIL THE ENGINEERING MGR. RENDERS A DECISION. NO EXTRA CHARGES OR COMPENSATION WILL BE ALLOWED FOR DIFFERENCES IN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.

5.01 GENERAL:

THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN THE CITY RIGHT-OF-WAY.

ONE PROJECT UNDERGROUND UTILITIES (RIGHT OF WAY) PERMIT AND ONE STREETLIGHT PERMIT FOR EACH STREET LIGHT POLE SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

5.02 WORKING / "AS BUILT" PLANS:

ACCEPTANCE OF THE COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL 4 MIL PHOTO MYLAR REPRODUCIBLE "AS BUILT" PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

5.03 LIGHT POLES:

LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETE.

5.04 EMBEDMENT:

DIRECT BURIED POLES SHALL BE SET IN A TWELVE (12) INCH AUGURED HOLE DEPTH AS SPECIFIED IN UNDISTURBED EARTH. POLE SHALL BE SET PLUMB IN TWO DIRECTIONS 90 DEGREES APART. HAND TAMPING OF ABC BACKFILL WITH PNEUMATIC OR VIBRATING EQUIPMENT IS THE ACCEPTABLE METHOD OF COMPACTION. BACKFILL SHALL BE COMPACTED TO 85% OF MAXIMUM DENSITY AS DEFINED BY ASTM D-2922 AND D-3017. A GROUND ROD SHALL BE INSTALLED ADJACENT TO PULL BOX IN UNDISTURBED SOIL AND A LEAD IN COPPER BOND WIRE (#6) SHALL BE INSTALLED IN 1" CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT (OR EQUAL) FOR POLE GROUNDING.

SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

5.05 LUMINAIRES:

LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. CONTRACTOR SHALL ASSURE THAT THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT BEFORE HE LEAVES THE SITE.

LUMINAIRES FURNISHED WITH MULTI-TAP BALLASTS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.

5.06 WIRING:

WIRING SHALL BE INSTALLED PER UTILITY STANDARDS.

5.07 GROUNDING:

EACH POLE SHALL HAVE A 8' X 5/8" COPPER CLAD GROUND ROD DRIVEN ADJACENT TO PULL BOX. A #6 BARE COPPER LEAD FROM THE GROUND ROD IN PULL BOX TO LANDING LUG IN STREET LIGHT POLE HAND HOLE.

5.08 PULL BOXES:

EXCAVATION FOR PULL BOXES AND MATERIAL SPECIFICATION SHALL BE PER THE ELECTRIC UTILITY COMPANY STANDARDS.

5.09 TRENCH

TRENCH SHALL BE INSTALLED PER THE UTILITY COMPANY STANDARDS.

THE USE OF A COMMON ELECTRIC UTILITY COMPANY TRENCH IS PERMITTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANY FOR COORDINATION OF TRENCHING AND THE INSTALLATION OF CONDUIT.

CONDUIT SHALL BE INSTALLED AT THE DEPTH SPECIFIED ON THE PLANS. CONDUIT SHALL BE 1 INCH CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT OR EQUAL. CONDUIT MUST BE UL RATED AND SUITABLE FOR UNDERGROUND USE.

CONNECTIONS SHALL BE PER UTILITY STANDARDS.

5.12 LIGHT POLE IDENTIFICATION:

THE CONTRACTOR SHALL FURNISH AND INSTALL A NUMBER ON EACH LIGHT POLE. STREET LIGHT POLE IDENTIFICATION AND SPECIFICATIONS WILL BE PROVIDED BY THE CITY OF SURPRISE.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO RESTORE ALL PROPERTY, LANDSCAPING, PAVING AND DRIVEWAYS THAT ARE DISTURBED DURING STREET LIGHT CONSTRUCTION TO THEIR ORIGINAL CONDITION IN CONFORMANCE WITH "MAG" SPECIFICATION SECTION 107.9.

THE DEVELOPER SHALL BE RESPONSIBLE FOR FURNISHING ALL PERSONNEL AND EQUIPMENT TO SUCCESSFULLY PERFORM THE FOLLOWING TEST.

PRIOR TO ACCEPTANCE, THE DEVELOPER SHALL ENERGIZE AND OPERATE THE ENTIRE ROADWAY LIGHTING SYSTEM, FROM SUNSET TO SUNRISE FOR TWO CONSECUTIVE DAYS WITHOUT INTERRUPTION OR FAILURE. IF A LAMP OR BALLAST SHOULD FAIL, IT SHALL BE IMMEDIATELY REPLACED.

THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE BY THE ENGINEERING MANAGER, AGAINST IMPERFECT WORKMANSHIP, FAILURE, MALFUNCTION OF MATERIALS AND/OR EQUIPMENT DUE TO FAULTY OR IMPERFECT WORKMANSHIP. THIS GUARANTEE IS TO BE IN WRITING TO THE CITY AT THE TIME OF ISSUING FINAL ACCEPTANCE. WORK FOUND TO BE DEFECTIVE WITHIN THE WARRANTY PERIOD SHALL BE REPLACED WITHOUT COST TO THE CITY.

GENERAL ENGINEERING NOTES:

1. ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND RESUBMITTED FOR REVIEW AND APPROVAL.
6. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
7. ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
8. THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACEDIN KIND AT THE CONTRACTOR'S EXPENSE.
9. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
10. ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
11. TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT (OFF-PROJECT) ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
14. THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

UTILITIES WITHIN OR AFFECTED BY THE PROJECT	
UTILITY CONTACT	DATE SUBMITTED
ARIZONA PUBLIC SERVICE	2/05/2021
CENTURY LINK	2/05/2021
COX COMMUNICATIONS	2/05/2021
SOUTHWEST GAS	2/05/2021

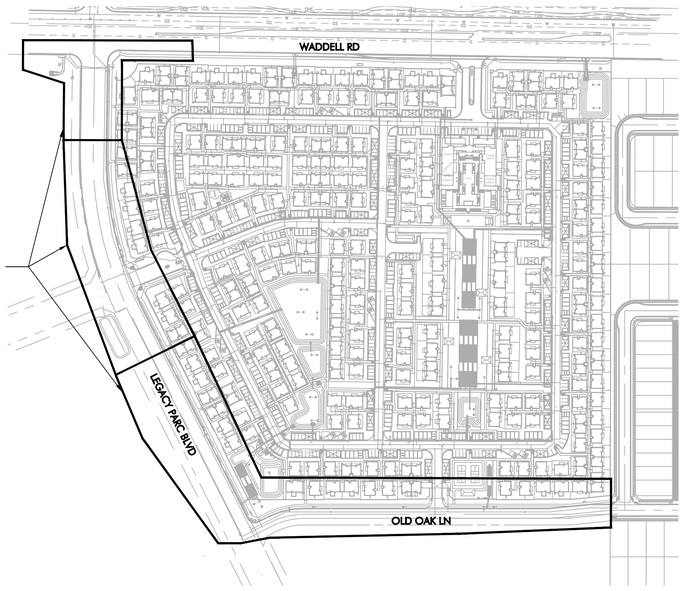
NOTE

A. ENSURE THERE IS 1' CLEARANCE FROM EDGE OF SIDEWALK TO FACE OF POLE.

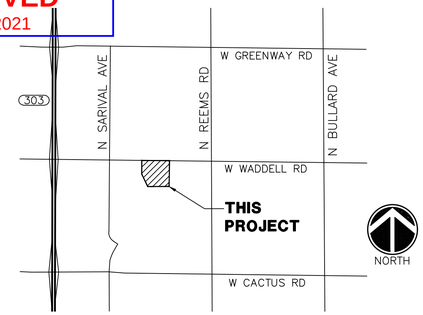
B. THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON LOCAL AND COLLECTOR STREETS ARE TO BE PAID BY THE ADJACENT PROJECT OR THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SLID). THE ELECTRICAL / MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

LED NOTE

LED TECHNOLOGY IS CHANGING RAPIDLY. THE FIXTURES SHOWN ON THESE PLANS MAY NOT BE APPLICABLE AT TIME OF CONSTRUCTION. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATION AT THE TIME OF BIDDING AND CONSTRUCTION.



KEY MAP
N.T.S.



VICINITY MAP
N.T.S.

SHEET INDEX

COVER SHEET	SL1
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STREET LIGHT DETAILS & PHOTOMETRIC CALCULATIONS	SL3

CITY OF SURPRISE APPROVAL

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.

CITY OF SURPRISE ENGINEER **DATE**

CIVIL ENGINEER
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
PHONE: (480) 503-2250
CONTACT: JOHN MCGHEE, P.E.

OWNER
HANCOCK COMMUNITIES
2600 N 44TH ST, SUITE #A100
PHOENIX, AZ 85008
PHONE: (602) 795-1205
CONTACT: JANINE LONG
EMAIL: JANINE@HANCOCK-AZ.COM

STREET LIGHTING (APS AREA)														
KEY NO.	SYMBOL	STREET TYPE	OFFSET BEHIND B/C	QUANTITY	POLE		MAST ARM	LUMINAIRE						
					POLE HEIGHT	FOUNDATION	SIZE	MOUNTING HEIGHT	LUMENS	WATTAGE	I.E.S. DIST.	VOLTAGE	TYPE	STYLE
(2)		LOCAL	PER PLANS	4	30'-6"	DIRECT BURY	3' X 8'	27'-3"	4,900	39 W	TYPE I	*	LED	COBRAHEAD
(3)		COLLECTOR	PER PLANS	6	38'-6"	DIRECT BURY	3' X 8'	34'-3"	7,800	71 W	TYPE III	*	LED	COBRAHEAD

*PER UTILITY COMPANY REQUIREMENTS

Call at least two full working days before you begin excavation.
ARIZONA 811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602) 263-1100

WRIGHT ENGINEERING PROJECT NO:
20333
DESIGN BY: NAK
DRAWN BY: JZH
CHECKED BY: WTW

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
PRASADA
W WADDELL ROAD
STREET LIGHT COVER SHEET

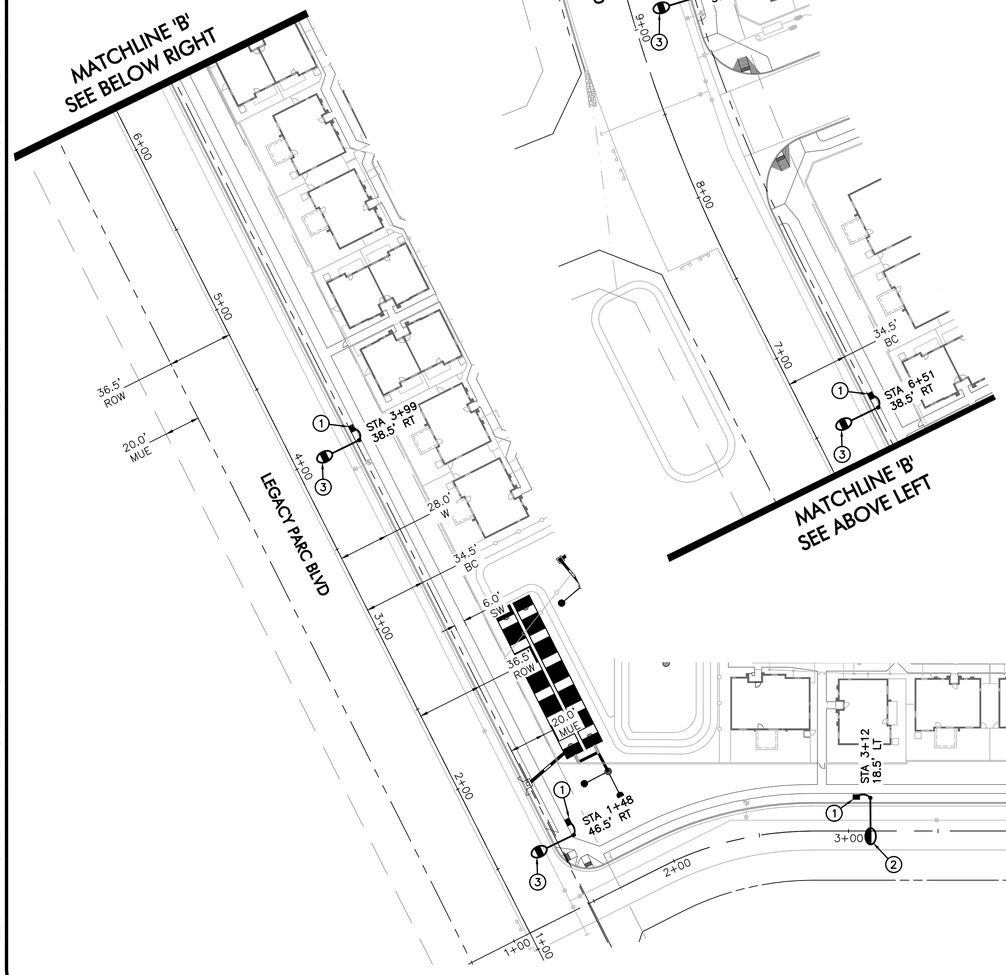
NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2021	1ST SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
35943
WADE T. WILLIAMS
Date Signed 4-28-21
ARIZONA
Expires 3-31-22

DRAWING NO:
SL1
OF 3

H:\20201\20333-Prasada Multifamily Homes\20333-SL.dwg

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.



LEGEND

- 4,900 LUMEN LED STREET LIGHT, ROUND POLE
- 7,800 LUMEN LED STREET LIGHT, ROUND POLE
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

CONSTRUCTION NOTES

1. INSTALL APS PULL BOX NEXT TO POLE. 1" CONDUIT WITH (2) #14 TYPE THHN/THWN & (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS & SPECIFICATIONS.
2. 39W LED (4,900 LUMEN) LUMINAIRE (SEE LUMINAIRE TABLE), PHOTOCELL, 30'–6" DIRECT BURIED POLE, 3' X 8' MAST ARM PER APS DETAIL 8040 (SEE SHEET SL3). (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. WIRING, FUSING, & GROUNDING PER APS DETAILS & SPECIFICATIONS.
3. 71W LED (7,800 LUMEN) LUMINAIRE (SEE LUMINAIRE TABLE), PHOTOCELL, 38'–6" DIRECT BURIED POLE, 3' X 8' MAST ARM PER APS DETAIL 8040 (SEE SHEET SL3). (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. WIRING, FUSING, & GROUNDING PER APS DETAILS & SPECIFICATIONS.

GRAPHIC SCALE
40 20 0 20 40 80
1 INCH = 40 FEET

Call at least two full working days before you begin excavation.
ARIZONA 811 Arizona Blue Stake, Inc.
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www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
PRASADA
W WADDELL ROAD

STREET LIGHT PLAN

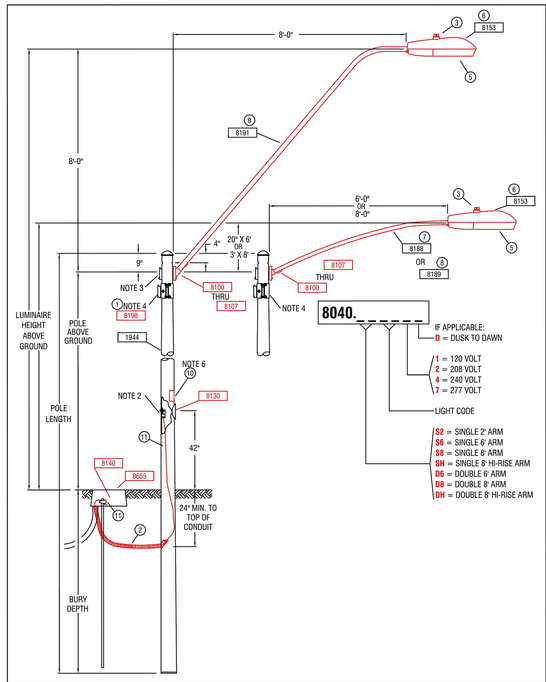
NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2021	1ST SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
15943
WADE T. WILLIAMS
Date Signed 2-26-21
ARIZONA U.S.A.
Expires 3-31-22

DRAWING NO:
SL2
OF 3

H:\2020\20333-Prasada Multifamily Homes\20333-SL.dwg

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CONSTRUCTION NOTES:

1. ADJUST PHOTO EYE TO FACE NORTH.
2. A GROUND ROD IS PROVIDED WITH THE J-BOX. WHERE A GROUND ROD CAN NOT BE DRIVEN ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
3. THE 40'-6" SELF-SUPPORTING STEEL POLE AND ONE OF THE 38'-6", HAVE TWO, MANUFACTURER INSTALLED SIMPLEX FITTINGS 180° APART FOR DOUBLE ARMS, SEE CHART.
4. APN 33701054 IS A POLE BAND ADAPTOR WITH A SIMPLEX FITTING. ADAPTOR IS REQUIRED FOR THE SECOND ARM IN DOUBLE ARM APPLICATIONS ON EXISTING POLES IN THE FIELD WITHOUT TWO SIMPLEX FITTINGS. SEE 8198 FOR AVAILABLE SIZES.
5. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
6. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE." IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
7. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRES.
8. THE LIGHT CODE PROVIDES TWO SAME WATTAGE LUMINAIRES WHEN DOUBLE ARMS ARE SPECIFIED.
9. SEE SPEC 9130-8140 FOR IN-LINE FUSE FOR UNDERGROUND FEEDS.
10. SEE 8100 THRU 8107 FOR OVERHEAD ATTACHMENTS.

POLE CODE	POLE LENGTH	BURY DEPTH	POLE ABOVE GROUND	LUMINAIRE HEIGHT ABOVE GROUND ON ARM		
				20' X 6'	3' X 8'	8' X 8'
1944.19	19'-0"	5'-0"	14'-0"	14'-11"	16'-3"	---
1944.30	30'-6"	5'-6"	25'-0"	25'-11"	27'-3"	---
1944.38	38'-6"	6'-6"	32'-0"	32'-11"	34'-3"	39'-3"
1944.38X	38'-6"	6'-6"	32'-0"	32'-11"	34'-3"	39'-3"
1944.40X	40'-6"	8'-6"	32'-0"	32'-11"	34'-3"	39'-3"

MATERIAL LIST

ITEM	QTY	QTY	QTY	QTY	QTY	QTY	DESCRIPTION	APN
	CODE	8040.S6	8040.S8	8040.SH	8040.D6	8040.D8	8040.DH	
1	-	-	-	1	1	1	ADAPTER BAND W/ SIMPLEX 3"	33701054
2	10	10	10	10	10	10	CONDUIT 1" PVC FLEX CORR	32900991
3	1	1	1	2	2	2	CONTROL PHOTO MULTI BLACK	00063965
4	VAR	VAR	VAR	VAR	VAR	VAR	CONTROL PHOTO MULTI BR-20	00073241
5	1	1	1	2	2	2	LAMP - SEE 8164 - 8171	
6	1	1	1	2	2	2	LUMINAIRE - SEE CHART	
7	1	-	-	2	-	-	MAST ARM ST LT 2" X 20" X 6'	33701112
8	-	1	-	-	2	-	MAST ARM ST LT 2" X 3" X 8'	33701124
9	-	-	1	-	-	2	MAST ARM ST LT 2" X 8" X 8'	33701123
10	1	1	1	1	1	1	SIGN POLE OWNED BY APS	00050092
11	10	10	10	10	10	10	WIRE BARE #6 SOLID CU	33007580

ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS				
BY	LDR.	MGR.	DATE	REV.
KLS	B. BOOKER	D. LAMONTAGNE	11/2011	10

LIGHTS
ROADWAY LUMINAIRE ON
20' X 6', 3' X 8', OR 8' X 8' MAST ARM ON
19'-0", 30'-0", 38'-0" OR 40'-6" STEEL POLES

SH 1 OF 2

8040

ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS				
BY	LDR.	MGR.	DATE	REV.
KLS	B. McMINN	S. SIERRA	01/2007	9

LIGHTS
ROADWAY LUMINAIRE ON
20' X 6', 3' X 8' OR 8' X 8' MAST ARMS ON
19'-0", 38'-0" OR 40'-6" STEEL POLES

SH 2 OF 2

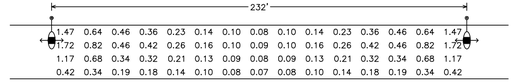
8040

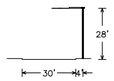
LUMINAIRE TABLE

GRAY ROADWAY SCALEABLE LED 3000K

LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
CL50	GRAY	00141040	31	120/208/240/277	3,900	ERL1004B330AGRAYGLRX
CL51		00141041	39	120/208/240/277	4,900	ERL1005A330AGRAYGLRX
CL52		00141043	71	120/208/240/277	7,800	ERL1008C330AGRAYGLRX
CL53		00141045	97	120/208/240/277	9,600	ERL1010C330AGRAYGLRX
CL54		00141046	174	120/208/240/277	20,100	ERL2021C330AGRAYGLR

LOCAL STREET





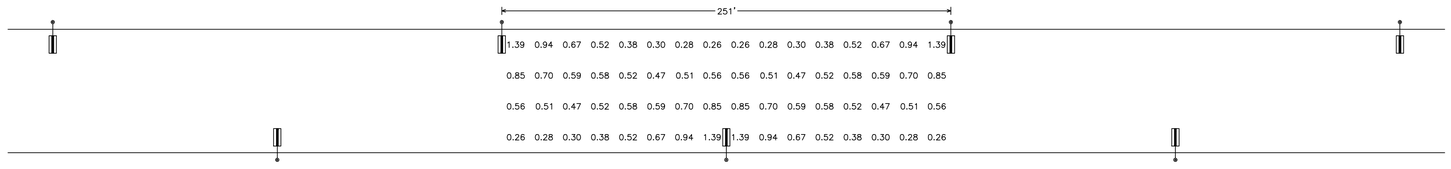


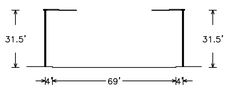
39W LED
candela file 'ERL1_05A330_____-120-277V.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 39
mounting height= 28 ft
number locations= 2, number luminaires= 2
kw all locations= 0.1

Roadway Grid
60 points at z=0, sp 15.467ft by 7.5ft
HORIZONTAL FOOTCANDLES

Average	0.40
Maximum	1.72
Minimum	0.07
Avg:Min	5.66
Max:Min	24.57
Coef Var	1.02
UnifGrad	2.30

COLLECTOR STREET





71W LED
candela file 'ERL1_08C330_____.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 71
mounting height= 31.5 ft
number locations= 7, number luminaires= 7
kw all locations= 0.5

Roadway Grid
64 points at z=0, sp 15.688ft by 17.25ft
HORIZONTAL FOOTCANDLES

Average	0.60
Maximum	1.39
Minimum	0.26
Avg:Min	2.29
Max:Min	5.35
Coef Var	0.46
UnifGrad	2.15

WRIGHT ENGINEERING PROJECT NO:
20333

DESIGN BY: NAK
DRAWN BY: JZH
CHECKED BY: WTW

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
PRASADA
W WADDELL ROAD

STREET LIGHT DETAILS

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2021	1ST SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
35943
WADE T. WILLIAMS
Date Signed 2-18-21
ARIZONA U.S.A.
Expires 3-31-22

DRAWING NO:
SL3
OF 3

Call at least two full working days before you begin excavation.
ARIZONA 811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602) 263-1100



JOB #	050752
DATE	03/30/2021
SCALE	1"=200'
DRAWN	AMP
SHT	1 OF 1

RETREAT AT PRASADA

SURPRISE, AZ

PRELIMINARY STREET LIGHT PLAN

Bowman CONSULTING
1295 West Washington Ste 108
Tempe, Arizona 85281
Phone: (480) 629-8830
www.bowmanconsulting.com

CAD FILE NAME: V:\050752 - Prasada\050752-01-001 (ENG)\Engineering\Exhibits\SLID\050752 - SLID03.dwg 03/30/2021

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Kristin Tytler, Department Director
District: District 5

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

Agenda Wording:

Consideration and action declaring the City's intention to create the lighting improvement district known as, "City of Surprise, Arizona, SU-CityCenter01187 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2022-38.

Motion:

I move to approve Resolution #2022-38.

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City and Arizona Public Service Company (“APS”) have approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes based on the number and classification of properties within the district.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area’s street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the Ridgehouse development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through

revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2022 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2022, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2023, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01- Res 2022-38 Ridgehouse SLID Enlargement Final
2. 02- SLID Petition-FS21-498 Ridgehouse SLID- approved
3. 03- Streetlight plan-FS21-489 Ridgehouse- approved

RESOLUTION # 2022-38

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DECLARING ITS INTENT TO ENLARGE THE CITY OF SURPRISE, ARIZONA SU-CityCenter01187 AND ORDERING SUCH ENLARGEMENT.

WHEREAS, on *December 17, 2019* the Mayor and City Council of the City of Surprise adopted Resolution No. 2019-143, ordering the formation of the City of Surprise, Arizona SU-CityCenter01187(the "District") for the purpose of purchasing energy for the lighting of the public streets and parks within the District;

WHEREAS, Ariz. Rev. Stat. § 48-616(M) permits the City to add new territory to an existing district, thereby enlarging the boundaries of an existing street lighting improvement district ("SLID") when proper notice has been given to the owners of property that will be added to the SLID in accordance with Ariz. Rev. Stat. Title 48, Chapter 4, Article 2;

WHEREAS, Ariz. Rev. Stat. § 48-617(A) gives the City immediate jurisdiction to adopt the resolution ordering the creation or enlargement of a SLID without the necessity of publication and posting of the resolution of intention when all owners of the real property being added to the SLID have petitioned the City to form or enlarge the SLID;

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of parcels of property which adjoin the District (hereinafter referred to as "Petitioners") acting pursuant to the provisions of Ariz. Rev. Stat. §§ 48-616(M) and 48-617(A), have petitioned the City to enlarge the District to include said property legally described in Exhibit A to this resolution, with such boundaries as shown in the map in Exhibit B to this resolution; and

WHEREAS, the City has verified and finds that Petitioners are the owners, exclusive of mortgagees and other lienholders, of all of the real property being added to the boundary of the District.

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

Section 1. *District Enlargement*. The City of Surprise, Arizona SU-CityCenter01187 shall be enlarged by the addition of the property described in Exhibit A and shown in Exhibit B, which are incorporated by reference hereto into this Resolution. The annual tax levied upon the District will remain in full force and effect, and, commencing in Fiscal Year 2022/2023 will apply to the District as enlarged by this Resolution.

Section 2. *Recording and Filing of this Resolution.* A certified copy of this Resolution shall be recorded in the office of the Maricopa County Recorder. Certified copies of this Resolution shall also be filed with the Arizona Department of Revenue and the Maricopa County Assessor's office pursuant to Ariz. Rev. Stat. § 42-17257.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

Legal Description

EXHIBIT 'A'

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4 AND THE POINT OF BEGINNING, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 4 BEARS NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST A DISTANCE OF 2660.59 FEET;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, A DISTANCE OF 468.96FEET;

THENCE SOUTH 89 DEGREES 05 MINUTES 11 SECONDS EAST, A DISTANCE OF 614.46 FEET;

THENCE NORTH 00 DEGREES 54 MINUTES 26 SECONDS EAST, A DISTANCE OF 226.30 FEET;

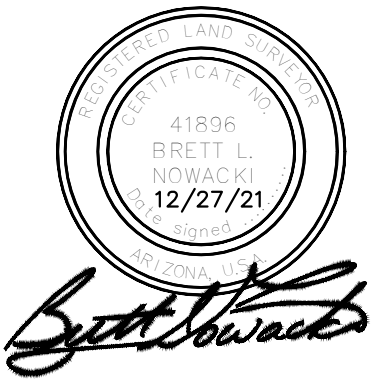
THENCE SOUTH 89 DEGREES 05 MINUTES 13 SECONDS EAST, A DISTANCE OF 492.56 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 31SECONDS WEST, A DISTANCE OF 471.18 FEET;

THENCE NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 10.09 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 47 SECONDS WEST, A DISTANCE OF 222.75 FEET, TO A POINT ON THE CENTERLINE OF GREENWAY ROAD;

THENCE ALONG SAID CENTERLINE, NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 1,091.77 FEET TO THE POINT OF BEGINNING.



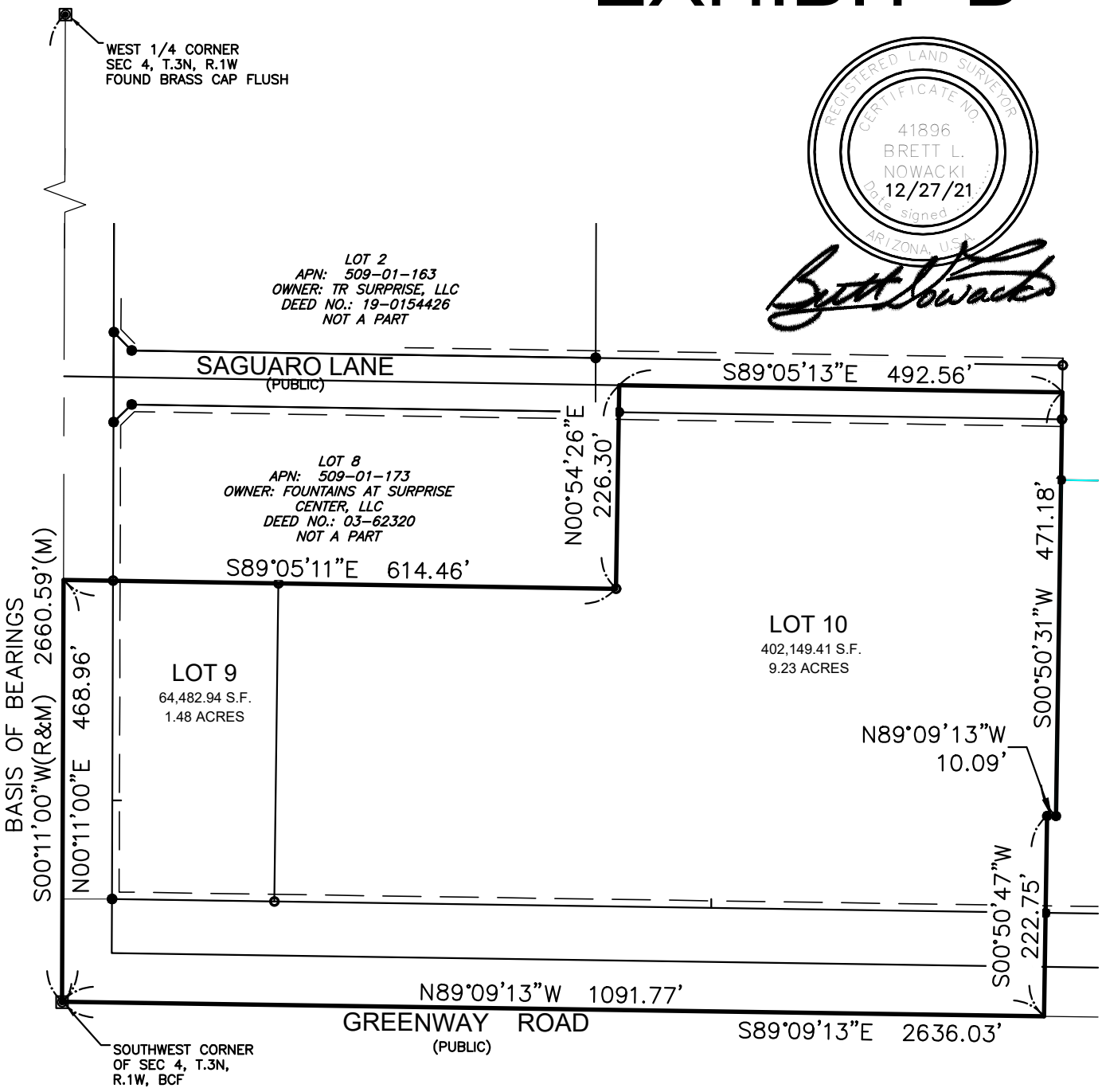
INFINITY ENGINEERING SERVICES, LTD.
P.O. BOX 88034
PHOENIX, AZ 85080
PHONE: (602) 670-8635

beck consulting engineers	PROJECT: RIDGEHOUSE @ SURPRISE	DATE : 06/30/2021	SHEET EX-A
	JOB NO.: 184001	SCALE: NOT TO SCALE	

EXHIBIT B

Map

EXHIBIT 'B'



INFINITY ENGINEERING SERVICES, LTD.
P.O. BOX 88034
PHOENIX, AZ 85080
PHONE: (602) 670-8635

beck consulting engineers	PROJECT: RIDGEHOUSE @ SURPRISE	DATE : 06/30/2021
	JOB NO.: 184001	SCALE: NOT TO SCALE

SHEET
EX-B

STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, adjoining the district named below. We petition the City Council of the City of Surprise, Arizona, to enlarge the District to include said property legally described in Exhibit A with such boundaries as shown in the map in Exhibit B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to enlarge the existing District, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to enlarge the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the existing street light improvements district to be enlarged:
SU-CityCenter01187

PETITIONERS: Please print and sign your name

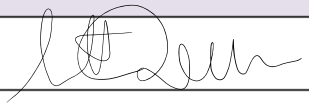
PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Surprise Center Development Co. LLC,	NEC Greenway Road and Bullard Avenue	Portion of 509-01-172	

EXHIBIT 'A'

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4 AND THE POINT OF BEGINNING, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 4 BEARS NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST A DISTANCE OF 2660.59 FEET;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, A DISTANCE OF 695.27 FEET, TO THE CENTERLINE OF SAGUARO LANE;

THENCE ALONG SAID CENTERLINE, SOUTH 89 DEGREES 05 MINUTES 13 SECONDS EAST, A DISTANCE OF 1,109.88 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 00 DEGREES 50 MINUTES 31 SECONDS WEST, A DISTANCE OF 471.18 FEET;

THENCE NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 10.09 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 47 SECONDS WEST, A DISTANCE OF 222.75 FEET, TO A POINT ON THE CENTERLINE OF GREENWAY ROAD;

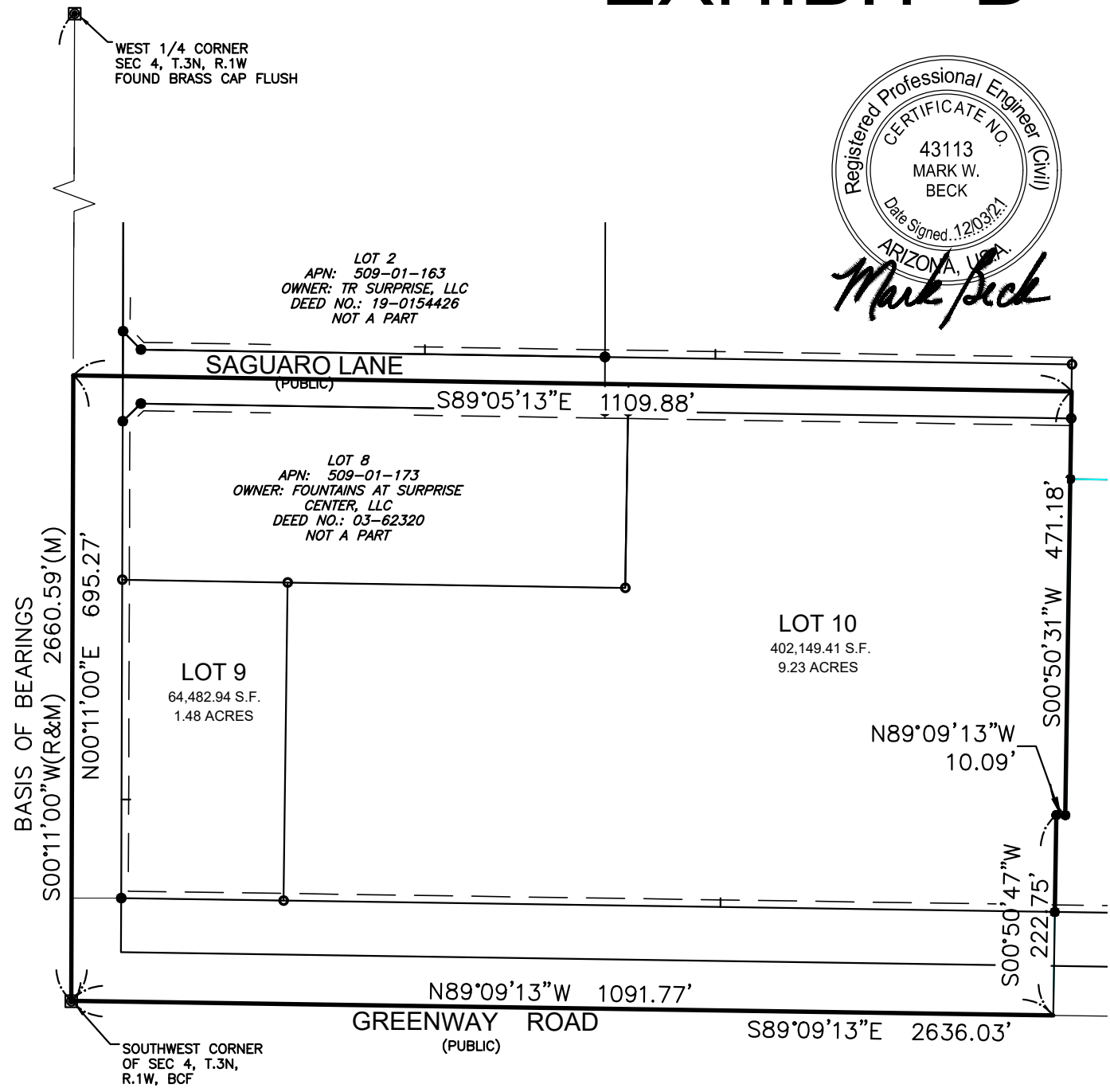
THENCE ALONG SAID CENTERLINE, NORTH 89 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 1,091.77 FEET TO THE POINT OF BEGINNING.



beck consulting engineers	PROJECT: RIDGEHOUSE @ SURPRISE	DATE : 06/30/2021
	JOB NO.: 184001	SCALE: NOT TO SCALE

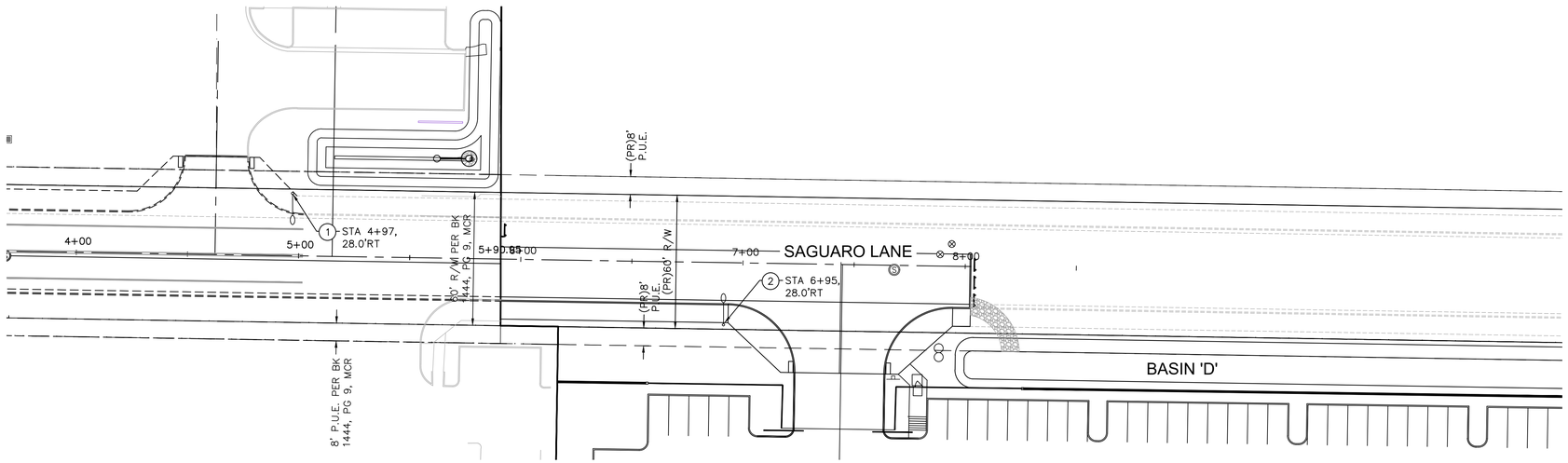
SHEET
EX-A

EXHIBIT 'B'



beck consulting engineers	PROJECT: RIDGEHOUSE @ SURPRISE	DATE : 06/30/2021
	JOB NO.: 184001	SCALE: NOT TO SCALE

SHEET
EX-B



GRAPHIC SCALE

30 0 15 30 60

(IN FEET)

KEYED CONSTRUCTION NOTES

1. EXISTING 75W LED (10,270 LUMEN) LUNINAIRE.
2. INSTALL 75W LED (10,270 LUMEN) LUMINAIRE WITH PHOTOELECTRIC CONTROL ON A 42'–6" DIRECT BURIED POLE WITH A SINGLE 2' MAST ARM (S2) PER APS DETAIL 8043. INSTALL (2) #14 THIHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO CITY OF SURPRISE SUPPLEMENTAL ENGINEERING DEVELOPMENT STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION.
2. ALL DIMENSIONS / STATIONS ARE TO THE CENTER OF THE STRIPED LINE OR FACE OF CURB UNLESS NOTED OTHERWISE.
3. ALL SIGNS SHALL BE INSTALLED ON BREAKAWAY POSTS PER CITY OF SURPRISE DTL. NO. 4–22.
4. CROSSWALK MARKING SHALL PROVIDE AT INTERSECTION SHALL PROVIDE DIRECTIONAL MARKINGS PER M.A.G. STD. DTL. 236–5.

Contact Arizona 811 at least two full working days before you begin excavation

ARIZONA811 BLUE STAKE, INC.

Call 811 or click Arizona811.com

FS21-498

beck consulting engineers
9034 N. 23RD AVENUE
SUITE #5
PHOENIX, AZ 85021
PHONE: (602) 943-6200
FAX: (602) 943-6201

SCALE (H):	1"=30'
SCALE (V):	1"=3'
DESIGNED BY:	HV
DRAWN BY:	HV
CHECKED BY:	MB
DATE:	11/07/2018

SAGUARO LANE STREETLIGHT PLAN

RIDGEHOUSE AT SURPRISE CENTER

NEC GREENWAY ROAD AND BULLARD AVENUE
SURPRISE, ARIZONA

NO.	REVISION	BY	DATE	APPR.
A	SUBMITTAL NO. 1		06/14	
B	SUBMITTAL NO. 2		09/07	
C	SUBMITTAL NO. 3		10/25	

Registered Professional Engineer (Civil)
CERTIFICATE NO.
43113
MARK W.
BECK
Date signed 10/25/21
ARIZONA
Mark Beck

PROJECT NO.
184001

C.13 OF 13

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022

Contact Person: Holly Osborn, DIRECTOR-PARKS & REC

Submitting Department: Parks and Recreation

District: Citywide

Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by reallocating appropriations of $4,000 within the Grants Fund from Contingency to Salaries in Project G54102 in order to accept a distribution from the Michael Phelps Foundation for the reimbursement of expenses related to implementing the Michael Phelps IM program; Resolution #2022-31.

Motion:

I move to approve Resolution #2022-31.

Background:

The Michael Phelps Foundation (MPF) offers grants to organizations to implement its IM program. The IM program provides water safety instruction, recreational aquatic activities, structured and organized swimming, and health, wellness and goal-setting education to the community. The Parks and Recreation Department applied for the grant and has been awarded $4,000 to offer this program to the community.

Objective Analysis:

This grant will provide funding to offer the Michael Phelps IM program in the community.

Policy Compliant:

This action is compliant with City and Council and Budget Amendment Policies.

Financial Impact:

This one-time grant includes $4,000 for expenses related to offering the Michael Phelps IM program. The funds will be utilized for staff salaries who will be teaching the components of the program. There is no City match requirement.

Budget Impact:

This action requires a budget amendment to the Fiscal Year 2022 budget moving appropriation in the amount of $4,000 from Contingency within the Grants Fund to Project #G54102. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure

budget.

FTE Impact:

There is no FTE impact.

ATTACHMENTS:

1. Res 2022-31 MPF Grant final

RESOLUTION # 2022-31

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A GRANT AWARD FROM THE MICHAEL PHELPS FOUNDATION AND AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF $4,000 WITHIN THE GRANTS FUND FROM CONTINGENCY TO SALARIES IN PROJECT G54102.

WHEREAS, the Michael Phelps Foundation (MPF) offers grants to organizations to implement its IM Program which provides water safety instruction, recreational aquatic activities, structured and organized swimming, and health, wellness and goal-setting education to the community;

WHEREAS, the Parks and Recreation Department has been awarded $4,000 to implement this program;

WHEREAS, the Parks and Recreation Department desires to accept this grant and offer the IM Program to the community;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

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. The City of Surprise hereby authorizes the City Manager or his designee to accept a grant in the amount of $4,000 from the Michael Phelps Foundation.

Section 2. 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, 2021 through June 30, 2022.

Section 3. The Award Letter from the Michael Phelps Foundation to the City of Surprise, attached as *Exhibit B* and incorporated by reference, is approved.

Section 4. The City Manager, or his designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2022-31
Exhibit A

1. Appropriation- The allocations below represent a movement of budget authority in the amount of $4,000 within the Grants Fund to establish a budget to implement the Michael Phelps Foundation's IM Program. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants/Contingency	General Operations	Other	R	2,784,400	(4,000)	2,780,400
Grants	Parks and Recreation	#G54102 MPF Learn to Swim Program	R	-	4,000	4,000
Grants/Contingency	General Operations	Contingency	E	2,292,800	(4,000)	2,288,800
Grants	Parks and Recreation	#G54102 MPF Learn to Swim Program	E	-	4,000	4,000
			Expense Total	**2,292,800**	**-**	**2,292,800**
			Revenue Total	**2,784,400**	**-**	**2,784,400**

RESOLUTION # 2022-31
Exhibit B

MICHAEL PHELPS FOUNDATION
MichaelPhelpsFoundation.org | 7 Ocean Street, 2nd Floor • South Portland, Maine 04106

February 1, 2022

Congratulations! You have been selected to receive the Michael Phelps Foundation's $3,500 IM Program grant for 2022. Thank you for your interest in bringing the IM Program to your community. Our goal is for program participants to be comfortable in and around water, advance their swimming skills, set and achieve personal goals, and have good overall health.

We require you to attend an in-person/in-water training before implementing the full program. A $500 travel stipend will be added to your grant ($4,000 total) and MPF will cover hotel and accommodations in Arizona. We have you scheduled for the Region 3 Training:

Region 3 [Arizona]
Zoom Training:
Tuesday, April 19, 2022
8:30am – 10:30am PST (11:30am-1:30pm EST)
Mandatory for those attending In-Person training. Optional for grant writers (will cover grant details for first 20 minutes).

In-Water Training:
Goodyear, Arizona
Monday, May 2, 2022 – Tuesday, May 3, 2022
Please arrive in Phoenix, AZ (PHX) by 1:00pm on the 2nd. Training will start at 3:00pm.

To officially accept the grant, you must complete the IM Trainer Form – Region 1 in your Survey Monkey portal (mpf.smapply.io). **Please make sure to complete by March 1, 2022.**

We are excited to have you on board this year. If things change and you are unable to implement the program, please let us know as soon as possible.

Sincerely,

The Michael Phelps Foundation Team

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: Police
Staff Recommendations: None

Contact Person: Benny Pina, POLICE CHIEF
District: Citywide

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

Agenda Wording:

Consideration and action pertaining to the renewal of an Intergovernmental Agreement with Maricopa County authorizing the City to send police recruits to the Maricopa County Sheriff's Office Training Academy; Resolution #2022-39.

Motion:

I move to approve Resolution #2022-39.

Background:

In FY2020, the City of Surprise Police Department entered into an agreement with the Maricopa County Sheriff's Office to allow the Police Department to send recruits to the academy for AZPOST approved training. The City's financial commitments to the Maricopa County Sheriff's Office (MCSO) Academy are reasonable; therefore, the Police Department wishes to renew this Intergovernmental Agreement (IGA).

Objective Analysis:

Due to the participation and resource commitments of the Phoenix Police Academy, sending police cadets to the MCSO Training Academy continues to be a reasonable financial alternative. The MCSO services have met the Surprise Police Department’s approval.

Policy Compliant:

State law requires police officers to attend and graduate from a certified law enforcement academy. The MCSO Training Academy is a certified law enforcement academy, and consequently, approval of this IGA would be compliant with state law. This action does not contravene or conflict with any city policy and a follow-up evaluation will be consistent with the City's policy relative to obtaining the best services available and with as little cost as possible.

Financial Impact:

The financial impact to the City for sending cadets to the MCSO academy is $750 per cadet. There is no other cost.

Budget Impact:

Funds are available in the Department's current operating budget; therefore, a budget amendment is not needed.

FTE Impact:

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

ATTACHMENTS:

1. IGASurprisePDSwornTrng
2. RESOLUTION 2022-39 MCSO TRAINING ACADEMY IGA

INTERGOVERNMENTAL AGREEMENT BETWEEN
MARICOPA COUNTY AND CITY OF SURPRISE
REGARDING MARICOPA COUNTY SHERIFF'S OFFICE
BASIC TRAINING ACADEMY
C-50-22-___-X-00

This INTERGOVERNMENTAL AGREEMENT (IGA) is entered into by and between MARICOPA COUNTY, a political subdivision of the State of Arizona on behalf of the SHERIFF'S OFFICE ("MCSO") and the CITY OF SURPRISE, an Arizona municipal corporation, ("Surprise") on behalf of its police department, collectively referred to as the "Parties." Under A.R.S. § 11-952, which authorizes public agencies to enter into Intergovernmental Agreements, the Parties enter into this IGA regarding City of Surprise Police Department, "Surprise PD," participation in MCSO's Sworn Basic Training Academy.

RECITALS

MCSO offers Sworn Officer Basic Training Academy on an as-needed basis and generally has space for additional participants and whereas Surprise has sworn employee recruits that are required to be trained according to the State of Arizona Peace Officer Standard Training ("AZPOST").

Whereas agreement C-50-20-002-3-00 entered into on 7/31/2019 between the City of Surprise and Maricopa County for Sworn Training Academy expired on 6/30/2021 and

Whereas Surprise has sent participants to MCSO Training Academy after June 30, 2021, parties agree to the following terms and conditions.

AGREEMENT

This agreement is effective retroactive to July 1, 2021 through December 31, 2023, the Initial Term, upon Maricopa County Board of Supervisor approval.

MCSO will:

1. Provide training space as available for Surprise PD recruit officers to attend scheduled Sworn Basic Training Academy.

2. Reserve the right in its sole discretion to decide whether the Surprise PD recruits maintain the academic standings necessary to continue in the academy class.

3. Retain the right, in its sole discretion, to dismiss any recruit for training, academic, ethical or disciplinary standards applicable to all sworn officer training academy participants.

4. Provide Surprise original individual training records for each Surprise PD recruit upon completion of the MCSO Academy or termination of the recruit's attendance at the MCSO Academy. MCSO will maintain records of lesson plans, class rosters, and other documentation common to the class as a whole consistent with the requirements of state law.

5. Treat Surprise PD recruits in the same manner as MCSO recruits for purposes of training, academics, ethics and discipline.

6. Require Surprise to investigate Surprise PD recruits should a situation arise for an internal affairs investigation concerning the actions of a Surprise PD recruit.

7. Bill Surprise a non-refundable registration in the amount of $750, payable to Maricopa County, per Surprise PD recruit.

8. Review its costs annually and, if necessary, process amendments to this Agreement for future increases, not later than April of each fiscal year, to be effective with the new fiscal year.

Surprise will:

1. Understand and agree that the curriculum will consist of the standard MCSO training program for MCSO, including MCSO's policies and procedures.

2. Provide required training supplies such as but not limited to, weapons, ammunition, devices, and uniforms for Surprise PD recruits and employees participating in MCSO Sworn Training Academy.

3. Ensure its employee participants have received infectious disease testing and required immunizations and have undergone health related pre-requisites applicable MCSO academy attendees prior to the first day of training. Proof of the preceding requirements will be necessary for the participant's records prior to the academy start.

   CDC and Maricopa County guidelines will be followed concerning COVID-19.

4. Pay MCSO within 30 days of receipt of invoice.

5. Accept that there is no guarantee that any minimum number of candidates from the Surprise PD will be accepted to attend the academy because enrollment is based on MCSO's determination of appropriate space/resource availability and because MCSO candidates have enrollment priority.

The Parties agree:

1. There are no amounts due Maricopa County from the previous training agreements.

2. Each Party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other Party (as "indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of the negligent performance of this IGA, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.

3. This Agreement is not intended to constitute, create, give rise to, or otherwise recognize a joint venture agreement, partnership or other formal business association or organization of any kind, and the right and obligations of the Parties shall be only those expressly set forth in this Agreement.

4. Parties acknowledge that under this IGA no employee or participant of the Surprise PD is to be considered a County employee, and that no rights of County merit, County retirement, or County personnel rules shall accrue to such individual. Surprise PD shall have total responsibility for all salaries, wages, bonuses,

retirement, withholdings, workman's compensation, occupational disease compensation, unemployment compensation, other employee benefits, and all taxes and premiums appurtenant thereto concerning such individuals and shall save and hold MCSO harmless with respect thereto. Surprise shall also be responsible for automobile liability for its recruits and employees related to participation in Sworn Training Academy activities.

5. Each Party to this Agreement warrants compliance with the Immigration and Nationality Act (INA using E-verify) and all other federal immigration laws and regulations related to the immigration status of its employees and A.R.S. §23-214(A). Each Party shall obtain statements from its subcontractors certifying compliance and shall furnish the statements to the other Party upon request. These warranties shall remain in effect through the term of this Agreement. Each Party and its subcontractors shall also maintain Employment Eligibility Verification forms (I-9) as required by the Immigration Reform and Control Act of 1986, as amended from time to time, for all employees performing work under this Agreement and verify employee compliance using the E-verify system and shall keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer. I-9 forms are available for download at USCIS.GOV. Each Party retains the legal right to inspect contractor and subcontractor employee documents performing work under this Agreement to verify compliance with this Agreement. Each Party and its subcontractors shall be given reasonable notice of the other Party's intent to inspect and shall make the documents available at the time and date specified. Should either Party find that the other Party or any of its subcontractors are not in compliance; such non-compliance may be considered a material breach of this Agreement and may pursue any and all remedies allowed by law. Nothing set out herein shall make any subcontractor an agent or employee of either Party.

6. Each party shall comply with all applicable laws, ordinances, executive orders, rules, regulations, standards, and codes of the federal, state, and local government whether or not specifically referenced herein. The Parties agree that there will be no discrimination as to race, sex, religion, color, age, creed, or national origin in regard to obligations, work, and services performed under the terms of any contract ensuing from this engagement. The Parties will comply with the Executive Order No. 11246, entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

7. In accordance with A.R.S. § 35-214, all books, accounts, reports, files, electronic data, and other records relating to this Agreement shall be retained and subject at all reasonable times to inspection and audit by the State for five (5) years after completion of this Agreement. Upon request, Party shall produce original of any and all such records.

8. Any litigation arising from the IGA or the performance thereof will be decided in the federal or state courts of Maricopa County unless otherwise agreed to between the Parties. The laws of the State of Arizona shall govern the construction and interpretation of this IGA. This Agreement is subject to the provisions of A.R.S. § 12-1518 relating to the use of arbitration

9. This IGA may be amended only by the mutual written consent of authorized representatives for all Parties and requires Maricopa County Board and Surprise City Council approval.

10. This IGA may be terminated at any time by either Party by mailing the other Party written notice of termination by certified mail two (2) months in advance of the requested date of termination. In the event that a Party decides to terminate this IGA, the Parties shall consult prior to the date of termination to ensure termination on the most economical and equitable terms. The Parties agree that any such termination shall not become effective with respect to the current recruits then enrolled in a training rotation until the recruits' training is completed, provided that MCSO continues to have sufficient staffing and other resources to continue the training until that date.

11. Notice is given that pursuant to A.R.S. § 38-511 the Parties may cancel any contract without penalty or further obligation within three years after execution of the contract, if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the Parties is at any time while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or consultant to any other Party of the contract with respect to the subject matter of the contract. Additionally, pursuant to A.R.S § 38-511 the Parties may recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the Parties from either Party to the contract arising as the result of the Contract.

12. This IGA is effective when signed by the Parties. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument. Faxed, copied, electronic and scanned signatures are acceptable as original signatures.

13. This document is the complete and exclusive statement of understanding between the Parties, and it supersedes all proposals, oral or written, and other documents or communications between the Parties relative to the subject matter herein covered, unless such documents or communications are specifically included by reference.

14. Any provision of this IGA which is determined to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision hereof, and remaining provisions shall remain in full force and effect.

15. Waiver of any breach of any term, conditions or covenant herein contained shall not be deemed to be a waiver of any subsequent breach of any term, covenant or condition herein.

16. This Agreement will automatically renew for up to two, one-year terms following the Initial Term, unless either Party provides notice to terminate, per Section 10, above.

17. Any notice to be given under this IGA shall be sent to the Parties listed below.

If to MCSO:

Chief of Administration
Maricopa County Sheriff's Office
550 W Jackson, 5th Floor
Phoenix, AZ 85003

If to Surprise **PD**:

Surprise Police Dept.
Chief Benny Pina
14250 W. Statler Plaza
Surprise, AZ 85374

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of the date of the last signature set forth below.

City of Surprise, an Arizona Municipal Corporation

BY:

_____
Mayor Date

ATTEST:

_____
City Clerk Date

MARICOPA County, a political subdivision of the State of Arizona

BY:

_____
Bill Gates Date
Chairman

ATTEST:

_____
Juanita Garza Date
Clerk of the Board

City of Surprise Police Department

BY:

_____
Chief Date

Maricopa County Sheriff

BY:

_____
Paul Penzone Date
Sheriff

Approved as to form:

_____
City Attorney Date

Approved as to form:

_____
Deputy County Attorney Date

RESOLUTION # 2022-39

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF MARICOPA, STATE OF ARIZONA TO SEND CITY OF SURPRISE POLICE RECRUITS TO THE MARICOPA COUNTY SHERIFF'S OFFICE BASIC TRAINING ACADEMY.

WHEREAS, pursuant to Arizona Revised Statute §11-951, *et seq.,* the City of Surprise has the authority to enter into an intergovernmental agreement with other governmental entities for the purposes set forth within;

WHEREAS, the parties desire to enter into an intergovernmental agreement in order to facilitate the training of City of Surprise police recruits at the Maricopa County Sheriff's Office ("MCSO") basic training academy; and

WHEREAS, providing the terms and conditions under which this training will occur.

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

Section 1. The Intergovernmental Agreement between the City of Surprise and the County of Maricopa, State of Arizona, for the training of Surprise police recruits at the MCSO basic training academy, attached as Exhibit A, is approved.

Section 2. The City Manager, or his designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND MARICOPA COUNTY

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022

Contact Person: Andrea Davis, DIRECTOR - FINANCE

Submitting Department: Fire - Medical

District: Citywide

Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority of $2,975,000 from contingency to the Fire-Medical Department for the purpose of covering increased operational costs and wildland fire deployments; Resolution #2022-42.

Motion:

I move to approve Resolution #2022-42.

Background:

As the City navigates through the impacts of the COVID-19 pandemic, the SFMD has felt the impact to personnel, supplies, and services costs. The need for fire and ground ambulance medical services has continued, while the fire-medical department staffing was negatively impacted by unforeseen sick time. The additional sick time resulted in higher than normal overtime needed to keep the fire trucks and ambulances fully staffed. In addition to the increased personnel costs, supplies and services costs have increased due to supply demand. For example, items such as fuel and medical supplies have increased dramatically.

Over the past year, the SFMD deployed members to COVID-19 Vaccination Sites throughout the State and a higher than normal amount of Wildland fires due to the increase in the number of wild fires. These deployments are reimbursable by the Arizona State Forestry Division.

Objective Analysis:

This action will allow the Fire-Medical Department to continue to cover personnel, supplies, and services expenses through the end of FY2022.

Policy Compliant:

The budget amendment is in compliance with the Comprehensive Financial Management Policy.

Financial Impact:

This action will allow for an additional $2,975,000 to be expensed in FY2022 for the purpose of

covering unforeseen increases in staff overtime, inflationary increases for medical first aid supplies, and increases in fuel costs out of the Fire General Fund, Ground Ambulance Service Fund and Wildland Fund.

The Ground Ambulance Service Fund operating expenses are offset with the collection of services fees as established by the Arizona Department of Health Services. The Wildland Fund operating expenses are offset by reimbursements received from the Arizona State Forestry Division.

Budget Impact:

This action will result in the movement of budget authority from Contingency to the Fire General Fund in the amount of $1,850,000, the Ground Ambulance Service Fund in the amount of $625,000, and the Wildland Fund in the amount of $500,000. Additionally, these actions represent an increase in revenue for the Wildland Fund, offsetting the increase in expenditures. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

No FTE impact.

ATTACHMENTS:

1. Resolution 2022-42 Fire Budget Amendment Final

RESOLUTION # 2022-42

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF $2,975,000 FROM CONTINGENCY GENERAL OPERATIONS TO THE FIRE-MEDICAL DEPARTMENT PERSONNEL SERVICES, SUPPLIES, AND INTERGOVERNMENTAL FOR THE PURPOSE OF COVERING INCREASED OPERATIONAL COSTS AND WILDLAND FIRE DEPLOYMENTS.

WHEREAS, the FY2022 budget was adopted including funding for personnel, supplies and services expenses within the Fire-Medical Department's General Fund, Ground Ambulance Service Fund and Wildland Fund;

WHEREAS, additional budget authority is needed in the Fire-Medical Department's General Fund and Ground Ambulance Service Fund to cover unforeseen increases in staff overtime, inflationary increases for medical first aid supplies, and increases in fuel costs;

WHEREAS, additional budget authority is needed in the Wildland Fund to cover deployments for the State of Arizona 2022 wildland fire season and the purchase of the associated supplies and services required for deployment;

WHEREAS, the increased expenses within the Wildland Fund will be directly offset by the receipt of increased revenue;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

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 and for contracts over $50,000 not previously approved as part of the Fiscal Year 2022 budget adoption.

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 Fiscal Year 2022 budget and the Contract Awarding Authority List of the City of Surprise, Arizona for the fiscal year July 1, 2021 through June 30, 2022.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2022-42
Exhibit A

1. Appropriation – The allocations below represent an increase in budget authority in the amount of $2,975,000 from contingency to the Fire-Medical Department's General Fund, Ground Ambulance Service Fund, and Wildland Fund to support ongoing operational needs. Additionally, these actions represent an increase in revenue for the Wildland Fund, offsetting the increase in expenditures. These actions represent a transfer in spending authority and do not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Contingency	General Operations	Contingency	E	23,440,000	(2,975,000)	20,465,000
General Fund	Fire - Medical	Personnel Services	E	23,232,200	1,450,000	24,682,200
General Fund	Fire - Medical	Supplies	E	928,200	400,000	1,328,200
Ground Ambulance Service	Fire - Medical	Personnel Services	E	3,308,800	450,000	3,758,800
Ground Ambulance Service	Fire - Medical	Supplies	E	304,500	175,000	479,500
Wildland Fire	Fire - Medical	Personnel Services	E	267,900	450,000	717,900
Wildland Fire	Fire - Medical	Supplies	E	10,700	50,000	60,700
Wildland Fire	Fire - Medical	Intergovernmental	R	225,400	500,000	725,400
Contingency	General Operations	Other	R	24,254,100	(500,000)	23,754,100
			Expense Total	**51,492,300**	**-**	**51,492,300**
			Revenue Total	**24,479,500**	**-**	**24,479,500**

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022

Contact Person: Andrea Davis, DIRECTOR - FINANCE

Submitting Department: Finance

District: Internal

Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the FY2022 budget by moving budget authority in the amount of $200,000 from contingency to services within the Finance Department for consulting services; Resolution #2022-41.

Motion:

I move to approve Resolution #2022-41.

Background:

Three positions within the Finance Department's Accounting Division have remained vacant for an extended period of time throughout the fiscal year. The department wishes to utilize financial consulting services to support various projects related to capital asset accounting, grant accounting, preparation of the FY2022 Annual Comprehensive Financial Report (ACFR), and implementation of new software.

Objective Analysis:

This action will provide the Finance Department with the necessary support to complete legally required documents such as the ACFR and the Schedule of Expenditure of Federal Awards (SEFA).

Policy Compliant:

This action is compliant with City and Council policies.

Financial Impact:

This action will allow for the one-time expenditure of $200,000 for professional and outside services.

Budget Impact:

This action will move budget authority in the amount of $200,000 from contingency to professional and outside services. This action represents a transfer of budget authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

This action does not impact the overall full-time equivalent count.

ATTACHMENTS:

1. Res 2022-41 Acc Consulting 04062022

RESOLUTION # 2022-41

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF $200,000 FROM CONTINGENCY TO PROFESSIONAL AND OUTSIDE SERVICES WITHIN THE FINANCE DEPARTMENT TO SUPPORT ACCOUNTING RELATED PROJECTS.

WHEREAS, the Finance Department has experienced extended vacancies resulting in the need for professional services to support the completion of various projects;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

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, 2021 through June 30, 2022.

APPROVED AND ADOPTED this_____day of_____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2022-41
Exhibit A

1. Appropriation - The allocation below represents a movement of budget authority in the amount of $200,000 from contingency to professional and outside services to assist the Finance Department's Accounting Division with various projects. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/ Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Contingency	General Operations	Contingency	E	23,440,000	(200,000)	23,240,000
General Fund	Finance	Services	E	1,279,300	200,000	1,479,300
			Expense Total	**24,719,300**	**-**	**24,719,300**

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 3
Staff Recommendations: None

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

Agenda Wording:
Consideration and action pertaining to a Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density for the development of attached and detached multi-family rental community on the northeast corner of Peoria Avenue and Sarival Avenue; Ordinance #2022-08.

Motion:
I move to approve Ordinance #2022-08.

Background:
Kyle Barchello of RVi Planning and Landscape Architecture is requesting approval of a Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density to allow for the development of approximately 114 bungalow style rental units on the northeast corner of Peoria Avenue and Sarival Avenue. The proposed zoning amendment also establishes development standards for the proposed multi-family development.

Objective Analysis:
Approval of this Major Zoning Amendment will allow the development of the multi-family development.

Policy Compliant:
The proposed Major Zoning Amendment is consistent with the Surprise General Plan 2035, the Greer Ranch PAD and the Surprise Municipal Code.

Financial Impact:
While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:
There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 00 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Staff Report
2. 01 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Vicinity Map
3. 02 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Zoning Map
4. 03 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Zoning Document
5. 04 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Luke AFB Comments
6. 05 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Citizen Participation Report Redacted
7. 06 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Affidavit of Posting
8. 07 - FS21-681 - Bungalows on Peoria & Sarival - PADA - Ordinance 22.03.16 EVR Ord 2022-08
9. FS21-681 - Bungalows on Peoria & Sarival - PADA - PowerPoint

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ZONING AMENDMENT

REPORT TO CITY COUNCIL

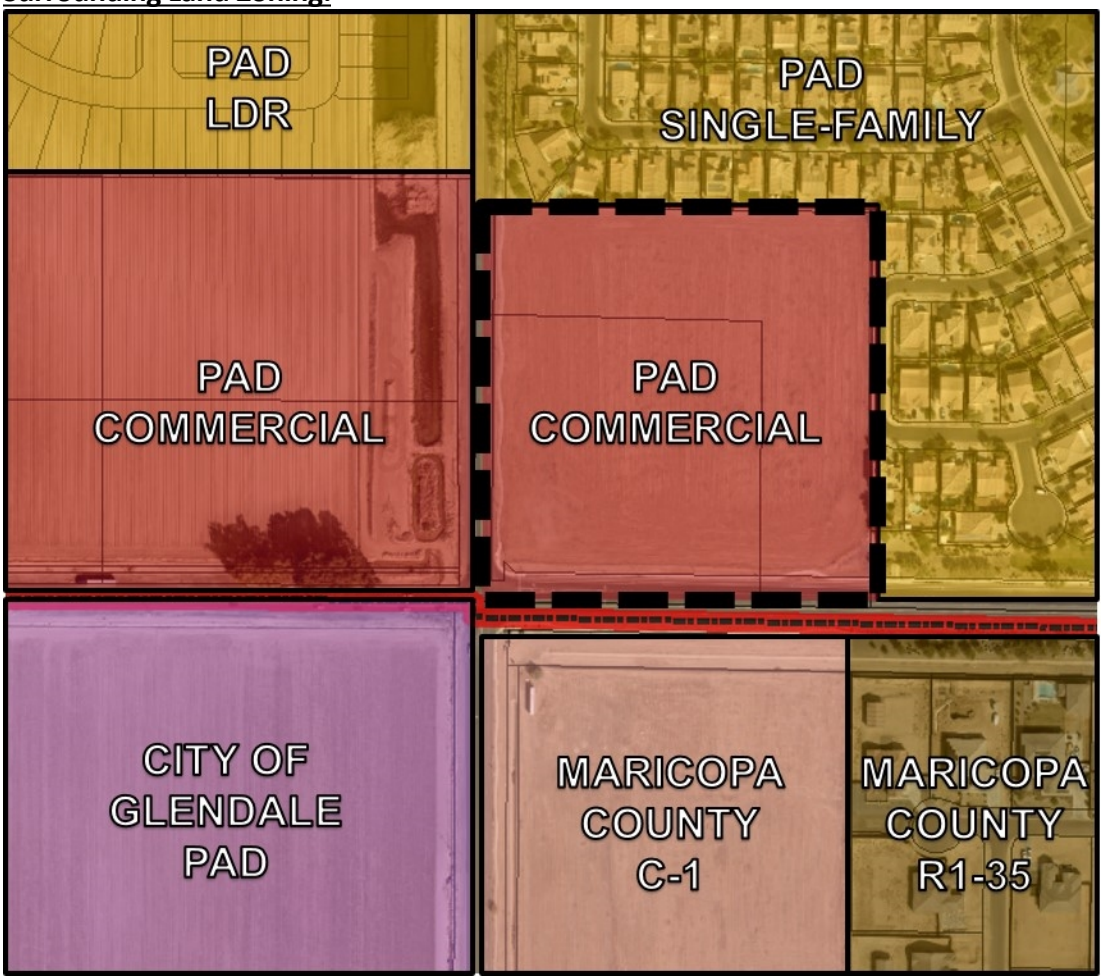
Case:	**FS21-681**
Project Name:	Bungalows on Peoria and Sarival
Council District:	3 - Mesquite
Meeting Date:	**April 19, 2022**
Planner:	Chris Sexton

Owner:	Moreland Arizona Properties LLC
Applicant:	Kyle Barchello with RVi Planning and Landscape Architecture
Request:	Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density.
Site Location:	Northeast corner of Peoria Avenue and Sarival Avenue.
Site Size:	12 acres (approx.)
Density (Net):	11.1 DU/Ac
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	The applicant held two (2) neighborhood outreach meetings, the first on July 29, 2021 and the second on December 6, 2021.
Commission Recommendation:	The Planning and Zoning Commission recommends **approval** of the subject PAD Amendment, Case FS21-681, subject to stipulations 'a' and 'b'.

Project Description:

Kyle Barchello of RVi Planning and Landscape Architecture is requesting approval of a Major Zoning Amendment to the Greer Ranch Planned Area Development (PAD) to change the land use designation of Parcel 22 from Commercial to Residential High Density to allow for the development of approximately 114 bungalow style rental units. The subject site is approximately 12 acres and is located on the northeast corner of Peoria Avenue and Sarival Avenue.

Surrounding Land Zoning:



PAD – LDR	PAD – Single Family	PAD – Single Family
PAD – COM	**PAD – COM**	PAD – Single Family
City of Glendale PAD	County C-1	County R1-35

Background:

March 19, 2002: The Mayor and City Council approved the Greer Ranch PAD.

June 13, 2002: The subject property was annexed into the City of Surprise by the Mayor and City Council.

May 6, 2021: A Concept Review meeting was held for the current proposal under case CR21-172.

September 3, 2021: The applicant filed a request for a Major Zoning Amendment under case FS21-681, the subject case.

December 6, 2021: The applicant held a neighborhood meeting to discuss the project.

Neighborhood Outreach:

Prior to the applicant's formal submittal, the applicant held an unofficial neighborhood meeting on July 29, 2021. This meeting was attended by one neighbor who expressed his concerns regarding crime increase, decrease of property values, and management of the site. He also expressed his preference to single-family homes on the site rather than a multi-family project. City staff was not present at this meeting.

On December 6, 2021, the applicant held the required neighborhood meeting at Sonoran Heights Middle School. The meeting was properly advertised per the requirements of the LDO. During this meeting, residents from the vicinity attended to ask questions regarding access into the site and the ownership and management of the site. One of the attendees left a comment note expressing her opposition to this project.

Analysis and Discussion:

The subject property is zoned Planned Area Development (PAD) with a commercial land use designation in the Greer Ranch PAD. The applicant is requesting a major amendment to the Greer Ranch PAD to change the land use designation of the subject site from commercial to multi-family to allow for a bungalow-style rental community.

This zoning amendment also establishes a set of development standards for this multi-family development. The applicant is proposing standards that match the development standards established in the LDO under R-3 zoning.

Conformance with Adopted Plans:

Surprise General Plan 2035: The proposal is consistent with the Surprise General Plan 2035.

The requested changes to the subject PAD will accommodate the development included in the concurrent Site Plan, a proposal to construct a 114-unit (approximately 11.1 dwellings per acre) single-family rental community, submitted under the same case, FS21-681.

Luke Air Force Base – Graduated Density Concept (GDC)

The subject site is located within the half-mile and 1-mile distance from the 65 LDN noise contours of the base. Per Luke's GDC, the maximum recommended density within this buffer area is 4 DU/Ac. Luke established the graduated density concept to encourage development that gradually increases residential density outside of legislated "high noise" and "accident potential zone" areas. Even though this project proposed a density of 11.1 DU/Ac, Luke took into consideration dwelling units that fell into this buffer zone of the overall Greer Ranch PAD. Including this proposed project, the density within this GDC zone will be 3.6 DU/Ac, making this project compliant with Luke's GDC recommendations.

Reviewing Agencies:

In addition to the standard city internal reviewing departments and Luke Air Force Base, the Maricopa Water District, and ADOT were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

The proposed Major Zoning Amendment meets the requirements of the Surprise General Plan, the Greer Ranch PAD, and the Surprise LDO.

Findings:

- The proposed Major Zoning Amendment is consistent with the Surprise General Plan 2035.
- The proposed Major Zoning Amendment is consistent with Greer Ranch PAD.
- The reviewing agencies have indicated no objections to the request.

Recommendation:

Based on the findings noted above, the Commission moved to recommend **approval** of case **FS21-681** to the City Council, subject to stipulations 'a' and 'b' as outlined below:

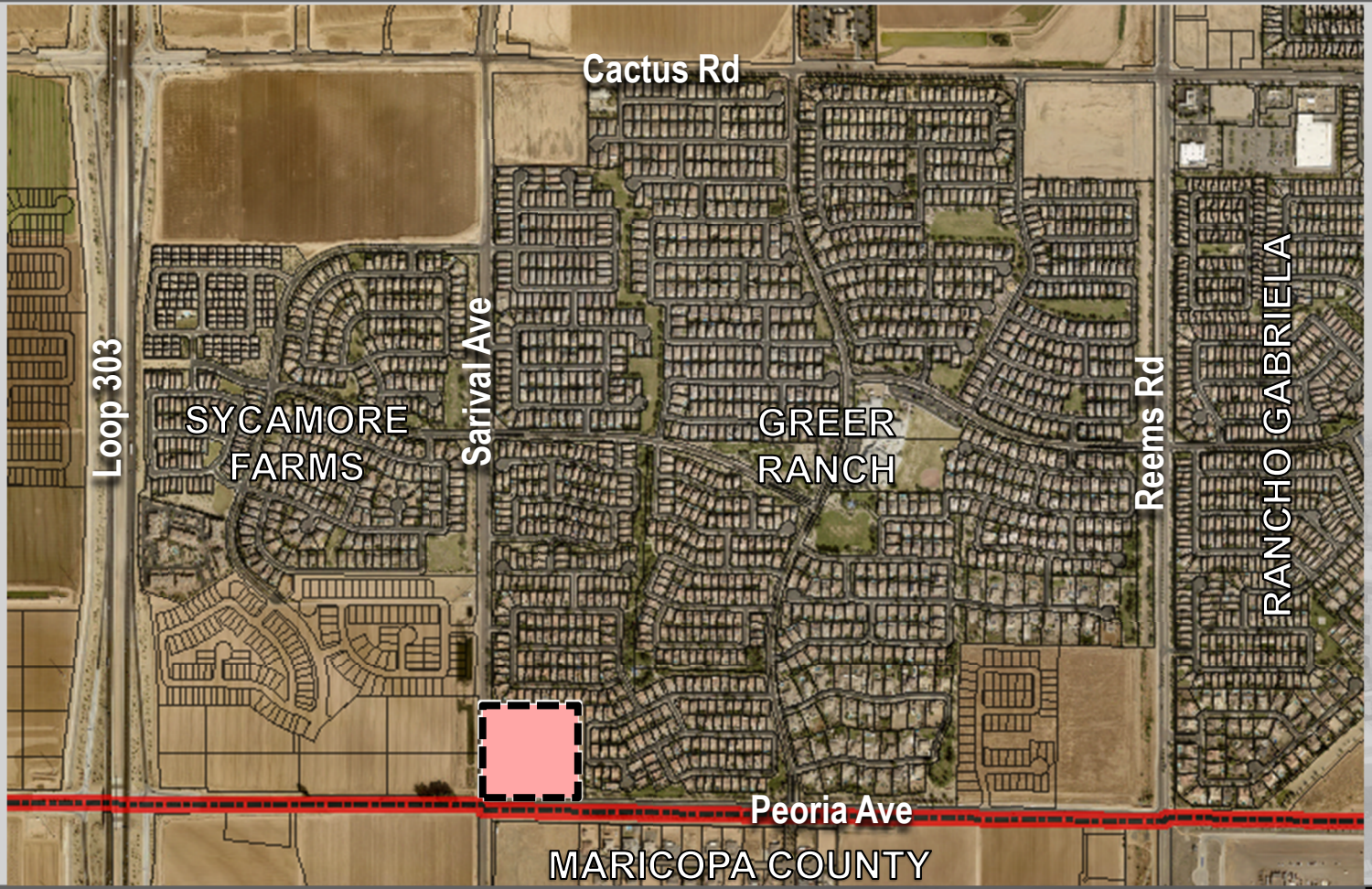
a. Development and use of the site shall be in substantial conformance with the Zoning Amendment document entitled "Greer Ranch PAD Amendment No. 4 Bungalows on Peoria and Sarival", dated November 22, 2021.

b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Council wish to recommend **denial** of the request, the Council should make its own findings and base its decision on those alternative findings.

Attachments:

00 Staff Report
01 Vicinity Map
02 Zoning Map
03 Zoning Document
04 Luke AFB comments
05 Citizen Participation Report - REDACTED
06 Affidavit of Site Posting
07 Ordinance #2022-08
PowerPoint Presentation



VICINITY MAP


Cholla St
Loop 303
Sarival Ave
SYCAMORE FARMS
GREER RANCH
Greer Ranch Pkwy
12.1 Acres
Peoria Ave
MARICOPA COUNTY
VICINITY MAP

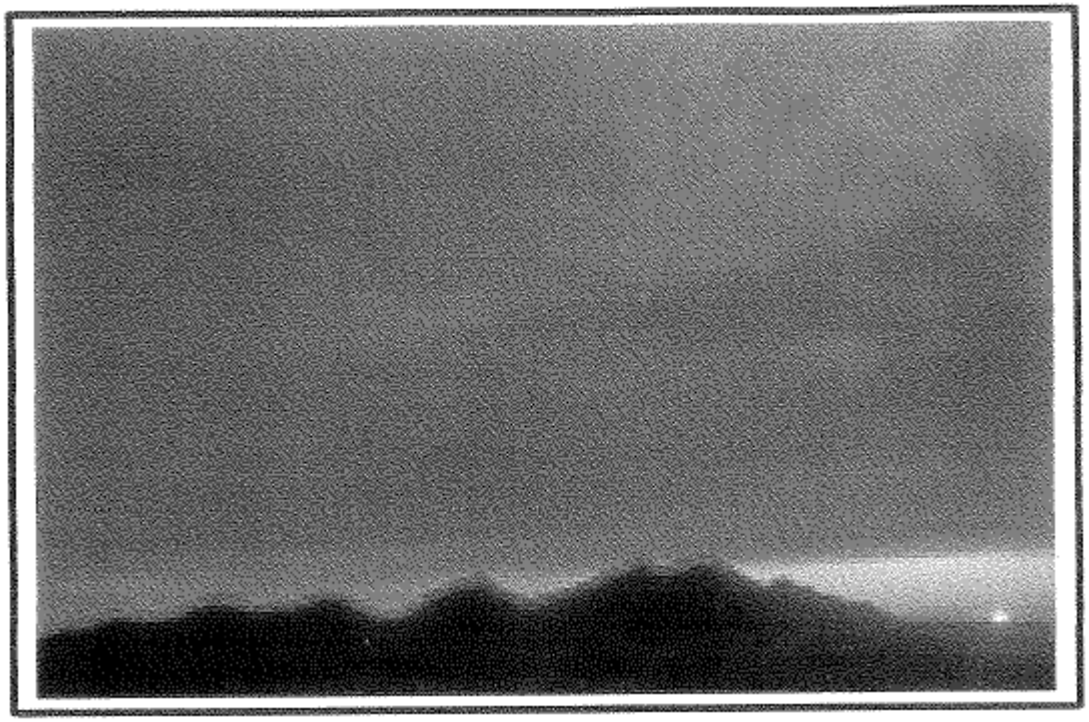
EXISTING & PROPOSED ZONING

Original PAD



Proposed PAD





GREER RANCH

PAD Amendment No. 4

"Bungalows on Peoria and Sarival"

10.23 Acre Parcel at the

NEC of Peoria Avenue and Sarival Avenue

Prepared for:

City of Surprise, Arizona

Case: FS21-681

November 22, 2021

GREER RANCH

PAD AMENDMENT No. 4

Developer:

Cavan Companies – Owner and Developer

Jon Hamel

15300 N. 90th Street. Ste. 200

Scottsdale, AZ 85260

Phone: (480)627-7000

jhamel@cavancompanies.com

Applicant/Land Planner

RVi Planning + Landscape Architecture

Mark Reddie/Kyle Barichello

120 S. Ash Ave. Suite 201

Tempe, AZ 85281

Phone: (480) 994-0994

mreddie@rviplanning.com/kbarichello@rviplanning.com

Engineer:

Hilgart Wilson

George Krall

2141 E. Highland Ave

Phoenix, AZ 85016

Phone: (602) 730-3814

GKrall@hilgartwilson.com

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EXHIBITS

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FIGURE 2: GENERAL PLAN LAND USE MAP 13
FIGURE 3: LUKE AIRFORCE BASE GRADUATED DENSITY ANALYSIS 14
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FIGURE 11: COMMERCIAL ANALYSIS 22

BACKGROUND

This request is to amend the Greer Ranch Planned Area Development (PAD) to change the designation of Parcel 22 as denoted by the approved Land Use Plan from Commercial to R-3 Residential High Density to allow the development of an approximately 114-unit multi-family rental. The Subject Site consists of approximately 10.23 acres located at the northeast corner of Peoria and Sarival Avenues. The proposed PAD amendment includes Parcel 22 as shown on the existing land use plan within the Greer Ranch PAD, APN 501-40-005G. See **Figure 1:** *Vicinity Map*.

The Greer Ranch PAD master planned community was established in March 2002 (PAD01-117). The square mile development is bounded by Cactus Road, Peoria Avenue, Reems Road and Sarival Avenue. The PAD encompasses 586.2 acres and includes a mix of single-family residential densities, parcels planned for community shopping uses, private parks, an elementary school, a drainage channel for regional flood control, and an interlinking system of trails and open spaces all united by a common design theme. Since the Greer Ranch PAD was approved, it has undergone four amendments. The first amendment, PADA02-212, reconfigured Parcels 13 and 14 and changed Parcel 13's land use designation from single-family residential to commercial with a base zoning designation of C-2. The second amendment, PADA06-001, adjusted the setback requirements for certain lots within Parcel 19. The third amendment split Parcel 13 in half and changed one half of the parcel from commercial to single family residential. The fourth PAD amendment changed Parcel 9's designation from Commercial to Multi-Family zoning.

Table 1: Greer Ranch PAD Case History			
1	PAD01-117	Original PAD	Ordinance 02-14
2	PADA02-212	Modify Parcel 13 from Residential to Commercial	Ordinance 02-40
3	PADA06-001	Setback Revision	Admin. Approval
4	FS19-382	Modify Parcel Lines – Split Parcel 13 into two parcels	Ordinance 2019-25
5	FS19-093	Modify Parcel 9 from Commercial to Multi-family	Ordinance 2020-01

See **Figure 5:** *Original PAD, Proposed Amended PAD, & Proposed Land Use Plan*

SUBJECT REQUEST

This request is to amend the Greer Ranch PAD to rezone Parcel 22 from commercial to R-3 (PAD). The proposed change seeks to stimulate growth on the corner commercial parcel which has sat vacant since the original approval of the Greer Ranch PAD in 2001. No additional changes are requested per this PAD Amendment. See **Figure 4:** *Preliminary Land Use Plan*.

Changing the land use from commercial will increase the residential units by approximately 114 units from the current approved unit count for the Greer Ranch PAD of 1,728. The original Greer Ranch PAD entitlement (PAD01-117) allowed for approximately 1,664 single-family residential lots and has increased through the previous PAD amendments.

EXISTING & PROPOSED ZONING

The Greer Ranch PAD originally zoned this area for Community Commercial (CC-PAD). However, no multi-family zoning was included at the time of the approved PAD. With the most recent approved PAD amendment via FS19-093, Parcel 9 was changed from CC-PAD to Medium Density Residential (RM12-PAD) to facilitate the development of a single family for rent community. Since the approval of this amendment, the City of Surprise adopted their new Land Development Ordinance which updated the zoning categories and development standards. After discussion with City staff, the proposed request seeks to amend the current CC-PAD zoning to R-3-PAD to allow the development of approximately 114 units. See **Figure 5:** *Original PAD & Proposed/Amended Land Use Plan*.

EXISTING AND FUTURE COMMERCIAL ANALYSIS

As part of the PAD Amendment request, the development team considered many factors including existing adjacent land uses and existing commercial within Greer Ranch and near the subject site. The proposed multi-family bungalow development is an appropriate use for this site due to the surrounding land use patterns and will serve as an appropriate density transition from the existing residential development immediately to the north and east. Due to limited access and the size the proposed amended parcel, commercial development remains more viable on key transportation corridors like the 303 Freeway and Bell Road and nearby larger commercial centers where demand currently exists.

At the time of approval in 2001, all four corners of the Greer Ranch PAD were designated as commercial and all four corners remained vacant and unchanged until amended in 2019 and then again in 2020. Upon approval of the past PAD amendments, three commercial parcels (including the subject parcel 22) remain in the Greer Ranch PAD totaling approximately 45.8 acres (Parcels 1, 22 and 13b). The subject site is requesting modification to the commercial parcel at the southwest corner of the Greer Ranch community based on current market conditions for commercial development in this area. Upon removal of this 12-acre site, approximately 34 acres of commercial remains open for development within the Greer Ranch PAD.

Upon further analysis of the commercial land within the immediate vicinity, our research has shown that approximately 140 acres of commercially zoned land exists within a 1-mile radius of the site. These commercial locations include the vacant parcels immediately to the west of the subject site spanning from Sarival Avenue to the Loop 303, directly south across Peoria Avenue, and further east at the corner of Reems Road and Peoria Avenue. An additional approximately 800 acres of commercial exists within a 2-mile radius of the site, with a large portion of this commercial land near the Cactus Ave and Loop 303 interchange, prime for future development. See **Figure 11:** *Commercial Analysis.*

In summary, the selected areas included within our commercial analysis show that there is a significant amount of vacant commercial land near our site with better access to the Loop 303 Freeway and site access for future development.

DEVELOPMENT STANDARDS

The Greer Ranch PAD includes a Development Standards Table outlining the various development standards for each residential and commercial category within Greer Ranch. With the recent update and transition to the Surprise Land Development Code, the development standards for Parcel 22 are defined in the Table 2 below.

Table 2: Proposed Development Standards

Development Standard	R-3 Zoning District	Providing
Net Density (du/ac)	8-11.9	8-11.9
Min. Setback to Arterial ROW (ft) [2]	20	20
Min. Setback to Collector and Local ROW (ft) [2]	15	15
Min. Setback Adjacent to Residential Zoning (ft)	10	10
Min. Setback Adjacent to Non-Residential Zoning (ft)	20	20
Max. Bldg. Height (ft) [1]	45	45
Open space (sf/du)	150	1,500

Notes:

1. The height of any structure, or portions thereof, shall not exceed thirty feet (30') in height measured at the setback line when adjacent to Single-family, Two-family, Three-family development parcels. The height of the accessory structure may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum height equal to the zoning
2. Setback may be reduced to 10' along Collector or Local right-of-way for units that open to the street and exclude a perimeter wall

The proposed rezoning and PAD amendment does not require any development standard modifications to the Surprise Land Development Ordinance or Planning and Engineering Design Guidelines and will follow the R-3 Zoning District standards as provided above.

CONFORMANCE WITH THE GENERAL PLAN

The General Plan 2035: Foundation for the Future is primarily a set of goals and policies that forms a blueprint for physical development throughout the City of Surprise. The General Plan is a visionary document that is used as a basis for land use decisions and can be a key tool to improve the quality of life for residents. The General Plan designation for this site is Neighborhood Urban (8+ du/ac). See **Figure 2:** *General Plan Conformance*.

Urban neighborhoods are the highest density residential areas in the City. They generally function as a transitional use between lower intensity suburban areas and high-volume roadways/transit corridors, more intensive regional commercial centers, or employment areas. Urban neighborhoods are predominantly residential in nature and are characterized by a diverse mix of residential types; from small-lot to vertical multi-unit developments. The subject site will provide the following elements in alignment with the prescribed aesthetics and built form outlined in the General Plan including:

- All building heights should be appropriate in scale and transition in relation to surrounding developments

- All parking for multi-family buildings should be provided off-street and accommodated internally on site in covered parking clusters, or in garages or carports that are attached and integrated into the building architecture
- All single-family attached or multi-family buildings should have shallow to moderate front setbacks. Individual multi-family buildings shall also be separated by ample space for pedestrian walkways and landscaping.
- All residential development should include active and passive open space areas designed, located, and oriented to provide high pedestrian accessibility within and around the development

Additionally, development of this site is consistent with the following goals and policies listed within the 2035 General Plan.

Land Use Element, Goal 1 *The City of Surprise will provide a unique living experience by offering a sense of place and an intimate community atmosphere with all the conveniences of an active urban area.*

Response: The proposed development provides a diverse housing product and choice of lifestyle for individuals and families who want a simpler living arrangement and alternative housing option. The bungalows style development is an up-and-coming trend throughout the valley and there continues to be a high demand for this type of rental product. The proposed development contributes to the City of Surprise's desire for diversity of housing.

Land Use Element, Goal 6: *Provide high-quality housing in a range of residential densities and types.*

Currently, the Greer Ranch community is comprised by only single family detached homes except for the recently approved PAD amendment which provides the opportunity for a single family for rent community. The current density of the Greer Ranch community is 3.2 du/ac which is typical throughout the City of Surprise. However, as communities mature there is a need for different densities throughout the city due to the constraints of the current boundary limits and the need for diversity of housing options for residents of all demographic groups and lifestyle choices. The proposed development seeks to provide additional housing opportunities in this area that is consistent with the General Plan. The provided density allows for an adequate transition between the single-family community to the north and east, and additional housing and residences to support and drive demand for the vacant commercial properties nearby.

CONFORMANCE WITH THE LUKE AIR FORCE BASE GRADUATED DENSITY CONCEPT AREA

The proposed development includes a total of 114 units, for a net density of 3.1 du/ac. The Greer Ranch PAD is within the Luke Air Force Base (LAFB) Graduated Density Concept area which restricts development to an overall average maximum of 2 du/ac within a half-mile from the noise contours of the base and 4 du/ac density between a half-mile and 1-mile from the 65 LDN noise contours of the base. The subject property is located entirely between the half-mile

and 1-mile delineation. The applicant has developed a map with calculations to determine the maximum residential units permitted within the remaining vacant land at this location.

In accordance with the Graduated Density Concept (GDC), all the portions of the Greer Ranch PAD within the same half-mile to 1-mile delineation may be used in determining the maximum units for the site. A detailed analysis was prepared for the property, including a calculation of the acreage within each of the two density categories to determine a maximum unit count permitted.

Currently, the area encompasses 345 acres, and there is an existing total of 1,152 residential units within the area. The proposed amendment will add approximately 114 units bringing the total to 1,265 units at 3.6 du/ac within the ½ mile to 1 mile zone. Based on 4.0 du/ac, a maximum of 1,380 units is permitted per the policy and the proposed amendment is thus in conformance with the LAFB Graduated Concept Area requirements. This analysis was provided to the Luke Air Force Base Community Outreach Division for preliminary approval and was acknowledged as compliant with the current GDC standards. See **Figure 3:** *Greer Ranch Graduated Density Analysis.*

CONCEPTUAL DEVELOPMENT PLAN

The Peoria and Sarival Bungalows is a proposed detached and duplex luxury residential rental community comprised with approximately 114 single-story residential units. The plan includes a mix of 1-bedroom duplexes and 2-bedroom and 3-bedroom detached units with an overall net density of 11.1 du/ac. Each unit will include a private landscaped backyard in addition to an abundance of common open space.

The community will be gated and will include a central project amenity area at the primary entry with a community clubhouse/ leasing office, resort-style pool and spa, shaded gathering areas, fire pit, turf lawn, landscaped areas and/or other active and passive amenities for residents. Primary access to the site will include a full-access driveway on Peoria Avenue. The proposed plan will include a prominent entry feature with a landscaped median that creates a sense of arrival into the development. The entry leads to a distinctive leasing office/clubhouse building that establishes the overall theme and character for the development. Branching out from the primary entry, gates will provide security and a luxury feel as residents enter the community into a looped private driveway and parking areas.

The residential units are designed in a cluster configuration, with typically 4-8 units clustered around a common connected pedestrian courtyard area. Common amenities and open spaces are provided in central locations, including a linear spine through the center of the community, providing easy access for residents to the central amenity. Each unit will also include a private backyard with a shade tree for additional private outdoor space for residents.

The community features a central open space and amenity area with various active and passive recreational amenities. These amenities may include picnic areas, play structures, sport court, shade, seating, turf fields and enhanced landscaping for the use and enjoyment of all residents within the development. In addition to the central amenity, ample open space will be provided throughout the development and will include some active and passive amenities such as shade, seating, trails and enhanced landscaping. The proposed open space provided on site far

exceeds the required open space of 150 sq.ft./du as defined by the Zoning Ordinance which includes approximately 45% of the net area and approximately 1500 sq. ft./du. The proposed active open space is provided at approximately 30% of the net total open space.

Retention for the community may include a combination of surface storage and underground storage tanks. Parking will meet City requirements and will include a mix of shade canopies, enclosed garage parking and unshaded spaces for residents, with at least one covered or garage parking space provided for each unit.

Parcel 22 will be developed in the same manner as the other residential parcels in Greer Ranch. The perimeter theme walls will be compatible with the theme and character of Greer Ranch and will include common materials and colors, a cohesive landscape palette, and a subdivision entry monument will unify the aesthetics.

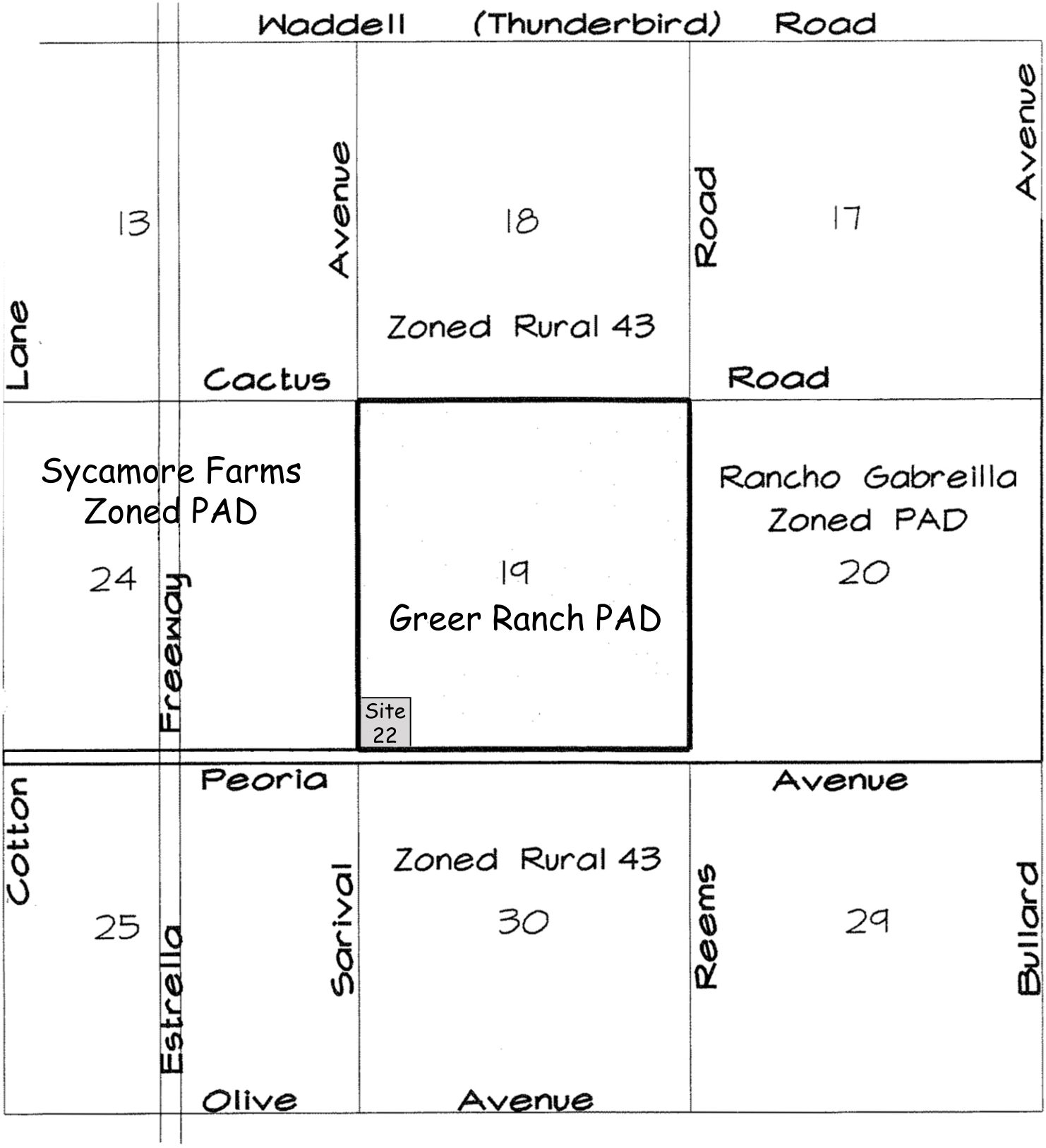
CONCLUSION

Changing Parcel 22 from its current commercial designation to R-3 PAD is compatible with the City's General Plan and the surrounding land uses in the immediate vicinity. The proposed bungalow style residential use is well-suited for this location as the commercial corner has remained vacant since 2001 and is becoming less viable given its proximity to approximately 800 acres of vacant commercial zoned parcels within the general 2-mile vicinity from the subject site. The conceptual development plan proposes ample buffering adjacent to the single-family development immediately adjacent and is in conformance with the City of Surprise General Plan and the Luke Air Force Base Graduated Density Concept area. Development of the proposed 114 units on this site will be in conformance with the design guidelines and development standards laid out in the Greer Ranch PAD as amended.

GREER RANCH

PAD Amendment No. 4

Exhibits

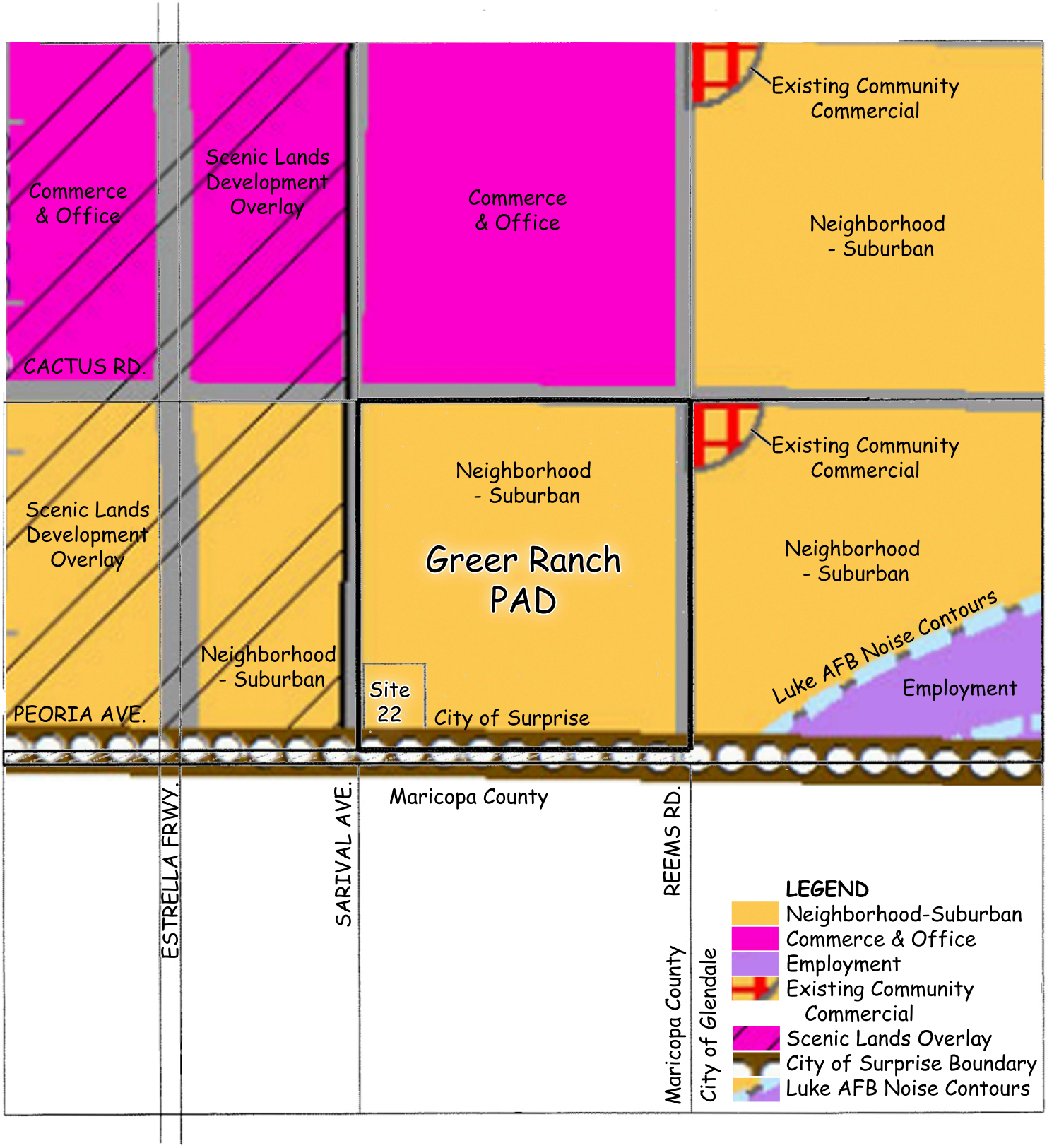


Greer Ranch

1000' 2000'

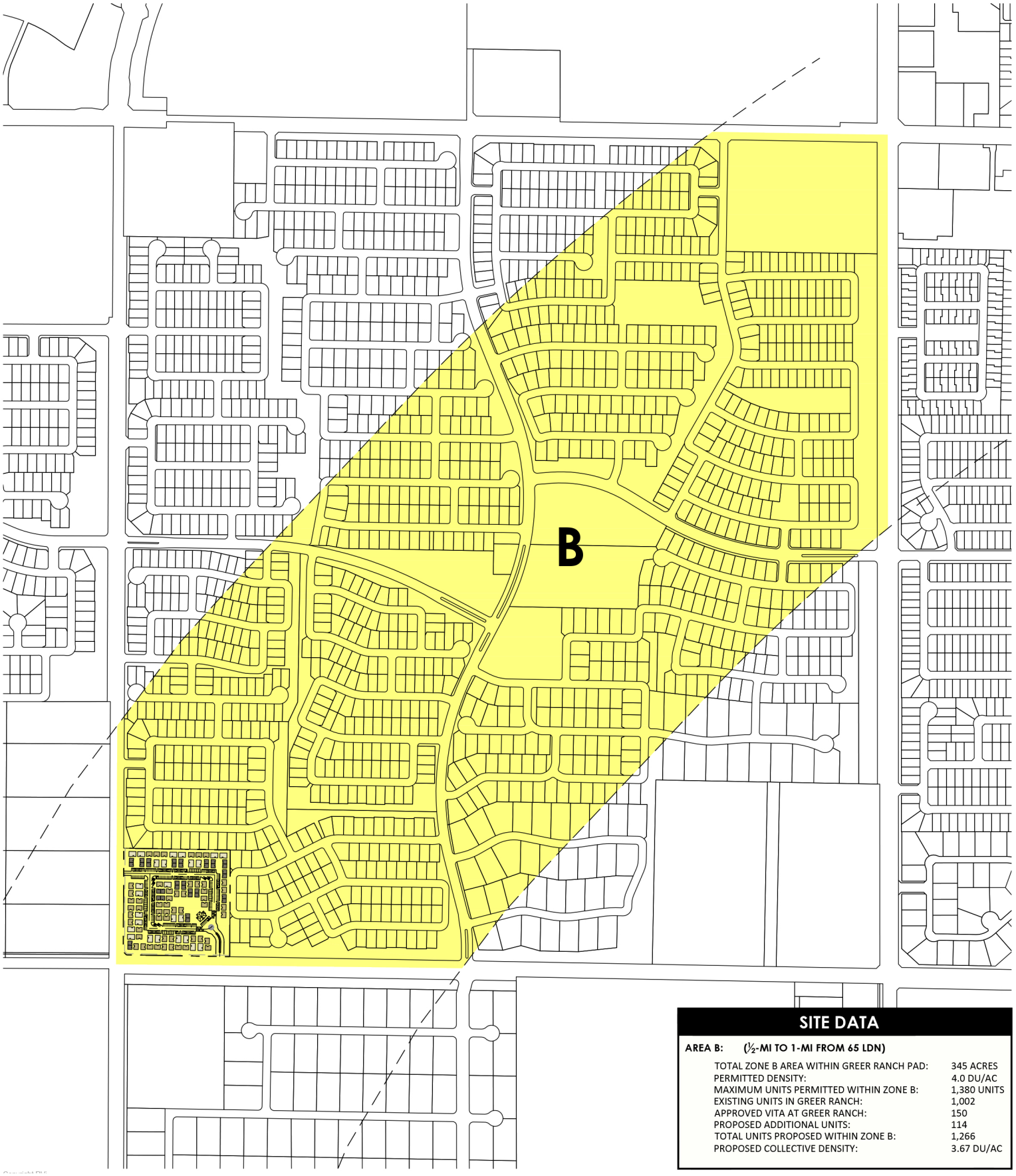
1" = 2000'
Job #2001.16
Date: 05.30.01

Figure 1: Vicinity Map



Greer Ranch

Figure 2: General Plan Land Use Map

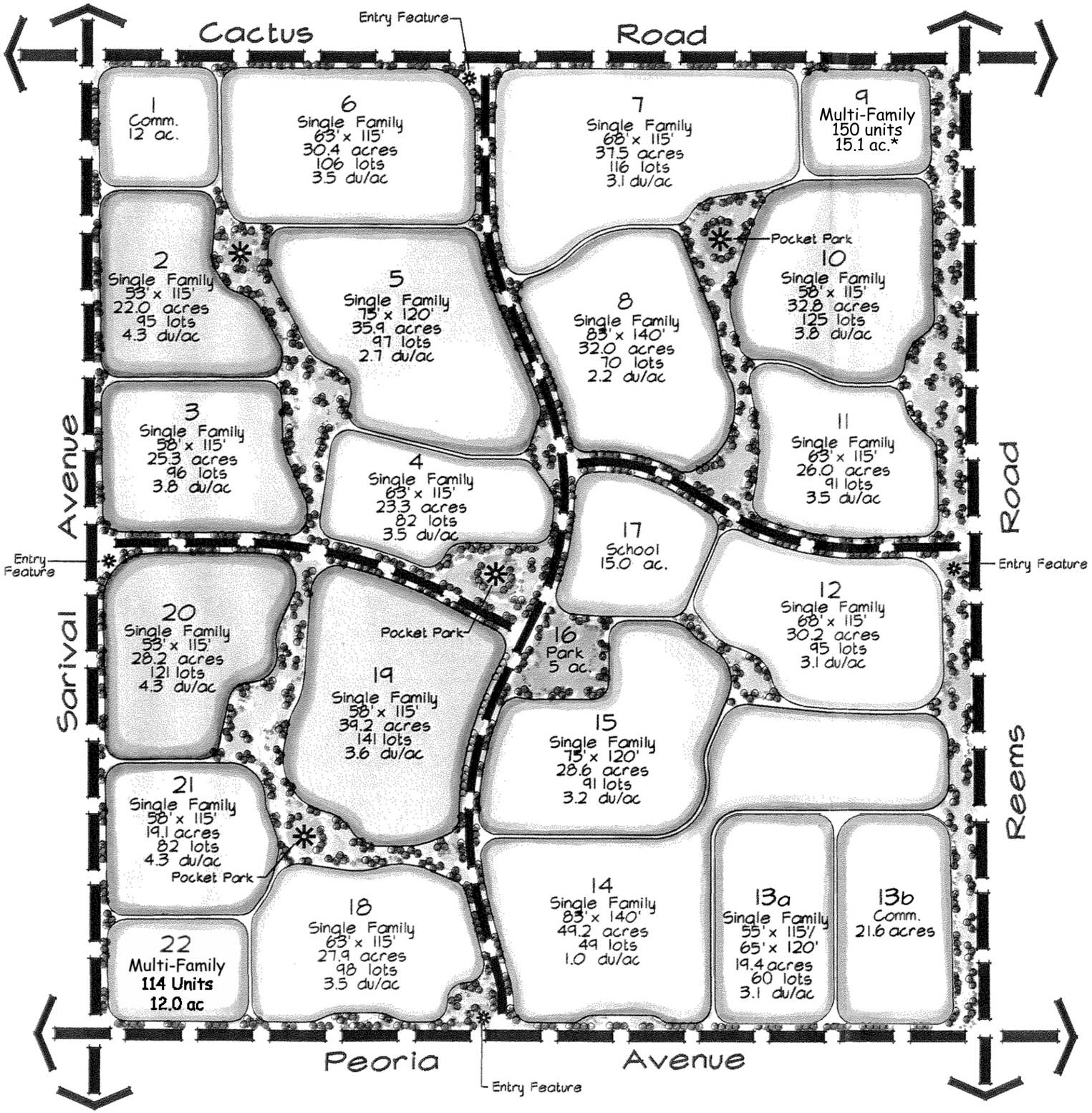


Greer Ranch

Figure 3: Graduated Denisty Analysis

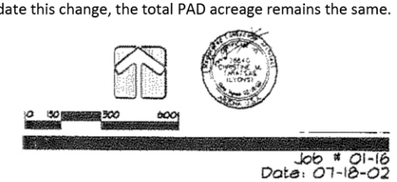
Figure 4: Preliminary Land Use Plan

Greer Ranch



Notes:

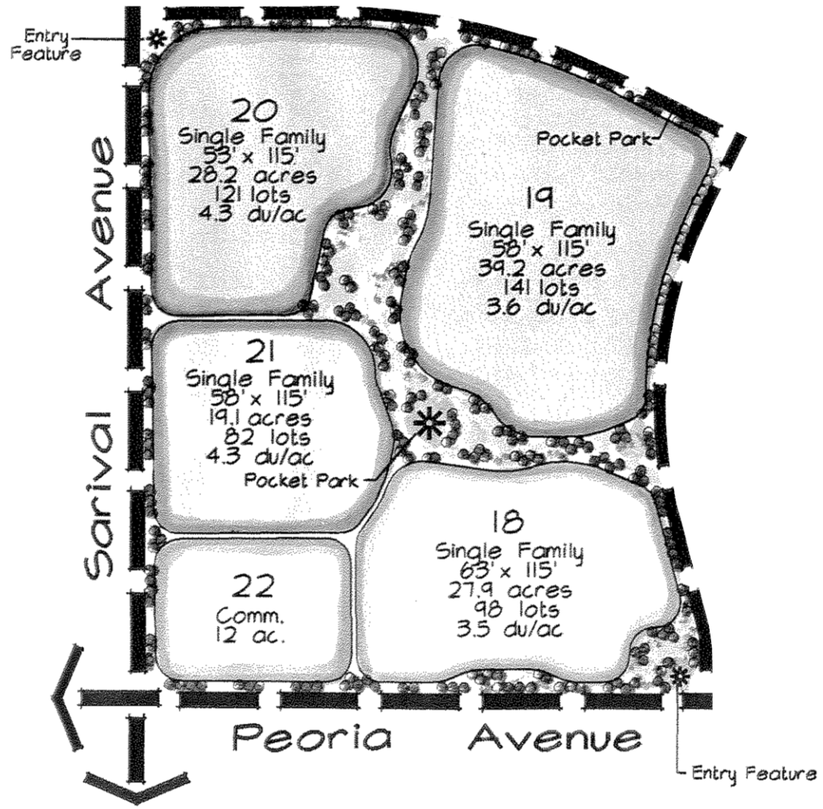
1. North open space equates to 26.4 acres or 10% of area. South open space equates to 19.0 acres or 9.8% of area (not including school and park). Total open space including school and park is 65.4 acres or 13.2%.
2. *Modified acreage reflects accurate acreage for the parcel. While neighboring parcel's acreages have not been modified to accommodate this change, the total PAD acreage remains the same.



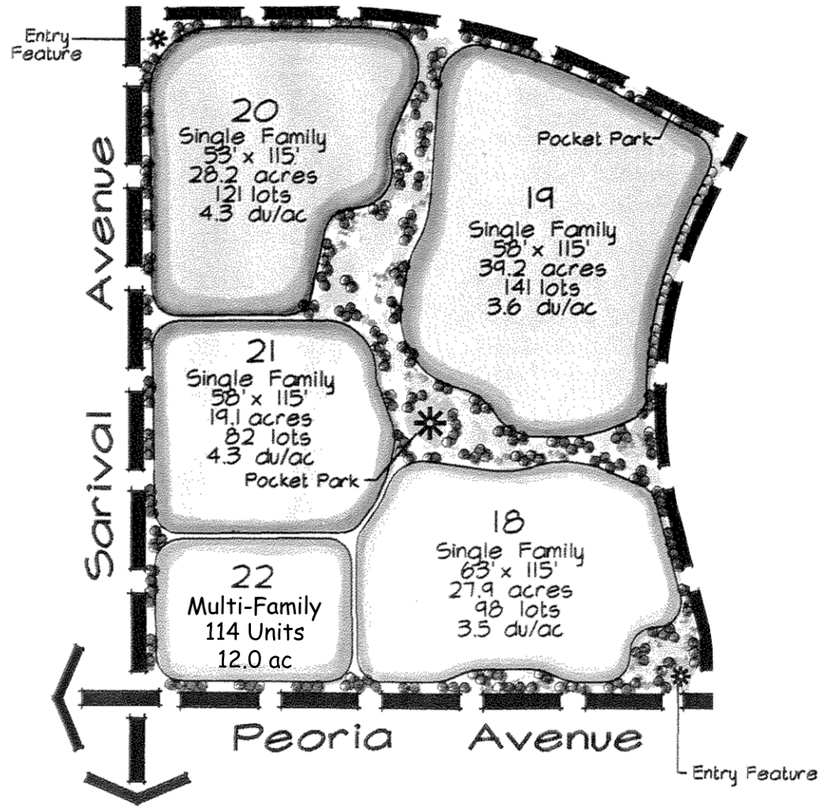
Greer Ranch

Figure 5: Original PAD & Proposed Land Use Plan

Original PAD

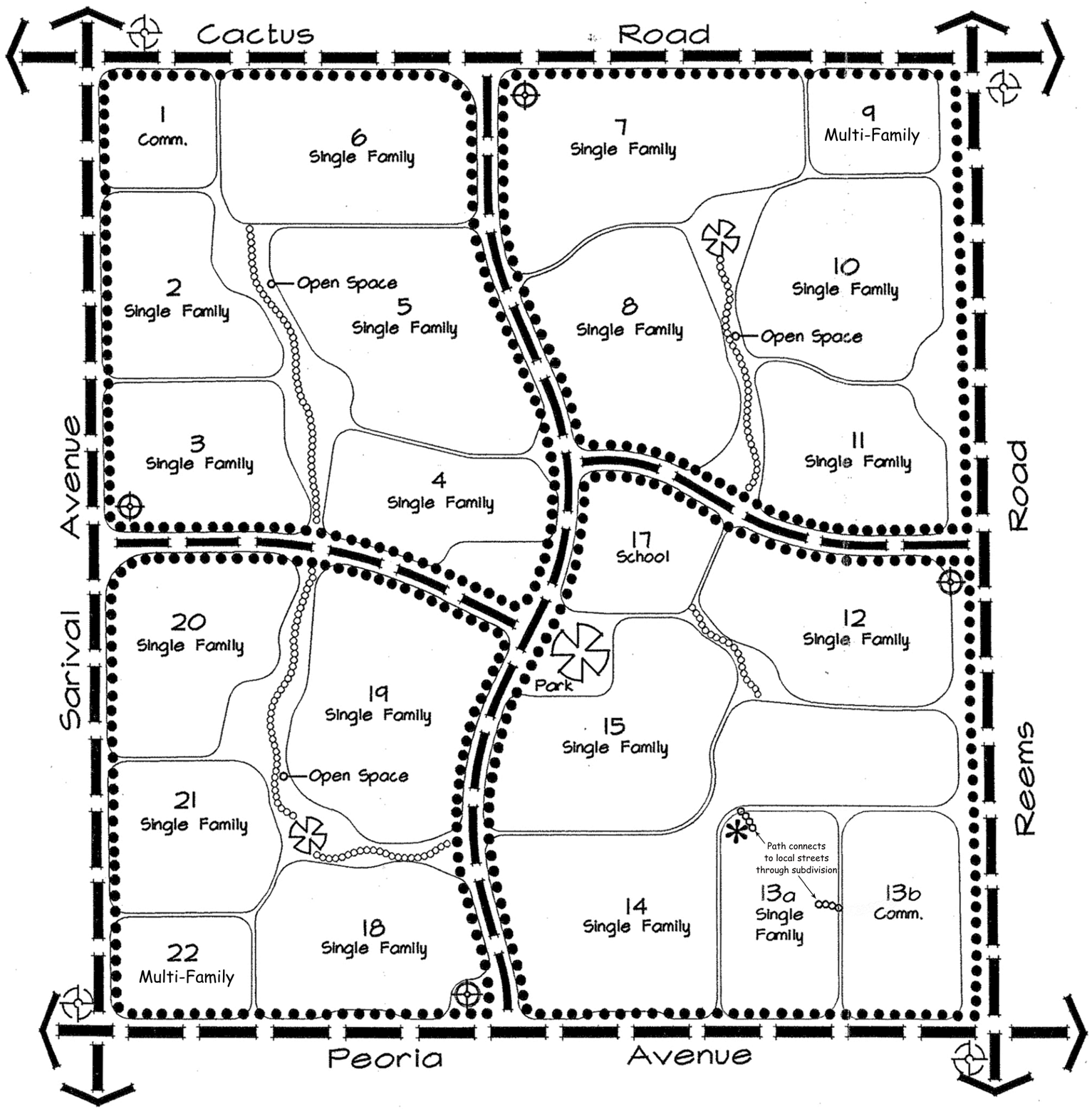


Proposed PAD



Note: *Modified acreage reflects accurate acreage for the parcel. While neighboring parcel's acreages have not been modified to accommodate this change, the total PAD acreage remains the same.

Figure 6: Master Trails Exhibit



Greer Ranch

Legend:

- 6' meandering concrete pedestrian sidewalk in landscape tracts adjacent to streets
- 8' meandering concrete pedestrian / bike path in linear open space
- Pocket Park/ Minor Pedestrian Nodal Area
- Neighborhood Park/ Major Pedestrian Nodal Area
- Transit Stop
- Future Transit Stop
- * Conceptual Pedestrian Connection

0 150 300 600

Job # 01-16
Date: 07-18-02

Figure 7: Master Landscape Exhibit

Greer Ranch

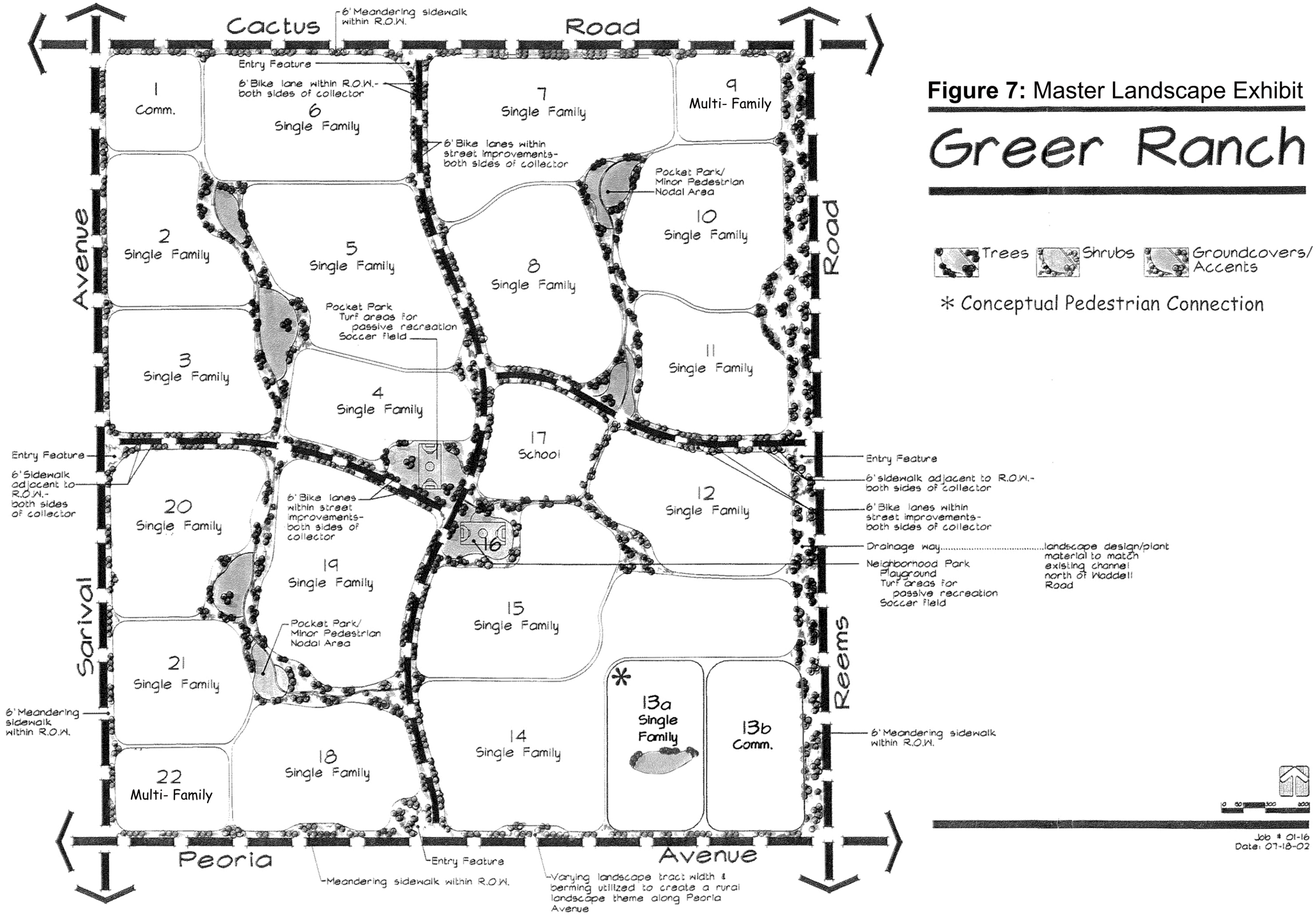
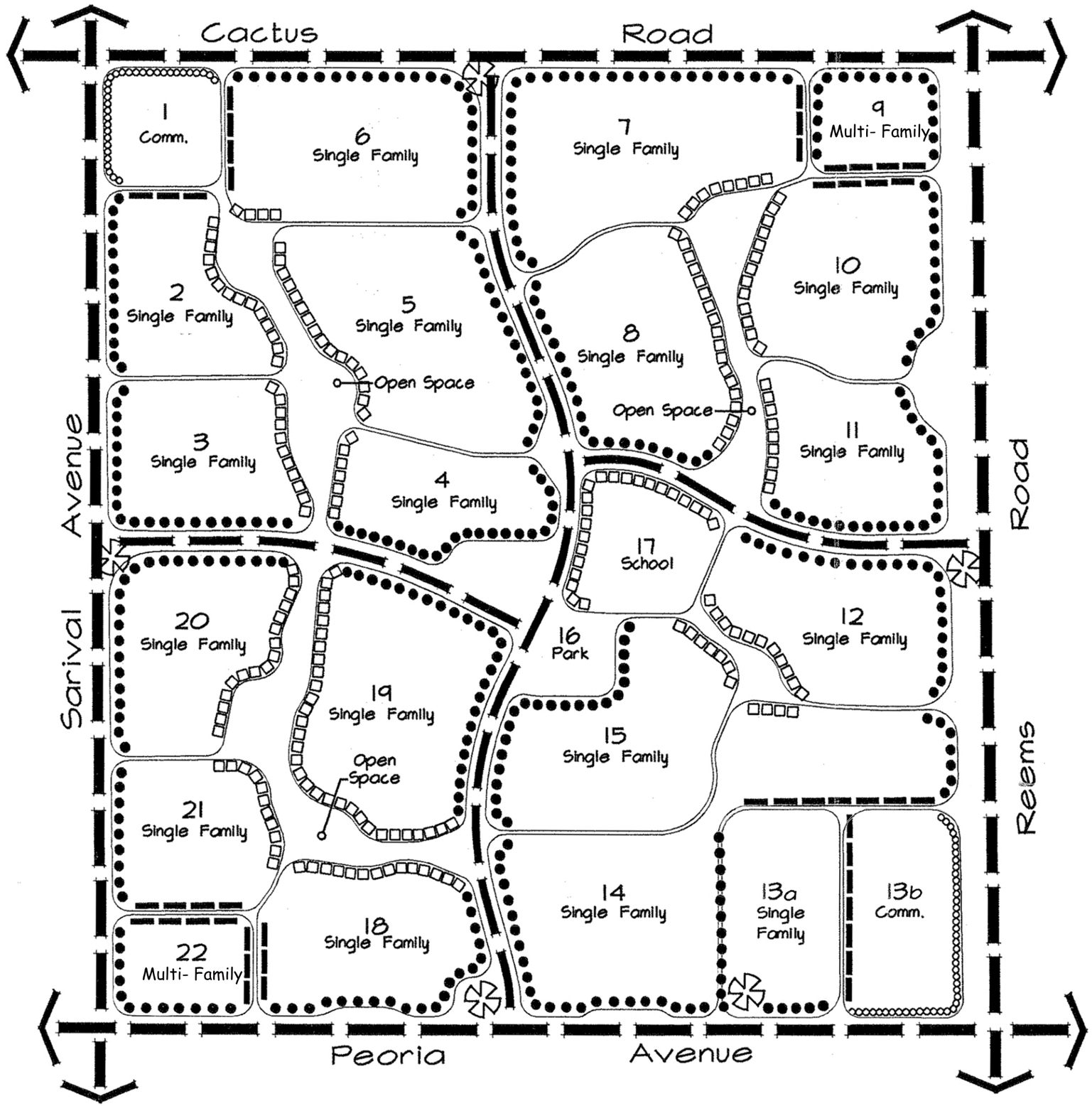


Figure 8: Master Signage & Wall Exhibit

Greer Ranch



Legend:

- □□□□□□ View wall
- ●●●●●● Theme wall
- ∞∞∞∞∞∞∞∞ Low Commercial screening i.e.. low wall, berming and/ or landscape screen - some uses may require additional wall height
- ▬ ▬ ▬ Subdivision wall, 8' adjacent to commercial
- Entry feature

0 150 300 600

Job # 01-16
Date: 07-18-02

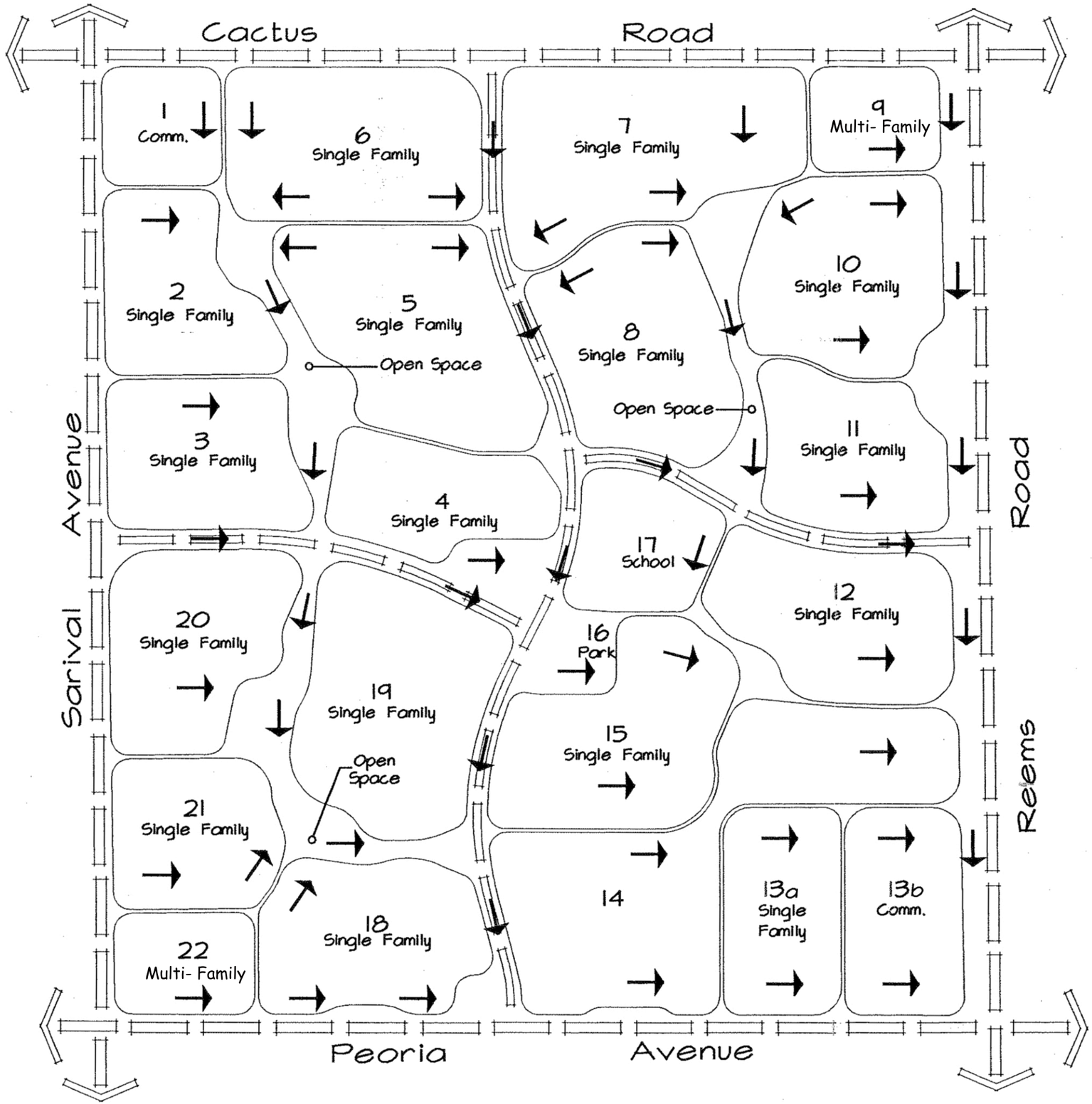


Figure 9: Master Drainage Exhibit

Greer Ranch

Legend:

→ Drainage Flow Arrow

0 150 300 600

Job # 01-16
Date: 07-18-02

Greer Ranch

Figure 10: Conceptual Site Plan

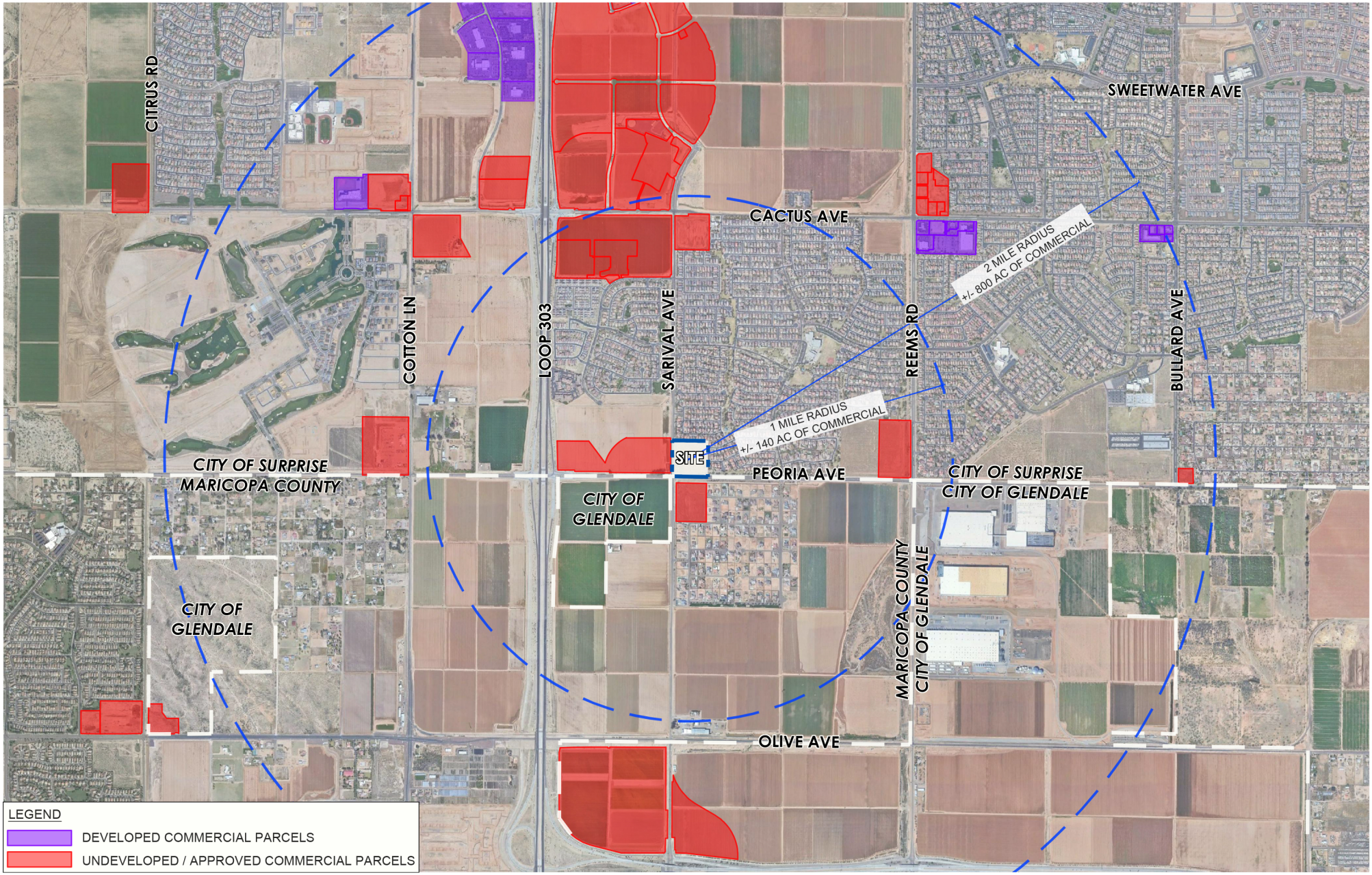
SITE PLAN DATA

GROSS AC. NET AC.	12.0 AC OR 522,434.66 S.F. 10.2 AC OR 445,437.08 S.F.
APN#:	501-40-005G
EXISTING ZONING:	PAD
PROPOSED USE:	MULTI-FAMILY (PAD)
TOTAL # OF UNITS:	1 BEDROOM UNITS: 36 (32%) 2 BEDROOM UNITS: 53 (46%) 3 BEDROOM UNITS: 25 (22%) TOTAL UNITS: **114**
DENSITY (NET):	11.1 DU/AC (NET)
PROPOSED BUILDING HEIGHT:	SINGLE STORY
OPEN SPACE REQUIRED:	150 SQ. FT. PER UNIT 114 UNITS x 150 = 17,100 SQ.FT.
OPEN SPACE PROVIDED:	**44.3%** OF NET (197,185.39 SQ. FT.) COMMON OPEN SPACE: 144,710.73 SQ. FT. (32.5%) PRIVATE OS (BACKYARDS): 52,474.66 SQ. FT. (11.8%)
LOT COVERAGE PROVIDED:	**26.9%** (NET) 1 BED- 36 x 676 SQ. FT. = 24,336 SQ. FT. 2 BED- 53 x 1,012 SQ. FT. = 53,636 SQ. FT. 3 BED- 25 x 1,355 SQ. FT. = 33,875 SQ. FT. GARAGES- 4 x 1,530 SQ.FT. = 6,120 SQ. FT. FARMHOUSE = 1,720 SQ. FT. TOTAL BUILDING AREA = 119,687 SQ. FT. (119,687/ NET SITE AREA= 26.9% LOT COVERAGE)
REQUIRED PARKING:	1 BED UNIT (1 SPACE PER UNIT) 36 2 BED UNIT (2 SPACES PER UNIT) 106 3 BED UNIT (2 SPACES PER UNIT) 50 GUEST SPACES (1 SPACE PER 5 UNITS) 23 FARMHOUSE (1 SPACE PER 250 SQ.FT.) 7 TOTAL REQUIRED PARKING **222**
PROPOSED PARKING:	232 SPACES TOTAL INCL. 8 ACCESSIBLE SPACES INCL. 90 CANOPY SPACES INCL. 24 GARAGE SPACES



Greer Ranch

Figure 11: Regional Commercial Exhibit



From: JAMES, MARK C GS-12 USAF AETC 56 FW/CVE <mark.james.14@us.af.mil>
Sent: Tuesday, March 9, 2021 8:53 AM
To: Lorraine Nevarez
Cc: 56 FW/CIT Community Initiative
Subject: RE: CR21-172 Peoria & Sarival Bungalows - Luke AFB

****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.****

Lorraine,
Thank you for the opportunity to provide comments on the Concept Review for Peoria & Sarival Bungalows. The site sits on approximately 10.2 acres of vacant land located on the NEC of Peoria Ave and Sarival Ave in Surprise AZ. The project is for 113 single-story detached & duplex residential rental units with a density of 11.6 du/ac. The site falls approximately .75 miles outside the Luke AFB 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.
In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/ac from the 65 Ldn to 1/2 mile, a maximum of 4 du/ac from 1/2 to 1 mile, and a maximum of 6 du/ac from 1 to 3 miles. The proposal for the property as stated in the narrative, consisting of 11.6 du/ac on the property does not meet the GDC; however, when using the Greer Ranch PAD to determine overall calculations, the proposed collective density will be 3.2 du/ac and thus meets the GDC guidelines.
The project, as described, should not have a negative impact on Luke AFB flight operations. However, Luke AFB reserves the right to review/comment on final plans submitted to Surprise. The site is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.
Mark

Mark James
Planning Manager, Community Initiatives Team
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

CITIZEN PARTICIPATION PLAN

Bungalows on Peoria & Sarival

Surprise, AZ
January 7, 2021

Introduction

Every development application in the City of Surprise that requires a public hearing in shall be accompanied by a Participation Report designed to detail the results of their citizen participation effort prior to the notice of public hearing. The following sections document the public outreach as it relates to the Bungalows on Peoria & Sarival project.

Public Outreach

Two neighborhood meetings were held for this project between July and December of 2021. Notices for each meeting were mailed to residents and neighborhood associations fifteen (15) days prior to each meeting using a mailing list generated by the City of Surprise. Neighbor meetings were held at the following locations on the specified dates and times:

July 29, 2021

6:00 pm to 7:00 pm
Sonoran Heights Middle School
1405 N Greer Ranch Parkway
Surprise, AZ 85379
Sign-In sheet at **Exhibit A: July 29th Neighborhood Meeting Sign in Sheet**

December 6, 2021

6:00 pm to 7:00 pm
Sonoran Heights Middle School
1405 N Greer Ranch Parkway
Surprise, AZ 85379
Sign-In sheet at **Exhibit B: December 6th Neighborhood Meeting Sign in Sheet**

For the July 29th Neighborhood meeting, notifications were sent out by the applicant via first-class mail to all residents within 600' at least 15 days prior (Postmarked and delivered on July 6, 2021) to the scheduled date of the neighborhood meeting. The notification for the December 6th neighborhood meeting was prepared and mailed by the City of Surprise. Finally, the neighborhood meeting information was updated on the site posting at the Property fifteen (15) days in advance of each neighborhood meeting.

- Copy of notice letter and mailout information for the July 29th meeting attached at **Exhibit C: July 29 Neighborhood Meeting Notification**
- Site posting for December 6th meeting at **Exhibit D: December 6 Sign Posting Affidavit**

Summary of Neighborhood Outreach Efforts

Both neighborhood meetings were held within 1-mile of the subject site at the Sonoran Heights Middle School. The applicant introduced the project via a PowerPoint presentation and described the specifics of the project. Upon conclusion of the formal presentation, the applicant answered questions from the

attendee(s). The following section highlights the questions asked and the responses from the applicant at each neighborhood meeting.

Meeting #1:

At the July 29th meeting there was one person in attendance. One comment card was filled out, which can be seen in **Exhibit E: July 29th Neighborhood Meeting Comment Card.**

The meeting officially started at 6:00 PM. The project team discussed in detail the specifics of the project. The resident in attendance resided to the north of the proposed project and expressed concerns about several different things including:

- Crime
- Property values
- Whether the community was professionally managed
- Desire for single family homes
- Desire for 1-story homes
- The shared wall between the project and the residential properties to the north

The project team had an informal meeting with this resident and explained in detail how these items were going to be addressed. The team provided information relating to average rents, the logistics behind the maintenance and management of the community, amenities provided, demographics of the community, and lack of need in this location for commercial development. The team showed renderings of the rental units used throughout the community and the overall design of the site.

Through an informal back and forth, the project team was able to provide a much more in depth look at the specifics of the proposed project. The resident stayed for the entire hour allotted for the neighborhood meeting and the meeting commenced at 7:00 PM. The one resident in attendance seemed satisfied with the information that was provided but remained skeptical of the project in general. The project team provided our contact information and a few copies of the printed presentation for distribution to the neighborhood.

Meeting #2:

At the December 6th meeting there were 10 residents in attendance, with three more joining the meeting over a zoom call. Vice Mayor Duffy and two city staff members were also in attendance. One comment card was filled out, which can be seen in **Exhibit F: December 6th Neighborhood Meeting Comment Cards.**

Question: What is the average cost to live in this facility?

Answer: Rents are approximately $1.70 per square foot, which means 1-bedroom units will be going for a little over $1000 a month, 2-bedrooms in the $1600s, and 3-bedrooms around $2200 a month.

Question: Will electric vehicle charging stations be provided for residents?

Answer: The developer will be providing electrical connections that allow for the future installation of electric vehicle charging stations as electric vehicles become more prevalent. As the designers, we are heavily encouraging the developers to include more of these as we see a rise in electric vehicles.

Question: Why does the main entryway have to be onto Peoria Avenue?

Answer: The proposed location for the main entryway is the only location the city will allow full turn movements in and out of the site.

Question: Can a right turn lane be provided on Peoria Avenue into the site to prevent traffic from backing up? Peoria is already a very busy road.

Answer: Our Traffic Impact Analysis determined that Peoria Avenue is well within its capacity and is perfectly able to take on additional vehicles from this development. The traffic generated from this development is significantly less than what would be generated if it was developed as commercial, which it is currently zoned. On a typical weekday, the Development is estimated to generate 52 trips in the AM peak hour, 64 trips in the PM peak hour. Additionally, we are providing an secondary exit for residents onto Sarival Avenue.

Question: How will you prevent people from turning left onto Sarival Avenue?

Answer: There will be signage declaring the exit as right turn only.

Question: What if they just turn left anyway?

Answer: If further down the line it is deemed necessary, we could provide what we call a 'pork chop', which would force the driver to turn right. The reason this is not currently proposed is because it makes it more difficult for emergency vehicles to enter the site, which is the other purpose of this gate. Unfortunately, if people choose to literally break the law, we can't prevent that.

Question: How do we know this development isn't going to get sold off and degrade into a cheap, poorly run apartment complex?

Answer:

- All Bungalow developments are professionally managed by a company provides 24/7 access.
- To lease within this complex, a background check and credit report is run by the professional management company to better filter out future issues with renters.
- The professional management company maintains a high standard of regulations through the use of CC&R's. Any violation of these rules and regulation subject the renters to eviction.
- This development is considered market rate which is typical of the median rents across the valley. By default, it is not considered low income and the entry level rents are comparable to many developments across the Phoenix Valley.
- Studies are showing that residents of these single family for rent products are renewing their leases 3 times more often than typical apartments. This means that while most apartment residents move after just a year, SFFR developers are seeing people regularly renew their leases for 3 and 4 years leaving more stability within the community.

Ongoing Coordination

Throughout the processing of the rezoning application, the development team will engage with all interested parties to provide up to date information and tracking to the schedule public hearings. To date, no additional phone calls or email conversations have occurred as it relates to either application.

Project: Neighborhood Meeting – Bungalows on Peoria and Sarival

Location: Sonoran Heights Elementary School

Date and Time: **Thursday, July 29, 2021 – 6:00 PM**

NEIGHBORHOOD MEETING SIGN-IN SHEET

	NAME	ADDRESS	PHONE	EMAIL
1	DAVE GRACE	[redacted]		
2				
3				
4				
5				
6				
7				
8				
9				

Project: Neighborhood Meeting – Bungalows on Peoria and Sarival

Location: Sonoran Heights Elementary School

Date and Time: **Monday December 6th, 2021 – 6:00 PM**

NEIGHBORHOOD MEETING SIGN-IN SHEET

	NAME	ADDRESS	PHONE	EMAIL
1	Leon Schmerin	[redacted]		
2	Susan Draper			
3	Rose Kimball			
4	Martin Ercins			
5	Michelle Stoddard			
6	Dave Grace			
7				
8				
9				

Project: Neighborhood Meeting – Bungalows on Peoria and Sarival

Location: Sonoran Heights Elementary School

Date and Time: **Monday December 6th, 2021 – 6:00 PM**

NEIGHBORHOOD MEETING SIGN-IN SHEET				
	NAME	**ADDRESS**	**PHONE**	**EMAIL**
10	Patrick Duffy	[redacted]		
11	Lloyd Adams			
12	Elizabeth Richardson			
13	JAOD MOQUIN			
14				
15				
16				
17				
18				

EXHIBIT D: JULY 29TH NEIGHBORHOOD MEETING MATERIALS

July 6, 2021

Bungalows on Peoria and Sarival Neighborhood Meeting Notification Letter

Dear Neighbor,

We are writing to inform you of a neighborhood meeting for a pending submittal request to the City of Surprise for a Planned Area Development (PAD) Amendment to the Greer Ranch PAD which will allow residential development on an approximate 10.23-acre vacant property located at the northeast corner of Peoria Avenue and Sarival Avenue, parcel number 501-40-005G within the City of Speoriaurprise.

The Bungalows on Peoria and Sarival is a proposed single-family detached and duplex luxury residential rental community comprised with approximately 113 single-story residential units. The plan includes a mix of 1-bedroom duplexes and 2-bedroom and 3-bedroom detached units with an overall approximate density of 11.0 du/ac. The project will include various lifestyle amenities and a lush landscape and open space plan that will offer a luxury residential rental community. Each unit will include a private landscaped backyard patio in addition to an abundance of common open space. The community will be gated and will include a central project amenity area at the primary entry with a leasing office, spa area, shaded gathering areas, fire pits, turf lawn, landscaped areas and/or other active and passive amenities for residents. See **Figure 1:** *Context Aerial* below:

Figure 1: Context Aerial



Neighborhood Meeting Time and Location

As a part of the City of Surprise's rezoning process, we will be holding a neighborhood meeting for neighbors of the property to speak with our development team and ask questions or voice your support and concerns. You are receiving this letter because you are within 600' of the proposed project. This will be the first of two neighborhood meetings held regarding this project. The information for the meeting is as follows:

Meeting: Bungalows on Peoria and Sarival Neighborhood Meeting

Location: Sonoran Heights Middle School, 11405 N Greer Ranch Parkway, Surprise, AZ 85379

Date: Thursday, July 29, 2021

Time: 6:00 PM

Upon arrival, there will be signs to help navigate you to the meeting room. Please be advised that future meetings and hearings before the City of Surprise Planning and Zoning Commission and Council have not yet been set. Additional notification letters will be provided in the coming months with information regarding the hearing time and location.

If you have any questions about this letter or the project itself, please contact me using the contact information below.

Kyle Barichello, RVi Planning + Landscape Architecture
Email: kbarichello@rviplanning.com
Phone: 480-586-2358

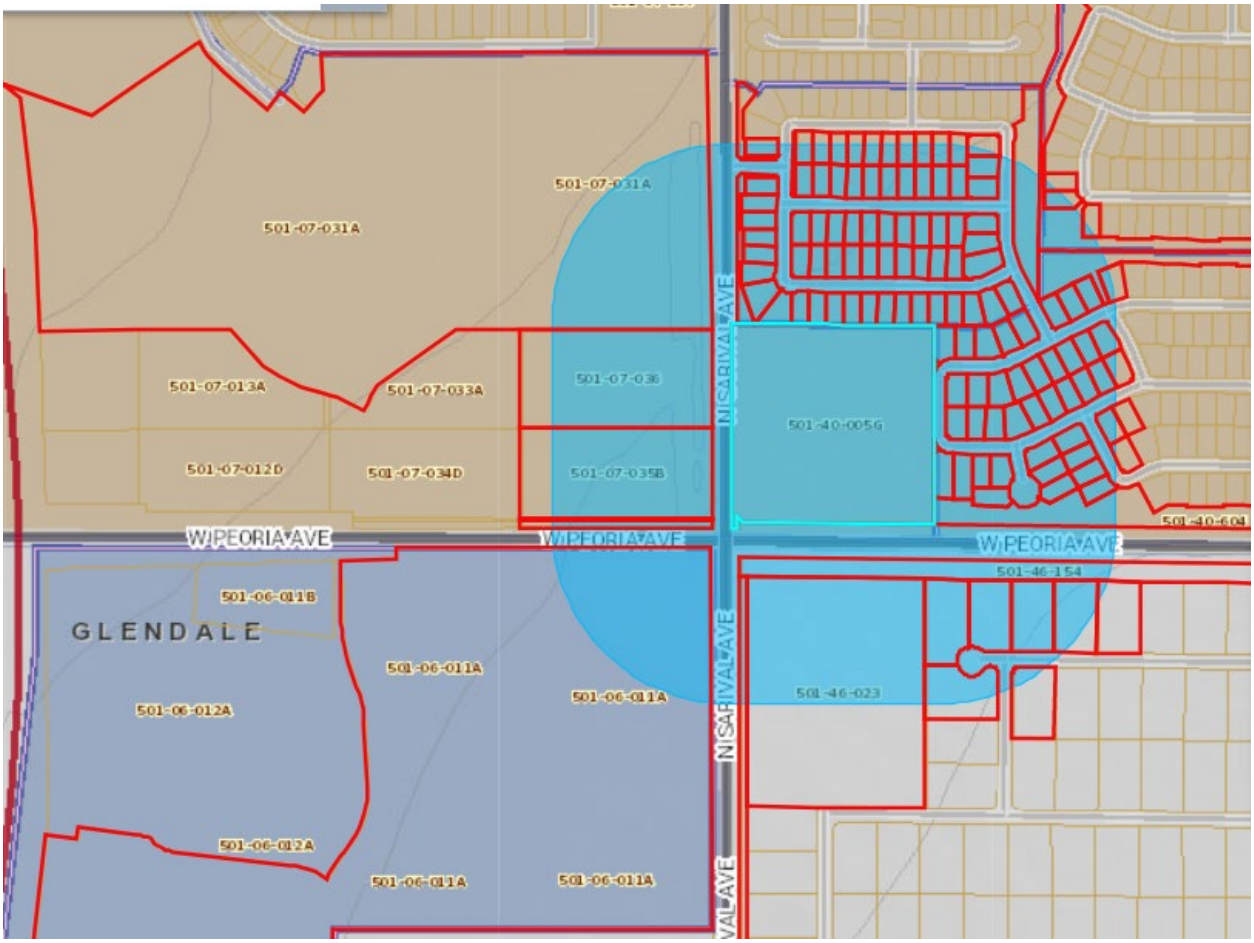
We look forward to meeting with you.

Sincerely,

Kyle Barichello
Project Manager
RVi Planning + Landscape Architecture

Maricopa County Assessors

600’ Buffer Map



600' Buffer Mailout List

Parcel Number	Owner	Property Address	Mailing Address	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
501-06-011A	DTD-DEVCO 7 LLC	[redacted]					
501-07-031A	TAYLOR MORRISON ARIZONA INC						
501-07-035A	TAYLOR TRUST FARMS LLC						
501-40-005G	MORELAND ARIZONA PROPERTIES LLC						
501-40-277	BURKS TIFFANY/BROOKS FRANCHELL R						
501-40-278	KIM SANG WOO/KUM SUN						
501-40-279	HORINE DENVER III/LINDA						
501-40-315	GREER RANCH SOUTH HOMEOWNERS						
501-40-316	DEFILLIPPIS SUSAN						
501-40-317	LINDZYLOU MANAGEMENT LLC						
501-40-318	BRUCE JAY						
501-40-319	BAKST SARAH/BLOOM LOUIS						
501-40-320	BATES JONATHAN						
501-40-321	CASEY SUZANNE/MURGIA JOSHUA						
501-40-322	POLIS MANHAL/ZINEH						
501-40-323	SWAN JEFFREY W/CAROL D						
501-40-324	GRACE LOWELL DAVID						
501-40-325	EGNOZZI ALEXANDRIA SOPHIA/URBANO IAN ANTHO						
501-40-326	PUDWILL MICHAEL JAMES						
501-40-327	BARTOLOMEY ALEXANDER ANTHONY						
501-40-328	KANE MARY JANE L						
501-40-329	KENNELL RENEE/WILLIAM J						
501-40-330	LANGELLA DOMENICO/DOMINIQUE M						
501-40-331	WEST CRENSHAW STREET LLC						
501-40-332	SUN VISTA HOLDINGS LLC						
501-40-333	PRENOVOST NATHAN						
501-40-334	DOYLE RUTH/JEFF						
501-40-335	MAYBERRY EVA						
501-40-336	SNYDER JESSICA/LINDSAY JESSE						
501-40-337	HARRISON DANIEL/RICHARDSON CAROLYN						
501-40-338	VADNAL KOLTON						
501-40-339	DAVIS JOHN A/DIANE O TR						
501-40-340	VAN BUREN STEPHANIE ANN/DAVID						
501-40-341	GORJIDOOZ LIVING TRUST						
501-40-342	WAGNER RAYMOND SR/JANIS						
501-40-343	BREED WILLIAM/AMY						
501-40-344	PETROVAN SIMONA M/VASILE						
501-40-345	DALY THOMAS E						
501-40-346	AH4R PROPERTIES LLC						
501-40-349	CHITTICK DENNIS JEROME/GINGER						
501-40-350	PIMENTEL FRANCISCO R/VIRGINIA O						
501-40-351	PROGRESS RESIDENTIAL BORROWER 5 LLC						
501-40-352	BEALS QUENTON/TRACIE						
501-40-353	CUSTER TAYLOR/HESTER CODY						
501-40-354	TOLBERT-WARE VERONICA LYNN						
501-40-355	BROWN KEITH E						
501-40-356	MILLER ANGELA L						
501-40-357	PROCTOR JEFFREY M/ANDRIA K						
501-40-358	GRADILLAS CHRISTOPHER R/EVE S						
501-40-359	GOELLER SILKE H						
501-40-360	MENDOZA VIANCA/ACEVES LUIS R MENDOZA						
501-40-361	SOLDATI BRENT R/AIMEE A						
501-40-362	VITUMS SHARON						
501-40-363	RAMIREZ GEORGE/TERA						
501-40-364	VASQUEZ JENNIFER/RODRIGUEZ EDDIE M						
501-40-365	PLANKINTON JAMES						
501-40-366	WATSON THOMAS M/ELAINE S						
501-40-367	CAMPOS RODOLFO						
501-40-368	ALONSO ARMANDO JR/CARMEN						
501-40-370	SCHWENGLER MARIA TERESA						
501-40-371	RHOADES PRESTON W/ANDREA V						
501-40-373	PEREZ ANDRES A/SELINA E						

501-40-374	BAKER JOHN A
501-40-375	SWEETALLA SCOTT DOUGLAS/MORRIS-SWEETALLA LYNN
501-40-376	STURDIVANT DONAVAN/CUTTS REBECCA
501-40-377	HOD LIVING TRUST
501-40-378	WEST RALPH L/LORRI L
501-40-379	FREESH BISHOP C/VEIRA I
501-40-380	COLOMA KARINA L/VILLALTA MAURO R/ROSA A
501-40-381	MCLEAN KEVIN/SHANNON
501-40-382	ESCOBAR OSCAR O/FLOR DE MARIA
501-40-398	GIBSON LARRY WAYNE/KRISTINA MARIE
501-40-513	THURSTON MARY LOU
501-40-514	CHIARIELLO KEVIN
501-40-515	TRUFFIN KENNETH THEODORE/NANETTE MARIE
501-40-516	KELTING RICHARD/MIHWA
501-40-517	ROLL DONALD BRUCE/LAURA LYNN
501-40-518	DIAZ JESUS ALVAREZ
501-40-519	WISER JOHN
501-40-520	AULT KRISTOPHER
501-40-521	BECERRA RODOLFO/JUANA
501-40-522	MELENDEZ ERNEST M/MOONYEEN A
501-40-523	MILLER DERRIC
501-40-524	BURNHEIMER JENNIFER N
501-40-525	DAVIS DWRIGHT JEROME/JACQUELINE CLAIRE
501-40-526	WENDT MICHAEL/TRACIE L
501-40-527	AVILA VICTOR JR/SYLVIA
501-40-528	SHIMY TRUST
501-40-529	WALLACE JASON S/PATRICIA
501-40-530	DANNA FRANK/LISA
501-40-531	ALLEN DALE B
501-40-533	ANTONIO Q GREEN AND KELLIE GREEN TRUST
501-40-534	HUTCHISON CHARLES T/KORI K
501-40-535	DANIEL WIESLAW/RENATA
501-40-536	ANDREWS THOMAS L/CATHY
501-40-537	CORONA RICHARD
501-40-538	JOHNSON NICHOLAS J/SARAH L M
501-40-539	CROSSLEY PAUL
501-40-540	SCHRIVER COREY M/MICHELLE A
501-40-541	SHOULDERS TYLER S
501-40-542	FLOSMAN JOSEPH M
501-40-543	MCKENZIE GARY WAYNE/TAMMIE
501-40-544	HODEL ARTHUR L JR/JAINA E
501-40-545	WILLIAMS BRIAN C/JENNIFER E
501-40-546	KOPACHIK ERIK B
501-40-547	MICHELLE MARTINEZ FAMILY TRUST
501-40-548	VERESAN PETER JR
501-40-549	GOLDEN ROSEMARY M
501-40-550	BLIND LOVE LLC
501-40-551	FRIELL ALLEN J/JENNIFER S
501-40-552	JOHNSON ROBERT R/SANDRA K
501-40-572	SHAW STEPHEN
501-40-573	LANDEROS JOSE/PENNY
501-46-023	KELLY MAC
501-46-109	SINGH AMARDEEP
501-46-110	TAMPIS DELIA G/DANILO I
501-46-111	WALLACE MATTHEW
501-46-112	LANE FAMILY TRUST
501-46-113	TORNBERG CASEY C/PAIGE
501-46-114	SALVUS FAMILY TRUST
501-46-131	THOMPSON PATRICK A
501-46-154	TWELVE OAKS ESTATES HOME OWNERS ASSOCIATION I



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING

Application No: FS21-681

Applicant Name: RVI

Location: NEC Peoria Ave and Sarival Ave

Date Site Posted: 11/17/21

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett — Applicant/Representative Signature

11/17/21 — Date

This instrument was acknowledged before me on 11/17/21, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 591461
My Comm. Expires Oct 25, 2024

MaryBeth Conrad — Notary Public

10.25.24 — My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*



Nov 17, 2021 at 8:25:07 AM



Nov 17, 2021 at 8:25:33 AM



Nov 17, 2021 at 8:51:39 AM



Nov 17, 2021 at 8:52:07 AM

COMMENT CARD

Bungalows on Peoria and Sarival
Neighborhood Meeting – July 29, 2021

DAVE & RACE [redacted]

Name

[redacted]

Email Address Phone Number

COMMENTS / CONCERNS:

NEED: MEETING SCHEDULES
INFORMATION ABOUT SIMILAR PROJECTS

COMMENT CARD

Bungalows on Peoria and Sarival
Neighborhood Meeting – December 6, 2021

Name

Stre

COMMENTS / CONCERNS:

I don't Not Approve of this project

Sorry!

CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING

Application No: FS21-681

Applicant Name: RVI

Location: NEC Peoria Ave and Sarival Ave

Date Site Posted: 02/21/22

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

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It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett — 2/21/22

Applicant/Representative Signature — Date

This instrument was acknowledged before me on 02/21/22, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 591461
My Comm. Expires Oct 25, 2024

Mary Beth Conrad
Notary Public

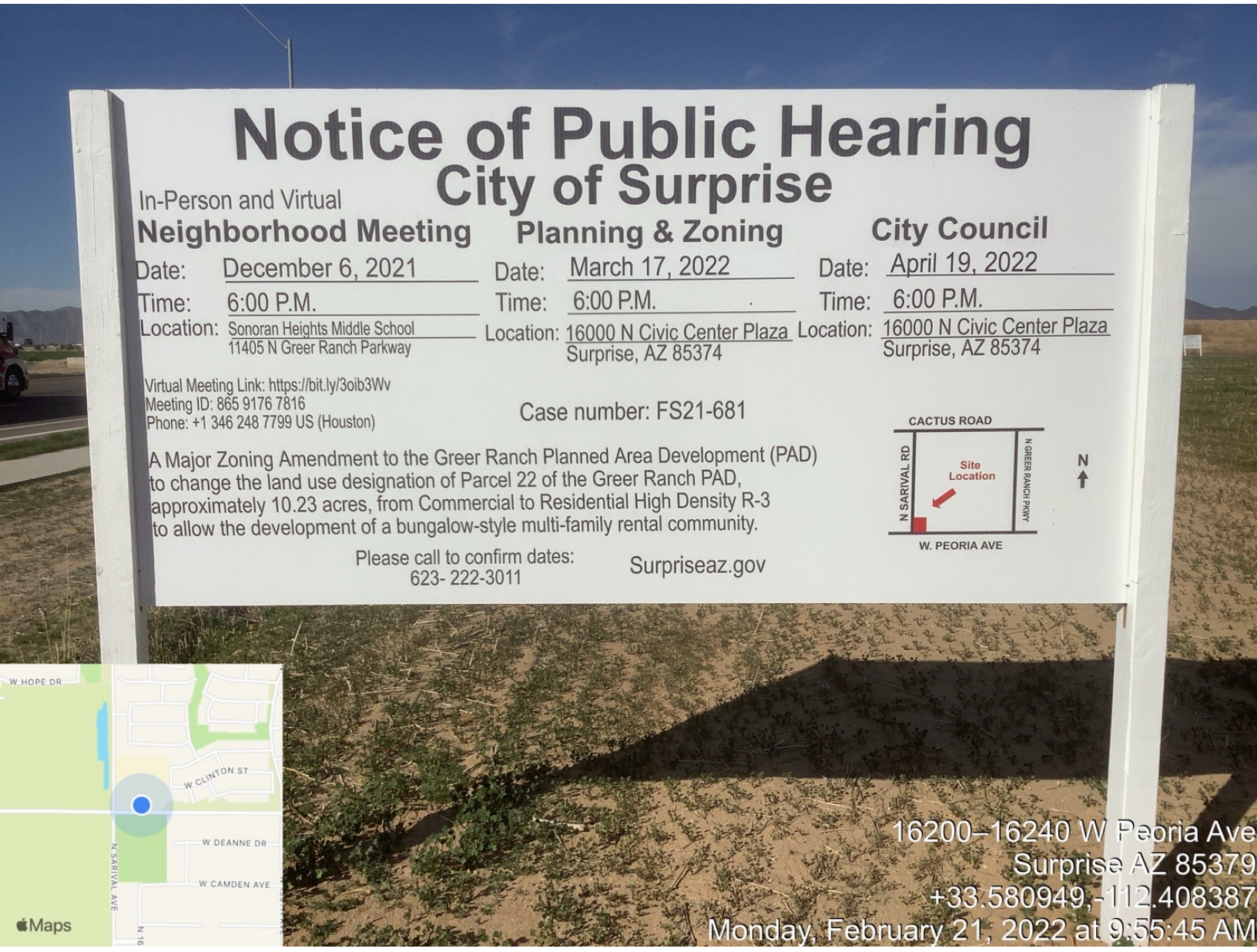
10.25.24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*


Notice of Public Hearing
City of Surprise
In-Person and Virtual
Neighborhood Meeting
Date: December 6, 2021
Time: 6:00 P.M.
Location: Sonoran Heights Middle School
11405 N Greer Ranch Parkway
Planning & Zoning
Date: March 17, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
City Council
Date: April 19, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
Virtual Meeting Link: https://bit.ly/3oib3Wv
Meeting ID: 865 9176 7816
Phone: +1 346 248 7799 US (Houston)
Case number: FS21-681
A Major Zoning Amendment to the Greer Ranch Planned Area Development (PAD) to change the land use designation of Parcel 22 of the Greer Ranch PAD, approximately 10.23 acres, from Commercial to Residential High Density R-3 to allow the development of a bungalow-style multi-family rental community.
CACTUS ROAD
N SARIVAL RD
Site Location
N GREER RANCH PKWY
W. PEORIA AVE
N
Please call to confirm dates:
623- 222-3011
Surpriseaz.gov
W HOPE DR
W CLINTON ST
W DEANNE
W CAMDEN
N SARIVAL AVE
Maps
N Sarival Ave
Surprise AZ 85379
+33.581510,-112.409492
Monday, February 21, 2022 at 10:01:37 AM


Notice of Public Hearing
City of Surprise
In-Person and Virtual
Neighborhood Meeting
Date: December 6, 2021
Time: 6:00 P.M.
Location: Sonoran Heights Middle School
11405 N Greer Ranch Parkway
Planning & Zoning
Date: March 17, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
City Council
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CACTUS ROAD
N SARIVAL RD
Site Location
N GREER RANCH PKWY
W. PEORIA AVE
N
Please call to confirm dates:
623- 222-3011
Surpriseaz.gov
W CLINTON ST
W DEANNE DR
W CAMDEN AVE
Maps
16279 Crenshaw Dr
Surprise AZ 85379
+33.582083,-112.408651
Monday, February 21, 2022 at 10:01:21 AM


Notice of Public Hearing
City of Surprise
In-Person and Virtual
Neighborhood Meeting
Date: December 6, 2021
Time: 6:00 P.M.
Location: Sonoran Heights Middle School
11405 N Greer Ranch Parkway
Planning & Zoning
Date: March 17, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
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CACTUS ROAD
N SARIVAL RD
Site Location
N GREER RANCH PKWY
W. PEORIA AVE
N
Please call to confirm dates:
623- 222-3011
Surpriseaz.gov
W HOPE DR
W CLINTON ST
W DEANNE DR
W CAMDEN AVE
N SARIVAL AVE
Maps
16200–16240 W Peoria Ave
Surprise AZ 85379
+33.581018,-112.408473
Monday, February 21, 2022 at 9:55:28 AM


Notice of Public Hearing
City of Surprise
In-Person and Virtual
Neighborhood Meeting
Date: December 6, 2021
Time: 6:00 P.M.
Location: Sonoran Heights Middle School
11405 N Greer Ranch Parkway
Planning & Zoning
Date: March 17, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
City Council
Date: April 19, 2022
Time: 6:00 P.M.
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374
Virtual Meeting Link: https://bit.ly/3oib3Wv
Meeting ID: 865 9176 7816
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A Major Zoning Amendment to the Greer Ranch Planned Area Development (PAD)
to change the land use designation of Parcel 22 of the Greer Ranch PAD,
approximately 10.23 acres, from Commercial to Residential High Density R-3
to allow the development of a bungalow-style multi-family rental community.
Please call to confirm dates:
623- 222-3011
Surpriseaz.gov
CACTUS ROAD
N SARIVAL RD
Site Location
N GREER RANCH PKWY
W. PEORIA AVE
N
W HOPE DR
W CLINTON ST
W DEANNE DR
W CAMDEN AVE
N SARIVAL AVE
Maps
16200–16240 W Peoria Ave
Surprise AZ 85379
+33.580949,-112.408387
Monday, February 21, 2022 at 9:55:45 AM

ORDINANCE # 2022-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A MAJOR AMENDMENT TO THE GREER RANCH PLANNED AREA DEVELOPMENT TO CHANGE THE LAND USE DESIGNATION OF PARCEL 22 FROM COMMERCIAL TO MULTI-FAMILY FOR THE BUNGALOWS ON PEORIA AND SARIVAL, LOCATED ON THE NORTHEAST CORNER OF PEORIA AVENUE AND SARIVAL AVENUE.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located on the northeast corner of Peoria Avenue and Sarival Avenue;

WHEREAS, the subject site currently is zoned Planned Area Development (PAD) with a Commercial land use designation;

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the proposed Major Amendment to change the land use designation of the subject property to Multi-Family satisfies the requirements set forth in the Greer Ranch PAD and the Land Development Ordinance of the Surprise Municipal Code;

WHEREAS, this Major Amendment is in harmony with the purposes and intent of the Greer Ranch PAD, the Land Development Ordinance, and the Surprise General Plan; and

WHEREAS, on March 17, 2022, the Planning and Zoning Commission recommended approval of the Major Amendment to the Greer Ranch PAD.

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

Section 1. *Rezoning.* The parcel legally described on ***Exhibit A*** and depicted on ***Exhibit B***, known as "The Bungalows on Peoria and Sarival" is rezoned from Planned Area Development (PAD) – Commercial to Planned Area Development (PAD) – Multi-Family subject to the following stipulations:

a. Development and use of the site shall be in substantial conformance with the Zoning Amendment document entitled "Greer Ranch PAD Amendment No. 4 Bungalows on Peoria and Sarival", dated November 22, 2021**.**

b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This Ordinance is not of a general nature and shall not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this_____day of _____2022.

_____
Skip Hall, Mayor

Attest:

_____
Sherry Aguilar, City Clerk

Approved as to form:

_____
Robert Wingo, City Attorney

EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY

PEORIA & SARIVAL BUNGALOWS
TITLE REPORT
LEGAL DESCRIPTION

THE WEST 723.00 FEET OF THE SOUTH 723.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF SURPRISE IN DEED RECORDED AS 2012-0086419, OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER NORTH 00 DEGREES 06 MINUTES 59 SECONDS EAST 33.00 FEET;

THENCE DEPARTING SAID WEST LINE PARALLEL WITH AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER SOUTH 89 DEGREES 11 MINUTES 11 SECONDS EAST 55.00 FEET TO THE POINT OF BEGINNING;

THENCE PARALLEL WITH AND 55.00 FEET EAST OF SAID WEST LINE NORTH 00 DEGREES 06 MINUTES 59 SECONDS EAST 42.00 FEET;

THENCE SOUTH 44 DEGREES 32 MINUTES 06 SECONDS EAST 28.46 FEET TO A POINT LYING 55.00 FEET NORTH OF SAID SOUTH LINE OF THE SOUTHWEST QUARTER;

THENCE ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF SAID SOUTH LINE SOUTH 89 DEGREES 11 MINUTES 11 SECONDS EAST 648.05 FEET TO THE EAST LINE OF SAID REAL PROPERTY;

THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 06 MINUTES 59 SECONDS WEST 22.00 FEET TO A POINT LYING 33.00 FEET NORTH OF SAID SOUTH LINE;

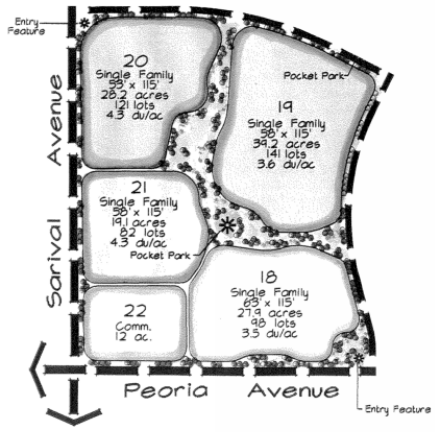
THENCE ALONG A LINE PARALLEL WITH AND 33.00 FEET NORTH OF SAID SOUTH LINE NORTH 89 DEGREES 11 MINUTES 11 SECONDS WEST 668.05 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
DEPICTION OF THE PROPERTY TO BE RE-ZONED

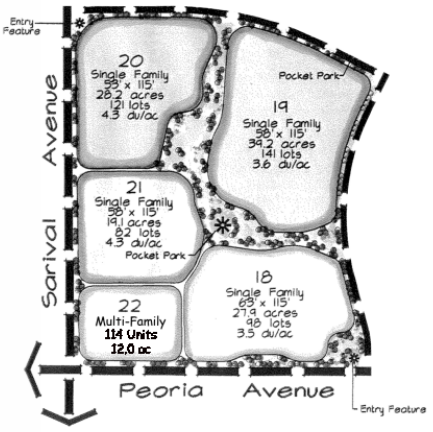
Greer Ranch

Figure 5: Original PAD & Proposed Land Use Plan

Original PAD



Proposed PAD



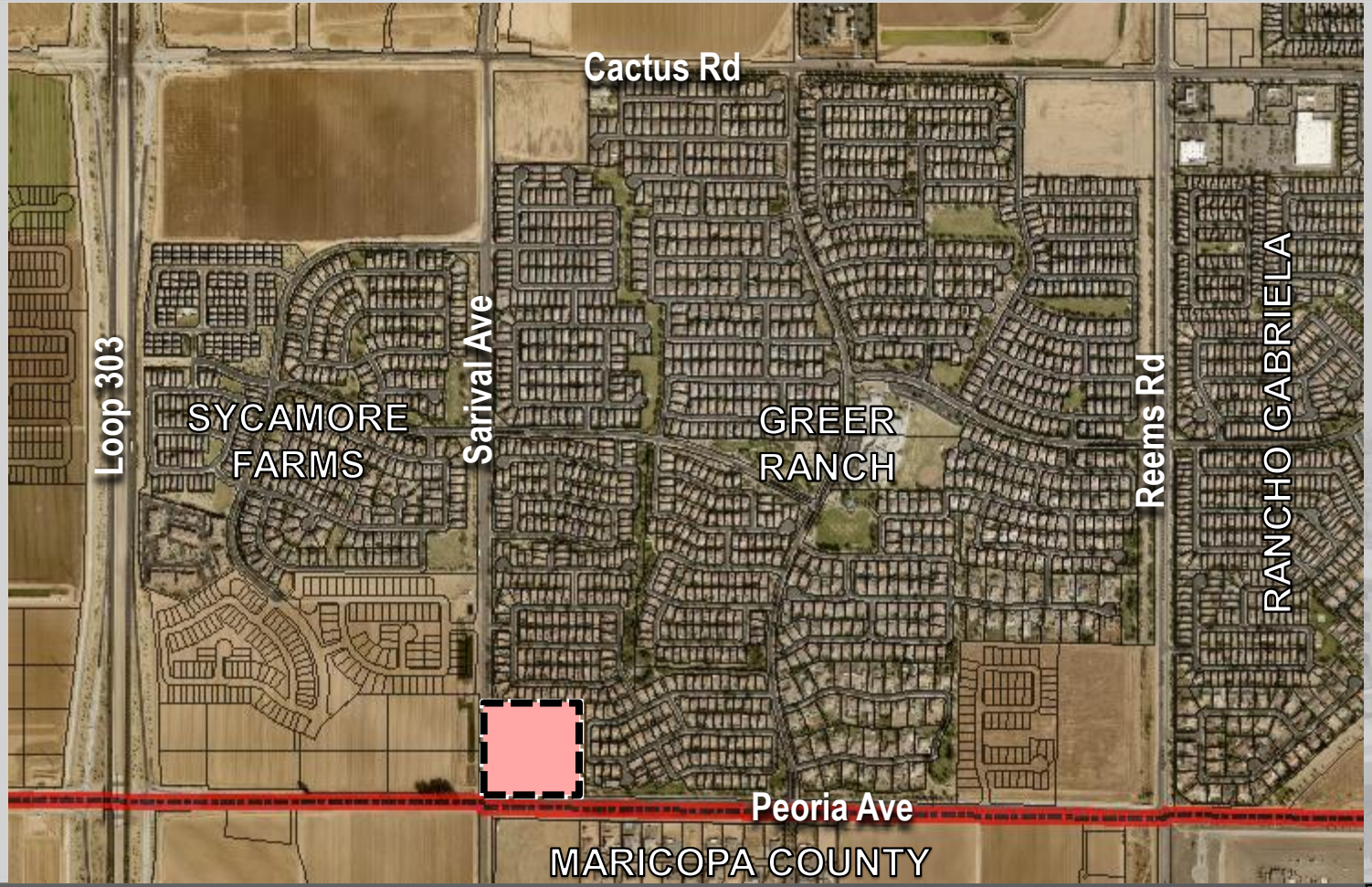
Note: *Modified acreage reflects accurate acreage for the parcel. While neighboring parcel's acreages have not been modified to accommodate this change, the total PAD acreage remains the same.

SURPRISE
ARIZONA

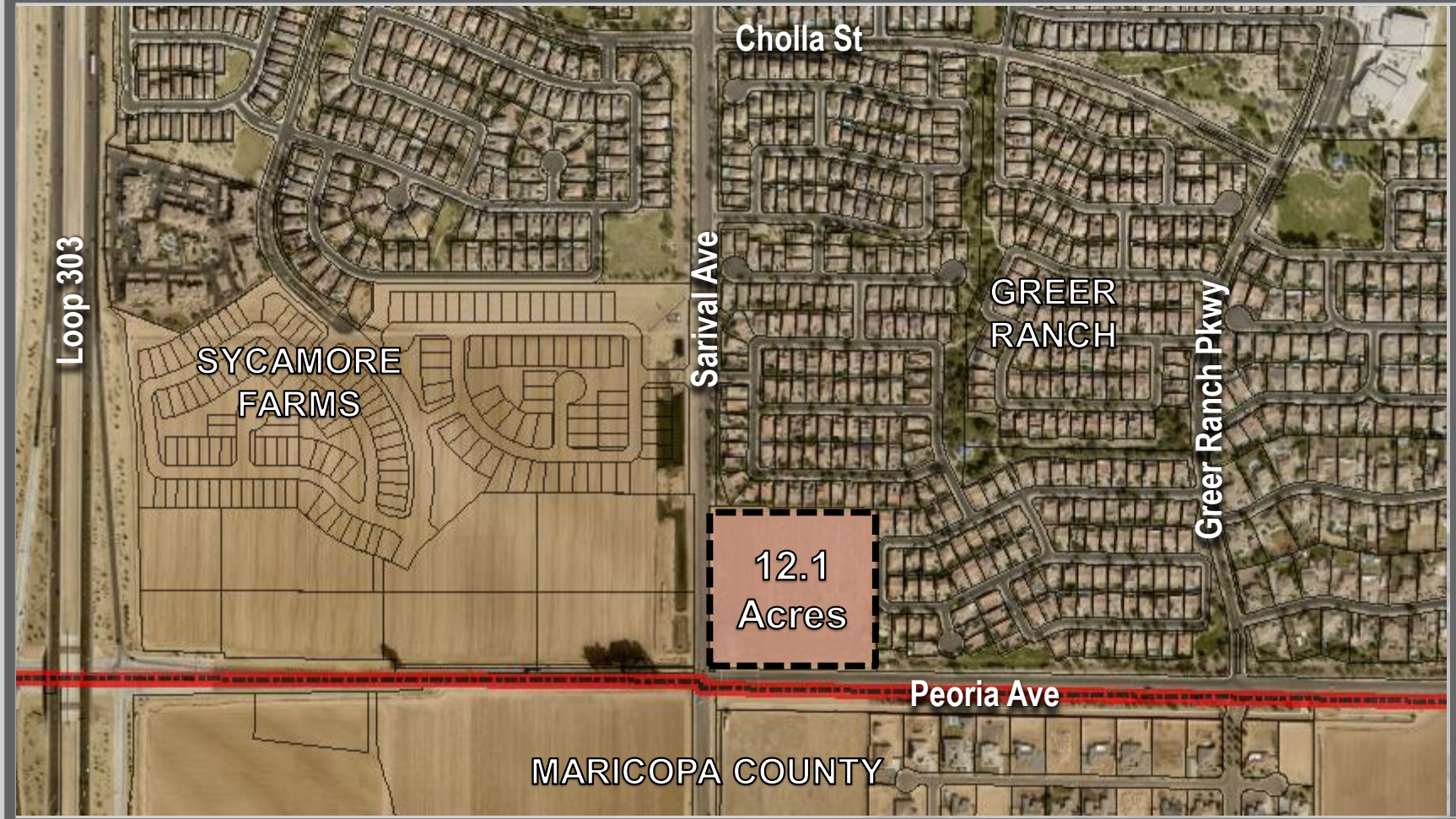
FS21-681
Bungalows on Peoria & Sarival
Major Zoning Amendment

City Council

April 19, 2022



VICINITY MAP



VICINITY MAP

EXISTING & PROPOSED ZONING

Original PAD



Proposed PAD



DEVELOPMENT STANDARDS

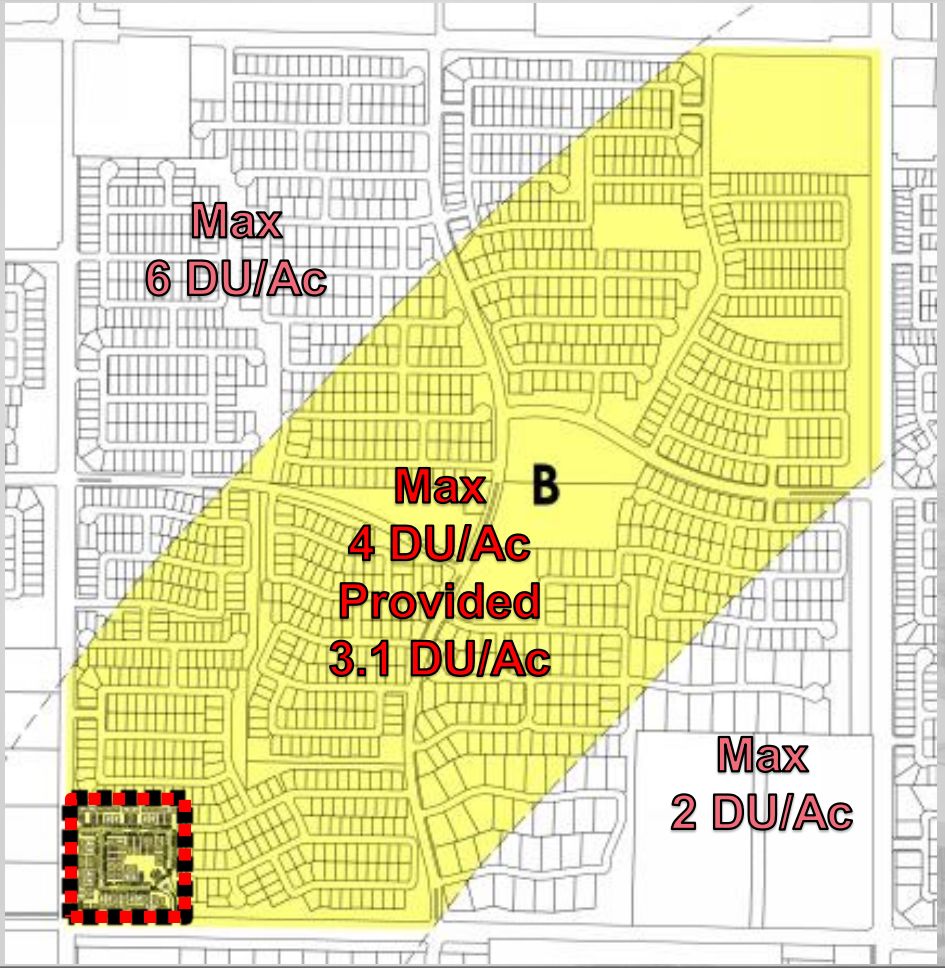
Table 2: Proposed Development Standards		
Development Standard	**R-3 Zoning District**	**Providing**
Net Density (du/ac)	8-11.9	8-11.9
Min. Setback to Arterial ROW (ft) [2]	20	20
Min. Setback to Collector and Local ROW (ft) [2]	15	15
Min. Setback Adjacent to Residential Zoning (ft)	10	10
Min. Setback Adjacent to Non-Residential Zoning (ft)	20	20
Max. Bldg. Height (ft) [1]	45	45
Open space (sf/du)	150	1,500

Notes:

1. The height of any structure, or portions thereof, shall not exceed thirty feet (30') in height measured at the setback line when adjacent to Single-family, Two-family, Three-family development parcels. The height of the accessory structure may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum height equal to the zoning
2. Setback may be reduced to 10' along Collector or Local right-of-way for units that open to the street and exclude a perimeter wall

The proposed rezoning and PAD amendment does not require any development standard modifications to the Surprise Land Development Ordinance or Planning and Engineering Design Guidelines and will follow the R-3 Zoning District standards as provided above.

LUKE GRADUATED DENSITY CONCEPT



OUTREACH

Neighborhood Meeting (Unofficial): July 29, 2021

- Prior to Application Submittal
- Concerns
  - Crime Increase
  - Decrease of Property Values

Neighborhood Meeting: December 6, 2021

- Access from Peoria & Sarival
- Cost of Rent & Management

RECOMMENDATION

Planning and Zoning Commission Recommends Approval to the Mayor and City Council, subject to stipulations ‘a’ and ‘b’.

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

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

Agenda Wording:
Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to amend the approval processes for Site Plans and Preliminary Plats; Ordinance #2022-10.

Motion:
I move to approve Ordinance #2022-10.

Background:
During the December 7, 2021 Regular City Council meeting, Mayor and Council directed staff to analyze the development review process and identify opportunities to increase projects' speed to market. Staff conducted research and reported back to the City Council during the regular scheduled meeting on February 15, 2022, at which time the Mayor and Council directed staff to pursue the subject Zoning Text Amendment.

Objective Analysis:
Currently, Site Plan processes are divided into Type I (minor) and Type II (major), of which Type II Site Plans are approved by the Planning & Zoning Commission. The amendment proposes that the decision authority for all Site Plans will be the Community Development Director, with the Planning & Zoning Commission as the appeal body.

The approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Final Plats will remain as is, with the decision authority being the City Council.

Additionally, this application includes an accompanying City Code amendment for consistency throughout the municipal code.

Policy Compliant:
This Zoning Text Amendment is consistent with, and will help implement, the Surprise General Plan 2035.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There are no budgetary impacts associated with this item.

FTE Impact:

There will be no impact on FTE as a result of this Zoning Text Amendment.

ATTACHMENTS:

1. 00 - FS22-0300 LDO ZTA for Process Amendments - Staff Report - 041922 CC
2. 01 - FS22-0300 LDO ZTA for Process Amendments - Narrative
3. 02 - FS22-0300 LDO ZTA for Process Amendments - Legislative Edit
4. 03 - FS22-0300 LDO ZTA for Process Amendments - Ordinance
5. Matt Keating's Thoughts on Commission Changes
6. FS22-0300 LDO ZTA for Process Amendments Presentation 041922 CC

SURPRISE
ARIZONA

ZONING TEXT AMENDMENT

REPORT TO THE CITY COUNCIL

Case:	**FS22-0300**
Project Name:	Zoning Text Amendment for Process Changes
Council District:	Citywide
Meeting Date:	**April 19, 2022**
Planner:	Trever Fleetham, AICP

Applicant:	City of Surprise
Request:	Zoning Text Amendment to the Surprise Land Development Ordinances to modify the approval processes for Site Plans and Preliminary Plats
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	Unknown at the time of creation of this Staff Report
Commission Recommendation:	As of the writing of this staff report, this item has not gone before the Planning & Zoning Commission. It is scheduled for the April 7, 2022 Planning & Zoning Commission meeting, after which the Commission's recommendation will be incorporated into the presentation for City Council.

PROJECT DESCRIPTION:

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in response to a request from the Mayor and Council. In an effort to streamline development review processes and timelines, this proposal would alter the approval processes for both Site Plans and Preliminary Plats.

BACKGROUND:

During the December 7, 2021 Regular City Council meeting, Mayor and Council directed staff to analyze the development review process and identify opportunities to increase projects' speed to market. Staff conducted research and reported back to the City Council during the regular scheduled meeting on February 15, 2022, at which time the Mayor and Council directed staff to pursue the subject Zoning Text Amendment.

ANALYSIS AND DISCUSSION:

Currently, Site Plan processes are divided into Type I (minor) and Type II (major), of which Type II are approved by the Planning & Zoning Commission. The amendment proposes that the decision authority for all Site Plans be the Community Development Director, with the Planning & Zoning Commission as the appeal body.

The approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Final Plats will remain as is, with the decision authority being the City Council.

Additionally, this application includes an accompanying City Code amendment. Section 2-301 of the Municipal Code covers the powers, duties, and responsibilities of the Planning & Zoning Commission, as well as appeal processes for decisions made by the Commission. In order to maintain consistency between the LDO and the Municipal Code, a few minor amendments to Section 2-301 are needed to match the proposed changes to the LDO.

The necessary revisions to the LDO to achieve these changes are outlined below:

Table 102-2a: Application Type, Procedure, and Decision Authority Summary

	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
~~Site Plan Amendment (minor)~~					~~D~~	~~A~~		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
~~Site Plan Review~~	~~X~~				~~R~~	~~D~~	~~A~~	
~~Site Plan Amendment (major)~~	~~X~~				~~R~~	~~D~~	~~A~~	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	~~R~~ D	~~D~~ A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~102-4.2 Minor Site Plan Amendment~~

~~A. Minor *Site Plan Amendments* are requests to *alter* or modify an approved *site plan* described in Section **102-5.1** herein by no more than ten percent (10%) in comparison to the most recent *site plan* approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, *buildings* and *structures*, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the *zoning district* in which the property is located, modifications approved under a Minor *Amendment* may include, but are not limited to, an increase or decrease in floor area; *building height*; building *setbacks*; or, the number and location of *parking spaces* but not their size.~~

102.4.2 **SITE PLAN REVIEW**

A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN* REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY* RESIDENTIAL SUBDIVISIONS, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).

B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE *APPLICANT* MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.

C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ *AMENDMENTS* OR MODIFICATIONS TO AN APPROVED *SITE PLAN* SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor *site plan amendments* that exceed the collective change greater than ten (10) percent from the most recent *site plan* approved by planning and zoning commission and/or city council will require a major *site plan amendment.*~~

D. LANDSCAPE PLAN. A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

E. VALIDITY LIMITS. APPROVAL OF A *SITE PLAN* OR *AMENDMENTS* THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF *OWNERSHIP* OF THE SITE OR *STRUCTURE* FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ PROTECTED DEVELOPMENT RIGHTS PLAN.

[*Renumbered only; no text changes*]

102-5.~~3~~2 ORIGINAL TOWNSITE INCENTIVE.

[*Renumbered only; no text changes]*

102.5.~~4~~3 DEVELOPMENT AGREEMENTS.

[*Renumbered only; no text changes*]

102.5.~~5~~4 APPEALS AND WAIVERS.

[*Renumbered only; no text changes*]

102-5.~~6~~5 *Preliminary plats*

A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ FOR AN approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 5 – MIXED USE ZONING DISTRICTS

106-5.1 General.

D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning districts*. All development within a *Mixed Use zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and **Table 106-1d** in Article 1 herein for requirements).

ARTICLE 6 – COMMERCIAL ZONING DISTRICTS

106-6.1 General.

C. Process. A Type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 7 – EMPLOYMENT ZONING DISTRICTS

106-7.1 General.

D. Review and Process. A Type 3 review is required to establish any of the employment *zoning district*s. All development within the *Business Park zoning district* or any of the Industrial *zoning district*s shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* as identified in **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 8 – CIVIC ZONING DISTRICTS

106-8.1 General

C. Review and Process. A Type 3 review is required to establish any of the Civic *zoning district*s. All development within the Public Facilities or any of the Open Space *zoning district*s shall require a Type ~~2~~ 1 *Site Plan* Review prior to application for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this Chapter.

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.2 Accessory Dwelling Units (ADU).

A. *Single-family* residential *uses* will be limited to only one (1) *accessory dwelling unit* (*ADU*) per *lot* of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning district*s. A ~~minor~~ *site plan* review shall be required.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 5 – WIRELESS FACILITIES REGULATIONS

107-5.4 Monopoles.

A. Review.

1. New monopole applications will be processed as a Type ~~2~~ 1 site plan design review, found in article XII of this chapter.

2. Collocations, major modifications, and monopoles on city property will be processed as an administrative Type 1 site plan design review, found in article XII of this chapter.

3. Minor modifications will be processed as a building permit.

ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

Plat: A map, survey, plan or *replat* certified by a licensed, registered land survey containing a description of the *subdivided* land with ties to permanent monuments that provides for changes in land *use* or *ownership*.

2. ***Preliminary Plat:*** An initial map, including supporting data, ~~recommended by the Planning and Zoning Commission and~~ approved by the PLANNING AND ZONING COMMISSION ~~City Council~~, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary *site plan* for a condominium development shall be considered a *preliminary plat*.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

C. Preliminary Plat Overview.

1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review BY STAFF ~~(by staff and Commission)~~, and approval of the *preliminary plat* by the ~~City Council~~ PLANNING AND ZONING COMMISSION. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ PLANNING AND ZONING COMMISSION shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

108-2.4 Circulation Design Standards.

E. Street Names and Signage

2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by~~

~~the Commission and~~ approved by the ~~Council~~ PLANNING AND ZONING COMMISSION.

Draft revision to the City Code (in conjunction with the LDO amendment regarding Site Plans & Preliminary Plats)

Sec. 2-301. - Planning and zoning commission.

(a) *Mission.* To promote the health, safety, and beauty of the community, and secure growth and development within the city in conformance with the General Plan. Where necessary for the efficient and cost effective operation of the city, the city council may direct that the planning and zoning commission may also sit as the board of adjustment and/or the board of construction review.

(b) *Bylaws.* Unless otherwise delineated within this section, the bylaws contained in section 2-295 apply.

(c) *Composition.* Members will represent a cross section of stakeholders in the community, including different professions or occupations, so as to constitute as much as possible equal representation for all areas within the city.

(d) *Powers, duties and responsibilities.* The commission will:

(1) Recommend to city council a General Plan, specific plans, and amendments thereto;

(2) Review, decide, and make recommendations to city council on matters as set forth in the development code, or as otherwise set forth in this Code.

(3) Review and make recommendations to city council regarding design guidelines;

(4) Review development applications for consistency with applicable zoning and design standards, consistent with the development code.

(5) Review and make recommendations to city council regarding the classification of parcels of land from one zoning district to another, the adoption or modification of the zoning map, and text amendments to the development code.

(6) Review and make recommendations to city council regarding regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.

(7) Make recommendations to city council on policy matters regarding the interpretation, enforcement, and administration of the development code.

(8) Review and approve or deny applications for PRELIMINARY PLAT APPROVAL ~~Site Plan approval~~ and Conditional Use Permits, as set forth in the Land Development Code, or as otherwise set forth in this code.

(e) All regular meetings of the planning and zoning commission will be televised when reasonably feasible.

(f) *Appeals.* Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a PRELIMINARY PLAT APPROVAL OR Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

(2) When sitting as either the Board of Adjustment or the Board of Construction Review, decisions of the Planning and Zoning Commission may be appealed as set forth in Section 2-303 or 2-304 as appropriate.

CITIZEN PARTICIPATION:

As of the writing of this staff report, a neighborhood outreach meeting has not yet been held. A meeting is scheduled for Wednesday, March 23, 2022 at 6pm at City Hall. The results of this meeting will be presented to the City Council during the scheduled hearing.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The subject request is consistent with, and will help implement, the Surprise General Plan 2035.

SUMMARY:

This proposed Zoning Text Amendment to the Land Development Ordinances (LDO) will alter the Site Plan approval process so that the decision authority for all Site Plans be the Community Development Director, with the Planning & Zoning Commission as the appeal body. It will also alter the Preliminary Plat approval process so that approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Additionally, this application includes an accompanying City Code amendment for consistency throughout the municipal code.

COMMISSION RECOMMENDATION:

As of the writing of this staff report, this item has not gone before the Planning & Zoning Commission. It is scheduled for the April 7, 2022 Planning & Zoning Commission meeting, after which the Commission's recommendation will be incorporated into the presentation for City Council.

Attachments:

00 Staff Report
01 Narrative
02 ZTA Legislative Edit
03 Ordinance
PPT

COMMUNITY DEVELOPMENT
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623·222·3000

Land Development Ordinance Zoning Text Amendment

Narrative – FS22-0300

PROJECT DESCRIPTION

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in response to a request from the Mayor and Council. In an effort to streamline development review processes and timelines, this proposal would alter the approval processes for both Site Plans and Preliminary Plats.

Currently, Site Plan processes are divided into Type I (minor) and Type II (major), of which Type II are approved by the Planning & Zoning Commission. The amendment proposes that the decision authority for all Site Plans be the Community Development Director, with the Planning & Zoning Commission as the appeal body.

The approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Final Plats will remain as is, with the decision authority being the City Council.

Additionally, this ZTA includes an accompanying City Code amendment for consistency throughout the municipal code.

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
~~Site Plan Amendment (minor)~~					~~D~~	~~A~~		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
~~Site Plan Review~~	~~X~~				~~R~~	~~D~~	~~A~~	
~~Site Plan Amendment (major)~~	~~X~~				~~R~~	~~D~~	~~A~~	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	~~R~~ D	~~D~~ A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X(1)	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	

Key:
X = Required
(1) = 1st Class Letter not required

R = Reviews and recommends action to decision-making body
D = Decision-making body
A = Appeal authority

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~**102-4.2 Minor Site Plan Amendment**~~

~~**A.** Minor *Site Plan Amendments* are requests to *alter* or modify an approved *site plan* described in Section **102-5.1** herein by no more than ten percent (10%) in comparison to the most recent *site plan* approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, *buildings* and *structures*, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the *zoning district* in which the property is located, modifications approved under a Minor *Amendment* may include, but are not limited to, an increase or decrease in floor area; *building height*; building *setbacks*; or, the number and location of *parking spaces* but not their size.~~

102.4.2 **SITE PLAN REVIEW**

A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN* REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY* RESIDENTIAL SUBDIVISIONS, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).

B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE *APPLICANT* MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.

C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ *AMENDMENTS* OR MODIFICATIONS TO AN APPROVED *SITE PLAN* SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor *site plan amendments* that exceed the collective change greater than ten (10) percent from the most recent *site plan* approved by planning and zoning commission and/or city council will require a major *site plan amendment*.~~

D. LANDSCAPE PLAN. A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

E. VALIDITY LIMITS. APPROVAL OF A *SITE PLAN* OR *AMENDMENTS* THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF *OWNERSHIP* OF THE SITE OR *STRUCTURE* FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ PROTECTED DEVELOPMENT RIGHTS PLAN.

[*Renumbered only; no text changes*}

102-5.~~3~~2 ORIGINAL TOWNSITE INCENTIVE.

[*Renumbered only; no text changes]*

102.5.~~4~~3 DEVELOPMENT AGREEMENTS.

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102.5.~~5~~4 APPEALS AND WAIVERS.

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102-5.6 *Preliminary plats*

A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ FOR AN approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 5 – MIXED USE ZONING DISTRICTS

106-5.1 General.

D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning districts*. All development within a *Mixed Use zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and **Table 106-1d** in Article 1 herein for requirements).

ARTICLE 6 – COMMERCIAL ZONING DISTRICTS

106-6.1 General.

C. Process. A Type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

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107-5.4 Monopoles.

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ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

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ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

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1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review ~~(by staff and Commission),~~ BY STAFF, and approval of the *preliminary plat* by the ~~City Council~~ PLANNING AND ZONING COMMISSION. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ PLANNING AND ZONING COMMISSION shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

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E. Street Names and Signage

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Draft revision to the City Code (in conjunction with the LDO amendment regarding Site Plans)

Sec. 2-301. - Planning and zoning commission.

(a) *Mission.* To promote the health, safety, and beauty of the community, and secure growth and development within the city in conformance with the General Plan. Where necessary for the efficient and cost effective operation of the city, the city council may direct that the planning and zoning commission may also sit as the board of adjustment and/or the board of construction review.

(b) *Bylaws.* Unless otherwise delineated within this section, the bylaws contained in section 2-295 apply.

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(4) Review development applications for consistency with applicable zoning and design standards, consistent with the development code.

(5) Review and make recommendations to city council regarding the classification of parcels of land from one zoning district to another, the adoption or modification of the zoning map, and text amendments to the development code.

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(7) Make recommendations to city council on policy matters regarding the interpretation, enforcement, and administration of the development code.

(8) Review and approve or deny applications for PRELIMINARY PLAT APPROVAL ~~Site Plan approval~~ and Conditional Use Permits, as set forth in the Land Development Code, or as otherwise set forth in this code.

(e) All regular meetings of the planning and zoning commission will be televised when reasonably feasible.

(f) *Appeals.* Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a PRELIMINARY PLAT APPROVAL OR Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals

shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

(2) When sitting as either the Board of Adjustment or the Board of Construction Review, decisions of the Planning and Zoning Commission may be appealed as set forth in Section 2-303 or 2-304 as appropriate.

ORDINANCE # 2022-10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A TEXT AMENDMENT TO THE SURPRISE LAND DEVELOPMENT ORDINANCES TO AMEND THE APPROVAL PROCESSES FOR SITE PLANS AND PRELIMINARY PLATS, AND AMENDING CHAPTER 2, ARTICLE VIII, SECTION 2-301 OF THE SURPRISE MUNICIPAL CODE ENTITLED PLANNING AND ZONING COMMISSION*;* INCLUDING SEVERABLITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, City staff was directed by the Mayor and Council to amend the approval processes, decision-making bodies, and appeal authority for Site Plans and Preliminary Plats as outlined in the Land Development Ordinances;

WHEREAS, City staff has recommended that all of these corrections and revisions to the Land Development Ordinances and one to the Surprise Municipal Code should be effected by adopting a single ordinance;

WHEREAS, on April 7, 2022, the Planning and Zoning Commission recommended approval of the proposed Text Amendments to the Land Development Ordinances;

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

Section 1. Chapters 102, 106, 107, and 108 of the Surprise Land Development Ordinances, and Chapter 2, Article VIII, Section 2-301 are hereby amended as described on attached ***Exhibit A***, and incorporated by this reference.

Section 2. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed upon the effective date of this Ordinance.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law and shall the added to the Surprise Code of Ordinances at that time.

PASSED AND ADOPTED this _____ day of _____, 2022.

_____
Skip Hall, Mayor

Attest:

_____
Sherry Aguilar, City Clerk

Approved as to form:

_____
Robert Wingo, City Attorney

EXHIBIT A

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
~~Site Plan Amendment (minor)~~					~~D~~	~~A~~		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
~~Site Plan Review~~	~~X~~				~~R~~	~~D~~	~~A~~	
~~Site Plan Amendment (major)~~	~~X~~				~~R~~	~~D~~	~~A~~	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	~~R~~ D	~~D~~ A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X[(1)]	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D

Annexation	X	X	X	X	R		D	
Key: **X = Required** **(1) = 1st Class Letter not required**		**R = Reviews and recommends action to decision-making body** **D = Decision-making body** **A = Appeal authority**						

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~**102-4.2 Minor Site Plan Amendment**~~

~~**A.** Minor *Site Plan Amendments* are requests to *alter* or modify an approved *site plan* described in Section **102-5.1** herein by no more than ten percent (10%) in comparison to the most recent *site plan* approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, *buildings* and *structures*, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the *zoning district* in which the property is located, modifications approved under a Minor *Amendment* may include, but are not limited to, an increase or decrease in floor area; *building height*; building *setbacks*; or, the number and location of *parking spaces* but not their size.~~

102.4.2 **SITE PLAN REVIEW**

A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN* REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY* RESIDENTIAL SUBDIVISIONS, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).

B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE *APPLICANT* MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.

C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ *AMENDMENTS* OR MODIFICATIONS TO AN APPROVED *SITE PLAN* SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor *site plan amendments* that exceed the collective change greater than ten (10) percent from~~

~~the most recent *site plan* approved by planning and zoning commission and/or city council will require a major *site plan amendment.*~~

D. LANDSCAPE PLAN. A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

E. VALIDITY LIMITS. APPROVAL OF A *SITE PLAN* OR *AMENDMENTS* THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF *OWNERSHIP* OF THE SITE OR *STRUCTURE* FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ PROTECTED DEVELOPMENT RIGHTS PLAN.

[*Renumbered only; no text changes*}

102-5.~~3~~2 ORIGINAL TOWNSITE INCENTIVE.

[*Renumbered only; no text changes]*

102.5.~~4~~3 DEVELOPMENT AGREEMENTS.

[*Renumbered only; no text changes*]

102.5.~~5~~4 APPEALS AND WAIVERS.

[*Renumbered only; no text changes*]

102-5.6 *Preliminary plats*

A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ FOR AN approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 5 – MIXED USE ZONING DISTRICTS

106-5.1 General.

D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning district*s. All development within a *Mixed Use zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and **Table 106-1d** in Article 1 herein for requirements).

ARTICLE 6 – COMMERCIAL ZONING DISTRICTS

106-6.1 General.

C. Process. A Type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 7 – EMPLOYMENT ZONING DISTRICTS

106-7.1 General.

D. Review and Process. A Type 3 review is required to establish any of the employment *zoning district*s. All development within the *Business Park zoning district* or any of the Industrial *zoning district*s shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* as identified in **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 8 – CIVIC ZONING DISTRICTS

106-8.1 General

C. Review and Process. A Type 3 review is required to establish any of the Civic *zoning district*s. All development within the Public Facilities or any of the Open Space *zoning district*s shall require a Type ~~2~~ 1 *Site Plan* Review prior to application for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this Chapter.

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.2 Accessory Dwelling Units (ADU).

A. *Single-family* residential *uses* will be limited to only one (1) *accessory dwelling unit* (*ADU*) per *lot* of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning district*s. A ~~minor~~ *site plan* review shall be required.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 5 – WIRELESS FACILITIES REGULATIONS

107-5.4 Monopoles.

A. Review.

1. New monopole applications will be processed as a Type ~~2~~ 1 site plan design review, found in article XII of this chapter.

2. Collocations, major modifications, and monopoles on city property will be processed as an administrative Type 1 site plan design review, found in article XII of this chapter.

3. Minor modifications will be processed as a building permit.

ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

Plat: A map, survey, plan or *replat* certified by a licensed, registered land survey containing a description of the *subdivided* land with ties to permanent monuments that provides for changes in land *use* or *ownership*.

2. ***Preliminary Plat:*** An initial map, including supporting data, ~~recommended by the Planning and Zoning Commission and~~ approved by the PLANNING AND ZONING COMMISSION ~~City Council~~, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary *site plan* for a condominium development shall be considered a *preliminary plat*.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

C. Preliminary Plat Overview.

1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review ~~(by staff and Commission)~~, BY STAFF, and approval of the *preliminary plat* by the ~~City Council~~ PLANNING AND ZONING COMMISSION. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ PLANNING AND ZONING COMMISSION shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

108-2.4 Circulation Design Standards.

E. Street Names and Signage

2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by the Commission and~~ approved by the ~~Council~~ PLANNING AND ZONING COMMISSION.

Draft revision to the City Code (in conjunction with the LDO amendment regarding Site Plans)

Sec. 2-301. - Planning and zoning commission.

(a) *Mission.* To promote the health, safety, and beauty of the community, and secure growth and development within the city in conformance with the General Plan. Where necessary for the efficient and cost effective operation of the city, the city council may direct that the planning and zoning commission may also sit as the board of adjustment and/or the board of construction review.

(b) *Bylaws.* Unless otherwise delineated within this section, the bylaws contained in section 2-295 apply.

(c) *Composition.* Members will represent a cross section of stakeholders in the community, including different professions or occupations, so as to constitute as much as possible equal representation for all areas within the city.

(d) *Powers, duties and responsibilities.* The commission will:

(1) Recommend to city council a General Plan, specific plans, and amendments thereto;

(2) Review, decide, and make recommendations to city council on matters as set forth in the development code, or as otherwise set forth in this Code.

(3) Review and make recommendations to city council regarding design guidelines;

(4) Review development applications for consistency with applicable zoning and design standards, consistent with the development code.

(5) Review and make recommendations to city council regarding the classification of parcels of land from one zoning district to another, the adoption or modification of the zoning map, and text amendments to the development code.

(6) Review and make recommendations to city council regarding regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.

(7) Make recommendations to city council on policy matters regarding the interpretation, enforcement, and administration of the development code.

(8) Review and approve or deny applications for PRELIMINARY PLAT APPROVAL ~~Site Plan approval~~ and Conditional Use Permits, as set forth in the Land Development Code, or as otherwise set forth in this code.

(e) All regular meetings of the planning and zoning commission will be televised when reasonably feasible.

(f) *Appeals.* Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a PRELIMINARY PLAT APPROVAL OR Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

(2) When sitting as either the Board of Adjustment or the Board of Construction Review, decisions of the Planning and Zoning Commission may be appealed as set forth in Section 2-303 or 2-304 as appropriate.

Matt Keating's thoughts on taking site plan approval away from the P&Z Commission

Dear Fellow Commissioners,

I will be out of town for the meeting at which this is discussed. Thank you for considering my thoughts in your discussion and recommendation to the City Council.

I think giving the P&Z Commission the right for final approval for preliminary plats makes good sense. The City Council will see and approve the final plat. It saves time and money for both the city and developers.

Taking away site plan approval from the Commission is more complicated.

PROS:

Saves time and money for the city and for developers.

Gives an additional sense of certainty for developers. No commission to potentially deny or recommend changes to the site plans if all the requirements are met.

CONS:

There could be a perception from residents that they no longer have a forum for their concerns of the projects and the site plans.

Accountability of staff. I trust our current staff implicitly! This decision could affect how the city does business permanently moving forward. What if we have staff 5 or 10 years down the road that are not as precise and careful as the current staff? Presenting site plans to the Commission in a public forum means that the staff have a high degree of accountability. Human nature leads people to sometimes take shortcuts if they feel no one is watching.

Commission ignorance of what is being built in Surprise. If the Commission does not see site plans, how will the members know what is being built in our city? No one can be expected to know everything that is being built by merely driving around. Knowing what is happening in our city is critical for future decisions of zoning changes.

Sincerely,

Matt Keating



4-4-2022

SURPRISE
ARIZONA

City Council

April 19, 2022

Land Development Ordinance
Zoning Text Amendment
FS22-0300

Background

December 7, 2021

- Mayor & Council directed staff to identify opportunities to increase projects speed to market

December – February

- Staff conducted research and analyzed:
  - Development review processes
  - Timelines
  - Decision authorities
  - Other cities

February 15, 2022

- Staff presented its findings to Council
- Mayor & Council directed staff to pursue a Zoning Text Amendment

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 2 – PROCEDURE TYPES AND SUBMITTALS

- Removal of ‘minor’ and ‘major’ Site Plan Amendments
- Move ‘Site Plan Review’ to Type 1
  - Appeals go to Commission
- Change decision-making body for Preliminary Plats to Commission
  - Appeals go to Council

Table 102-2a: Application Type, Procedure, and Decision Authority Summary

	Public Outreach							
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting	Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
Type 1 Applications								
Zoning Interpretation					D			A
~~Site Plan Amendment (minor)~~					~~D~~	~~A~~		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
~~Site Plan Review~~	~~X~~				~~R~~	~~D~~	~~A~~	
~~Site Plan Amendment (major)~~	~~X~~				~~R~~	~~D~~	~~A~~	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	~~R~~ D	~~D~~ A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X(1)	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	

Key:
X = Required
(1) = 1st Class Letter not required
R = Reviews and recommends action to decision-making body
D = Decision-making body
A = Appeal authority

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~102-4.2 Minor Site Plan Amendment~~

~~**A.** Minor *Site Plan Amendments* are requests to *alter* or modify an approved *site plan* described in Section **102-5.1** herein by no more than ten percent (10%) in comparison to the most recent *site plan* approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, *buildings* and *structures*, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the *zoning district* in which the property is located, modifications approved under a Minor *Amendment* may include, but are not limited to, an increase or decrease in floor area; *building height*; building *setbacks*; or, the number and location of *parking spaces* but not their size.~~

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102.4.2 **SITE PLAN REVIEW**

A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN* REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY* RESIDENTIAL SUBDIVISIONS, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).

B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE *APPLICANT* MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102.4.2 **SITE PLAN REVIEW**

C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ *AMENDMENTS* OR MODIFICATIONS TO AN APPROVED *SITE PLAN* SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor *site plan amendments* that exceed the collective change greater than ten (10) percent from the most recent *site plan* approved by planning and zoning commission and/or city council will require a major *site plan amendment.*~~

D. LANDSCAPE PLAN. A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102.4.2 **SITE PLAN REVIEW**

E. VALIDITY LIMITS. APPROVAL OF A *SITE PLAN* OR *AMENDMENTS* THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF *OWNERSHIP* OF THE SITE OR *STRUCTURE* FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ PROTECTED DEVELOPMENT RIGHTS PLAN.

[*Renumbered only; no text changes*}

102-5.~~3~~2 ORIGINAL TOWNSITE INCENTIVE.

[*Renumbered only; no text changes]*

102.5.~~4~~3DEVELOPMENT AGREEMENTS.

[*Renumbered only; no text changes*]

102.5.~~5~~4APPEALS AND WAIVERS.

[*Renumbered only; no text changes*]

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.6 *Preliminary plats*

A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ FOR AN approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 5 – MIXED USE ZONING DISTRICTS

106-5.1 General.

D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning districts*. All development within a *Mixed Use zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and **Table 106-1d** in Article 1 herein for requirements).

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 6 – COMMERCIAL ZONING DISTRICTS

106-6.1 General.

C. Process. A Type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a Type ~~2~~ 1 *Site Plan* Review prior to submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 7 – EMPLOYMENT ZONING DISTRICTS

106-7.1 General.

D. Review and Process. A Type 3 review is required to establish any of the employment *zoning districts*. All development within the *Business Park zoning district* or any of the Industrial *zoning districts* shall require a Type ~~2~~ 1 *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* as identified in **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 8 – CIVIC ZONING DISTRICTS

106-8.1 General

C. Review and Process. A Type 3 review is required to establish any of the Civic *zoning districts*. All development within the Public Facilities or any of the Open Space *zoning districts* shall require a Type ~~2~~ 1 *Site Plan* Review prior to application for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this Chapter.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.2 Accessory Dwelling Units (ADU).

A. *Single-family* residential *uses* will be limited to only one (1) *accessory dwelling unit* (*ADU*) per *lot* of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning districts*. A ~~minor~~ *site plan* review shall be required.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 5 – WIRELESS FACILITIES REGULATIONS

107-5.4 Monopoles.

A. Review.

1. New monopole applications will be processed as a Type ~~2~~ 1 site plan design review, found in article XII of this chapter.

2. Collocations, major modifications, and monopoles on city property will be processed as an administrative Type 1 site plan design review, found in article XII of this chapter.

3. Minor modifications will be processed as a building permit.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

Plat: A map, survey, plan or *replat* certified by a licensed, registered land survey containing a description of the *subdivided* land with ties to permanent monuments that provides for changes in land *use* or *ownership*.

2. ***Preliminary Plat:*** An initial map, including supporting data, ~~recommended by the Planning and Zoning Commission and~~ approved by the PLANNING AND ZONING COMMISSION ~~City Council~~, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary *site plan* for a condominium development shall be considered a *preliminary plat*.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

C. Preliminary Plat Overview.

1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review ~~(by staff and Commission),~~ BY STAFF, and approval of the *preliminary plat* by the ~~City Council~~ PLANNING AND ZONING COMMISSION. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ PLANNING AND ZONING COMMISSION shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

108-2.4 Circulation Design Standards.

E. Street Names and Signage

2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by the Commission and~~ approved by the ~~Council~~ PLANNING AND ZONING COMMISSION.

Sec. 2-301. - Planning and zoning commission.

(d) *Powers, duties and responsibilities.* The commission will:

(8) Review and approve or deny applications for PRELIMINARY PLAT APPROVAL ~~Site Plan approval and~~ Conditional Use Permits, as set forth in the Land Development Code, or as otherwise set forth in this code.

(f) *Appeals.* Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a PRELIMINARY PLAT APPROVAL OR Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

Citizen Participation

Neighborhood Outreach Meeting:

- When: March 23, at 6 p.m.
- Where: City Hall & WebEx
- Attendance: No Public Attendance
- Feedback: No Feedback Received

Recommendation

Place Holder:

Planning and Zoning Commission recommendation pending April 7, 2022 P & Z Meeting.

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022

Contact Person: Andrea Davis, DIRECTOR - FINANCE

Submitting Department: Finance

District: Internal

Staff Recommendations: None

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

Agenda Wording:

Presentation and discussion pertaining to the fiscal year 2021 annual audit and Annual Comprehensive Financial Report, and associated reports.

Motion:

No action

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022

Contact Person: Kendra Pettis, DIR - SPORTS/TOURISM

Submitting Department: Sports and Tourism

District: Citywide

Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of a Master Facilities Use Agreement with Ottawa University for Ottawa's use of City facilities; Resolution #2022-32.

Motion:

I move to approve Resolution #2022-32.

Background:

In 2011, the City Council adopted a Strategic Plan with a priority to facilitate the development of a residential university campus. In 2017, City Council approved a long term land lease with Ottawa University and in 2018, City Council approved a Facilities Use Agreement to allow City use of Ottawa facilities. These agreements were the foundation of Ottawa University building their second residential campus in Surprise. Shared facilities were a critical component of attracting Ottawa University to the community and use on both sides has continued to expand over the years. Currently, OUAZ is paying the City on a use-by-use basis. This master facilities use agreement outlines Ottawa's use of City facilities and creates a formulated annual payment of $100,000 for the agreed upon annual schedule as well as a structured fee schedule for any additional use.

Objective Analysis:

The objective of this agreement is to create an annual schedule of use for Ottawa to utilize City facilities for their programming and to formalize an annual payment that includes direct costs of facility use, city staff, supplies and materials.

Policy Compliant:

The proposed Facilities Use Agreement is consistent with the City Council Strategic Plan and compliant with City policies.

Financial Impact:

This agreement includes $100,000 of annual revenue to the City; $85,000 to the Sports and Tourism department and $15,000 to the Parks and Recreation department.

Budget Impact:

There is no current budget impact.

FTE Impact:

There is no current FTE impact.

ATTACHMENTS:

1. 22.04.05 OUAZ FUA Resolution
2. 22.04.08 Final Master FUA (OUAZ uses city facilities)

RESOLUTION # 2022-32

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A CITY MASTER FACILITIES USE AGREEMENT WITH OTTAWA UNIVERSITY FOR THE USE OF CERTAIN CITY-OWNED FACILITIES FOR OTTAWA SPORTS PROGRAMMING IN EXCHANGE FOR PAYMENT OF FEES.

WHEREAS, the City of Surprise is authorized to enter into agreements to lease facilities pursuant to Ariz. Rev. Stat. § 9-240 and to spend public monies in connection with economic development activities pursuant to Ariz. Rev. Stat. § 9-500.11;

WHEREAS, the Mayor and City Council set a goal in its 2011 and 2013 Strategic Plans to facilitate the development of an undergraduate liberal arts college campus within the City of Surprise;

WHEREAS, Ottawa University has commenced operation of an undergraduate liberal arts campus operating upon property that has been leased from the City adjacent to the Surprise City Hall;

WHEREAS, the City owns facilities that can accommodate Ottawa's sports programming, including the Surprise Stadium and the Surprise Tennis and Racquet Complex;

WHEREAS, the City wishes to provide Ottawa University a license to access and use certain City facilities, through June 30, 2029, to coincide with the OUAZ Master Facilities Use Agreement (effective October 16, 2018) for the City's use of certain Ottawa University facilities;

WHEREAS, the City and Ottawa University agree that the current value of the access provided to Ottawa University for use of City facilities is equal to $100,000 per year;

WHEREAS, Ottawa University agrees to pay the City for use of City facilities pursuant to the terms and conditions of the City Master Facilities Use Agreement, attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Mayor and City Council deem entering into a facilities use agreement with Ottawa University beneficial and the City will receive numerous economic, civic, and community benefits as it provides Ottawa University with the opportunity to expand its sports programming and increase student enrollment;

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

Section 1. The City Master Facilities Use Agreement attached as Exhibit A is approved.

Section 2. The Mayor or his designee is authorized to execute all documents and take all steps necessary to effectuate the Agreement.

APPROVED AND ADOPTED this _____day of _____, 2022.

Skip Hall, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

CITY MASTER FACILITIES USE AGREEMENT

SURPRISE
ARIZONA

CITY MASTER FACILITIES USE AGREEMENT

This City Master Facilities Use Agreement (the "Agreement") is made and entered into as of the "Effective Date" set forth below, by and between Ottawa University, a Kansas not-for-profit corporation operating Ottawa University-Arizona at Surprise ("OUAZ"), and the City of Surprise, an Arizona municipal corporation ("City").

RECITALS

A. City is the owner of various facilities located and to be located throughout the City of Surprise, Arizona (collectively, the "City Facilities").

B. OUAZ desires to use various City Facilities, and City wants to maximize use of its resources and is willing to allow OUAZ to use the City Facilities, all on the terms and conditions set forth herein.

C. This Agreement sets forth provisions for the non-exclusive use by OUAZ of each City Facility, in existence now or created in the future, in conjunction with the terms of one or more separate "Quarterly Scheduling Calendars" that will be established quarterly between the parties setting forth the scheduling of the specific City Facility in question. City reserves the right to deny OUAZ use of any City Facility unless such use is pursuant to the terms of an agreed-upon Quarterly Scheduling Calendar.

AGREEMENTS

1. License for Use of City Facility. Subject to the terms and conditions of this Agreement, City hereby grants OUAZ, its management personnel, staff, employees, contractors, agents, students, and invitees (collectively, the "OUAZ Users") a non-exclusive license (the "License") to use designated City Facilities together with all associated parking, amenities and common areas surrounding the designated City Facilities. As detailed herein, this License allows OUAZ Users the same rights and privileges as any invitee of City to enter and use the designated City Facility and enjoy such parking, common areas, and amenities. Such use shall be subject to all existing rules and regulations adopted by City in connection therewith as same apply to City's invitees to the designated City Facility so long as such rules and regulations have been shared with OUAZ.

2. Term of Agreement. The initial term of this Agreement will commence on the Effective Date and end on June 30, 2029. So long as neither party is then in default under this Agreement, the parties may mutually agree to extend the term of this Agreement annually for up to ten successive one-year periods, with each such renewal agreement providing the payment terms for the subject extension period, and provided that each such annual renewal agreement is in writing and approved by OUAZ and City at least sixty days before the expiration of the previous term.

3. Use of City Facilities.

3.1. Shared Use. The parties intend to share use of certain of their respective facilities with each other. OUAZ may request use of a designated City Facility whenever City is not using the designated City Facility for its own uses, and City shall make reasonable efforts to accommodate OUAZ's use of the designated City Facility, subject to other prior grants of priority and City's recreational programming objectives.

3.2. Initial Facilities. City agrees that the initial City Facilities available for use by OUAZ will be the Surprise Stadium, Kansas City Practice Fields 3-6, Texas Rangers Practice Fields 3-6, the Surprise Tennis and Racquet Complex, the Aquatic Center, and the Reserved Parcel as defined in that certain Ground Lease with Option dated March 20, 2018 between City as Landlord and OUAZ as Tenant (the "Ground Lease"), and any parking facilities adjacent to any such facilities.

The parties acknowledge that other public facilities such as the Northwest Regional Library, Mark Coronado Park, the pickleball courts, sand volleyball courts, and the dog park are available to OU Users on the same terms and conditions as any other City resident, and that such other public facilities are not subject to the terms of this Agreement.

3.3. City Facilities Scheduling. Representatives of OUAZ and City shall meet no less than annually (which meeting may coincide with a Facilities Planning Meeting as described below) to plan and review the hours of use of the City Facilities available to OUAZ Users, which hours of use shall then be effective for the upcoming City fiscal year. Upon request of either OUAZ or City, their representatives shall meet and confer during the fiscal year in the event either party determines that some change to the established schedule is warranted.

3.4. OUAZ Programming. Beginning at the Effective Date, representatives of OUAZ and City shall meet quarterly (each, a "Facilities Planning Meeting") to plan and review the schedule of use during the following calendar quarter of any designated City Facilities by OUAZ. At each Facilities Planning Meeting, the representatives of OUAZ and City shall prepare a "Quarterly Scheduling Calendar" identifying by dates and hours the agreed-upon schedule for OUAZ use of designated City Facilities during the following quarter and (if applicable) any vending permissions pursuant to Section 3.8.

In the event of any additional requests to use a designated City Facility during the following quarter made subsequent to a Facilities Planning Meeting, OUAZ agrees to give prompt notice, preferably at least thirty (30) days in advance, and City agrees to accommodate such request if reasonably convenient to do so. OUAZ agrees to give City prompt notice of cancellation when a previously scheduled City Facility use will no longer be needed by OUAZ. The Quarterly Scheduling Calendar shall be deemed revised by any such additional requests accommodated by City or cancellations made by OUAZ.

3.5. City Changes to Schedule. City may, in its reasonable discretion, cancel OUAZ use of a designated City Facility in a particular instance, including at the request of either the Kansas City Royals or the Texas Rangers, that is already shown on a Quarterly Scheduling Calendar (each, a "Cancellation"), but such Cancellation must be accompanied by a written explanation of the reason therefor. City will give at least ten (10) business days' notice of such Cancellation, if possible under the circumstances, but in any event will give OUAZ notice as soon as practicable.

In addition, City must give at least ten (10) business days written notice (or as soon as practicable if the result of a force majeure event) in advance of when all OUAZ use of a designated City Facility will be temporarily suspended (each, a "Suspension"). The written notice shall state the reason for the Suspension of use and how long scheduled OUAZ use will be suspended. In the case of either a Cancellation or a Suspension, OUAZ and City shall meet and confer to schedule a reasonable substitution time. The Quarterly Scheduling Calendar shall be deemed revised by any agreed upon substitutions occasioned by such Cancellations or Suspensions.

3.6. Force Majeure. OUAZ agrees that if, because of any "act of God," riot, war, public emergency or calamity, fire, flood, weather-related closing, epidemic, labor disturbance or strike, any act of a public authority, or any other cause beyond the reasonable control of City (a "force majeure event"), and City is therefore unable to provide any of the designated City Facilities and/or services herein agreed, performance of this Agreement by each of the parties, with the exception of monies already due and owing, shall be suspended and excused but only to the extent commensurate with such interrupting occurrence, and City shall not be liable for any damages that OUAZ might suffer as a result of the force majeure event. The parties shall meet and confer to schedule a reasonable substitution time(s) for any previously scheduled OUAZ use excused as a result of a force majeure event(s). Notwithstanding the foregoing, force majeure event(s) may not excuse more than five (5) consecutive days of unavailability of a designated City Facility. A "force majeure event" shall include any delay or nonperformance of any provision of or obligation under this Agreement caused by a federal or state directive, order, or similar requirements including, without limitation, the COVID-19 pandemic and related

quarantine orders, provided that City has provided OUAZ with at least forty-eight (48) hours' written notice of such delay or nonperformance, or as much notice as is practicable under the circumstances. Additionally, City may terminate this Agreement under this section with at least forty-eight (48) hours' written notice to OUAZ, or as much notice as is practicable under the circumstances, if the federal or state directive, order, or similar requirement obviously mandates that such termination occur. Should OUAZ believe that termination is not obviously mandated under the subject federal or state directive, order, or similar requirement, the parties shall meet and confer regarding the termination decision.

3.7. Neat, Clean Condition. While using a designated City Facility, OUAZ shall keep it in a neat, sanitary and orderly condition, and shall not deposit or allow others to deposit trash, waste or debris except within designated areas. OUAZ shall comply with all statutes, ordinances, rules, regulations and orders of all applicable authorities pertaining to the designated City Facility and shall not use or permit the designated City Facility to be used for any purpose or use in violation of such statutes, ordinances, rules, regulations, and orders. OUAZ's obligation under this section shall not include routine cleaning activities such as dusting, sweeping, mopping, vacuuming, emptying of trash receptacles, and routine bathroom cleaning, but shall include such activities when OUAZ is using or has used a City Facility for an extraordinary length of time (for example, a several-day tournament) or an extraordinary event (for example, a formal dinner) which would require special staff or resources; determination of responsibility for these obligations shall be made whenever such events are included on a Quarterly Scheduling Calendar.

3.8. Vending Restriction. OUAZ shall not permit the vending or distribution of any merchandise and/or food service in the designated City Facilities or on the premises of City, except where specifically agreed upon as part of a Quarterly Scheduling Calendar.

3.9. No Competing Recreation Programs or Sports Leagues. OUAZ agrees to not sponsor or otherwise provide or organize recreation programs, sports leagues, tournaments, or sports "camps" that are the same as or similar to a program that is being offered by City without prior written agreement by City and OUAZ.

3.10. Promotional Materials. All written materials or advertising materials to be utilized by OUAZ that refer in any way to City or a City Facility must be reviewed and approved by the City's Director of Communications prior to publication. Under no circumstances may OUAZ use the name of City and/or any of its insignia or logos without the prior written consent of City. City's name and trademarks shall not be used to suggest co-sponsorship or endorsement of any activity, unless otherwise agreed to by City in writing.

3.11. Intellectual Property. OUAZ hereby warrants that it owns all rights, title, and interest to, or is otherwise fully authorized to perform and display publicly and to record, any and all intellectual property used at event(s) covered by this Agreement, including without limitation all musical works, dramatic works, literary works, pictorial and graphic works and choreographical works. OUAZ shall have the sole obligation to obtain all permits, licenses and authorizations necessary from the holder of any copyright or other proprietary right of any and all parts of the event(s) covered by this Agreement and shall, immediately upon the request of City, deliver written proof of such to City.

3.12. Assignment Restriction. OUAZ shall not assign, sublet, or sublicense any City Facility or any part thereof or any right under this Agreement without the prior written approval of City, and City may deny any such assignee, sublessee, or sublicensee all access to the subject City Facility without being in breach of this Agreement. Third-party vendors contracted by OUAZ to conduct or provide recreational services or instruction in connection with an OUAZ use of a City Facility shall not be considered assignees, sublessees, or sublicensees.

3.13. City Facilities in Usable Condition. City shall have all City Facilities ready in clean usable condition for each scheduled OUAZ use. This shall include, but is not limited to, unlocking all doors and gates required for OUAZ access, adequate lighting, heating and air-conditioning, serviceable electrical outlets, dust-mopping of wood floors, and clean and fully functioning restrooms. City shall ensure that each City Facility is free of debris and trash before OUAZ's scheduled use begins. OUAZ's payments under this Agreement cover all costs associated with making the City Facilities available for OUAZ use, and City shall not be entitled to any additional compensation for utilities, staff time, or any other charges associated with making the Facilities available for OUAZ use.

4. Fees.

4.1. Facility Use Payments. OUAZ agrees to pay City for use of the designated City Facilities at the rates described in ***Exhibit A***. OUAZ will make quarterly payments for its use of designated City Facilities, and OUAZ's payment must be received by City before the start of the calendar quarter during which the use will take place. For purposes of this Agreement, the quarterly payment periods will begin on January 1, April 1, July 1, and October 1 of each year.

4.2. Financial Records. Upon written request by OUAZ no more often than annually, City will provide its external annual audit showing the costs and expenses incurred by City for operating the designated City Facilities.

4.3. Use of Other City Facilities. In addition to the initial City Facilities identified in Section 3.2, OUAZ will be given reasonable access to use other City

Facilities as negotiated between the parties (and, upon such written agreement, they shall be deemed to be a designated City Facility hereunder).

5. Repair of City Facility Damage. City shall be solely responsible for repairing any damage to City's Facilities or property caused by its staff, employees, contractors, agents, or invitees except for damage caused by OUAZ or by any OUAZ User. City shall promptly notify OUAZ in writing of any damage that City believes was caused by OUAZ or by any OUAZ User. The cause of the damage, the date that the damage occurred, and the estimated cost of repair of such damage shall be included in the notice. To the extent OUAZ desires to repair any such damage, City shall permit OUAZ to do so. With respect to such damage attributed to OUAZ or an OUAZ User that OUAZ does not care to repair itself, OUAZ agrees to reimburse City for all reasonable, actual repair costs, whether the repairs are completed by City employees or outside contractors, within 45 days after receipt of a written invoice from City. Notwithstanding the foregoing, normal wear and tear shall be solely the responsibility of City, and OUAZ shall not be responsible for repair or reimbursement for repair of any damage constituting normal wear and tear.

6. Compliance with Laws, Rules, and Regulations. In addition to all other requirements under this Agreement, OUAZ shall comply with and enforce against its permittees any and all federal, state, and local laws, rules, regulations, ordinances, resolutions, orders, and directives (including without limitation, any governmental directives related to the COVID-19 pandemic, the purchasing and provision of equipment, materials, or goods as required by such directives and at its sole expense, or the hiring of additional personnel for such enforcement at its sole expense) and any rules, regulations, and/or policies of City Facilities as required by City at any time. By way of example only, this may include the purchasing and provision of face masks at OUAZ's sole expense and, where required, enforcement of physical distancing requirements, and/or other requirements. Failure to enforce and/or comply with such federal, state, and local laws, rules, regulations, orders, and directives and/or rules, regulations, and/or policies of City Facilities shall be deemed a breach of this Agreement by OUAZ.

7. Indemnification. OUAZ (the "Indemnifying Party") agrees, to the fullest extent allowed by law, to defend, indemnify and hold harmless City and all City's staff, employees, officials, volunteers, officers, or agents (each, an "Indemnified Party") for, from and against all losses, claims, suits, damages, liabilities and expenses, including but not limited to attorneys' fees (collectively, "Claims"), joint or several, which the Indemnified Party might sustain or be subject to in law or in equity, but only to the extent such Claim arises out of or is based on the use or access of a City Facility by OUAZ or any OUAZ User. The foregoing indemnification shall not apply to the extent that any Claim results from the negligence or intentional conduct of the Indemnified Party. OUAZ shall defend and settle, at its sole expense and through counsel of its own choosing, all suits or proceedings arising out of the foregoing, provided that City gives OUAZ prompt

notice of any such claim of which it learns. In all events, City shall have the right to participate in the defense of any such suit or proceeding through counsel of its own choosing at City's own cost.

8. Insurance.

8.1 OUAZ shall secure and maintain during the life of this Agreement, and any extension hereof, a Certificate of Insurance and Endorsements evidencing that OUAZ carries insurance which includes statutory worker's compensation and commercial general and automobile liability, including blanket contractual liability assumed by the insured. The commercial general and automobile liability limits shall be not less than $2,000,000 combined single limit. In addition, OUAZ shall carry product liability coverage with limits of not less than $2,000,000. All insurance coverage shall be written through carriers possessing an A.M. Best rating of at least "B+7" or better. All insurance coverage shall be written on an occurrence policy form; insurance provided on a claims-made policy form shall not be accepted. The certificate of insurance shall name City as an additional insured and OUAZ's coverage shall be designated as primary and non-contributory and contain a waiver of subrogation clause. Additional coverage beyond the $2,000,000 combined single limit amount and/or additional types of coverage may be required at City's discretion for certain uses of greater risk and intensity, e.g., fireworks displays.

8.2 OUAZ shall submit Certificates of Insurance and Endorsements evidencing the required coverage at least ten calendar days prior to the date(s) of first use of a City Facility under this Agreement. City reserves the right to specify the form of the certificate and to require additional assurances of coverage from OUAZ upon written request.

9. Default.

9.1 Should either party default under the terms of this Agreement, and should such default continue without cure for more than ten (10) business days following receipt of written notice from the non-defaulting party identifying the alleged default (or for more than thirty (30) days following receipt of such notice if the alleged default cannot reasonably be cured within such ten-day period and the defaulting party has diligently begun to cure within the ten-day period), the non-defaulting party shall, until the default is cured, be relieved of its obligations hereunder and under each Quarterly Scheduling Calendar.

9.2 *No Surrender or Waiver of Rights.* Should either City or OUAZ, as the non-defaulting party, be relieved of its obligations as set forth in Section 9.1, such shall not operate as (a) a surrender of such party's rights under this

Agreement or (b) a waiver of the defaulting party's obligations under this Agreement.

10. Miscellaneous Provisions.

10.1 Assignment. Except with respect to any successor to OUAZ's interest under the Ground Lease (in which case this Agreement will bind and benefit the successor to OUAZ's interest), no right or interest in this Agreement may be assigned by either party without prior written permission of the other party. No delegation of any duty of either party may be made without prior written permission of the other party. Any attempted assignment or delegation by either party in violation of this provision shall be a breach of this Agreement. Any successor-in-interest to OUAZ under the Ground Lease will be subject to the terms and conditions of this Agreement, and this Agreement will survive the succession.

10.2 Termination of Agreement. Should either party, as the non-defaulting party, be relieved of its obligations under Section 8.1, such shall constitute a 'for cause' basis for that party, as the non-defaulting party, to terminate this Agreement and all Quarterly Scheduling Calendars upon thirty (30) days prior written notice to the defaulting party; provided, however, that should the defaulting party cure all existing defaults during such 30-day period, there shall be no such termination. No such termination shall terminate any obligation for payment or reimbursement that occurred or arose for the time period prior to the date of such termination.

10.3 Representations and Warranties. The parties hereto represent and warrant to each other that each has the authority to enter into this Agreement and to perform the obligations set forth herein.

10.4 Notices. All notices or other communications required or provided to be sent by either party shall be in writing and shall be sent (i) by United States Postal Service, postage prepaid, certified, return receipt requested, (ii) by any nationally known overnight delivery service, (iii) by courier, or (iv) in person. All notices shall be deemed to have been given upon delivery to the appropriate address. All notices shall be addressed to the party at the address below.

To City:

City of Surprise
ATTN: City Manager
16000 N Civic Center Plaza
Surprise, AZ 85374

City of Surprise
ATTN: City Attorney

16000 N. Civic Center Plaza
Surprise, AZ 85374

To OUAZ:

Ottawa University
ATTN: President and CEO
1001 S. Cedar #20
Ottawa, Kansas 66067

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

With a copy to:

Gammage & Burnham, PLC
40 North Central Avenue, 20th Floor
Phoenix, AZ 85004
Attn: Grady Gammage

Any address or name specified above may be changed by notice given to the other party in accordance with this section. The inability to deliver because of a changed address of which no notice was given, or rejection or other refusal to accept any notice, shall be deemed to be the receipt of the notice as of the date of such inability to deliver or rejection or refusal to accept. Any notice to be given by any party hereto may be given by legal counsel for such party.

10.5 Time of Essence. Time is of the essence in the performance of the obligations contained in this Agreement.

10.6 Further Assurances. Each party agrees to: (a) furnish upon request to the other such further information; (b) execute and deliver to the other such other documents; and (c) do such other acts and things, all as the other party may reasonably request for the purpose of carrying out the intent of this Agreement, and to negotiate in good faith and in its reasonable discretion the documents necessary to complete the intent of this Agreement.

10.7 Waiver. The rights and remedies of the parties to this Agreement are cumulative and not alternative. Neither the failure nor any delay by any party in exercising any right, power or privilege under this Agreement or the documents referred to in this Agreement will operate as a waiver of such right, power or privilege, and no single or partial exercise of any such right,

power or privilege will preclude any other or further exercise of such right, power or privilege or the exercise of any other right, power or privilege. To the maximum extent permitted by applicable law: (a) no claim or right arising out of this Agreement or the documents referred to in this Agreement can be discharged by one party, in whole or in part, by a waiver or renunciation of the claim or right unless in writing signed by the other party; (b) no waiver that may be given by a party will be applicable except in the specific instance for which it is given; and (c) no notice to or demand on one party will be deemed to be a waiver of any obligation of such party or of the right of the party giving such notice or demand to take further action without notice or demand as provided in this Agreement or the documents referred to in this Agreement.

10.8 Entire Agreement; Modification. This Agreement supersedes all prior agreements between the parties with respect to its subject matter and in conjunction with any Quarterly Scheduling Calendar constitutes (along with the documents referred to in this Agreement) a complete and exclusive statement of the terms of the agreement between the parties with respect to its subject matter. This Agreement may not be amended except by a written agreement or by an updated agreement executed by both parties.

10.9 Attorneys' Fees; Remedies. Each party shall bear its own attorneys' fees with regard to the negotiation and preparation of this Agreement. In the event of any mediation, arbitration or litigation arising hereunder, each party will bear its own attorneys' fees and costs incurred in the matter. The remedies available for either party seeking relief are limited to specific performance or injunction, except for recovery of monies due pursuant to this Agreement. The parties shall not be entitled to and hereby waive any monetary claims for or damages arising from lost profits, lost business opportunities, or any indirect or consequential damages.

10.10 Severability. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, the other provisions of this Agreement will remain in full force and effect. Any provision of this Agreement held invalid or unenforceable only in part or degree will remain in full force and effect to the extent not held invalid or unenforceable.

10.11 Section Headings; Construction. The headings of sections in this Agreement are provided for convenience only and will not affect its construction or interpretation. All references to "section" or "sections" (whether or not capitalized) refer to the corresponding section or sections of this Agreement. Unless otherwise expressly provided, the word "including" does not limit the preceding words or terms.

10.12 Governing Law; Jurisdiction; Venue. This Agreement will be governed by the laws of the State of Arizona without regard to conflicts of laws principles. Jurisdiction and venue shall be proper in the Maricopa County

Superior Court and/or the United States District Court for the District of Arizona.

10.13 Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement.

10.14 Cancellation for Conflict of Interest. This Agreement is subject to A.R.S. § 38-511.

Dated as of the ____ day of _____, 2021 (the "Effective Date").

City:

By:_____
Mayor

Date:_____

OUAZ:

By: Dennis J. Tyner

Title: President OUAZ

Date: 4/8/2022

Approved as to Form:

_____
City Attorney

ATTEST:

_____
City Clerk

Exhibit A – Annual Facility Use Payments

1. **Surprise Practice Fields** – OUAZ agrees to pay City $70,000 annually for the use of 2 practice fields, pitching mounds and batting cages, up to 6 days a week for up to 3 hours per day during the months of September, October, November, January, April and May. During the months of February and March field usage will be limited to 1 practice field, pitching mounds, and batting cages, up to 6 days a week for up to 3 hours per day. Fields, mounds and cages will be subject to availability and use of city programming and MLB operations with the Kansas City Royals and Texas Rangers. Scheduling requests need to be approved by the Sports & Tourism department. Additional facility usage and staff needs will be subject to availability and additional charges.
2. **Surprise Stadium** – OUAZ agrees to pay City $15,000 annually for the use of the stadium for a maximum of 20 OUAZ baseball games. Cost includes field maintenance staff, 1 operations staff, lighting and a cleaning fee for under 500 in attendance. Scheduling requests will need to be approved through the Sports & Tourism department and will be subject to availability and use of city programming and MLB operations. Additional games and/or additional staffing requests will be subject to additional charges. All games, tournaments, or other facility uses that are hosted by a third party entity, such as Golden State Athletic Conference or the National Association of Intercollegiate Athletics (NAIA), are not covered within the scope of this Agreement and shall require a separate facility use agreement.
3. **Tennis & Racquet Complex** – OUAZ agrees to pay City $8,000 annually for team practices and access for the tennis team to independently practice. Practices may be held 5 days per week for a maximum of 4 hours each day on a maximum of 8 courts during Surprise Tennis & Racquet Complex (STRC) operating *off peak hours. Courts and times may be split but must never exceed the 4 hour maximum and total of 8 courts. In addition, OUAZ has the opportunity to host a maximum of (8) Men's Matches, (8) Women's Matches and (2) Men's Tournaments and (2) Women's Tournaments annually at the complex. All team practices, matches and tournaments are subject to availability and use of city programming and city sponsored tournaments, and must be scheduled during normal public complex hours and reserved through the Recreation department. Individual tennis athletes must reserve individual practice courts 24 hours in advance by calling the STRC office and must check in at the front desk to be assigned a court. Courts will be assigned by availability; specific courts will not be guaranteed. Additional matches, tournaments and/or staffing requests will be subject to availability and additional charges. All games, tournaments, and other facility uses that are hosted by a third party entity are not covered within the scope of this Agreement and shall require a separate facility use agreement. Any storage or meeting requests must be approved in advance by Recreation department.
   **Off Peak Hours for STRC are:*

- *August - September: 6:30am-11am*
- *October – May: 12pm – 5pm (Fri-Sun not available October, November, April and May)*

4. **City Special Events** – OUAZ agrees to pay City $2,000 annually for the opportunity to participate as a vendor in select city-operated special events including Surprise Party, Fiesta Grande, Spring Eggstravaganza, 4th of July and the Veteran's Day Parade. Vendor booth space will be subject to availability and OUAZ will need to schedule their participation for each event with the Recreation Special Events Manager at least 30 days in advance in order to reserve their space.
5. **Student & Employee Pass** – OUAZ has the opportunity to offer a student and employee pass to all OUAZ students and employees to be able to utilize the Surprise Tennis & Racquet Complex and Surprise Aquatic Center for $5,000 annually. Users must present their OUAZ student or employee I.D. Pass for open or lap swim as well as tennis or racquetball court rentals and the pass only allows use for the student or employee. Any guests, family members or spouses will pay the posted fee for use. All use is subject to availability and must be during normal operating hours specific to that activity. If reservations are needed, OUAZ students and employees will be required to make reservations. Additional terms will be mutually agreed upon by OUAZ and City.

Total annual cost for OUAZ = $100,000; paid in quarterly amounts of $25,000

Ottawa Annual Fee Breakdown	Amount
Surprise Practice Fields	$ 70,000
Stadium	$ 15,000
Tennis	$ 8,000
Student & Employee Pass - Aquatics & Tennis	$ 5,000
Special Events - table/tent	$ 2,000
Total Annual Amount =	**$ 100,000**
Total Quarterly Amount =	**$ 25,000**

Formal Request for Use:

- Initial scheduling request form (Exhibit C) must be submitted to designated City staff, a minimum of 90 days before first use (practice, game, etc.)
- City will provide signed approval within 30 days of submittal.
- Any changes to initial schedule request or requests submitted inside of 90 days must be made via e-mail to designated City staff and will be approved/denied by e-mail.
- Schedule change requests will be based on availability.
- Submission of a change request is not an automatic approval.

Additional Facility Usage:

In the event that OUAZ has additional facility needs that are not covered within this exhibit, OUAZ must make a formal scheduling request to the City. Additional usage will be subject to availability. Any change or increase in scheduling that impacts city staffing requirements, equipment/materials or other direct costs to the City will be subject to additional charges including but not limited to those listed in Exhibit B. City must notify OUAZ prior to use of facility if there will be additional charges outside of the annual payment.

If the additional usage is not covered in Exhibit B, usage and payments will be outlined and agreed upon in a separate facility use agreement, which can be approved by the Sports and Tourism or Parks and Recreation Director.

Any events that include the use of a ticket or entrance fee, concessions or merchandise must follow terms that are mutually agreed upon by the City and OUAZ.

Annual Review:

Facility usage and annual payments will be reviewed on an annual basis based on direct costs and staffing needs required by the City and mutually agreed upon for the following year. Annual review must take place before June 30 of each year. Updates to the annual payment can be approved by the City Manager.

Exhibit B – OUAZ Fee Worksheet for Additional Facility Usage

ITEM	RATE
Baseball Fields	$45.00 per 3 hour time block
3PCK/Shooting Gallery Mounds	$100.00 per 3 hour time block
Cages/Hitting Tunnels	$100.00 per 3 hour time block
Stadium Game	$700.00 per day
Practice Field Lights	$80.00 per hour
Stadium Lights	$135.00 per hour
Staff	$25.00 per hour
Cleaning of Stadium (under 500 in attendance)	$300.00 per cleaning
Individual and Team Tennis Practices	$3.00 per player
Tennis Matches	$5.00 per hour/per court
Pool Rental (Athletic teams or Student Activities)	$25/hr per staff (minimum of 3 on site) Total staff to be determined by number of participants and type of usage.

Exhibit C
Schedule Request Form

CITY OF SURPRISE
PARKS AND RECREATION

OUAZ FACILITY USE REQUEST

Name of Program Requesting Use: _____ Nature of Activity (game, practice, other): _____

Person Responsible: _____ Phone: _____ Email: _____

Additional Representative: _____ Phone: _____ Email: _____

FACILITY/AREA REQUESTED

- ❑ Surprise Aquatic Center (Pool)
  - ❑ Diving Well/Diving Boards
  - ❑ Lap Lanes/# of Lanes: _____
  - ❑ Water Slides
  - ❑ Entire Facility
- ❑ Tennis Courts:
  - Total Courts: _____
  - Approx. # of People per court: _____
  - Approx. # of Spectators per court: _____
  - Total Attendance: _____
- ❑ Mark Coronado Park
- ❑ Surprise Stadium
  - ❑ Baseball Fields/Total Fields: _____
  - ❑ Pitching Mounds
  - ❑ Batting Cages
- ❑ Other City Facilities (Café 60, Courtyard, Parking Garage, etc)

_____

PROGRAM/EVENT DETAILS

❑ Monday ❑ Tuesday ❑ Wednesday ❑ Thursday ❑ Friday ❑ Saturday ❑ Sunday

Date(s): _____

Date(s): _____

Date(s): _____

Date(s): _____

Date(s): _____

Start Time: _____ End Time: _____ Approximate # of Participants: _____

× Special Requests: _____

_____

Submit applications via drop-off: Monday-Friday 8am-5pm at the City of Surprise Parks & Recreation Offices located at 15960 N. Bullard Ave Surprise, AZ 85374. It is the responsibility of the Client to ensure this application has been received. Submission of this form does not guarantee approval. Please note that all facility use guidelines must be followed.

Ottawa Staff (Print Name)	Title	Signature	Requesting Date	**City Use Only**
City of Surprise Staff (Print Name)	Title	Signature	Requesting Date	❑ Not Approved: _____Date_____ ❑ Approved: _____Date_____

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Contact Person: Adam Lane
Submitting Department: Human Svcs and Comm Vitality
District: Citywide
Staff Recommendations:

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

Agenda Wording:
Consideration and action pertaining to approval of the funding priorities for the Community Development Block Grant Program Annual Action Plan for Program Year 2022-2023.

Motion:
I move to approve the funding priorities for the Community Development Block Grant Program Annual Action Plan for Program Year 2022-2023 as presented.

Background:
As a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnership funds, the City of Surprise is required to complete an Annual Action Plan to allocate anticipated funding from the Department of Housing and Urban Development (HUD), and to prioritize goals and projects that will be addressed with the annual allocation.

The Program Year 2022 Annual Action Plan, is the third year of the 2020-2024 Consolidated Plan. The Action Plan will set funding priorities for the Program Year 2022 (July 1, 2022 – June 30, 2023) based on the Goals and Objectives set in the Consolidated Plan.

Objective Analysis:
Approval of this item will result in a submission of the Annual Action Plan to the Department of Housing and Urban Development (HUD) for approval.

Policy Compliant:
This action is compliant with City and Council policies as well as federal guidelines.

Financial Impact:
This item will allow for one-time expenditure of up to $666,084 in CDBG grant funding. There is no match requirement. All CDBG related expenditures will be reimbursed the same fiscal year expenses are incurred.

Budget Impact:

Budget authority for FY2023 CDBG projects will be included in the FY2023 budget adoption process.

FTE Impact:

None

ATTACHMENTS:

1. 2022 AAP COUNCIL Staff Report
2. PY2022 Action Plan_DRAFT
3. 2022 AAP COUNCIL Presentation

SURPRISE
ARIZONA

Date: April 19, 2022

To: Mayor and City Council Members

From: Adam Lane, Neighborhood Services Supervisor

Re: Program Year 2022 CDBG Annual Action Plan – Approval

Introduction

As a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnership funds, the City of Surprise is required to complete an Annual Action Plan to allocate anticipated funding from the Department of Housing and Urban Development (HUD), and to prioritize goals and projects that will be addressed with the annual allocation.

The Program Year 2022 Annual Action Plan, is the third year of the 2020-2024 Consolidated Plan. The Action Plan will set funding priorities for the Program Year 2022 (July 1, 2022 – June 30, 2023) based on the Goals and Objectives set in the Consolidated Plan.

Background

A key feature to these grants from the Department of Housing and Urban Development (HUD), is the City's ability to choose how the funds will be used. HUD provides a wide range of eligible activities that can be utilized with funding. The Consolidated Plan helped to determine the most pressing needs of the community, and develop effective, market-driven strategies to meet those needs. As a review, the high priority needs and goals identified in the Consolidated Plan are as follows:

1. Maintain and increase the availability of **Affordable Housing.**
2. Invest in **Public Facility Improvements**.
3. Support **Public Services.**
4. Continue **Planning & Administration** of HUD funded programs.

Over the course of the Plan, the following **Goals** and Outcomes were established:

1. Housing Rehabilitation for homeowners.
2. Tenant Based Rental Assistance (HOME)

3. Develop Affordable Rental Housing (CDBG & HOME)
4. Housing Services in support of the HOME program.
5. Public Facility Improvements
6. Public Services
7. Administration & Planning

Analysis of Impediments to Fair Housing Choice (AI)

In accordance with the applicable statutes and regulations governing the Consolidated Plan, the City of Surprise certifies that they will affirmatively further fair housing, by taking appropriate actions to overcome the effects of any impediments identified in the Analysis of Impediments to Fair Housing Choice and maintaining records that reflect the analysis and actions in this regard.

Affirmatively furthering fair housing is defined in the Fair Housing Act as taking "meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics".

Fair Housing Goals:

1. Review zoning and municipal codes for barriers to housing choice.
2. Increase availability of accessible housing.
3. Promote homeownership and rental opportunities in areas outside of racially or ethnically concentrated areas of poverty (R/ECAPs).
4. Enhance community services in R/ECAPs.
5. Promote community and service provider knowledge of fair housing and ADA laws.

Program Year 2022 Annual Action Plan

The CDBG allocation for Program Year 2022 is **$666,084*.** There are no match or leverage requirements for CDBG, however the City has allocated approximately $75,000 for program administration and program service delivery. Funding requirements cap Administration and Planning at 20% of the allocation, as well as 15% for Public Service activities.

To meet the Goals and Objectives identified in the 2020-2024 Consolidated Plan and AI, the following projects are recommended:

1. **Housing Rehabilitation** – **$150,000**
   Deferred loans and grants to help Surprise homeowners make necessary health and safety repairs to their homes.

2. **Tenant Based Rental Assistance** (*HOME funding) – **$220,127.80**
   Rent and utility subsidy for LMI households.

***Pending federal budget allocation**

3. **Housing Services** – **$75,000**
   Services in support of the HOME program.

4. **Public Facility Improvements** – **$208,763**
   Improvements to public facilities that serve LMI persons or located in LMI areas.

5. **Public Services (14.9%)** – **$99,000**
   Services for LMI persons who are seniors, disabled, homeless, or at risk of becoming homeless, and eligible activities in response to the COVID-19 pandemic.

6. **Planning & Administration** (20%) – **$133,321**
   Expenses related to administering the program, preparing planning documents, and Fair Housing activities.

*HOME funds will be approved through the Maricopa HOME Consortium Annual Action Plan process.

2022 Subrecipients

HUD allows the City to evaluate its own institutional capacity, and make decisions on how to best administer the program. The City can select nonprofit organization's or entities, as defined in 24 CFR 570.204(c), to act as a subrecipient to carry out eligible activities that address the 2020-2024 Consolidated Plan Highest Priority Needs.

For Program Year 2022, City staff evaluated existing subrecipients as well as past subrecipients whose projects aligned with high priority needs and organizational capacity. Reviewers utilized defined criteria that evaluated each subrecipient based on a PASS or FAIL threshold, as well as a scaled scoring evaluation that determined projects that are low risk, more closely aligned with identified needs, and most beneficial to the city in carrying out objectives.

Subrecipient Evaluation

Threshold Criteria

Subrecipients that do not meet the PASS threshold criteria will not be considered further.

- ✓ Meet CDBG National Objective
- ✓ Anticipated to be completed within Action Year
- ✓ Meets eligibility requirements applicable to proposed project
- ✓ Meets definition of a Subrecipient
- ✓ *Returning Subrecipient- In Compliance with current agreement and on track to spend 50% of allocation

Scoring Evaluation

Subrecipients were scored based on the following factors;

- ✓ "Organizational Capacity (20 points)"
- ✓ "Cost (10 points)"
- ✓ "Experience working with HUD Funded Programs (20 points)"
- ✓ "Method of Approach (15 points)"
- ✓ "Partnering/Complementing/Duplicating Services (5 points)"
- ✓ "Consistency with Identified Priority Needs (25 points)"
- ✓ "Pledge of Leveraging Resources (5 points)"

To meet the **Goals and Objectives** identified in the 2020-2024 Consolidated Plan and AI, the following Subrecipient activities are recommended:

1. **A New Leaf**
   Tenant Based Rental Assistance – $75,000
   Housing services in support of the TBRA program - (10) LMI households.
   Housing Support Center Operations - $58,000
   Management and operations of Housing Support Center - (150) LMI persons.

2. **Lutheran Social Services**
   IHELP- $26,000
   Services for (65) LMI persons who are homeless including case management and emergency overnight shelter.

Recommendations

Staff recommends approval of the Program Year 2022 Annual Action Plan for submittal to HUD.

Staff recommends approval of the Subrecipient projects proposed for the Program Year 2022 Annual Action Plan.

Previous Actions

- 30-Day Public Comment Period – March 8, 2022 – April 8, 2022
- Public Hearing – April 13, 2022
- VDHS Commission review and recommendation for approval – April 13, 2022

Future Actions

- Submission of Plans to HUD – May 15, 2022

CITY OF SURPRISE, ARIZONA

ANNUAL ACTION PLAN
Program Year 2022
July 1, 2022 – June 30, 2023

SURPRISE
ARIZONA

Year 3 of the 2020-2024 Consolidated Plan

ON REQUEST THIS DOCUMENT CAN BE MADE AVAILABLE IN ALTERNATE FORMATS

HUMAN SERVICE & COMMUNITY VITALITY DEPARTMENT

City of Surprise

16000 N. Civic Center Plaza

Surprise, AZ 85374

Annual Action Plan 2022

Year Three of the 2020-2024 Consolidated Plan

DRAFT

Prepared for:

City of Surprise

16000 N. Civic Center Plaza

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Jack Hastings, Councilmember

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Prepared by:

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Executive Summary AP-05 - 24 CFR 91.200(c), 91.220(b)

Introduction

The City of Surprise, Arizona, receives an annual entitlement allocation from the U.S. Department of Housing and Urban Development (HUD) the Community Development Block Grant (CDBG) program and HOME Investment Partnership Program (HOME).

A key feature of these grants is the City's ability to choose how the funds will be used. HUD provides a broad range of eligible activities that can be utilized with CDBG funding. The City must determine which of the eligible activities will best serve the needs of the community. In order to determine the most pressing needs and develop effective, place-based market-driven strategies to meet those needs, HUD requires grantees to develop a Five-Year Consolidated Plan.

The City of Surprise 2020-2024 Consolidated Plan identifies priority needs and goals to which CDBG funds should be allocated. The 2022 Program Year (PY) will be the third year of the current five-year Consolidated Plan. The Program Year will start on July 1, 2022 and end on June 30, 2023. This Annual Action Plan will identify available resources, and outline the use of the available resources during the Program year to meet the needs of the community. The available resource for Program Year 2022 includes CDBG Entitlement funding. As a member of the Maricopa HOME Consortium, the City will receive HOME funding through an agreement with the Consortium. Although the funding is allocated in the Consortium 2022 Annual Action Plan, the City will consider that funding when making decisions for its Annual Action Plan. For Program Year 2022, the City does not anticipate any Program Income to be received.

Summary of the objectives and outcomes identified in the Plan

The Surprise's 2020-2024 Consolidated Plan is a five-year strategic plan that provides an outline of actions for the community as it works toward meeting the housing and community development needs of its low and moderate-income and special needs households. The plan identified the following high priority needs:

1. Increase access to and support the development of affordable housing.
2. Support public facility improvements in the Original Town Site.
3. Support public services for low- and moderate-income persons who are disabled, homeless, at risk of becoming homeless, as well as life skill training for youth.
4. Continue to provide planning, and administrative support to deliver HUD-funded programs, and fair housing activities.

The City of Surprise will allocate funding to meet the goals and objectives outlined in the Consolidated Plan. In Program Year 2022, projects will invest entitlement funds to continue to supporting the following:

1. Housing Rehabilitation
2. Housing Services
3. Public Facility Improvements
4. Public Services
5. Planning & Administration

The City of Surprise has an experienced and dedicated staff to oversee and administer the requirements of the Community Development Block Grant and HOME funding. The City will continue to make affordable housing one of its highest priorities in PY2022 by continuing to administer its Homeowner Occupied Housing Rehabilitation program. Through small grants and deferred loans, the City will help to preserve existing affordable housing stock by helping homeowners make necessary health and safety repairs to their homes. With some of the fastest rising rents in the nation, the City will help to alleviate the burden of high rental rates by supporting the City's Tenant Based Rental Assistance program. This program will help homeless or at risk of becoming homeless families achieve stable housing.

Program Year 2022 will be the third year of the program during the unprecedented COVID-19 Pandemic. The national crisis has driven an already vulnerable and unaffordable housing market into uncharted territory. Low-and Moderate Income families have continued to be placed at risk of becoming homeless, and becoming homeless. The City of Surprise will leverage additional federal resources received in Program Year 2020 to make Public Facility Improvements to privately or publically owned facilities to help persons who are homeless or at risk of becoming homeless. These facilities will provide emergency housing, access to housing resources and other public services to help households achieve housing stability. The City will also continue to support its most vulnerable populations by funding Public Services. Through non-profit partnerships and program sub-grantees, the City will help to provide essential services to seniors, disabled persons, homeless and persons at risk of becoming homeless.

The City is also committed to meeting the goals and objectives identified in the Analysis of Impediments to Fair Housing Choice (AI). The goals and objectives were identified through a joint effort with the Maricopa County HOME Consortium. Insufficient affordable housing in a range of unit sizes, and insufficient accessible affordable housing continue to be high priority impediments to fair housing in Surprise. The City will continue to promote community service provider knowledge of fair housing and ADA laws through community engagement and education classes.

Finally, the City is committed to administering the program efficiently, and in compliance with the requirements of the funding source. To that end, the City will allocate funding for Planning & Administration of the program and its projects. The effective planning of projects is essential to maintaining program compliance, leveraging funding, and project underwriting that ensures the City's investments are protected and create valuable outcomes for the community.

Evaluation of past performance

The City is building upon the previous experience and success that the City had with utilizing HUD funding for housing rehabilitation, public services, and public facility improvements. In addition to the five-year Consolidated Plan and Annual Action Plan, the City must complete a Consolidated Annual Performance and Evaluation Report (CAPER) to maintain compliance with the grant program. To date, the City of Surprise has successfully completed all the regulatory reporting requirements, and successfully reported the accomplishments of previous Annual Action Plans for the planned expenditures. During the first two years of the Consolidated Plan, the City enacted its goal to support affordable housing by funding the Housing Rehab program, and housing services for the Tenant-Based Rental Assistance Program. Additionally the City funded Public Facility Improvements that helped to complete a youth baseball field in the Original Town Site of Surprise. Public services were supported through non-profit partners and other City Departments to provide essential services to the most vulnerable residents.

And finally, the City received CDBG-CV funding through the CARES Act, and was able to quickly plan and administer the funding to help low and moderate income residents who had been impacted by the COVID-19 Pandemic. In Program Year 2021, the City utilized CDBG-CV funding to help establish a Housing Support Center. This new center will provide seven (7) units of non-congregate short-term housing, as well as supportive services for persons who are homeless or at risk of becoming homeless. The City will continue to administer the CDBG-CV funding in Program Year 2022 to help those impacted by the pandemic.

Summary of citizen participation process and consultation process

Citizen participation plays an integral role throughout the planning and development of the Annual Action Plan. Participation of its Citizens in the process is desired to ensure the City is utilizing the resources towards projects that its residents have identified as a high priority. Additionally, effective citizen participation helps to better inform the public, identify hidden community needs, bring forward citizen ideas, and generate involvement and commitment to proposed solutions.

Citizen participation began with the creation of the five-year Consolidated Plan. During the formation of the Consolidated Plan, the City conducted extensive community outreach and participation. The outreach included community forums conducted in the City's Original Town Site, a targeted area. Additionally, a Consolidated Plan questionnaire was provided to gain input from the community. A total of two hundred twenty-three (223) residents responded to the questionnaire.

The Community Needs Assessment included nine (9) focus groups with over one hundred twenty (120) participants. Group interviews were conducted with thirty-nine (39) individuals, each of whom was a recent receiver of public services. The results of the Needs Assessment was a guiding document which assists in prioritizing plans, initiatives and programs to meet growing or unmet human service needs in our city.

For the PY2022 Annual Action Plan, the City continued to build on the successful Citizen participation that helped to formulate the Consolidated Plan. On February 9, 2022, the City conducted the first of two (2) public hearings held during the formation of the Annual Action Plan. This "Needs" hearing, gave citizens and local stakeholders an opportunity to comment on the needs of the community, and bring forward ideas to meet those needs. A second public hearing was held on April 13, 2022. The final public hearing allowed citizens and stakeholders to comment on the draft Annual Action Plan. All public hearings were publically noticed with a legal advertisement placed in the local newspaper, a Public Notice posted to the City website, and social media posts were made prior to the public meetings.

Prior to the second public hearing, a thirty (30) day review and comment period was conducted from March 8, 2022 through April 8, 2022. This comment period allowed citizens and stakeholders to review the draft plan, and submit written comment on the draft. The draft plan was made available for review on the City's website, at City Hall, the Senior Center, and the Surprise Resource Center, at the Hollyhock Library, and the Housing Authority of Maricopa County.

Summary of Public Comments

During the Public Hearing held on February 9, 2022, one comment was received. A representative from Lutheran Social Services of the Southwest commented on the growing need for homeless shelter services.

*Additional comments will be added if received during the process.

Summary of comments or views not accepted and the reasons for not accepting them

All comments were recorded and accepted.

Summary

The City is committed to providing a meaningful way for residents to communicate their needs. The Veterans, Disability and Human Services Commission was created to assist in the development and/or expansion of city programming related to veterans; people with special needs; and those in need of general human services and workforce development. The Commission also serves as an advisory board for the CDBG and HOME funding.

The Commission holds monthly public meetings and provides an avenue for the community and stakeholders to communicate with the Commission and city staff. City staff will continue to update the commission on progress of the program, and solicit feedback and guidance from the Commission to help meet current program needs, and to anticipate future needs of the community.

Lead & Responsible Agencies PR-05

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding Source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department
CDBG Administrator	**City of Surprise**	**Human Service & Community Vitality (HSCV)**

Table 1 – Responsible Agencies

Narrative

The City of Surprise Human Services and Community Vitality Department serves as the lead agency for the CDBG and HOME grants. The Surprise Human Service & Community Vitality Department houses the Neighborhood Services Division. The department is designed to strengthen community, non-profits, and government partnerships to better serve Surprise residents.

During the preparation of the plan, the City solicited input from other governmental agencies as well as various public and private agencies providing housing, social services, and other community development activities within the community. The City will continue to form new partnerships with non-profit organizations, the private sector, and other local resources.

Consolidated Plan Public Contact Information

Adam Lane
Neighborhood Services Supervisor
Human Service & Community Vitality
City of Surprise
16000 N Civic Center Plaza
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Consultation AP-10

Consultation AP-10 91.100, 91.200(b), 91.215(l)

Introduction

The City of Surprise believes that input from residents and stakeholders is vital to identifying the City's housing, community development, and human service needs. The Consolidated Plan, Analysis of Impediments to Fair Housing Choice, and the Annual Action Plan are developed with an emphasis on community and stakeholder input. In 2019, the Veterans, Disability and Human Services Commission (VDHS) completed a Community Needs Assessment, *Surprise a Community That Cares.*

This needs assessment is the first of its kind for the City to be commissioned in conjunction with the City's Veterans, Disability and Human Services Commission and the City Council for use in the City's planning process. The assessment includes long-term and short-term goals, program and fiscal considerations, prioritization of needed services, and program/resource decision making. The community needs assessment will assist the VDHS Commission in aligning a strategic plan with the identification of data-driven needs and opportunities. The initial population groups the City chose to explore as a part of this study to determine the human services needs in Surprise are as follows (in alphabetical order): homeless individuals and families/youth, individuals with disabilities and special needs, low- to moderate-income individuals and families/youth, seniors, survivors of violence (domestic, sexual, and hate crimes), and veterans.

During the formation of the City's Consolidated Plan and the Needs Assessment, the City brought together community stakeholders, residents, community leaders, and faith-based leaders to help identify the highest priority community needs, and set goals to meet those needs. The City held nine (9) focus groups with over one hundred twenty (120) participants. A community stakeholder meeting brought together one hundred forty (140) community members. The City also held target outreach meetings in the Original Town Site with residents of the target area.

Many of the stakeholders who participated in the Consolidated Plan process were consulted for this Annual Action Plan. The City also held a homeless coalition forum, bringing together local homeless and housing service providers, and City departments and staff to discuss homelessness and affordable housing in Surprise. During the COVID-19 crisis, this forum focused on the rental eviction crisis, and residents being forced from stable housing due to the Pandemic.

The City also hosted two public meetings during the formation of the Annual Action Plan. These public hearings held at the regular meetings of the VDHS Commission, gave community stakeholders and residents opportunity to review the draft plan and budget, and give input into the draft plan.

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Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Surprise consulted with the Housing Authority of Maricopa County regarding the creation of additional affordable rental units, the need of rental assistance, and new rental housing construction in the city of Surprise. Additionally, Surprise has consulted with other housing, health, and service providers to provide services at the Heritage at Surprise, developed by the Housing Authority.

The City of Surprise collaborates with other West Valley cities through the West Valley Municipal Human Services Collaborative meeting on a monthly basis to discuss needs and funding priorities. City staff also coordinates the City of Surprise Homeless Collaborative quarterly meeting. The Collaborative brings together housing assistance providers, service providers and other City departments to share resources and information to help coordinate efforts.

In January of 2021 the Veterans, Disability & Human Services Commission finalized their Strategic Plan. The Strategic Plan aligns with the Community Needs Assessment, and will provide recommendations to the Surprise City Council for prioritization of enhanced service delivery infrastructure with the City of Surprise. These recommendations will be based on the expertise of the Commission, as well as the data and highlighted needs outlined in the assessment.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

Surprise Staff members continuously consult with the region's CoC and support regional efforts to address the needs of homeless persons and persons at risk of homelessness. City staff participated with Maricopa Association of Governments (MAG) and its regional homelessness initiatives to help develop *Pathways Home – A Regional Homelessness Action Plan for Local and Tribal Governments.* As part of MAG's Regional Homelessness Coordination Team, staff helped to develop the regional strategies adopted by the MAG Regional Council in May 2021. The development of the regional strategies was deeply informed by extensive community outreach, with input from more than, 1,500 people. City staff will continue to work with the MAG team to enact the regional strategies in Surprise and throughout the West Valley.

For Surprise low-income renters in 2021, 83% were severely housing cost burdened spending more than 50% of their incomes on rent alone. Severely Cost Burdened Households are being pushed to the brink of homelessness every day and cannot withstand national disaster or crisis situations. The COVID-19 Pandemic has driven residents from stable housing into

homelessness. The rental eviction crisis will see thousands of residents at risk of becoming homeless.

In Program Year 2021, in response to the COVID-19 Pandemic and the resulting affordable housing and eviction crisis, the City partnered with A New Leaf to establish a Housing Support Center. This regional housing center is to prevent and respond to increased homelessness among individuals and families impacted by the COVID-19 pandemic, and to mitigate the spread of the Coronavirus among unsheltered persons, and the community at large. The center will provide non-congregate short term emergency housing, access to Coordinated Entry, rapid re-housing and tenant-based rental assistance. Access to other services will be provided to help move persons into stable housing in under thirty days. This strategy aligns with the CoC's priority goals for regional strategies to address homelessness.

In January 2022, Surprise participated in the annual Point in Time Count to reach out to sheltered and unsheltered homeless persons in our region to assess needs. Surprise coordinated volunteers through various partnerships with city departments and community organizations. The 2022 Surprise Point in Time Count found 58 persons unsheltered. The West Valley Unsheltered Homeless count has risen from 135 in 2016 to 435 in 2020. According to MAG, from 2016 to 2019, unsheltered homelessness in the Maricopa County region increased by 94% with the unsheltered homeless rate in the West Valley by 213%.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop policies and procedures for the administration of HMIS

Discussions on the allocation of ESG funds are discussed at Maricopa Regional Continuum of Care meetings. Surprise currently does not receive ESG funds however, frequents the continuum of care ESG subcommittee to participate in discussions about determining resource allocation, performance standards and policies and procedures.

Beginning at the end of 2020, HSCV staff began participating in the CoC regional homelessness initiatives, in an effort to create a comprehensive regional homelessness strategy. Staff has participated in multiple forums and surveys to help develop the strategy, which includes allocation of available resources, and administration of programs to end homelessness.

Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

1	**Agency/Group/Organization**	A New Leaf

Agency/Group/Organization Type
❑ Services ■ Housing ■ Victims of DV ■ Homeless ■ Educations ■ Victims ❑ Child Welfare Agency
What Section of the Plan was addressed by Consultation?
■Housing Needs Assessment ■ Homeless Strategy ■ Homeless Needs ■ Chronically Homeless ■ Families with children
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
A New Leaf serves over 25,000 individuals with resources, including homeless and domestic violence shelters with services, affordable housing solutions, youth services, foster care, counseling, financial literacy, neighborhood economic development, workforce support, and community services. Discussed needs include: Domestic violence shelters, transitional homes, programming, temporary shelter and basic needs, helping the homeless, youth, individuals and families Affordable housing support Community assistance programs Neighborhood economic development Workforce support, Early Childhood Education. For PY2022, the City will continue to partner with ANL for the TBRA program and housing support center.

2	Agency/Group/Organization	The Society of St. Vincent de Paul

Agency/Group/Organization Type
❑ Housing ❑ Services ■ Housing
What Section of the Plan was addressed by Consultation?
■ Homeless Strategy ■ Homeless Needs – Chronically homeless ■ Homeless Needs – Families with children ■ Homelessness – Veterans ■ Homelessness – Unaccompanied youth
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
The Society of St. Vincent de Paul is an international non-profit organization dedicated to serving the poor and providing others with the opportunity to serve. St. Vincent de Paul provides one-time assistance for rent, mortgage and utility bills. SVP participated in the homeless collaborative meeting held on January 26, 2022. SVP reported the need for eviction prevention and the prevention of homelessness.

3	Agency/Group/Organization	Maricopa Association of Governments

Agency/Group/Organization Type
❑ Other government – Local ■ Housing ■ Health ■ Homeless
What Section of the Plan was addressed by Consultation?
❑Homeless Needs ■ Chronically homeless ■ Families with children ■ Veterans ■ Unaccompanied Youth
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Maricopa Association of Governments helped lead the efforts to develop the Pathways Home – A Regional Homelessness Action Plan for Local and Tribal Governments. City staff worked with MAG in the development of the strategies to address homelessness, and consulted on how Surprise could enact the strategies in the City.

4	Agency/Group/Organization	Maricopa County Library District

Agency/Group/Organization Type
❑ Services ■ Children ■ Elderly Persons ■ Persons with disabilities ■ Employment ❑ Other Government - County
What Section of the Plan was addressed by Consultation?
■ Housing Needs Assessment ■ Economic Development ■ Market Analysis
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?

The Maricopa County Library District staff participated in the January 26, 2022 homeless collaborative meeting. The District is interested in sharing resources and offering homeless services at their locations.		
5	**Agency/Group/Organization**	City of Peoria
Agency/Group/Organization Type		
❑ Other government - Local		
What Section of the Plan was addressed by Consultation?		
■ Housing Needs Assessment ■ Economic Development ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
Peoria is a city in Maricopa and Yavapai counties in the state of Arizona. Most of the city is located in Maricopa County, while a tiny portion in the north is in Yavapai County. It is a major suburb of Phoenix. According to 2017 Census Bureau estimates, the population of the city is 168,181. Staff is in regular communication with Peoria for ongoing coordination of needs and services.		
6	**Agency/Group/Organization**	City of Avondale
Agency/Group/Organization Type		
❑ Other government - Local		
What Section of the Plan was addressed by Consultation?		
■ Housing Needs Assessment ■ Economic Development ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
Avondale is a city in Maricopa County, Arizona, United States, adjacent to Phoenix. According to the 2017 U.S. Census estimates, the population of the city is 84,025. Avondale, incorporated in 1946, experienced rapid residential and commercial growth in the years since 1980. Staff is in regular communication with Avondale for ongoing consultation of needs and services.		
7	**Agency/Group/Organization**	Salvation Army – Sun Cities/WV Corps
Agency/Group/Organization Type		
❑ Services ■ Housing ■ Victims of DV ■ Homeless ■ Education ■ Health ■ Persons with disabilities ■ Persons with HIV/AIDs ■ Employment		
What Section of the Plan was addressed by Consultation?		
■Housing Needs Assessment ■ Non-homeless Special Needs ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
The Salvation Army, an international movement, is an evangelical part of the universal Christian Church. Salvation Army provides services and programs centered around youth programs, family programs, adult rehabilitation, senior programs, homeless services, educational programs, disaster services, missing persons, and human trafficking. The City has ongoing consultation with Salvation Army for the development of new services in Surprise.		
8	**Agency/Group/Organization**	Phoenix Rescue Mission
Agency/Group/Organization Type		
❑ Services ■ Housing ■ Health ■ Homeless ■ Employment		
What Section of the Plan was addressed by Consultation?		
■ Housing Needs Assessment ■ Homeless Strategy ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		

The Phoenix Rescue Mission is a place of hope, healing, and new beginnings for men, women and children in our community struggling with homelessness, addiction, and trauma. The PRM participates in the City Homeless Collaborative, and reports monthly on their outreach efforts in Surprise.		
9	**Agency/Group/Organization**	Lutheran Social Services of the Southwest
Agency/Group/Organization Type		
❑ Services ■ Housing ■ Children ■ Homeless ■ Persons with disabilities ■ Elderly persons ❑ Housing		
What Section of the Plan was addressed by Consultation?		
■ Homeless Strategy ❑Homeless Needs ■ Chronically homeless ■ Families with children ■ Veterans ■ Unaccompanied Youth		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
Lutheran Social Services of the Southwest is a 501(c)(3) nonprofit organization, an Arizona Qualifying Charity, and is affiliated with the Evangelical Lutheran Church in America, and recognized by the Lutheran Church-Missouri Synod. LSS participated in the homeless collaborative meeting on January 26, 2022. LSS reported they had to reduce the number served due to COVID-19 concerns, but see an increase in need for shelter services. They have a need for additional space and better access to other services.		
10	**Agency/Group/Organization**	Habitat for Humanity
Agency/Group/Organization Type		
❑ Housing ❑ Services - Housing		
What Section of the Plan was addressed by Consultation?		
■Housing Needs Assessment ■ Homeless Strategy ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
Habitat for Humanity Central Arizona (Habitat), an affiliate of Habitat for Humanity International, is an independent, locally run, nonprofit 501 (c)(3) organization. They work in partnership with low-income families, volunteers and sponsors to build, renovate, and repair homes.		
11	**Agency/Group/Organization**	Veterans, Disability & Human Service Commission
Agency/Group/Organization Type		
❑ Services ■ Housing ■ Victims of DV ■ Homeless ■ Employment ■ Persons with disabilities ❑ Grantee Department		
What Section of the Plan was addressed by Consultation?		
■ Housing Needs Assessment ■ Economic Development ■ Market Analysis		
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?		
The City of Surprise, Veterans, Disability and Human Services Commission is charged with assisting in the development and/or expansion of city programming related to veterans; people with special needs; and those in need of general human services and workforce development. Staff consults with the Commission on the progress of the CDBG program and the formation of the AAP.		
12	**Agency/Group/Organization**	Dysart Unified School District
Agency/Group/Organization Type		
❑ Services ■ Housing ■ Homeless ■ Employment		
What Section of the Plan was addressed by Consultation?		
■ Housing Needs Assessment		

How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
The Dysart Unified School District participated in the City's Homeless Collaborative meeting on January 26, 2022. This discussion helped to identify needs of the homeless community. DUSD reported increased evictions, students leaving families, and the need to focus on connecting homeless with employment services.

13	Agency/Group/Organization	New Beginning Worship Center

Agency/Group/Organization Type
❑ Services ■ Housing ■ Homeless ■ Employment
What Section of the Plan was addressed by Consultation?
■ Housing Needs Assessment
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
New Beginning Worship Center, a faith-based organization participated in the City's Homeless Collaborative meeting on January 26, 2022. This discussion helped to identify needs of the homeless community. Staff reported increased need for tracking homeless persons, connecting them to resources, and regional concerns. They are tracking individuals across the west valley of Maricopa County.

14	Agency/Group/Organization	Surprise Police Department

Agency/Group/Organization Type
❑ Services ■ Homeless
What Section of the Plan was addressed by Consultation?
■ Housing Needs Assessment
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
The Surprise Police Department participated in the City's Homeless Collaborative meeting on January 26, 2022. This discussion helped to identify needs of the homeless community. PD reported on status of street homeless, need for supplies, mental health issues increasing, and need for emergency shelter.

15	Agency/Group/Organization	Southwest Fair Housing Council

Agency/Group/Organization Type
❑ Housing ❑ Services - Housing
What Section of the Plan was addressed by Consultation?
■Housing Needs Assessment ■ Homeless Strategy
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
City staff consulted with SWFHC to help coordinate new fair housing education and outreach efforts in Surprise.

16	Agency/Group/Organization	Native American Connections

Agency/Group/Organization Type
❑ Housing ❑ Services - Housing
What Section of the Plan was addressed by Consultation?
■Housing Needs Assessment ■ Homeless Strategy
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
NAC is a local non-profit that works to develop new homeownership opportunities for low-income families, and shelter services for homeless persons. The City consulted with NAC on their proposed youth shelter in Surprise.

17	Agency/Group/Organization	Housing Authority of Maricopa County

Agency/Group/Organization Type
❑ Housing ❑ PHA

What Section of the Plan was addressed by Consultation?
■ Housing Needs Assessment ■ Public Housing Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
The Housing Authority is a HUD-designated agency responsible for housing programs in Maricopa County, Arizona. The Housing Authority's primary jurisdiction includes 22 communities and all unincorporated portions of the Metropolitan Phoenix area and surrounding cities as a service area larger than 5 states with a population in excess of 4 million people. HAMC was consulted for the need for additional affordable rental units in Surprise, and coordination on their new senior housing project.

Identify any Agency types not consulted and provide rationale for not consulting

The City of Surprise invited all area Agencies, groups and organizations to participate in the community needs assessment. During the PY2022 Annual Action Plan, the City consulted with a cross section of area stakeholders to help identify solutions. No Agency types were intentionally omitted from consultation.

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Describe other local/regional/state/federal planning efforts considered when preparing the plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Maricopa Regional Continuum of Care	The City's goals to help residents at risk of becoming homeless also align with the Maricopa Regional Continuum of Care's goals.
Municipal Responses to Homelessness 2020	Maricopa Association of Governments	Homelessness is an issue that reaches across municipal boundaries. A cohesive regional response is necessary to address the strategic plan goals of addressing affordable housing, and helping person who are homeless or at risk of becoming homeless.
Growth Plan 2035	City of Surprise	The Consolidated Plans goals align with the economic development, housing, and infrastructure goals outlined in the Surprise Growth Plan 2035.
Maricopa HOME Consortium Analysis of Impediments to Fair Housing Choice	Maricopa County HOME Consortium	The Consolidated Plan works to directly address the high priority impediments outlined in the 2020 Analysis of Impediments to Fair Housing Choice (AI).
Pathways Home	Maricopa Association of Governments	The plan identifies how the regional strategies adopted by the MAG Regional Council in May 2021 will be implemented. This represents a starting point for local and tribal governments to address homelessness regionally.

Narrative (optional)

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Summary of citizen participation process/Efforts made to broaden citizen participation. Summarize citizen participation process and how it impacted goal setting

Citizen participation plays an integral role throughout the planning and development of the City's Consolidated Plan and Annual Action Plan. The City conducted a Community Needs Assessment in 2019, held multiple public meetings, provided outreach in the Original Town Site (geographic priority area), conducted a survey, and met with stakeholders.

The results of the community outreach during the formation of the Consolidated Plan provided a foundation to be applied during the Annual Action Plan Citizen Participation process. Staff continues to find ways to inform and engage the community. During COVID-19, methods for outreach have been limited to traditional and online media, as well as virtual events.

For Program Year 2022, Citizen Participation began with technical assistance and application process for eligible Subrecipients. The TA workshop and discussion was held on February 2, 2022 with potential applicants. The application was open from February 16, 2022 through March 18, 2022. On February 9, 2022, a public “needs” hearing was held at the regular meeting of the Veterans, Disability and Human Services Commission. This hearing allowed opportunity for citizens and stakeholders to comment on the formation of the plan. On March 8, 2022, a 30-day comment period was opened. The comment period gave the public opportunity to review the draft plan, and make written comments. A final public hearing was held on April 13, 2022 at the regular meeting of the VDHS Commission meeting. This final public hearing allowed citizens to make comment on the draft Annual Action Plan before it was presented to City Council for approval. Any comments received are accepted and summarized in this plan.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of Comments Not Accepted	URL
1	Newspaper Ad/Public Notice/Social media	Non-targeted/broad community	All comments were accepted and recorded.	
Summary of response/attendance				
A 30-day comment period began on March 8, 2022 and ended April 8, 2022. No comments were received.				
Summary of comments received				
All comments received will be included in the plan.				

Sort Order	Mode of Outreach	Target of Outreach	Summary of Comments Not Accepted	URL
2	TA/Application process.	Eligible Subrecipients	3 Applications received.	
Summary of response/attendance				
The technical assistance and application process began on February 2, 2022, and closed on March 18, 2022.				
Summary of comments received				
N/A				

Sort Order	Mode of Outreach	Target of Outreach	Summary of Comments Not Accepted	URL
3	Newspaper Ad/public notice	Non-targeted/broad community	All comments were accepted and recorded.	
Summary of response/attendance				
The public "needs" hearing was held at the Veterans, Disability & Human Services Commission meeting held on February 9, 2022.				
Summary of comments received				
One oral comment was received in support of rental assistance and homeless services.				

Sort Order	Mode of Outreach	Target of Outreach	Summary of Comments Not Accepted	URL
4	Newspaper Ad/public notice	Non-targeted/broad community	All comments were accepted and recorded.	
Summary of response/attendance				
This public hearing was held at the regular VDHS meeting held on April 13, 2022.				
Summary of comments received				
No comments were received during the public hearing.				

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Expected Resources AP-15

Expected Resources AP-15 91.420(b), 91.220(c) (1,2)

Introduction

The City of Surprise prioritized goals and objectives for using CDBG funding to strategically and effectively benefit low- and moderate-income residents by supporting the creation of affordable housing, investing in public facility improvements, and supporting public services. The City will receive a CDBG allocation in the amount of $665,000* for PY2022. The City will receive HOME funding through the Maricopa HOME Consortium. Those funds are allocated in the Consortium's AAP, however the funds are considered here when making funding allocations.

The City does have CDBG and HOME funding from previous program years that is unspent as of the date of this Annual Action Plan submittal. These funds are fully allocated to projects in previous Action Plans, and are not being reallocated to different activities. Therefore, previous years funds are not accounted for in this Annual Action Plan.

*Pending allocation from HUD

Anticipated Resources

Program	**CDBG**	**Source of Funds**	**Public - Federal**
Use of Funds: Affordable Housing, Public Facility Improvements, Public Services, Administration & Planning			
Expected Amount Available Year 1		**Narrative Description**	
Annual Allocation: $	$665,000*	The City's CDBG allocation for Program Year 2022 is $665,000. The City does not anticipate any program income in PY2021. *Pending allocation from HUD.	
Program Income: $	$0		
Prior Year Resources: $	$0		
Total: $	$665,000*		
Expected Amount Available Remainder of ConPlan: $	$1,330,000*		

Program	**General Fund**	**Source of Funds**	**Public - Local**
Use of Funds: Administration & Planning, Affordable Housing, Public Services, Public Facility Improvements			
Expected Amount Available Year 1		**Narrative Description**	
Annual Allocation: $	$75,000	The City of Surprise allocates approximately $75,000 annually of City General Funds for CDBG staff salary in support of program administration and project delivery.	
Program Income: $	$0		
Prior Year Resources: $	$0		
Total: $	$75,000		

Expected Amount Available Remainder of ConPlan: $	$150,000	

TABLE 1 - EXPECTED RESOURCES – PRIORITY TABLE

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Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Surprise allocates approximately $75,000 annually from the City General Funds for CDBG staff salary in support of program administration and project delivery.

The projects outlined in the Strategic Plan which are implemented by outside agencies are anticipated to use CDBG funding to leverage their initial financial resources. Match is not a requirement for funding to be awarded, however match and leverage is considered in funding awards.

Many of the development activities outlined in the Strategic Plan and Annual Action Plan receive substantial leverage from the City's general fund, development incentive programs, and other programs designed to encourage economic growth. Leveraged resources are reported in the Consolidated Annual Performance and Evaluation Report (CAPER).

The City of Surprise offers incentives for new affordable housing developments in the Original Town Site. Surprise provided over $275,000 in development fee reduction in the Heritage at Surprise project. Surprise continues to find ways to leverage funding for matching requirements.

Subrecipients are not required to provide match and/or leverage for their projects, however all program partners contribute additional non-federal funding towards their respective projects. This ensures CDBG and HOME funding are being invested to expand programs, and increase project capacity.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City is looking to improve public facilities in the Original Town Site, a low- and moderate-income area. The City will continue to evaluate locations on public owned property over the course of the Consolidated Plan. In general, the areas of need described in the *General Plan 2035*, P*arks and Recreation Master Plan,* and *Human Services and Community Vitality in Surprise - A Community that Cares* will help to guide the locations of investment. As the City continues to grow, additional property may be identified that would be suitable for utilizing HUD funding.

The City of Surprise owns the land for the Heritage at Surprise project. Additionally, Surprise owns 17 acres in the Heritage District of the Original Town Site, and is actively seeking partners to develop the property that could include new affordable rental units and community services centers. In PY2021, the City partnered with the Housing Authority of Maricopa County (HAMC) to support HAMC's application for a HUD 202 Senior Housing project to be constructed on the city-owned property. HAMC was awarded $9.1 million for the 99-unit affordable housing

project, which is anticipated to be completed by 2024.

Discussion

The City does not anticipate any program income in excess of $25,000 during the program year.

Annual Goals & Objectives AP-20

Annual Goals & Objectives AP-20 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	**1**	**Goal Name**	Housing Rehabilitation	**Start Year**	2022	**End Year**	2023

Category	**Geographic Area**	**Needs Addressed**	**Funding**
Affordable Housing	Surprise Citywide	Affordable Housing	CDBG $150,000

Goal Outcome Indicator	Homeowner housing rehabilitation: 20 household housing units
Goal Description	The City of Surprise has a robust housing rehabilitation program that provides deferred loans for low- and moderate-income residents for residential improvements to health, safety, and livability improvements Projects include rehabilitation of privately owned, single-unit homes and all delivery costs (including staff, other direct costs, and service costs) directly related to carrying out housing rehabilitation activities.
Activity Matrix: 14A, 14H	

Sort Order	**2**	**Goal Name**	Housing Services	**Start Year**	2022	**End Year**	2023

Category	**Geographic Area**	**Needs Addressed**	**Funding**
Affordable Housing	Surprise Citywide	Affordable Housing	CDBG $75,000

Goal Outcome Indicator	Tenant based rental assistance/Rapid Rehousing: 26 Households assisted
Goal Description	Funds will be used to provide direct assistance to low-income households who need help paying their rent. Tenant-Based Rental Assistance (TBRA) is a rental subsidy that helps make up the difference between what a renter can afford to pay and the actual rent for a home. These services are in support of the HOME program.
Activity Matrix: 14J	

Sort Order	**3**	**Goal Name**	Public Facility Improvements	**Start Year**	2022	**End Year**	2023

Category	**Geographic Area**	**Needs Addressed**	**Funding**
Non-Housing Community Development	Surprise Citywide	Public Facility Improvements	CDBG $208,763

Goal Outcome Indicator	Public Facility or Infrastructure activities other than Low/Moderate Income LMC Benefit: 2,300 Persons assisted
Goal Description **Activity Matrix:** 3A, 3E, 3L, 3C	Public facility improvements may include: 1. Acquisition, construction, or rehabilitation of facilities (except permanent housing) for seniors 2. Acquisition, construction, or rehabilitation of facilities that are principally designed to serve a neighborhood and that will be used for social services or for multiple purposes (including recreation) 3. Development of open space areas or facilities intended primarily for recreational use 4. Installation or replacement of water lines, sanitary sewers, storm sewers, and fire hydrants. 5. Improvements to sidewalks including the installation of trash receptacles, lighting, benches, and trees. 6. Acquisition, construction, conversion of buildings, or rehabilitation of temporary shelters and transitional housing for the homeless, including victims of domestic violence, dating violence, sexual assault or stalking, disaster victims, runaway children, drug offenders, and parolees.

Sort Order	**4**	**Goal Name**	Public Services	**Start Year**	2022	**End Year**	2023

Category	**Geographic Area**	**Needs Addressed**	**Funding**
Homeless Non-homeless Special Needs Non-Housing Community Development	Surprise Citywide	Public Services	CDBG $99,000

Goal Outcome Indicator	Public service activities other than Low/Moderate Income Housing Benefit: 325 Persons Assisted
Goal Description **Activity Matrix:** 5A, 5B, 5D, 5Q, 3T	Projects may include: 1. **Subsistence Payments.** One-time or short-term (no more than three months) emergency payments on behalf of individuals or families, generally for the purpose of preventing homelessness. Examples include utility payments to prevent cutoff of service, and rent/mortgage payments to prevent eviction. 2. **Homeless/AIDS Patients Programs** - Costs associated with the operation of programs for the homeless or for AIDS patients, such as staff costs, utilities, maintenance, and insurance. 3. **Services for Persons with Disabilities** - Services for the persons with disabilities, regardless of age. 4. **Youth Services** – Services for young people age 13 to 19. 5. **Pandemic Responses -** Eligible activities to support local pandemic response such as the COVID-19 infectious disease.

Sort Order	**5**	**Goal Name**	Planning & Administration	**Start Year**	2022	**End Year**	2023

Category	**Geographic Area**	**Needs Addressed**	**Funding**

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Affordable Housing Homeless Non-homeless Special Needs Non-Housing Community Development	Surprise Citywide	Affordable Housing	CDBG $133,321 General Fund $75,000
Goal Outcome Indicator	Other: 1		
Goal Description	Expenses related to administering the program, preparing planning documents and reports, fair housing activities, and other eligible expenses under this category.		
Activity Matrix: 20, 21A, 21D, 21H			

Table 25 – Goals Summary

Estimate the number of extremely low-income, low income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

In Program Year 2022, the City will provide affordable housing access to twenty low or moderate income households through housing rehabilitation. Access to affordable housing will be provided to thirty-two extremely low-income families through the support of the TBRA program.

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Projects AP-35

Projects AP- 35 91.420, 91.220(d)

Introduction

The strategies listed in this plan address the first-year allocation for the City of Surprise in Program Year 2022. The City will be managing the majority of the CDBG funding directly. Projects align with the priority needs of the community: create and support affordable housing, invest in public facility improvements in the Original Town Site, support public services, and maintain the administration/planning of HUD funded programs.

#	Project Name
1	Housing Rehabilitation
2	Housing Services
3	Public Facility Improvements
4	Public Services
5	Planning & Administration

Table 26 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City of Surprise chose first-year action plan projects based upon the needs of the community identified in *Human Services & Community Vitality - A Community That Cares* (2019), input from stakeholders and residents, and the recommendation identified in the *Maricopa HOME Consortium - Assessment of Impediments to Fair and Affordable Housing*. The City continues to evaluate past and present projects to ensure that money is being utilized in an efficient manner that best helps solve the challenges faced by Surprise's low- and moderate-income residents.

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Project Summary AP-35

Project Summary Information

1

Project Name	Housing Rehabilitation
Target Area	Surprise Citywide
Goals Supported	Housing Rehabilitation
Needs Addressed	Affordable Housing
Funding	CDBG: $150,000
Description	City of Surprise housing rehabilitation program. Deferred loans and small grants made to eligible Surprise homeowners to make health and safety repairs to their homes.
Target Date	June 30, 2023
Estimate the number and type of families that will benefit from the proposed activities	A total of 20 LMI households will receive assistance for housing rehabilitation projects.
Location Description	Surprise Citywide
Planned Activities **Activity Matrix: 14A, 14H** *24 CFR 570.202(a)(1), 24 CFR 570.202(b)(9 or 42 USC 5305(a)(4)*	The City provides a Housing Rehabilitation Program for privately owned, single-unit homes for LMI households. This also includes all delivery costs (including staff, other direct costs, and service costs) directly related to carrying out housing rehabilitation activities. This may include appraisal, architectural, engineering, and other professional services; preparation of work specifications and work write-ups; loan processing and underwriting; survey, site and utility plans; application processing and other eligible activities.

2

Project Name	Housing Services
Target Area	Surprise Citywide
Goals Supported	Housing Services
Needs Addressed	Affordable Housing
Funding	CDBG: $75,000
Description	Activities will be in support of the HOME program.
Target Date	June 30, 2023

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Estimate the number and type of families that will benefit from the proposed activities	Tenant-based rental assistance will be utilized by 32 households.
Location Description	Surprise Citywide
Planned Activities **Activity Matrix: 14J** *24 CFR 570.201(k) or 42 USC 5305(a)(20)*	Funds will be used to provide direct assistance to low-income households who need help paying their rent. Tenant-Based Rental Assistance (TBRA) is a rental subsidy that helps make up the difference between what a renter can afford to pay and the actual rent for a home.

3

Project Name	Public Facility Improvements
Target Area	Original Town Site
Goals Supported	Public Facility Improvements
Needs Addressed	Public Facility Improvements
Funding	CDBG: $208,763
Description	Improvements to public facilities that serve low- and moderate income persons, or facilities located in LMA areas.
Target Date	June 30, 2023
Estimate the number and type of families that will benefit from the proposed activities	Approximately 200 LMC persons will benefit from the project.
Location Description	Original Town Site
Planned Activities **Activity Matrix: 03A, 03C, 03E, 03L** *24 CFR 570.201(c) or 42 USC 5305(a)(2)*	The City will provide improvements to public facilities that serve homeless or persons at risk of becoming homeless. As well as other eligible expenses under this category.

4

Project Name	Public Services
Target Area	Surprise Citywide
Goals Supported	Public Services

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Needs Addressed	Public Services
Funding	CDBG: $99,000
Description	Services to low- and moderate-income persons who are Seniors, disabled, homeless, or at risk of becoming homeless.
Target Date	June 30, 2023
Estimate the number and type of families that will benefit from the proposed activities	Approximately 250 LMC persons will benefit from the public services.
Location Description	Surprise Citywide
Planned Activities **Activity Matrix: 05Q, 05A, 03T, 05B** *24 CFR 570.201(e) or 42 USC 5305(a)(8) + 24 CFR 570.482(c)(2) + 24 CFR 570.207(b)(4)*	Activities may include funding for Lutheran Social Services - IHELP, crisis assistance, homelessness services, and youth services. The City will also fund eligible activities to support local pandemic response such as the COVID-19 infectious disease.

5

Project Name	Planning & Administration
Target Area	Surprise Citywide
Goals Supported	Planning & Administration
Needs Addressed	Planning & Administration
Funding	CDBG: $133,321 General Fund: $75,000
Description	Expenses related to administering the program, preparing planning documents and reports, fair housing activities, and other eligible expenses under this category.
Target Date	June 30, 2023
Estimate the number and type of families that will benefit from the proposed activities	Planning and administration of HUD programs provides a benefit to all persons in Surprise.
Location Description	Surprise Citywide

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Planned Activities **Activity Matrix: 20, 21A, 21D, 21H** *24 CFR 570.206 or 24 CFR 570.489(a)(3) + 24 CFR 570.206 or 24 CFR 570.205 + 24 CFR 570.206(i)(2) or 42 USC 5305(a)(13)*	Expenses related to administering the program, preparing planning documents and reports, fair housing activities, and other eligible expenses under this category.

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Geographical Distribution AP-50

Geographical Distribution AP- 50 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City will limit low mod area benefit (LMA) to public facility improvements in the Original Town Site (OTS). All of the other projects in the 2022 Action Plan will occur citywide.

The **Original Town Site (OTS)** is the historic center of Surprise. It is just over one square mile, 664 acres in area -- bounded by Bell Road on the north, Dysart Road on the west, Greenway on the south and El Mirage on the east. Grand Avenue (U.S. 60) and the Santa Fe railroad tracks angle through the area, separating the north and south portions of the neighborhood.

The OTS is remarkable in its variety. Existing conditions range from the oldest, original residences and businesses in the City to the Bell Road Corridor shops, restaurants, hotels and offices as well as public facilities, commercial development and new housing within the neighborhood. There are also vacant parcels, properties in need of rehabilitation and marginal land uses that are prime candidates for redevelopment.

Geographic Distribution

Target Area	Percentage of Funds
Original Town Site (OTS)	75

Table 27 – Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City is actively working to improve the Original Town Site (OTS) and has identified the high priority need for public facility improvements.

The Original Town Site (OTS) of Surprise currently includes over 16% of undeveloped lands within its boundaries, in addition to many vacant properties. The ultimate pattern of revitalization supports design strategies and public improvements that capitalize on the cultural aspects of walkability and “front yard-living” that provide the basis for a vibrant, culturally diverse community, while providing regional connectivity and expanded services. Current planning efforts for this area include the Village 1 Plan and the Specific Plan for the revitalization of the OTS. The OTS is also a designated Opportunity Zone.

Discussion

The City will limit low mod area benefit (LMA) to public facility improvements in the Original Town Site (OTS). All of the other projects in the 2022 Action Plan will occur citywide.

DRAFT

Action Plan Barriers to Affordable Housing AP-75

Barriers to Affordable Housing - 91.420, 91.220(j)

Introduction

The City has made affordable housing one of its highest priority needs for the Consolidated Plan year. Actions over the five-year period include the preservation of affordable units through owner-occupied housing rehabilitation, providing rental assistance through tenant-based rental assistance, and the development of new affordable rental units. The lack of multi-family housing in Surprise is one of the biggest contributing factors to the high rental rates in Surprise.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City of Surprise strategy to remove or ameliorate barriers to affordable housing is to leverage resources and develop partnerships to create new affordable housing units. For instance, in the Surprise Heritage District, the City provides financial incentives to promote both residential and commercial development that will aid in the revitalization of the Original Town Site. Incentives include:

• New residential development on parcels zoned either SHD-RO or SHD-CO shall receive a 100% waiver of the City of Surprise Development Impact Fees

• New, qualifying commercial development may request a 100% waiver of Building Plan Review, Building Permit, and City of Surprise Development Impact Fees at the approval of City Council.

In accordance with the Analysis of Impediment Fair Housing Goals, the City of Surprise will review zoning ordinances for areas that restrict housing development. For instance, the City has a lack of multi-family housing with less than 1% of existing residential units being multi-family. Currently, less than .1% of land in Surprise is zoned for multi-family housing. This may be a barrier to the development of new multi-family housing units in Surprise. The City will work with city officials, developers and housing stakeholders to review and develop the zoning ordinances to support more multi-family housing.

Discussion

DRAFT

Other Actions AP-85

Other Actions AP-85 91.420, 91.220(k)

Introduction

The City of Surprise continues to focus on the needs of low- and moderate-income residents and to provide needed services that will help improve their lives.

Veterans, Disability and Human Services Commission

In 2018, the City Council voted to disband the Disability and Advisory Commission and expand it into a new commission, the Veterans, Disability and Human Services Commission. The expanded commission is charged with assisting in the development and/or expansion of city programming related to veterans; people with special needs; and those in need of general human services and workforce development.

In January of 2021 the Veterans, Disability & Human Services Commission finalized their Strategic Plan. The Strategic Plan aligns with the Community Needs Assessment, and will provide recommendations to the Surprise City Council for prioritization of enhanced service delivery infrastructure with the City of Surprise. These recommendations will be based on the expertise of the Commission, as well as the data and highlighted needs outlined in the assessment.

Surprise Community Outreach Program

In an effort to support and grow the quality of life in Surprise, the Mayor and City Council offer the Surprise Community Outreach Program (SCOP). The program provides financial assistance to qualified nonprofits that provide direct services to City of Surprise residents. The Surprise City Council set aside up to $100,000 for FY22. Applicants must provide direct services which improve the health and welfare of Surprise residents.

Actions planned to address obstacles to meeting underserved needs

The City has partnered with Lutheran Social Services for their I-Help program to provide emergency overnight shelter, and homeless services in Surprise. The City of Surprise Police Department has also entered into an agreement with Phoenix Rescue Mission to provide street outreach and case management for Surprise homeless.

The City of Surprise Resource Center provides a central location for local service providers to reach out to persons experiencing homelessness. The Surprise Resource Center is a one-stop-shop for social services. Through strategic partnerships with a growing number of community-based organizations and government agencies, the Center offers Surprise residents connections to services that include everything from rent and utility assistance to employment support to food and nutrition resources. During COVID-19, the Resource Center has administered the federal rental and utility assistance received from Maricopa County, for Surprise and El Mirage

residents.

Programs offered at the Resource Center include:

- Community Action Program (CAP) for Surprise and El Mirage
- Arizona@Work Maricopa County, All Employment Assistance
- Eve's Place - mobile domestic violence advocacy services, A New Life Center – DV support groups
- Adelante Healthcare – WIC Services
- Helping Families in Need (SNAP, TANF, AHCCCS)
- St. Mary's Food Bank (TEFAP), and Kidscafe
- Medicare and Medicaid support counseling
- Benevilla- parent support and education
- LSS I-HELP – homeless services
- Veteran Support

In January of 2021, the VDHS Commission completed a Strategic Plan for addressing the needs identified in the Needs Assessment. The City continues to work with the Commission on the Strategic Plan in Program Year 2022.

Actions planned to foster and maintain affordable housing

The City plans to continue providing owner occupied housing rehabilitation for low- and moderate-income residents in need of health and safety rehabilitation to their homes. The preservation of existing affordable housing is one of the most impactful investments the City can make in fostering affordable housing. In 2020, the City partnered with A New Leaf to administer the City's tenant-based rental assistance (TBRA) program to help eligible residents gain stable and affordable housing.

The development of new affordable rental units remains a high priority for the City. The City will continue to seek out partnerships with housing developers to create new rental unit opportunities.

Actions planned to reduce lead-based paint hazards

The health risks to young children posed by lead-based paint in residential dwellings remains an important issue for both the housing industry and the public health community to address. The City is committed to addressing the challenges faced by young families living in homes with lead-based paint.

Housing Rehabilitation Lead-based Paint

The City of Surprise lead-based paint evaluation and reduction of lead-based paints involves the following areas: notification, lead hazard evaluation; lead hazard reduction, and clearance. All projects are evaluated for applicability to the Lead-Safe Housing Rule, and managed per the standards of the rule. A Neighborhood Services staff member is required to be an EPA certified

Risk Assessor in order to be qualified to evaluate homes for lead hazards, and review third-party testing when developing projects when lead hazards are present. The City is committed to addressing the challenges faced by young families living in homes with lead-based paint.

TBRA Lead-based Paint

TBRA lead-based paint requirements apply to dwelling units occupied or to be occupied by families or households that have one or more children under age six, the common areas servicing the units, exterior painted surfaces associated with such units, and other areas used by unit residents and frequented by children under age six.

Units with tenant-based rental assistance and households with no children under the age of six are exempt from the requirements, except families and households in all tenant-based rental assistance pre-1978 units must receive the lead hazard information pamphlet and disclosure information.

The City of Surprise TBRA activities for units with families or households that have one or more children under age six must include: notification, lead hazard evaluation, lead hazard reduction, ongoing maintenance, and responding to children with environmental intervention blood lead levels.

Actions planned to reduce the number of poverty-level families

The Surprise Resource Center will continue to be a cornerstone of the support structure for poverty level families in Surprise. The Resource Center is a one-stop-shop for social services. Through strategic partnerships with a growing number of community-based organizations and government agencies, the Center offers Surprise residents connections to services that include everything from rent and utility assistance to employment support to food and nutrition resources.

The City of Surprise will provide short and long term rental and utility assistance utilizing HOME and CDBG funding to assist families who are homeless or at risk of becoming homeless to access stable affordable housing. The City's partnership with Lutheran Social Services and HAMC will help families make the transition, and provide stable housing opportunities. The City Council allocated a portion of the American Rescue Plan Act (ARPA) funding for rent and utility assistance to continue support for low-income families impacted by the pandemic.

The City is committed to the best practice that safe and stable housing is the first step to achieving self-sufficiency and elevating out of poverty. In response to the COVID-19 Pandemic and the resulting affordable housing and eviction crisis, the City partnered with A New Leaf, Maricopa County, and the State of Arizona to establish a Housing Support Center. This regional housing center is to prevent and respond to increased homelessness among individuals and families impacted by the COVID-19 pandemic, and to mitigate the spread of the Coronavirus among unsheltered persons, and the community at large. The center will provide non-congregate short term emergency housing, access to Coordinated Entry, rapid re-housing and tenant-based rental assistance. Access to other supportive services will be provided to help move persons into stable housing in under thirty days.

Actions planned to develop institutional structure

The City of Surprise is deeply committed to understanding and providing services to the City's residents. In 2019, the city conducted a Community Needs Assessment with the goal of creating a guiding document which can assist in prioritizing plans, initiatives and programs to meet growing or unmet human service needs in our city. The Community Needs Assessment was used to help determine needs, goals, and projects for the 2020-2024 Consolidated Plan. The VDHS Commission utilized the Assessment to formulate a strategic plan, which was adopted in January 2021.

The City of Surprise Human Service & Community Vitality (HSCV) Department, Neighborhood Services Division, is responsible for the development of the Consolidated Plan, the Annual Action Plan, and the annual CAPER. Neighborhood Services is adequately staffed to manage the complexities of the program, and has a plan of succession when staffing changes. Neighborhood services will work with HSCV staff, other city departments, and Sub-grantees to carry out the Annual Action Plan goals and projects. Neighborhood Services is responsible for monitoring sub-grantee performance and program compliance.

HSCV and Neighborhood Services will work closely with the VDHS Commission to monitor the progress of the Consolidated Plan through annual reviews of the CAPER reporting, and comprehensive review of Annual Action Plans, making adjustments when needed to meet evolving needs.

When funding allows, staff will attend Community Planning & Development program trainings, seminars, and conferences, to grow institutional knowledge and capacity. Training will also be offered to sub-grantees and partners to further strengthen the community's service provider capacity, helping to ensure success.

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Actions planned to enhance coordination between public and private housing, and social service agencies

City staff participate and are members of the West Valley Municipal Human Services Collaborative, Maricopa Regional Continuum of Care, and West Valley Human Services Collective. Staff also regularly meet with the Housing Authority of Maricopa County. The regional stakeholders have a strong history of working together to achieve shared community goals. The City of Surprise Resource Center holds quarterly partner meetings to share available resources and coordinate efforts.

The City is a member of Arizona Housing Coalition, and is committed to the goal of ensuring safe, affordable homes for all Arizonans. These goals include a functional end to homelessness, and providing adequate housing supply. The development of new affordable rental units remains a high priority for the City. The City will continue to seek out partnerships with housing developers and stakeholders to create new affordable housing opportunities.

Discussion

DRAFT

Program Specific Requirements AP-90

Program Specific Requirements AP-90 91.420, 91.220(l) (1,2,4)

Introduction

Projects planned with CDBG and HOME funds for PY2022 are identified in the Projects Table located earlier in the Annual Plan Process. The City does not anticipate receiving program income in excess of $25,000.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Discussion

The City of Surprise intends for 100% of CDBG funding to benefit low and moderate income persons in Program Year 2022. The City will document overall benefit for a period of one year, 2022.

APPENDIX

Appendix

List of Attachments

A- Letter of Submission to HUD

B- City of Surprise Program Year 2022 Alternative Version

C- Program Year 2022 Spending Synopsis

D- Citizen Participation Documents

E- SF424 and Certifications

DRAFT

CITY OF SURPRISE PY2022 CDBG Annual Action Plan Spending Summary			Original Funding Request	VDHS Commission Changes	PY2022 Final Allocation
AFFORDABLE HOUSING					
City of Surprise Housing Rehab/HQS			**$125,000**		**$125,000**
Matrix 14A	Original Funding Request	Match	**Citations: 570.202(a)(1), 570.202(b)(9) Associated Goal: Housing Rehabilitation Outcome: 18 LMH**		
Activity Delivery	$50,000	$40,000			
Capital	$75,000	$0			
Homeowner Accessibiltiy Modifications			**$25,000**		**$25,000**
Matrix 14A	Original Funding Request	Match	**Citations: 570.202(a)(1), 570.202(b)(9) Associated Goal: Housing Rehabilitation Outcome: 2 LMH**		
Activity Delivery	$5,000	$0			
Capital	$20,000	$0			
Support for HOME Tenant Based Rental Assistance			**$75,000**		**$75,000**
Matrix 14J	Original Funding Request	Leverage	**Citation: 570.201(k) Associated Goal: Housing Services Outcome: 11 LMH**		
Capital	$0	$185,000			
Activity Delivery	$50,000				
SUBTOTAL - Housing Activities			**$225,000**	**$0**	**$225,000**
PUBLIC FACILITY IMPROVEMENTS					
Housing Support Center Acquisition (15-year Lease)			**$106,394**		**$106,394**
Matrix 03E, 03F, 03L	Original Funding Request	Leverage	**Citation:570.201(c) Associated Goal: Public Facility Improvements Outcome: 300 LMC**		
Capital	$116,394	$200,000			
Activity Delivery	$0	$0			
Public Facility Improvements			**$102,369**		**$102,369**
Matrix 03E, 03F, 03L	Original Funding Request	Leverage	**Citation:570.201(c) Associated Goal: Public Facility Improvements Outcome: 2,000 LMC**		
Capital	$112,369	$0			
Activity Delivery	$5,000	$0			
SUBTOTAL - PUBLIC FACILITIES			**$208,763**	**$0**	**$208,763**
PUBLIC SERVICES - 15%					
Subrecipient - Homeless Services			**$26,000**		**$26,000**
Matrix 03T	Original Funding Request	Applicant Leverage	**Citations: 570.201(e) Associated Goal: Public Services Outcome: 100 LMC**		
Capital	$24,000	$100,000			
Subrecipient - Housing Support Center Operations			**$58,000**		**$58,000**
Matrix 05Q	Original Funding Request	Applicant Leverage	**Citations: 570.201(e) Associated Goal: Public Services Outcome: 200 LMC**		
Capital	$75,000	$300,000			
SYEP - City of Surprise			**$15,000**		**$15,000**
Matrix 05	Original Funding Request	Match	**Citations: 570.201(e) Associated Goal: Public Services Outcome: 25 LMC**		
Capital	$15,000	$45,000			
SUBTOTAL - PUBLIC SERVICES (HUD maximum 15%)			**$99,000**	**$0**	**$99,000**
City of Surprise General Program Administration (all new funds)			**$133,321**		**$133,321**
SUBTOTAL - PLANNING & ADMINISTRATION (HUD Max. 20%)			**$133,321**	**$0**	**$133,321**
GRAND TOTAL W/ ADMINISTRATION & PLANNING			**$666,084**		**$666,084**
FUNDS AVAILABLE	2022 New CDBG Funds		$666,084		$666,084
	Program Income - City		$0		$0
TOTAL FUNDS AVAILABLE			**$666,084**		**$666,084**
TOTAL REQUESTS IN EXCESS OF FUNDING			**$0**	**$0**	**$0**

Spending Conditions

1) All program income generated from any client, project, or activity receiving CDBG assistance must be reported.

2) If there is an increase in funding of 20% or less when the final allocation is known, the same projects will be funded with Affordable Housing and Public Facility Improvements receiving the increase. If the increase is more than 20%, the substantial amendment process will be followed per the Citizen Participation Plan.

3) At project completion or Program Year end, staff will reallocate any unused subrecipient project funds to the Housing Rehab or Public Facility activities, depending on funding needs, unless through the action plan amendment process.

4) The City or sub-grantees may incur pre-award costs per 2 CFR 200.458, CPD Notice CPD-21-02, and applicable waivers.

SURPRISE
ARIZONA

Program Year 2022 Annual Action Plan

Year two of the 2020-2024 Consolidated Plan

Council Review and Approval

Human Service & Community Vitality | April 19, 2022

Introduction

The City of Surprise is a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding.

The City receives an annual allocation of CDBG as a direct entitlement.

The City receives an annual allocation of HOME funding as a member of the Maricopa HOME Consortium.

Introduction

Each Entitlement City must complete an Annual Action Plan to:

1. Review priority needs and goals
2. Review progress made in past years
3. Select projects to address goals
4. Allocate anticipated funding

Today's Objectives

- Review the Needs and Goals identified in the Consolidated Plan
- Review PY2022 Annual Action Plan (AAP) and Spending Priorities
- Review the selection of Subrecipients
- Approve the PY2022 Annual Action Plan for submission to HUD

HUD Funding

Funding involved:

Community Development Block Grant (CDBG)

Program Year 2022 = $665,000*

HOME funding is approved through the Maricopa County HOME Annual Action Plan. However, we consider HOME funding when creating our plan.

Program Year 2022 = $220,000* (Includes Program Income)

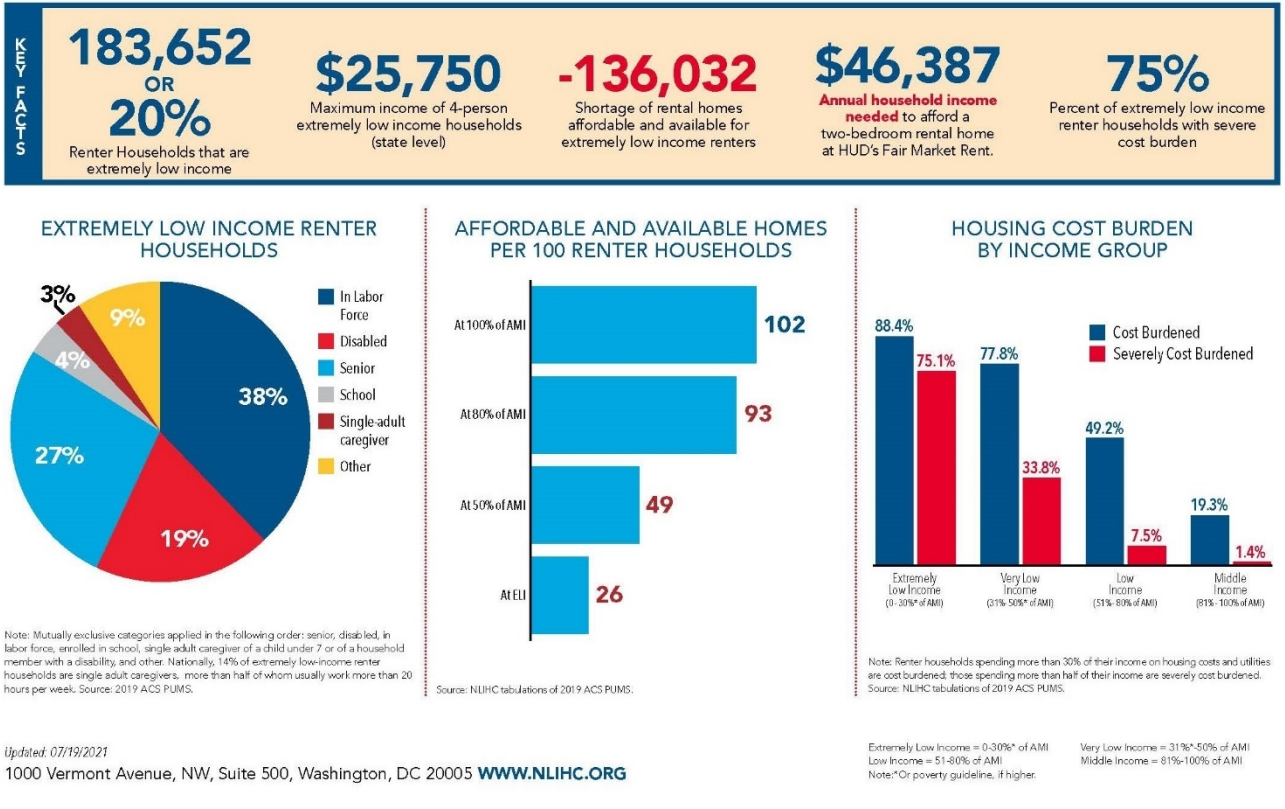
*Pending federal action

Con Plan Identified Needs

High Priority Needs:

1. Maintain and increase the availability of **Affordable Housing**
2. Invest in **Public Facility Improvements**
3. Support **Public Services**
4. Continue the **Planning & Administration** of HUD funded programs

Affordable Housing



Source: NLIHC 2021 Arizona Housing Profile

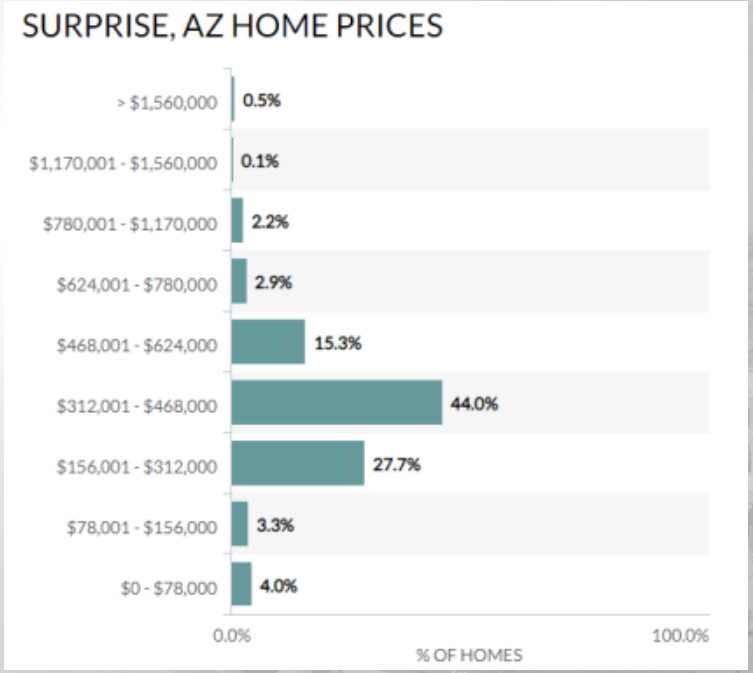
Affordable Housing

Home Values

2019 Median
$300,625

2020 Median
$365,207

Average Market Rent
$2,404



Source: Neighborhood Scout

Affordable Housing

Rent vs Own

Surprise

75.7% Homeownership

Increase 1.4% from 2020

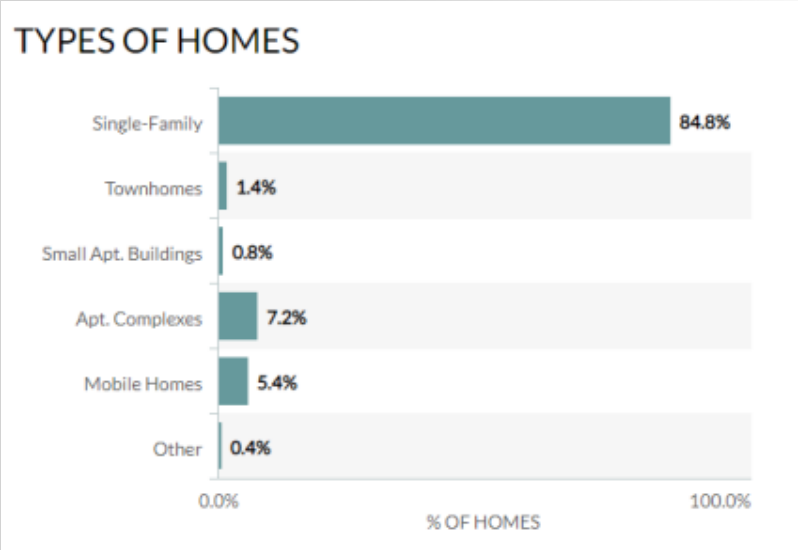
Phoenix-Mesa-Scottsdale

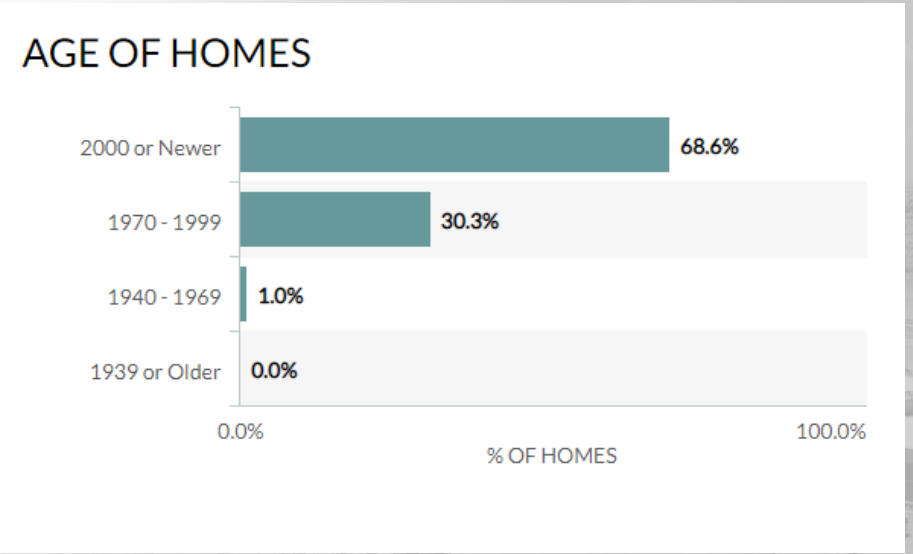
62.4% Homeownership



Source: Neighborhood Scout

Affordable Housing





Source: Neighborhood Scout

Affordable Housing

Program Year 2022 Projects to Address Affordable Housing

1. **Housing Rehabilitation** – Preserve existing affordable housing stock
2. **Tenant-Based Rental Assistance**– Rent and utility assistance for LMI households
3. **Housing Support Services** – provide housing services for persons who are homeless or at risk of becoming homeless

Public Facilities & Improvements

Improve access to housing, resources, and community programs

CDBG funds may be used to undertake a variety of public facilities and improvement projects.

- Infrastructure improvements
- Neighborhood facilities
- Facilities for person with special needs
- Typically publically owned or;
- Owned by a non-profit and open to the general public

Eligible activities include: Acquisition, construction, rehabilitation or installation of public facilities that serve LMI persons.

Public Facilities & Improvements

Program Year 2022 Projects to Improve Public Facilities

1. Acquisition and rehabilitation of a public facility for housing support and access to resources.
2. Improvements to public infrastructure in support of housing development.
3. Neighborhood facility improvements in low – and moderate income areas.

Public Services

The Surprise Community Needs Assessment - The *Human Services and Community Vitality in Surprise - A Community that Cares*, identified critical human service needs for:

- Homeless individuals, families with children, and youth
- Individuals with disabilities and special needs
- LMI individuals and families/youth
- Seniors
- Survivors of Domestic Violence

Public Services

Program Year 2022
Public Services

1. **Homeless Services** – services for persons who are homeless or at risk of becoming homeless.
2. **Housing Support Center Operations –** improve access to housing services and resources.
3. **COVID-19 Response** – public services in response to COVID-19 Pandemic
4. **Youth Services** – workforce training and career development for low-income youth

Planning & Administration

Strict oversight and administration of the federal funds is vital to a successful program and meeting the goals and objectives of the plan. Planning and Administration activities include:

- General program oversight and coordination;
- Preparing budgets, reports and other HUD required documents;
- Monitoring program activities and Subrecipients;
- Fair Housing activities, training; **(Fair Housing Goal)*
- Preparation of comprehensive plans;
- Policy Planning, management and capacity building;
- General environmental studies

Program Year 2022 AAP

Program Year 2022 is the third year of the 2020-2024 Consolidated Plan. The CDBG allocation for Program Year 2022 is **$666,084***

Conditions of Funding:

Planning and Administration is capped at 20% of allocation

Public Services is capped at 15% of allocation

*Pending federal action

Program Year 2022 AAP

To meet the Goals and Objectives identified in the 2020-2024 Consolidated Plan and AI, the following projects are recommended:

- **Housing Rehabilitation – $150,000**
  Deferred loans and grants to help Surprise homeowners make necessary health and safety repairs to their homes
- **Tenant Based Rental Assistance** (*HOME funding) **– $220,000**
  Rent and utility assistance for LMI households
- **Housing Services – $75,000**
  Services in support of the HOME program
- **Public Facility Improvements – $208,000**
  Improvements to public facilities that service LMI persons
- **Public Services (14.9%) – $99,000**
  Services for LMI persons who are homeless or at risk of becoming homeless, impacted by COVID-19
- **Planning & Administration** (20%) **– $133,000**
  Expenses related to administering the program, preparing planning documents, and Fair Housing activities

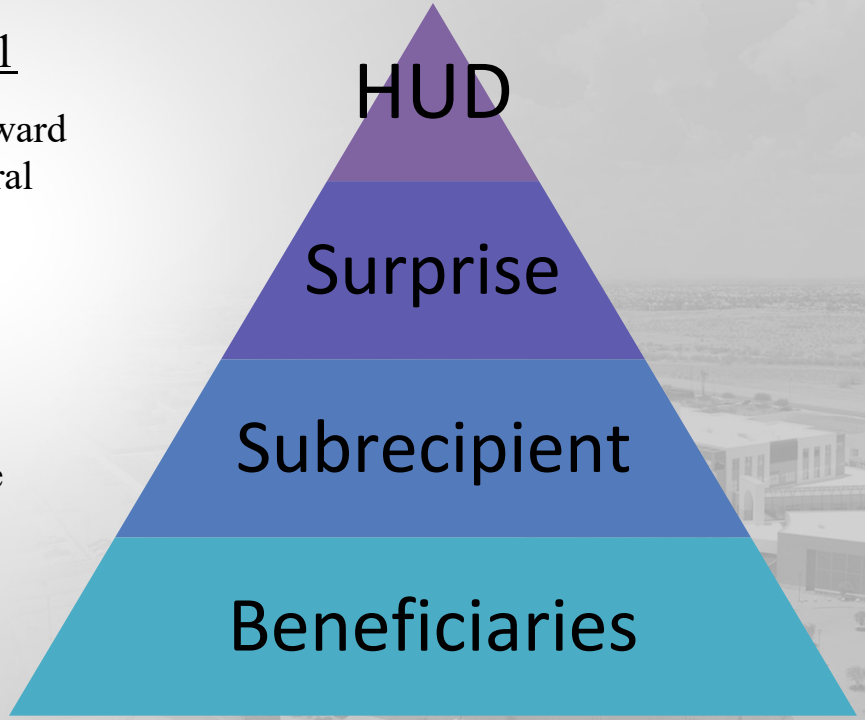
PY2022 Subrecipients

Subrecipient Determination – 2 CFR 200.301

Subrecipient – means an entity…that receives a subaward from a pass-through entity to carry out part of a Federal award (2 CFR 200.201)

Evaluating the Subrecipient

Factors are based on the quality of the project and the capacity of the subrecipient to carry it out.



PY2022 Subrecipients

Subrecipient's for CDBG and HOME funding are evaluated and scored with a set of written criteria

Threshold Criteria

Subrecipient's that do not meet the PASS threshold criteria will not be considered further.

Meet CDBG National Objective	Anticipated to be completed within Action Year	Applicant meets eligibility requirements applicable to proposed project	Applicant meets definiation of a Subrecipient	*Returning Subrecipient- In Compliance with current agreement

Scoring Factors

Subrecipients were scored based on the following factors;

Organizational Capacity (20 points)	Cost (10 points)	Experience working with HUD Funded Programs (20 points)	Method of Approach (15 points)	Partnering/Complementing/Duplicating (5 points)	Consistency with Identified Priority Needs (25 points)	Pledge of Leveraging Resources (5 points)

PY2022 Subrecipients

Staff recommends the following Subrecipient projects for Program Year 2022:

PY2022 Activities	Priority Need	Outcomes
Lutheran Social Services IHELP	Homeless Services	65 (LMC)
A New Leaf – TBRA	Housing Services in Support of HOME	26 (LMC)
A New Leaf – Housing Support	Housing/Homeless Services	150 (LMC)

Citizen Participation

Summary of Citizen Participation and Outreach:

- Stakeholder Meetings
- Community Organization Consultation
- Subrecipient Technical Assistance
- Public Notices
- Press Releases
- Social Media
- Public Hearing on “Needs”

Staff Recommendations

Staff recommends approval of the Program Year 2022 Annual Action Plan for submission to HUD.

What's Next?

March 8th – April 8th

30-Day Review & Comment Period

April 13, 2022

Public Hearing

April 19, 2022

City Council Approves Plan

May 15, 2022

Plan submitted to HUD

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Adam Lane
Human Service & Community Vitality
Neighborhood Services Supervisor

Seth Dyson
Human Service & Community Vitality
Director

CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: April 19, 2022
Submitting Department: Public Works
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:
Presentation and discussion pertaining to City Roadway Standards and Maintenance

Motion:
None; discussion only.

Background:
Presentation on roadway standards and maintenance.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
1. City Roads

SURPRISE
ARIZONA

City Roadways
Pavement 101

Public Works

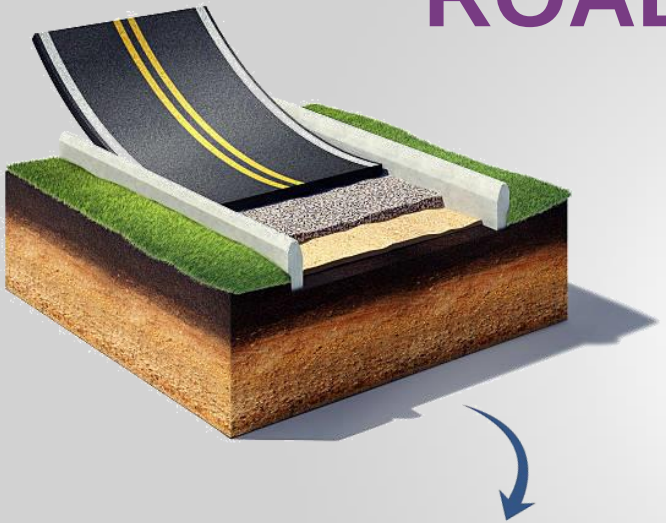
LIFE OF A CITY ROADWAY

Today we will cover…

- Roadway design
- Roadway construction
- Monitoring condition
- Maintaining our roads



ROADWAY DESIGN





City of Surprise Engineering Standards

Provides specific direction and guidelines to design professionals preparing construction documents regarding compliance with applicable codes, standards, stipulations, and policies.

- ✓ Width of roadways
- ✓ Depth of roadways
- ✓ Roadway Material

ROADWAY CONSTRUCTION



The Engineering Inspections Team checks for quality at various stages in the process

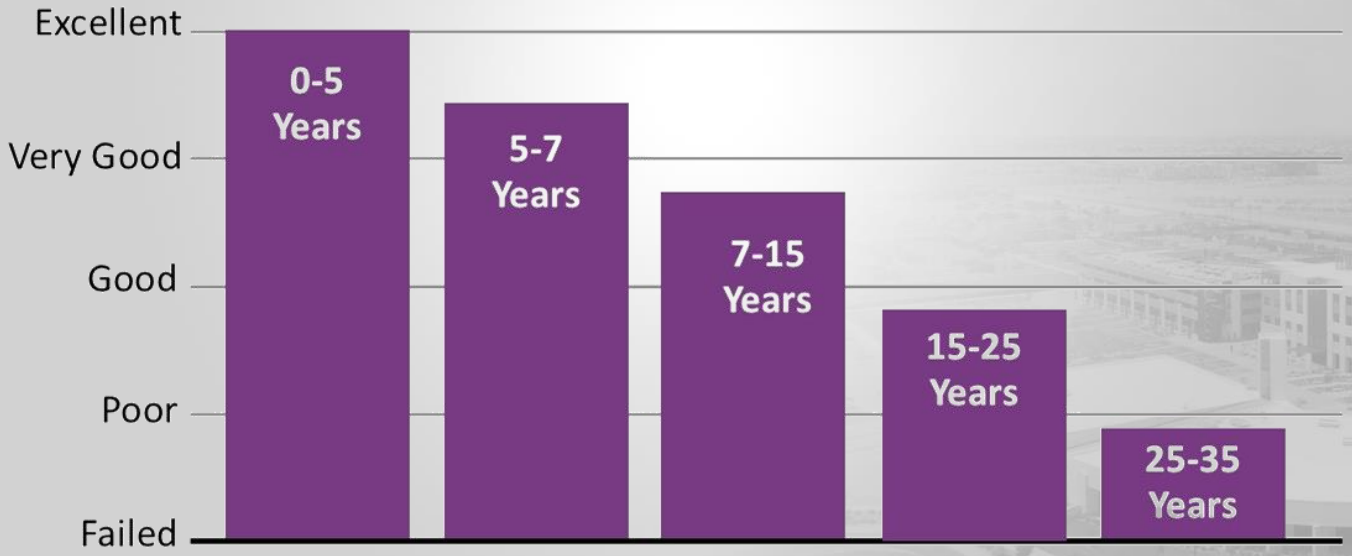
- ✓ Before Placement
- ✓ During Placement
- ✓ Final Walk
- ✓ Warranty Walk

- ✓ Load Tests
- ✓ Density Testing
- ✓ Correlation Testing
- ✓ Sand Cone Testing
- ✓ Nuclear Testing
- ✓ Test Cores
- ✓ Gradation Testing/Sieve Analysis
- ✓ Mix Design reports

QUALITY ASSURANCE

PAVEMENT LIFE

Asphalt pavements, like everything, have a life cycle



PAVEMENT ASSESSMENT





Data Collection

- ✓ Surface Distress
- ✓ Roughness Distress
- ✓ Rutting
- ✓ Structural
- ✓ Right of way imagery

PAVEMENT PRESERVATION

How we monitor pavement condition

Pavement Quality Index (PQI)

Excellent	91 – 100	Preventative
Good	70 – 90	Maintenance
Fair	50 – 69	Maintenance
Poor	20 – 49	Rehabilitation
Very Poor	0 – 20	Reconstruction



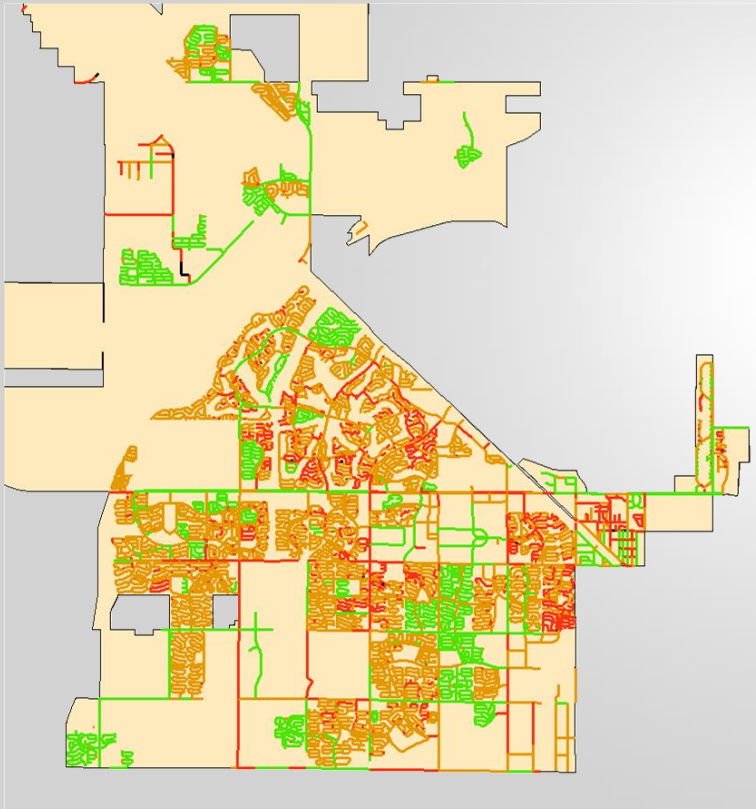
CONDITION EXAMPLES







PAVEMENT ASSESSMENT



Present Status

Good (PQI ≥ 70)	(63%)
Fair (50 ≤ PQI < 70)	(31%)
Poor (20 ≤ PQI < 50)	(6%)
Very Poor (PQI < 20)	(0%)

PQI = Pavement Quality Index (rating)

PAVEMENT PRESERVATION

Treatment Types

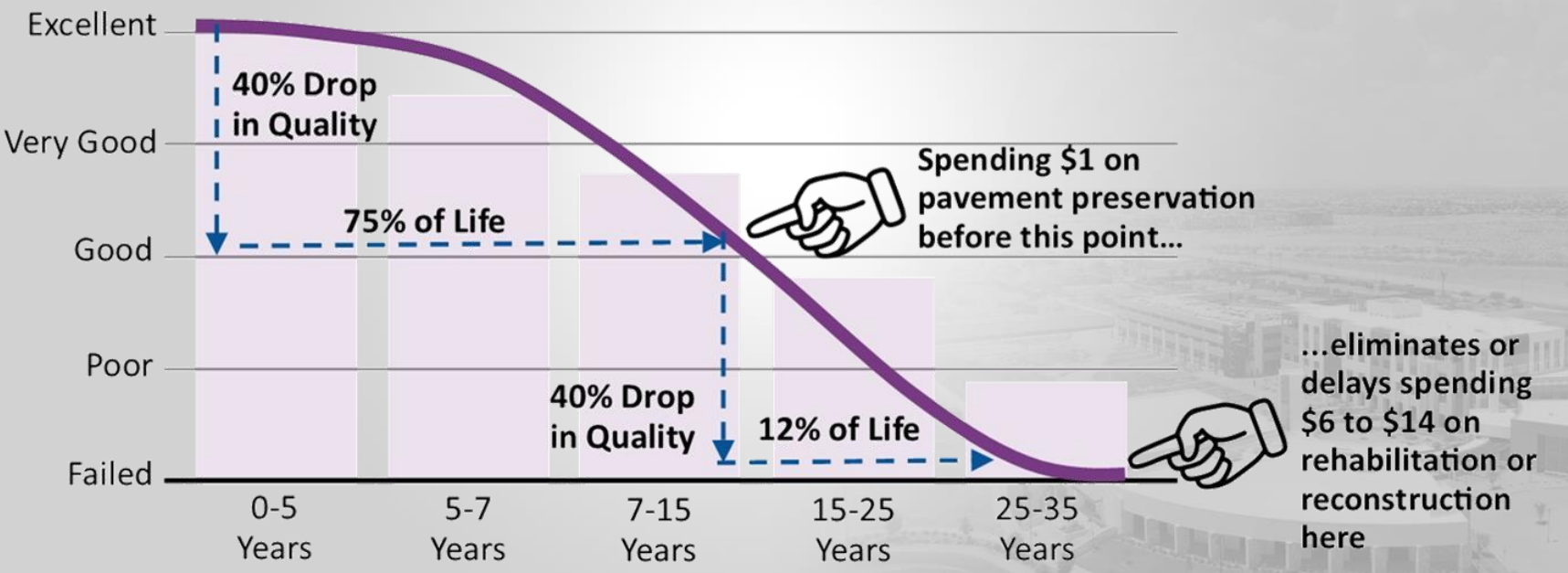
- Seal Coat ($0.99/SY)
- Type II Slurry ($2.52/SY)
- Chip Seal ($2.88/SY)
- Type III Micro ($3.33/SY)
- Mill/Overlay ($14/SY)
- Mill/Bonded Wearing Coarse ($24/SY)



Chip Seal - Central Street

SY = Square Yards of material

PAVEMENT PRESERVATION

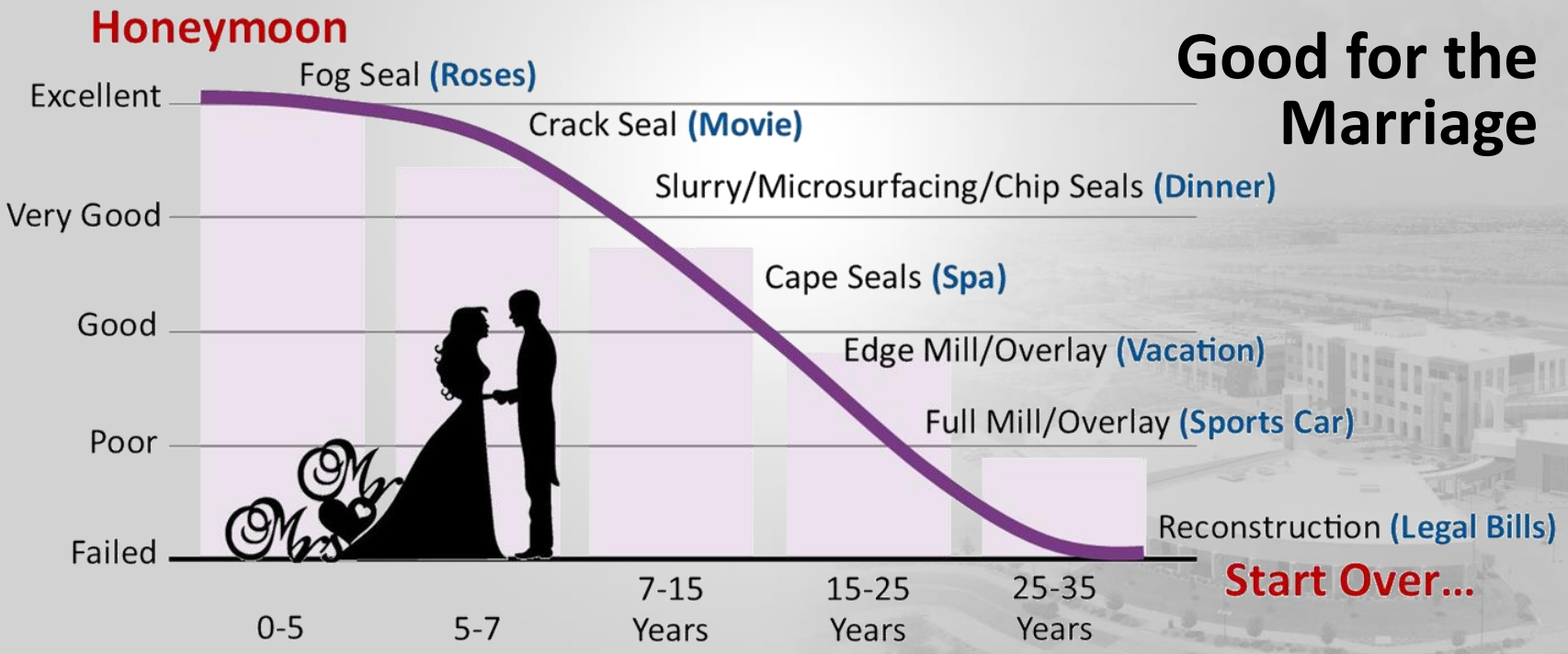


Source: National Center for Pavement Preservation

PAVEMENT PRESERVATION

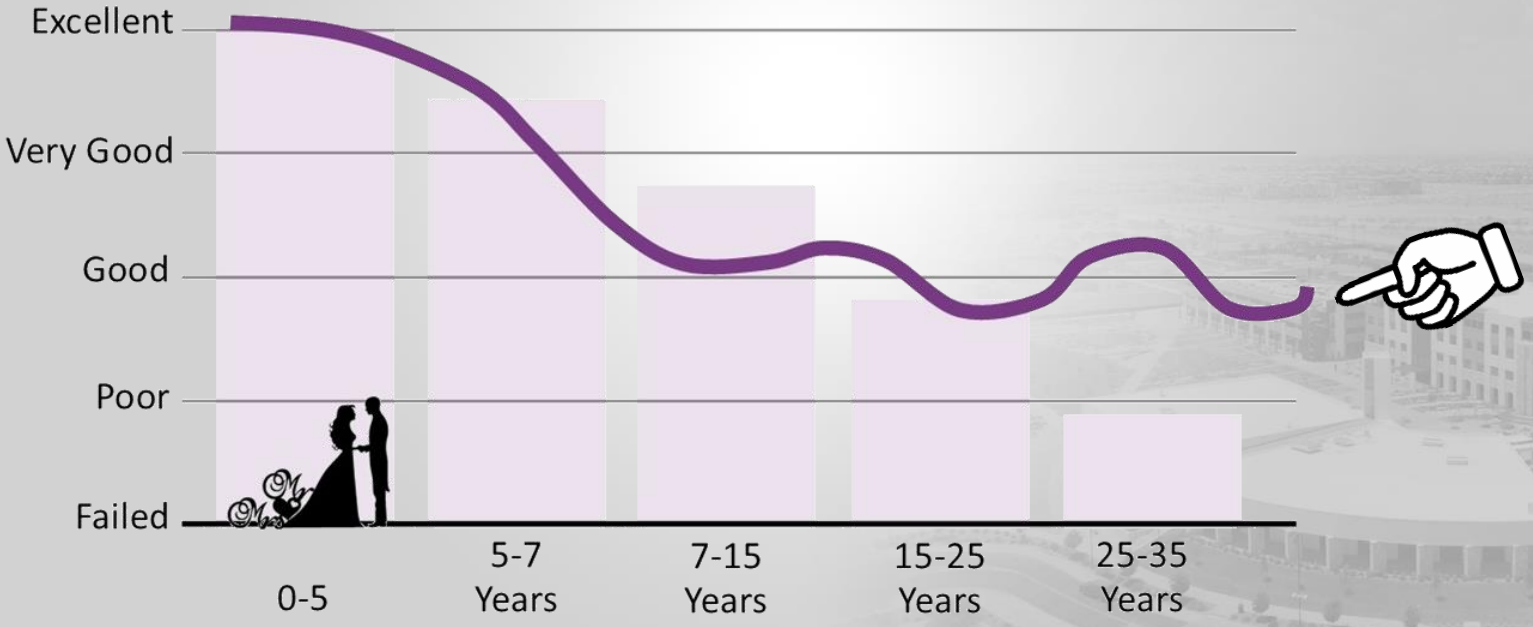
Good for the Road….

Good for the Marriage



PAVEMENT PRESERVATION

Maintain at a healthy level



PAVEMENT PRESERVATION BUDGET

Historical Data

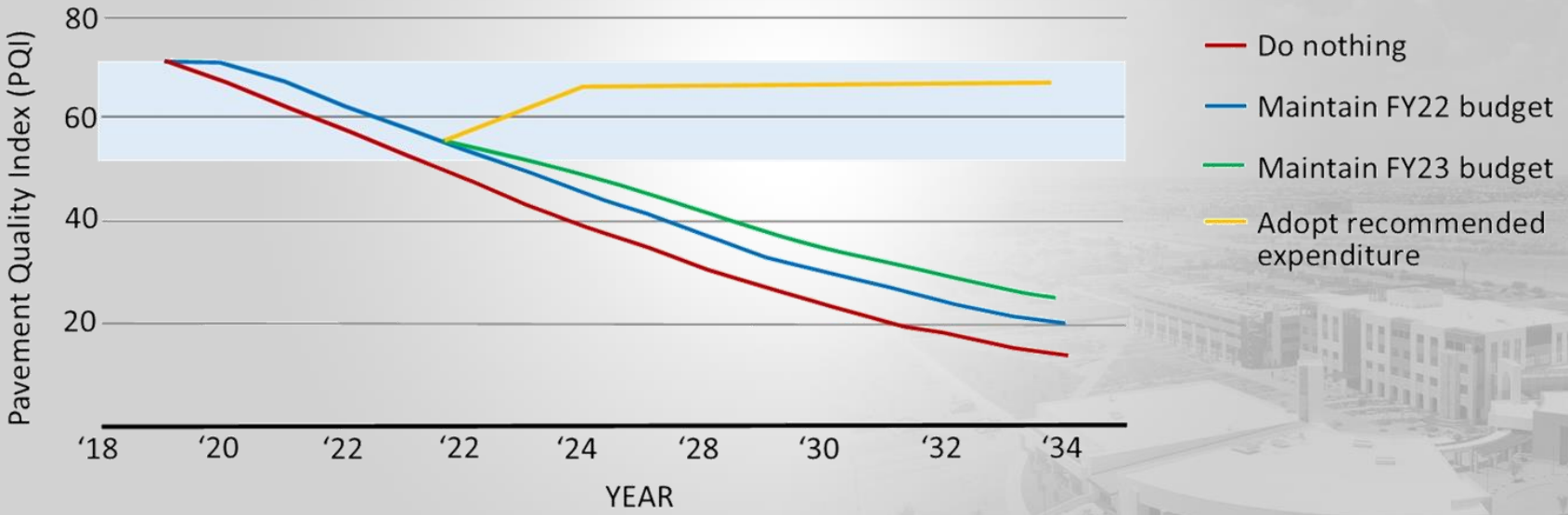
Year	Lane Miles	Rating	Budget	Investment per Lane Mile	Recommended Budget	Recommended Investment per Lane Mile
2009	1196	79	$4.5M	$3,762		
2015	1244	76	$4.5M	$3,617		
2019	1347	71	$4.5M	$3,340	$8.1M**	$6,013**
2022	1582	65	$4.5M	$2,844		
2025	1697*	49*	$4.5M*	$2,651*	$10.2M***	

* Projected numbers with the same budget

** Based on a roadway inventory in 2019, The recommended maintenance expenditure to maintain good-to-fair road condition for **existing** Surprise roadways averages $8.1M annually over the next 10 years

*** Recommended budget, based on a $6,013 per lane mile investment to maintain good-to-fair roads

PRESERVATION BUDGET



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You