



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, February 7, 2023 @ 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

Teen Dating Violence Prevention Awareness Month Proclamation

E. City Manager Report

F. City Clerk Report

- | | | | |
|----|----------|---|--------------------------------------|
| 1. | Internal | Consideration and action to appoint Appellate Judge, the Honorable Brian Y. Furuya, to the Judicial Selection Advisory Commission to replace retiring Appellate Judge, the Honorable Peter Swann, for the term of December 1, 2022 to December 1, 2025. | 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:

- | | | | |
|-----|------------|--|---|
| 1. | Internal | Consideration and action to approve the Regular Council Work Session and Regular Council Meeting Minutes of January 17, 2023. | None

Sherry Aguilar
City Clerk |
| 2. | District 3 | Consideration and action to approve a request by Lauren Kay Merritt for a Series 006 (Bar) Liquor License for FAT CATS ENTERTAINMENT CENTER located at 13100 N. Prasada Parkway, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 3. | District 3 | Consideration and action to approve a request by Perry Charles Huellmantel for a Series 010(Beer and Wine Store) Liquor License for QUIKTRIP #415 located at 16821 W. Bell Road, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 4. | District 3 | Consideration and action to approve a request by Jeffrey Craig Miller for a Series 012 (Restaurant) Liquor License for Cooper's Hawk Winery & Restaurant located at 16470 W Alexandria Way, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 5. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Morgan-Harris Estates", and dated December 14, 2022, a property located at the southeast corner of 163 rd Avenue and Dale Lane; Case FS22-1061. | None

Tanner Wessel
Community
Development |
| 6. | District 1 | Consideration and action pertaining to approval of the Rancho Vista Alternative Assurance Agreement. |

Kristin Tytler
Public Works |
| 7. | District 3 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11A, B, and C; Resolution # 2023-09. |

Kristin Tytler
Public Works |
| 8. | Citywide | Consideration and action pertaining to acceptance of the City's Arizona Lottery Fund (ALF) allotment for FY2023 in the amount of \$364,134; Resolution #2023-11. |

Kristin Tytler
Public Works |
| 9. | Citywide | Consideration and action pertaining to approval of an amendment to the Comprehensive Citywide Fee Schedule by revising and adding new parks and recreation fees; Resolution #2023-13. |

Holly Osborn
Parks and
Recreation |
| 10. | Citywide | Consideration and action pertaining to approval of an amendment to the FY2023 Budget by moving budget authority of \$12,800 from the General Contingency to Project G31061 to account for acceptance of Justice Assistance Grant (JAG) funding distributed pursuant to an Intergovernmental Agreement with the City of Phoenix; Resolution #2023-15. | None

Benny Pina
Police |
| 11. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority in the amount of \$18,000 from Contingency within the Grants Fund to grant project G31365 FFY23 Joint Law Enforcement Operations (JLEO) and authorizing acceptance of a grant award from U.S. Department of Justice (DOJ), U.S. Marshals Service, to cover overtime expenses associated with the | None

Benny Pina
Police |

participation of one Surprise Police Officer in the JLEO Task Force from October 2, 2022 to September 30, 2023; Resolution #2023-16.

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|-----|----------|---|-----------------------|
| 12. | Citywide | Consideration and action pertaining to adoption of the proposed amendments to the City of Surprise [City Council] Policies & Procedures Manual and Boards & Commissions Handbook. | Robert Wingo
Legal |
|-----|----------|---|-----------------------|

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|--|
| 13. | Citywide | Presentation and discussion pertaining to the City of Surprise Public Libraries | None

Kelsey Lamphier
Arts, Culture &
Library Department |
| 14. | Citywide | Presentation and discussion pertaining to Arizona's Open Meeting Law. | Robert Wingo
Legal |

- 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

POSTED: Thursday, February 2nd, 2023 @ 12:00 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

Consent: No	Regular: No	Public Hearing: No	Report/Discussion: No
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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: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:
Teen Dating Violence Prevention Awareness Month Proclamation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

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

Consideration and action to appoint Appellate Judge, the Honorable Brian Y. Furuya, to the Judicial Selection Advisory Commission to replace retiring Appellate Judge, the Honorable Peter Swann, for the term of December 1, 2022 to December 1, 2025.

Motion:

I move to appoint Appellate Judge, the Honorable Brian Y. Furuya, to the Judicial Selection Advisory Commission to replace retiring Appellate Judge, the Honorable Peter Swann, for the term of December 1, 2022 to December 1, 2025 as recommended by the Chief Justice of the Arizona Supreme Court.

Background:

The City maintains a Judicial Selection Advisory Commission (JSAC) for the purpose of evaluation and making recommendations with regard to the selection of the best qualified individuals for the position of presiding and associate city judge, and the performance of incumbent presiding and associate city judges applying for reappointment.

The membership of the JSAC is established by Section 30-41 of the Surprise Municipal Code. The membership includes: "(a)(1) An appellate court judge to be recommended for appointment by the Chief Justice of the Arizona Supreme Court..." The current Appellate Judge appointed to the JSAC, the Honorable Peter Swann, is officially retiring and a replacement has been recommended by the Chief Justice of the Arizona Supreme Court.

This item will appoint Appellate Judge, the Honorable Brian Y. Furuya, to the Judicial Selection Advisory Commission based on the recommendation of the Chief Justice in compliance with the Surprise Municipal Code.

Objective Analysis:

N/A

Policy Compliant:

This appointment is consistent with the Surprise Municipal Code provisions for appointment of an appellate judge to the City's Judicial Selection Advisory Commission.

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. Honorable Brian Furuya 2023-13
-

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:	)	
	)	
APPOINTMENT OF A JUDGE OF THE	)	Administrative Order
COURT OF APPEALS TO THE CITY	)	No. 2023 - <u>13</u>
OF SURPRISE JUDICIAL SELECTION	)	
ADVISORY COMMISSION	)	
_____	)	

Pursuant to Article III, § 30-41 of the City of Surprise Municipal Code, the Chief Justice is responsible for appointing a judge of the Arizona Court of Appeals as a member of the City of Surprise Judicial Selection Advisory Commission. Therefore, after due consideration,

IT IS ORDERED, nunc pro tunc, that the Honorable Brian Y. Furuya, Arizona Court of Appeals, Division One, is appointed as a member of the City of Surprise Judicial Selection Advisory Commission for a three-year term beginning December 1, 2022 and ending December 1, 2025.

Dated this 11th day of January, 2023.

ROBERT BRUTINEL
Chief Justice



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

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

Agenda Wording:

Consideration and action to approve the Regular Council Work Session and Regular Council Meeting Minutes of January 17, 2023.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 01172023 Work Session Minutes
 2. 01172023 Regular Council Meeting Minutes
-

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

Tuesday, January 17, 2023 @ 4:00PM

- A. Call To Order

Mayor Hall called the Regular Council Work Session of Tuesday, January 17, 2023 to order at 4:00 p.m. at the Surprise City Council Chambers located at 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

- B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Aly Cline, Councilmembers Jack Hastings, Ken Remley, Patrick Duffy, Nick Haney and Chris Judd.

- C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

- D. Proclamation and Community Acknowledgements - N/A

- E. City Manager Report - N/A

- F. City Clerk Report - N/A

- G. Call To The Public

No call to the public received.

1. Presentation and discussion pertaining to proposed revisions to the City Council Policies and Procedures Manual and the Boards and Commissions Handbook.

City Attorney Wingo gave a detailed powerpoint presentation on this item.

Mr. Wingo thanked the Rules Committee Members and explained that he met with the Rules Committee in length and from the meetings, we came up with

the following recommended changes. He commented this was a productive process.

Key points reviewed included: Social Media Accounts & Supreme Court cases; implementation and enforcement, Advocacy, speaking off the record, policy role of members/chain of command, conflict of interest and gift clause to name a few.

Councilmember Remley gave a hypothetical scenario about conflict of interest. Attorney Wingo replied with that scenario would have to recuse themselves. Each situation will need to be reviewed.

Attorney Wingo continued with the presentation to highlight Rule 10 - Accepting gifts, favors or benefits. Title 38 outlines what is permissible. He further commented that Council should refrain from accepting gifts, but if you do, you need to account for it by filing with the City Clerk.

Vice-Mayor Cline thanked Attorney Wingo for simplifying the procedures so that it is clear, less restrictive and easier to follow.

Attorney Wingo continued on to the topic Motion to reconsider - Motion 12 To Reconsider. He explained what this means as far as what is stated in Robert's Rules of Order, but realizes there needs to be some flexibility. We will propose to extend to the next regular meeting to reconsider.

Councilmember Remley gave an example of a Rental Ordinance that was adopted a few years ago and what if over time Council didn't like the ordinance, could it be repealed? Attorney Wingo commented that this is the current process for repealing, bringing items back as to repeal.

Attorney Wingo continued the presentation to cover the Boards and Commissions Handbook. Topics highlighted were attendance policy, residency requirements, conduct at meetings, conflict of interest, gift clause and board member terms were topics covered. These changes will mirror City Council policies to clarify and easier to follow.

Attorney Wingo also reviewed Executive Session rules and the difference from a board and commission and the City Council. This section will be amended to include the two reasons that may occur for a few of the boards so that this is consistent.

Potential city code revisions may include Board/Commission Term Limits and Uniformity of members.

Councilmember Judd commented that pertaining to the motion to reconsider may be an issue for a few of the Boards that only meet as needed or every 3 months. How will this be handled? Attorney Wingo commented that one solution will be to call a Special Meeting if needed, or specify a time certain. This is a valid concern. Do you have a recommendation? Councilmember Judd commented that he recommends to follow how we set up for Council with a two week time period was suggested.

Attorney Wingo commented that he welcomes any suggestions from Council and to please send them to him for review. He will bring forward a recommendation to the Council for consideration.

2. Presentation and discussion pertaining to the Fiscal Year 2024 Budget kickoff.

Finance Director, Andrea Davis and Assistant Finance Director, Eric Boyles gave a detailed powerpoint presentation on this item. Topics of discussion included the State Budget Calendar, tentative budget adoption calendar, property tax levy timeline and public notice requirements. Ms. Davis commented this is the kick-off meeting to explain the timeline and what is expected over the next few months.

Vice-Mayor Cline commented that during the budget process last year, staff assisted with explanations and literature explaining the property tax and budget process in detail, and when was the last time the rate was increased. This was very helpful in ensuring that property taxes were not being increased by the City, but that the value of their home was increasing. This was a proactive process that made all the difference in the world.

Ms. Davis continued the presentation on presenting a balanced budget.

Mayor Hall commented on constructions sales tax, is it considered a one time? Ms. Davis commented that is correct.

Councilmember Remley commented about Capital money we receive for plans and permits, when things are going good it's easy to say we have to spend it, when things are going bad, we are glad we have it.

Councilmember Remley asked about the Bond for capital improvements, good rate at the time, current rating is even better. He commented that he would like for us to be able to retire some of the debt earlier.

Ms. Davis and Mr. Boyles ended the discussion with a review of the budget timeline.

- L. Adjournment

Mayor Hall asked for a motion to adjourn. Vice-Mayor Cline made the motion to adjourn the Regular Council Work Session of January 17, 2023 @ 5:14 p.m. Seconded by Councilmember Hastings. 7 yes votes to adjourn, 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, January 17, 2023.

Sherry Ann Aguilar, City Clerk, MMC

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

Tuesday, January 17, 2023 @ 6:00PM

A. Call To Order

Mayor Hall called the Regular Council Meeting of Tuesday, January 17, 2023 to order at 6:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Alyson Cline, Councilmembers Jack Hastings, Ken Remley, Patrick Duffy, Chris Judd, and Nicholas Haney.

1. Invocation - Pastor Cliff Mansley gave the invocation.

C. Pledge of Allegiance

Pledge of Allegiance was led by Imagine Rosefield Elementary School Character Council

D. Proclamation and Community Acknowledgements

None issued.

E. City Manager Report

Annual Firefighter and Police Officer of the year award
Glen Stark and Greg Akers from VFW Post #285 will present the Annual Firefighter of the year award to Roy Michael and the Police Officer of the year award to Ariel Tejada.

Youth Council Reports:

Layla Nguyen 12th grade at Liberty High School
Maddie Mize 8th grade at Paradise Honors Middle School

Mrs. Nelson and Mrs. Lang Character Council, Dr. Jordan were recognized.
Student John Varney, 5th grader Imagine Rosefield - gave update on attending and topic of bullying.

Student Amber Smith gave a report on serving as a Character Council Member.

F. City Clerk Report

2. Consideration and action pertaining to selection of a Vice Mayor and directing the City Clerk to administer the Oath of Office.

Councilmember Judd was selected to serve as Vice-Mayor. Vote was conducted by written ballot.

G. Call To The Public

No call to the public requests received.

CONSENT AGENDA:

Vice-Mayor Judd made the motion to approve the Consent Agenda minus item #9. Councilmember Duffy seconded the motion. 7 yes votes, motion carried.

1. Consideration and action to approve the Regular Council Meeting Minutes for January 3, 2023.

2. Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) with the City of Glendale to utilize Glendale's hosted and developed municipal tax application; Resolution #2023-02.

3. Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada, Phase I Unit A Lot 409 & Tract A" and dated November 16, 2022, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS22-1181.

4. Consideration and action pertaining to approval of the Final Plat entitled, "Marley Park Promenade Amended" and dated October 10, 2022, a property located at the northeast corner of Cactus Road and Reems Road; Case FS22-1093.

5. Consideration and action pertaining to the Final Plat entitled, "Heritage Asante – Parcel 7" and received November 30, 2022, a property generally located north of Grand Avenue and west of Pat Tillman alignment; Case FS22-1268.

6. Consideration and action pertaining to approval of the Final Plat entitled, "Final Re-Plat Toll at Prasada, Unit J – Phase 3" and date received December 1, 2022, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS22-0742.

7. Consideration and action pertaining to the renewal and acceptance of the FFY2023 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Agreement and amending the FY2023 budget by moving budget authority of \$39,700 from Contingency within the Grants Fund to Project #G31245 FFY23 DEA Task Force;

Resolution #2023-06.

8. Consideration and action pertaining to approval of the Final Plat entitled, "Windstone Ranch Phase 1" and received on September 19, 2022, a property generally located at the northeast corner of Happy Valley Road and 151st Avenue; Case FS21-1007.

9. Consideration and action appointing members to the Surprise Redistricting Advisory Committee with terms of service until such time as the Committee's redistricting recommendations have been presented to the City Council in accordance with Resolution #2023-05.

Councilmember Remley requested that this item be removed from the Consent Agenda to remove the District 4 Representative who withdrew. Mr. Remley commented that he will bring forward another recommendation over the next few days.

Councilmember Remley made the motion to approve this item with removal of District 4 Representative , Karen Bellamare. Seconded by Councilmember Cline. 7 yes votes, motion carried.

10. Consideration and action pertaining to the 2023 Legislative Agenda.

Government Relations Program Director, Jodi Tas gave a detailed powerpoint presentation on the 2023 Legislative Agenda. Ms. Tas briefly reviewed last year's legislative process.

Some of the key topics for this presentation included defining the City's legislative priorities and core values for the 2023 session, provide direction to Government Relations to ensure the City is actively engaged at the U.S. and State Capitols, Transportation, Land Use Planning, Public Safety, Economic Development, Water and Sustainability, Protect the Mission of Luke Air Force Base were some of the key topics for this session.

Mayor Hall thanked Ms. Tas for everything she does with the legislature, your voice is very impactful, and the Council appreciates what you do. We have an active legislature, and some have made it known, they are anti-City.

Councilmember Haney also thanked Ms. Tas for her advocacy efforts at the Capitol. I did an internship at the Capitol. I am pleased to see that the 303 and Grand is at the center of discussion, the traffic in this area is a nightmare. Can you provide updates on where we are on this? Md. Tas gave an updated of where the discussions and funding are at on this. We are working with several Legislative members for LD28 & LD29, submitted HB 2107 bill that would provide funding for alternatives for Loop 303 and Grand Avenue. Will provide updates as they occur.

Councilmember Cline asked Ms. Tas for a link to the AZLEG.COM, I would be happy to send out to my residents in District 2 so they can provide comments for their support on the Grand and Loop 303 issues.

Councilmember Hastings made the motion to approve the 2023 Legislative Agenda. Seconded by Councilmember Duffy. 7 yes votes, motion carried.

11. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority of \$450,000.00 within the Municipal Art Fund from contingency to Project R51020 for the Stadium Art Project; Resolution #2023-03.

HSCV Administrator for HSCV, Danielle Osborn and Arts & Cultural Advisory Commission Chair, Rhiannon Miett gave a detailed powerpoint presentation on this item.

Ms. Osbourne commented that through a procurement process, RSP Architects, Tempe, AZ. a 3 member team, has been selected for this art project. Draft drawings were reviewed in the powerpoint presentation.

Councilmember Duffy commented that he likes both designs being presented tonight especially the last slide with art turf, that makes it more interactive.

Councilmember Cline commented that some of the comments coming from the residents are that they want to know all art that we have currently in the City, and how it is being paid for. The proposed art gives us a different look and she thanked staff for their work on this.

Vice-Mayor Judd commented that this is a really cool project, and asked if this was part of the capital project funding? Ms. Osbourne explained that funding for this project is not tied to the bond funding. She further explained the criteria for qualifying for the bond funding that was approved in 2016.

Mayor Hall commented that he really likes the proposal but questioned the lighting component, is it strip lighting built in to it? Ms. Osbourne clarified there will be up lighting. Mayor Hall was pleased to hear that the paint will last a long time and not fade and asked for clarification on a completion time. Ms. Osbourne walked Council through the timeline. Estimated completion for Spring Training 2024.

Councilmember Remley commented that he is glad we adopted a process for setting aside 1.33% for an art fund. He asked if we could recognize the City Hall property where we have an old runway, maybe mount one of the old World War II planes on this site.

Councilmember Cline made the motion to approve Resolution No. 2023-03. Seconded

by Councilmember Duffy. 7 yes votes, motion carried.

12. Consideration and action authorizing the City of Surprise to pursue, and apply for, financial assistance from the Water Infrastructure Financing Authority (WIFA) in an amount not to exceed \$35,000,000 for the SPA 1 Capacity and Enhancements Capital Improvement Project, P71490; Resolution #2023-07.

Water Services Director, Michael Boule and Finance Director, Andrea Davis gave a detailed powerpoint presentation on this item.

Mayor Hall asked for clarification of the areas this will serve.

Councilmember Remley asked for an explanation of why we use recharge basins instead of a well and over time, will this result in higher rates? Mr. Boule gave an explanation of the benefits on recharge.

Ms. Davis explained the financial components and interest rates.

Councilmember Cline commented that it is her understanding that the upgrade from wells to the basin will be a better product than what we have right now and will allow for many years of future growth. Mr. Boule concurred.

Vice-Mayor Judd commented that growth pays for itself. With 5 facilities, what is going to happen to Plants 1 and 2? Mr. Boule replied that currently, Plants 1 & 2 are being utilized by Gateway College learning lab for hands on training. In the future, they may be other opportunities to add another piece of the bio-solids dryer with the existing clarifiers. Plant 3 is still in service today and has the adequate air to continue service.

Councilmember Duffy asked what happens if the City didn't do anything? How long will it serve?

Councilmember Haney asked, "how do these improvements impact residents in District 1"? Mr. Boule replied that these plants will cover all areas of the City.

Councilmember Remley commented that there was an issue in Litchfield Manor that had to do with the covering of the pond. He asked if there will there be reclaimed water areas in new communities coming in? Mr. Boule said that we are always looking for communities to convert to reclaimed water.

No other comments received.

Councilmember Cline made the motion to approve Resolution No. 2023-07.
Councilmember Remley seconded the motion. 7 yes votes, motion carried.

13. Consideration and action pertaining to a continuance of the application for a Major PAD Amendment to the Vista Montanas Planned Area Development as memorialized in Ordinance #2022-20, to a date certain of March 21, 2023.

Community Development Director, Lloyd Abrams asked for continuance of this item.

Councilmember Haney thanked staff for allowing him an opportunity to connect with the residents of District 1 since recently being elected to District 1.

Councilmember Haney made the motion to continue Ordinance No. 2022-20 to March 21, 2023. Seconded by Councilmember Cline. 7 yes votes to continue to March 21, 2023. Motion carried.

I. Other Business and Future Agenda Items

Councilmember Hastings asked for a work session topic on Open Meeting Law. Seconded by Councilmember Cline.

J. City Council Reports

Councilmember Haney reported that he is holding his 1st District 1 Meeting January 26th - 6:00 p.m. at Asante Library; attended the Martin Luther King event at the Vista, it was an amazing event.

Councilmember Cline announced upcoming District 2 Meetings at Sun City Grand Tuesday, January 24th @ 6:00 p.m. and Arizona Traditions on Friday, January 27th @ 10:00 a.m. and Monday, January 30th at 10:00 a.m. in the ballroom; Will be attending Valley Metro Meetings coming up; Winter Household Hazardous Waste Collection starting tomorrow.

Councilmember Duffy announced the grand opening of the new Park at Countryside on Friday 10:00 a.m.

Vice-Mayor Judd also commented on the Grand Opening of Countryside Park on Friday at 10:00 a.m. and Wednesday night, Community meeting at Taps House. Thanked Council for selection of Vice-Mayor.

Councilmember Hastings - No report.

Councilmember Remley commented that the Vista performing arts center has some great events taking place, everyone should check out the website and schedule of events.

Mayor Hall announced that this Sunday, January 22nd, is Sunday in the Park. Live music of Thadius Rose Band and food trucks at Mark Coronado Park.

K. Executive Session

No Executive Session was held.

L. Adjournment

Councilmember Cline made the motion to adjourn the Regular Council Meeting of Tuesday, January 17, 2023 @ 7:42 p.m. Seconded by Vice-Mayor Judd. Unanimous vote to adjourn. 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, January 17, 2023.

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 3

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

Consideration and action to approve a request by Lauren Kay Merritt for a Series 006 (Bar) Liquor License for **FAT CATS ENTERTAINMENT CENTER** located at 13100 N. Prasada Parkway, Surprise, AZ. 85388.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. FAT CATS - 13100 N Prasada Pkwy - REPORT
 2. FAT CATS MAP - 13100 N Prasada Pkwy MAP
 3. Finance Report Fat Cats
 4. Fire Report 13100 N Prasada Pkwy Fat Cats Liquor License
 5. Police Fat Cats Entertainment
 6. ADLLC Fat Cats Report
-



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 19, 2023
To: Sherry Aguilar, City Clerk
From: Lloyd Abrams, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

**Agent, Lauren Kay Merritt
Fat Cats Entertainment Center
13100 N. Prasada Parkway
Surprise, Arizona 85388
Series 06 (New Application - Bar)- Application # 223155**

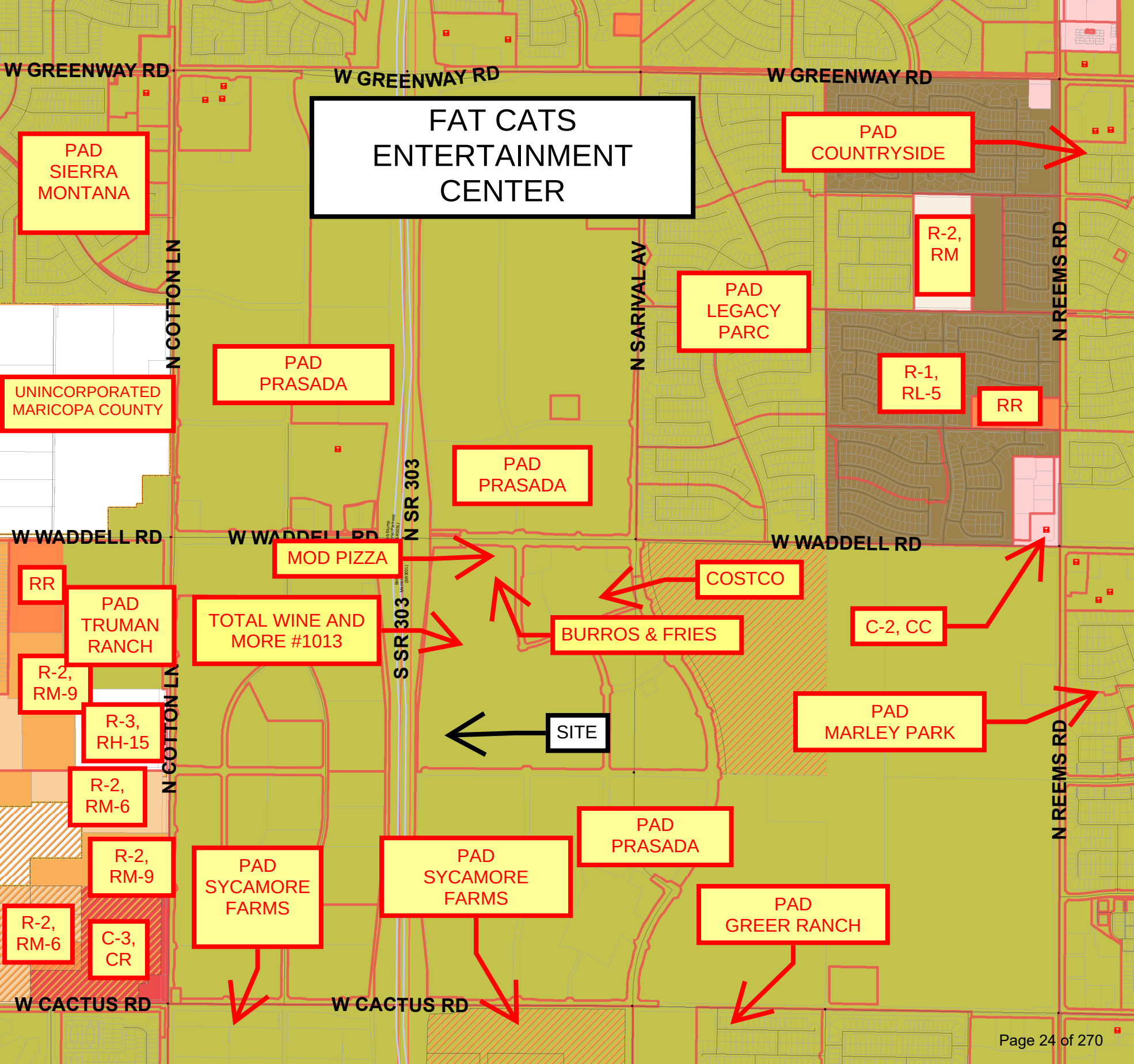
The number and series of licenses in close proximity to the subject site are:

1. Walmart # 5429 (Series 9) – 14111 N. Prasada Gateway Ave.
2. CVS Pharmacy # 5530 (Series 9) – 15300 N. Cotton Ln.
3. Fry's Marketplace # 680 (Series 9) – 15215 N. Cotton Ln.
4. 1 Brothers Pizza (Series 12) – 16995 W. Greenway Rd.
5. Frederico's Mexican Food (Series 12) – 16995 W Greenway Rd. #100
6. Ben's Pizza (Series 12) – 16630 W. Greenway Rd. # 326 (EXPIRED)
7. Big Buddha (Series 12) – 16572 W. Greenway Rd. #115
8. CVS Pharmacy # 5477 (Series # 9) – 15474 W Greenway Rd.
9. Barro's Pizza (Series 12) – 15403 W. Greenway Rd. #104
10. Wal-Mart Neighborhood Market # 4218 (Series 9) – 15431 W. Greenway Rd.
11. Walgreens # 7933 (Series 9) – 15514 W. Waddell Rd.
12. 4 Sons Food Store (Series 10) – 15445 W. Waddell Rd.
13. Bashas' # 137 (Series 9) – 15367 W. Waddell Rd.
14. Vogue Bistro (Series 12) – 15411 W. Waddell Rd. # 108
15. ARCO AM/PM (Series 10) – 15433 W. Cactus Rd. (EXPIRED)
16. Costco Wholesale #1375 (Series 09) – 16385 W. Waddell Rd.
17. MOD Pizza (Series 12) – 13668 N. Prasada Pkwy. # 100
18. Burros & Fries (Series 12) – 13544 N. Prasada Pkwy. #101
19. Total Wine and More #1013 (Series 9) – 13440 N. Prasada Pkwy.

The immediate area is comprised of commercial zoning. The property is zoned PAD, Prasada (Commercial) which is consistent with the proposed use.

Commercial and residential growth is expected.

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.



FAT CATS
ENTERTAINMENT
CENTER

PAD
SIERRA
MONTANA

PAD
COUNTRYSIDE

R-2,
RM

PAD
LEGACY
PARC

PAD
PRASADA

UNINCORPORATED
MARICOPA COUNTY

PAD
PRASADA

R-1,
RL-5

RR

MOD PIZZA

COSTCO

RR

PAD
TRUMAN
RANCH

TOTAL WINE AND
MORE #1013

BURROS & FRIES

C-2, CC

R-2,
RM-9

R-3,
RH-15

R-2,
RM-6

R-2,
RM-9

R-2,
RM-6

C-3,
CR

PAD
SYCAMORE
FARMS

PAD
SYCAMORE
FARMS

PAD
PRASADA

PAD
GREER RANCH

PAD
MARLEY PARK

SITE

W CACTUS RD

W CACTUS RD



Finance Department
Revenue Division
16000 N. Civic Center Plaza
Surprise, AZ 85374-7470
Business.license@surpriseaz.gov

1/12/2023

Fat Cats Entertainment

13100 N Prasada Parkway

Surprise, AZ 85388

Re: Business License Requirement

To Whom It May Concern:

The Revenue Division has received notification that a liquor license application has been received on behalf of your company.

The City of Surprise requires that all businesses located within the City of Surprise have a City of Surprise business license prior to the start of their operations. Please be sure to apply for your business license at least 3 weeks prior to the opening of your business.

You can apply online at <https://primeweb.surpriseaz.gov/>. City of Surprise Business License applications and supplemental forms are available online at <https://www.surpriseaz.gov/407/Business-License-Application-Supplements>. License Fees will be billed upon approval of your license application.

For additional information, please visit the City of Surprise web site at www.surpriseaz.gov.

If you have any questions, please email our office at business.license@surpriseaz.gov.

Respectfully,
Revenue Division



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



January 9, 2023

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Fat Cats Entertainment Center
13100 N Prasada Parkway
Surprise, AZ 85388

The Surprise Fire-Medical Department has been involved with the pre-construction / plan review process at the above referenced location within the last few months to ensure compliance with the applicable fire codes within the tenant space and building. Since construction work is still ongoing, there are no known fire code violations. 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

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: January 19, 2023

APPLICATION NUMBER - 223155
Series #6 – New Application - BAR

APPLICANT:

Fat Cats Entertainment Center

13100 N. Prasada Parkway
Surprise, Arizona 85388

FINDINGS:

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

Fat Cats is a brand new entertainment center currently under construction, which will have a wide variety of entertainment features, to include a multi plex movie theater, bowling, restaurant, full bar, video arcade and putt-putt golf. The potential market should be customers of all ages from Surprise and the general area.

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

The greater Prasada area project being built in the area is a very large commercial and retail project, which has included plenty of brand-new roadways, which should provide plenty of ingress and egress restaurant points.

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 lest 20 days before the hearing.***

N/A. New Construction.

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

The scheduled hours of operation for other locations in the east valley show hours are either 10 AM or 11 AM to 11 PM, depending on movie endings, but usually not too much later than 11 PM. There are many new retail stores soon to be open in the area with varying hours, but shouldn't be open past 11 PM.

5) ***Appropriateness of series license requested.***

A series 6 license is appropriate and applicable for Fat Cats Entertainment Center, per state guidelines for restaurants.

Submitted by Officer Chris Tovar #2059

State of Arizona
Department of Liquor Licenses and Control

Created 12/30/2022 @ 01:52:03 PM

Local Governing Body Report

LICENSE

Number: 006070021073 Type: 006 BAR
Name: FAT CATS ENTERTAINMENT CENTER
State: Pending
Issue Date: Expiration Date: 01/31/2023
Original Issue Date: 11/16/2022
Location: 13100 N PRASADA PARKWAY
SURPRISE, AZ 85388
USA
Mailing Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

Currently, this license has pending applications.

AGENT

Name: LAUREN KAY MERRETT
Gender: Female
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

OWNER

Name: FC SURPRISE OPERATIONS LLC
Contact Name: LAUREN KAY MERRETT
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23292598 State of Incorporation: UT
Incorporation Date: 11/22/2021
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

Officers / Stockholders

Name:
FAT CATS HOLDINGS LLC

Title:
Managing Member

% Interest:
51.90

**RUTTER FAMILY IRREVOCABLE TRUST -
TRUSTEE**

Name: DAVID WILLIAM RUTTER
Gender: Male
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (801)797-2374
Alt. Phone:
Email: MERECOINC@GMAIL.COM

**COLLINS FAMILY IRREVOCABLE TRUST -
TRUSTEE**

Name: SEAN FRANCIS DEMILLE COLLINS
Gender: Male
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (801)797-2374
Alt. Phone:
Email: MERECOINC@GMAIL.COM

**FC SURPRISE OPERATIONS LLC - Managing
Member**

Name: FAT CATS HOLDINGS LLC
Contact Name: LAUREN KAY MERRETT
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

FAT CATS HOLDINGS LLC - MEMBER

Name: COLLINS FAMILY IRREVOCABLE TRUST
Contact Name: LAUREN KEY MERRETT
Type: TRUST
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

FAT CATS HOLDINGS LLC - MEMBER

Name: RUTTER FAMILY IRREVOCABLE TRUST
Contact Name: LAUREN KAY MERRETT
Type: TRUST
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (602)738-1421
Alt. Phone:
Email: MERECOINC@GMAIL.COM

MANAGERS

Name: ROBERT MICHAEL SHORT
Gender: Male
Correspondence Address: 736 S LONGMORE STREET
CHANDLER, AZ 85224
USA
Phone: (480)689-3930
Alt. Phone:
Email: MERECOINC@GMAIL.COM

APPLICATION INFORMATION

Application Number: 223155
Application Type: Location / Owner Transfer
Created Date: 12/15/2022

QUESTIONS & ANSWERS

006 Bar

- 1) Are you applying for an Interim Permit (INP)?
No
- 4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 10) Provide name, address, and distance of nearest school. (If less than one (1) mile note footage)
Rancho Gabriela Elementary
15272 West Gabriella Dr.
Surprise AZ 85379

3 mi.

- 11) Are you one of the following? Please indicate below.
 Property Tenant
 Sub-tenant
 Property Owner
 Property Purchaser
 Property Management Company
 Property owner
- 12) Is there a penalty if lease is not fulfilled?
 No
- 13) What is the total money borrowed for the business not including the lease?
 Please list lenders/people owed money for the business.
 0 - business investment
- 14) Is there a drive through window on the premises?
 No
- 15) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
 Contiguous
- 16) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
 Yes
 If yes, what is your estimated completion date?
 3/2023
- 23) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
 Undisclosed

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
ALIEN STATUS	My alienstat_access copy (Merged) copy.pdf	12/15/2022
BILL OF SALE	1 Loco Bill of Sale to Fat Cats.pdf	12/15/2022
DIAGRAM/FLOOR PLAN	Footprint copy.pdf	12/15/2022
ORGANIZATIONAL DOCUMENTS	FC Surprise Operations LLC.pdf	12/15/2022
QUESTIONNAIRE	1 My Q 2022i (Merged) copy.pdf	12/15/2022
QUESTIONNAIRE	Bob Short_Manager w certs copy.pdf	12/15/2022



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 3

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

Agenda Wording:

Consideration and action to approve a request by Perry Charles Huellmantel for a Series 010(Beer and Wine Store) Liquor License for **QUIKTRIP #415** located at 16821 W. Bell Road, Surprise, AZ. 85388.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. QUIKTRIP 415 REPORT
 2. QUIKTRIP 415 MAP
 3. Finance Report QuickTrip #415 - 16821 W Bell Rd
 4. Fire QuikTrip #415 Liquor License
 5. Police QT 16821 W Bell Road
 6. Quiktrip ADLLC Report
-



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 23, 2023
To: Sherry Aguilar, City Clerk
From: Lloyd Abrams, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

AGENT, PERRY CHARLES HUELLMANTEL
QUIKTRIP #415
16821 W. Bell Road
Surprise, Arizona 85388
New Series 10 (NEW APPLICATION – BEER AND WINE STORE) – Application # 223222

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

1. Winco Foods #127 (Series 9) – 16925 W. Bell Rd.
2. Safeway Food & Drug #1997 (Series 9) – 17049 W. Bell Rd.
3. Walgreens #6806 (Series 10) – 17088 W. Bell Rd.
4. The Toast (Series 12) – 17058 W. Bell Rd.
5. Good Fortune (Series # 12) – 17104 W Bell Rd.
6. Rumor's Sports Bar (Series) – 16846 W. Bell Rd. #100
7. Oregano's Pizza Bistro (Series 12) – 16914 W. Bell Rd.
8. Eddie's European Bistro (Series 12) – 16846 W. Bell Rd. (EXPIRED)
9. Coyote Alley (Series 6) – 16846 W. Bell Rd #100 (EXPIRED)
10. Albertson's #1026 (Series 9) – 16750 W. Bell Rd. (EXPIRED)
11. Circle K #2741713 (Series 10) – 16794 W. Bell Rd..
12. Circle K #3395 (Series 10) – 16247 W. Bell Rd.
13. Babbo Italian Eatery (Series 12) – 16433 W. Bell Rd.
14. Sakura Sushi Teppan Steak Seafood (Series 12) – 16525 W. Bell Rd.
15. Sam's Club #4955 (Series 9) – 16573 W. Bell Rd.
16. Peter Piper Pizza (Series 12) – 16641 W. Bell Rd. (EXPIRED)

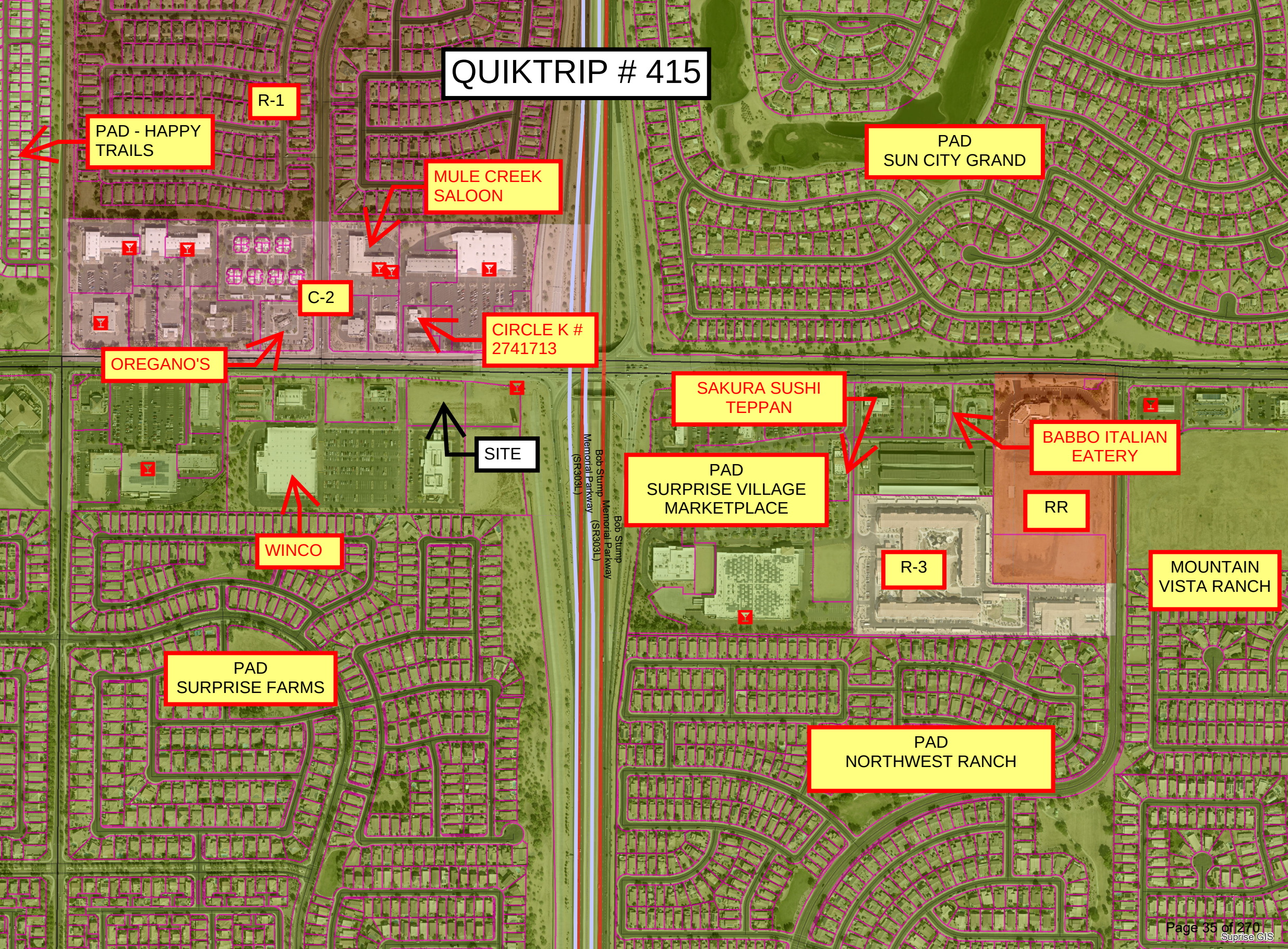
The immediate area is comprised of commercial establishments. The property is zoned PAD C-2 which is consistent with the proposed use.

Commercial growth is increasing in this area and residential growth is expected to remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no affect on parking in the area. Staff believes that

granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.

QUIKTRIP # 415



PAD - HAPPY TRAILS

R-1

MULE CREEK SALOON

PAD
SUN CITY GRAND

C-2

CIRCLE K #
2741713

OREGANO'S

SITE

SAKURA SUSHI
TEPPAN

BABBO ITALIAN
EATERY

PAD
SURPRISE VILLAGE
MARKETPLACE

RR

WINCO

R-3

MOUNTAIN
VISTA RANCH

PAD
SURPRISE FARMS

PAD
NORTHWEST RANCH



MEMO

Date: 1/18/2023

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

From: Annie Vazquez

RE: Liquor License Application – QuickTrip #415 - 16821 W Bell Rd

Business License Status:

- ☐ Application link emailed on .
- ☒ License # 1024447 , current and valid for 12/31/23 .
- ☐ 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



January 17, 2023

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: QuikTrip #415
16851 W Bell Rd
Surprise, AZ 85388

The Surprise Fire-Medical Department has been involved with the pre-construction / plan review process at the above referenced location within the last few months to ensure compliance with the applicable fire codes within the tenant space and building. Since construction work is still ongoing, there are no known fire code violations. 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

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: January 23, 2023

JOB NUMBER- 223222
New License
Series 10 (Beer & Wine Store)

APPLICANT:

Quicktrip #415
16821 W Bell Road
Surprise, Arizona 85388

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Quicktrip is a full-service convenience market and gas station that primarily serves patrons of all ages from the surrounding communities.
- 2) ***Effect of vehicular traffic in close proximity.***
There should be no great altering effect on vehicular traffic in proximity. There are multiple ingress/egress locations for this store and good access onto Bell Road.
- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***
N/A. New construction.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
The business hours of operation is open 24 hours a day. There is a small hospital to the rear of this location which also operates 24 hours a day. There is a WinCo grocery store nearby that also is open 24 hours a day. Additionally, there is a Wendy's fast food store nearby that closes by 11 PM, except weekends when it closes at midnight.
- 5) ***Appropriateness of series license requested.***
Most convenience stores have series 10 licenses. This license request is appropriate for this Quicktrip.

Submitted by Officer C. E. Tovar #2059

State of Arizona
Department of Liquor Licenses and Control

Created 01/10/2023 @ 02:03:41 PM

Local Governing Body Report

LICENSE

Number:		Type:	010 BEER AND WINE STORE
Name:	QUIKTRIP #415		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	16821 W BELL ROAD SURPRISE, AZ 85388 USA		
Mailing Address:	PO BOX 1833 TEMPE, AZ 85280-1833 USA		
Phone:	(480)921-2800		
Alt. Phone:			
Email:	CHARLES@HUELLMANTEL.COM		

AGENT

Name:	PERRY CHARLES HUELLMANTEL
Gender:	Male
Correspondence Address:	PO BOX 1833 TEMPE, AZ 85280-1833 USA
Phone:	(480)921-2800
Alt. Phone:	
Email:	CHARLES@HUELLMANTEL.COM

OWNER

Name:	QUIKTRIP CORPORATION		
Contact Name:	PERRY CHARLES HUELLMANTEL		
Type:	CORPORATION		
AZ CC File Number:	F08755030	State of Incorporation:	OK
Incorporation Date:	05/14/1999		
Correspondence Address:	PO BOX 1833 TEMPE, AZ 85280 USA		
Phone:	(480)921-2800		
Alt. Phone:			
Email:	CHARLES@HUELLMANTEL.COM		

Officers / Stockholders

Name:
CADIEUX FAMILY HOLDINGS LLC
CHESTER EDOUARD CADIEUX III

Title: % Interest:
Stockholder 45.00
CEO,Pres,Stockholder 10.00

QUIKTRIP CORPORATION - Stockholder

Name: CADIEUX FAMILY HOLDINGS LLC
Contact Name: PERRY CHARLES HUELLMANTEL
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 1833
TEMPE, AZ 85280-1833
USA
Phone: (480)921-2800
Alt. Phone:
Email:

QUIKTRIP CORPORATION - CEO,Pres,Stockholder

Name: CHESTER EDOUARD CADIEUX III
Gender: Male
Correspondence Address: PO BOX 1833
TEMPE, AZ 85280-1833
USA
Phone: (918)615-7700
Alt. Phone:
Email:

CADIEUX FAMILY HOLDINGS LLC - Managing Member

Name: CHESTER EDOUARD CADIEUX II
Gender: Male
Correspondence Address: PO BOX 1833
TEMPE, AZ 85280
USA
Phone: (918)615-7700
Alt. Phone:
Email:

MANAGERS

Name: JAMES CHRISTOPHER ROBINSON
Gender: Male
Correspondence Address: PO BOX 1833
TEMPE, AZ 85280-1833
USA
Phone: (480)446-6325
Alt. Phone:
Email: JROBINSO@QUIKTRIP.COM

Name: CHRISTOPHER MICHAEL CARLSON
Gender: Male
Correspondence Address: PO BOX 1833
TEMPE, AZ 85280-1833
USA
Phone: (480)446-6335
Alt. Phone:
Email: CCARLSON@QUICKTRIP.COM

APPLICATION INFORMATION

Application Number: 223222
Application Type: New Application
Created Date: 12/15/2022

QUESTIONS & ANSWERS

010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Provide name, address, and distance of nearest school.
(If less than one (1) mile note footage)
Canyon Ridge Elementary School
17359 W. Surprise Farms Loop N
Surprise, AZ 85388
+/- 3,590
- 3) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 4) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
Rent remains due.
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
\$0
- 7) Are there walk-up or drive-through windows on the premises?
No
- 8) Does the establishment have a patio?
Yes
Is the patio contiguous or non-contiguous?
Contiguous

- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
February 2023

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
ALIEN STATUS	PCH - Alien Status Form - Updated 2022.pdf	12/15/2022
QUESTIONNAIRE	QT - 415 - CEC.pdf	12/15/2022
QUESTIONNAIRE	QT 415 - PCH.pdf	12/15/2022
ORGANIZATIONAL DOCUMENTS	QT - Liquor - Ownership Breakdown for Liquor Applications.pdf	12/15/2022
DIAGRAM/FLOOR PLAN	QT 415 - Floor Plan.pdf	12/15/2022



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 3

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

Consideration and action to approve a request by Jeffrey Craig Miller for a Series 012 (Restaurant) Liquor License for **Cooper's Hawk Winery & Restaurant** located at 16470 W Alexandria Way, Surprise, AZ. 85388.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. COOPER'S HAWK WINERY AND RESTAURANT - 16470 W ALEXANDRIA WAY - REPORT
 2. COOPER'S HAWK WINERY AND RESTAURANT - 16470 W ALEXANDRIA WAY MAP
 3. Finance Report Cooper's Hawk Winery Restaurant - 16470 W Alexandria Way
 4. Fire Coopers Hawk Restaurant Liquor License
 5. PD Cooper's Hawk Winery & Restaurant
 6. Cooper's Hawk ADLLC Report
-



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 20, 2023
To: Sherry Aguilar, City Clerk
From: Lloyd Abrams, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

Agent, Jeffrey Craig Miller
Cooper's Hawk Winery & Restaurant
16470 W. Alexandria Way
Surprise, Arizona 85388

Series 12 (New Application - Restaurant)- Application # 223396

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

1. Walmart # 5429 (Series 9) – 14111 N. Prasada Gateway Ave.
2. CVS Pharmacy # 5530 (Series 9) – 15300 N. Cotton Ln.
3. Fry's Marketplace # 680 (Series 9) – 15215 N. Cotton Ln.
4. 1 Brothers Pizza (Series 12) – 16995 W. Greenway Rd.
5. Frederico's Mexican Food (Series 12) – 16995 W Greenway Rd. #100
6. Ben's Pizza (Series 12) – 16630 W. Greenway Rd. # 326 (EXPIRED)
7. Big Buddha (Series 12) – 16572 W. Greenway Rd. #115
8. CVS Pharmacy # 5477 (Series # 9) – 15474 W Greenway Rd.
9. Barro's Pizza (Series 12) – 15403 W. Greenway Rd. #104
10. Wal-Mart Neighborhood Market # 4218 (Series 9) – 15431 W. Greenway Rd.
11. Walgreens # 7933 (Series 9) – 15514 W. Waddell Rd.
12. 4 Sons Food Store (Series 10) – 15445 W. Waddell Rd.
13. Bashas' # 137 (Series 9) – 15367 W. Waddell Rd.
14. Vogue Bistro (Series 12) – 15411 W. Waddell Rd. # 108
15. ARCO AM/PM (Series 10) – 15433 W. Cactus Rd. (EXPIRED)
16. Costco Wholesale #1375 (Series 09) – 16385 W. Waddell Rd.
17. Burros & Fries (Series 12) – 13544 N. Prasada Pkwy. #101
18. MOD Pizza (Series 12) – 13668 N. Prasada Pkwy. # 100
19. Total Wine and More #1013 (Series 9) – 13440 N. Prasada Pkwy.
20. Fat Cats Entertainment Center (Series 6) – 13100 N. Prasada Pkwy.

The immediate area is comprised of commercial zoning. The property is zoned PAD, Prasada (Commercial) which is consistent with the proposed use.

Commercial and residential growth is expected.

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.

W GREENWAY RD

PAD
SIERRA
MONTANA

COOPER'S HAWK
WINERY &
RESTAURANT

PAD
COUNTRYSIDE

R-2,
RM

PAD
LEGACY
PARC

R-1,
RL-5

RR

PAD
PRASADA

UNINCORPORATED
MARICOPA COUNTY

PAD
PRASADA

BURROS & FRIES

COSTCO

C-2, CC

PAD
MARLEY PARK

PAD
GREER RANCH

PAD
SYCAMORE
FARMS

TOTAL WINE AND
MORE #1013

MOD PIZZA

PAD
TRUMAN
RANCH

RR

R-2,
RM-9

R-3,
RH-15

R-2,
RM-6

R-2,
RM-9

PAD
SYCAMORE
FARMS

R-2,
RM-6

C-3,
CR

W CACTUS RD

W CACTUS RD

SITE

FAT CATS
ENTERTAINMENT
CENTER

PAD
PRASADA

Page 46 of 270



Finance Department
Revenue Division
16000 N. Civic Center Plaza
Surprise, AZ 85374-7470
Business.license@surpriseaz.gov

1/18/2023

Cooper's Hawk Winery Restaurant

16470 W Alexandria Way

Surprise, AZ 85388

Re: Business License Requirement

To Whom It May Concern:

The Revenue Division has received notification that a liquor license application has been received on behalf of your company.

The City of Surprise requires that all businesses located within the City of Surprise have a City of Surprise business license prior to the start of their operations. Please be sure to apply for your business license at least 3 weeks prior to the opening of your business.

You can apply online at <https://primeweb.surpriseaz.gov/>. City of Surprise Business License applications and supplemental forms are available online at <https://www.surpriseaz.gov/407/Business-License-Application-Supplementa>. License Fees will be billed upon approval of your license application.

For additional information, please visit the City of Surprise website at www.surpriseaz.gov.

If you have any questions, please email our office at business.license@surpriseaz.gov.

Respectfully,
Revenue Division



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



January 17, 2023

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Coopers Hawk Winery and Restaurant
16470 W Alexandria Way
Surprise, AZ 85388

The Surprise Fire-Medical Department has been involved with the pre-construction / plan review process at the above referenced location within the last few months to ensure compliance with the applicable fire codes within the tenant space and building. Since construction work is still ongoing, there are no known fire code violations. 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

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: January 24, 2023

Application Number - 223396
New Series #12 – Restaurant

APPLICANT:

Cooper's Hawk Winery & Restaurant
16470 W Alexandria Way
Surprise, Arizona 85388

FINDINGS:

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

Cooper's Hawk Winery & Restaurant is a brand-new full serve restaurant coming soon to Surprise in the brand new Prasada development area. Their web page describes themselves as having four distinct components: an upscale casual dining restaurant, full-service bar, private dining room, and Napa-style tasting room and retail gift store. There are other existing Cooper's in various parts of the country, including three in Arizona: all of which are in the east valley. The potential market should be residents of all ages from Surprise and the west valley. There is projected seating for 267 persons, including separate bar seating of 65 persons.

2) Effect of vehicular traffic in proximity.

The entire Prasada development has been engineered to have plenty of ingress and egress locations throughout the entire retail area, which should be sufficient for the area, including for Cooper's.

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 lest 20 days before the hearing.

N/A. New construction.

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

The other local Cooper's list their operating hours from 11 AM to 9 PM every day, except for Fridays and Saturdays, where they will remain open until 10 PM. This quickly developing area has numerous retail businesses and restaurants opening. The latest any of the area attractions to this point appears to be the Fat Cats Family Entertainment Center, which should be open a little past 11 PM, due to later movie showings. All others currently, usually close by 9 PM or so.

5) Appropriateness of series license requested.

A series 12 license is appropriate for Cooper's Hawk Winery and Restaurant, per Arizona state guidelines for restaurants.

Submitted by Officer Chris Tovar #2059

State of Arizona
Department of Liquor Licenses and Control

Created 01/10/2023 @ 01:41:03 PM

Local Governing Body Report

LICENSE

Number: Type: 012 RESTAURANT
Name: COOPER'S HAWK WINERY & RESTAURANT
State: Pending
Issue Date: Expiration Date:
Original Issue Date:
Location: 16470 W ALEXANDRIA WAY
SURPRISE, AZ 85388
USA
Mailing Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (623)473-9463
Alt. Phone: (480)730-2675
Email: LIQUORLICENSE@AZLIC.COM

AGENT

Name: JEFFREY CRAIG MILLER
Gender: Male
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: LIQUORLICENSE@AZLIC.COM

OWNER

Name: COOPER'S HAWK SCOTTSDALE LLC
Contact Name: TIMOTHY MCENERY
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation: AZ
Incorporation Date:
Correspondence Address: 3500 LACEY ROAD
#1000
DOWNERS GROVE, IL 60515
USA
Phone: (331)233-2920
Alt. Phone:
Email: JKAUFMANN@CHWINERY.COM

Officers / Stockholders

Name: Title: % Interest:
COOPER'S HAWK INTERMEDIATE HOLDINGS LLC MEMBER 100.00

**CHWR GROUP GP LLC - CFO,SEC,TRES
CHWR GROUP LP - CFO
CHWR PARENT INC - CFO,SEC,TRES
COOPER'S HAWK INTERMEDIATE HOLDINGS
LLC - CFO/SECY/TREAS**

Name: MICHAEL WILLIAM COYNE
Gender: Male
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (331)233-2920
Alt. Phone:
Email:

**CHWR GROUP GP LLC - CEO
CHWR GROUP LP - CEO
CHWR PARENT INC - CEO
COOPER'S HAWK INTERMEDIATE HOLDINGS
LLC - CEO**

Name: TIMOTHY MICHAEL MCENERY
Gender: Male
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (331)233-2920
Alt. Phone:
Email:

COOPER'S HAWK SCOTTSDALE LLC - MEMBER

Name: COOPER'S HAWK INTERMEDIATE HOLDINGS LLC
Contact Name: JEFFREY CRAIG MILLER
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: LIQUORLICENSE@AZLIC.COM

**COOPER'S HAWK INTERMEDIATE HOLDINGS
LLC - Shareholder**

Name: CHWR PARENT INC
Contact Name: JEFFREY CRAIG MILLER
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: RHONDA@AZLIC.COM

CHWR PARENT INC - Shareholder

Name: CHWR GROUP LP
Contact Name: JEFFREY CRAIG MILLER
Type: PARTNERSHIP
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: RHONDA@AZLIC.COM

CHWR GROUP LP - General Partner

Name: CHWR GROUP GP LLC
Contact Name: JEFFREY CRAIG MILLER
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: LIQUORLICENSE@AZLIC.COM

CHWR GROUP LP - Limited Partner

Name: ARES CORPORATE OPPORTUNITIES FUND V. LP AN SEC-REGULATED
INVESTMENT FUND
Contact Name: JEFFREY CRAIG MILLER
Type: PARTNERSHIP
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 2502
CHANDLER, AZ 85244
USA
Phone: (480)730-2675
Alt. Phone:
Email: LIQUORLICENSE@AZLIC.COM

APPLICATION INFORMATION

Application Number: 223396
Application Type: New Application ☒
Created Date: 12/16/2022

QUESTIONS & ANSWERS

012 Restaurant

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT
- 3) Is there a penalty if lease is not fulfilled?
No
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
NONE
- 6) Are there walk-up or drive-through windows on the premises?
No
- 7) Does the establishment have a patio?
Yes
Is the patio contiguous or non-contiguous (within 30 feet)?
CONTIGUES
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
4/1/2023
- 9) What type of business will this license be used for?
RESTAURANT



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023 Contact Person: Tanner Wessel
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 the Final Plat entitled, “Morgan-Harris Estates”, and dated December 14, 2022, a property located at the southeast corner of 163rd Avenue and Dale Lane; Case FS22-1061.

Motion:

I move to approve the Final Plat entitled, “Morgan-Harris Estates” and dated December 14, 2022.

Background:

Judith Morgan seeks approval of a Final Plat of the subject property located at the southeast corner of 163rd Avenue and Dale Lane.

Objective Analysis:

Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Policy Compliant:

The proposed Final Plat is consistent with the Surprise General Plan 2035 and the City of Surprise Land Development Ordinance.

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-FS22-1061 Judith Morgan Lot Split - Final Plat - Staff Report
 2. 01 - FS22-1061 Judith Morgan Lot Split - Final Plat - Vicinity Map
 3. 02 - FS22-1061 Judith Morgan Lot Split - Final Plat - Zoning Map
 4. 03 - FS22-1061 Judith Morgan Lot Split - Final Plat - Final Plat
 5. 04 - FS22-1061 Judith Morgan Lot Split - Final Plat - Final Plat Exhibit
 6. FS22-1061 Judith Morgan Lot Split - Final Plat - PowerPoint
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS22-1061

Project Name: Judith Morgan Lot Split - Final Plat

Council District: 1 – Acacia

City Council Date: February 07, 2023

Planner: Tanner Wessel, Planner II

Owner: Judith Morgan

Applicant: Joseph Clark with DG Development Services

Request: Final Plat to subdivide one (1) approx. 5.15 acre parcel into two (2) lots.

Site Location: Located at the southeast corner of Dale Lane and 163rd Avenue

Site Size: Approximately 5.15 gross acres

Findings:

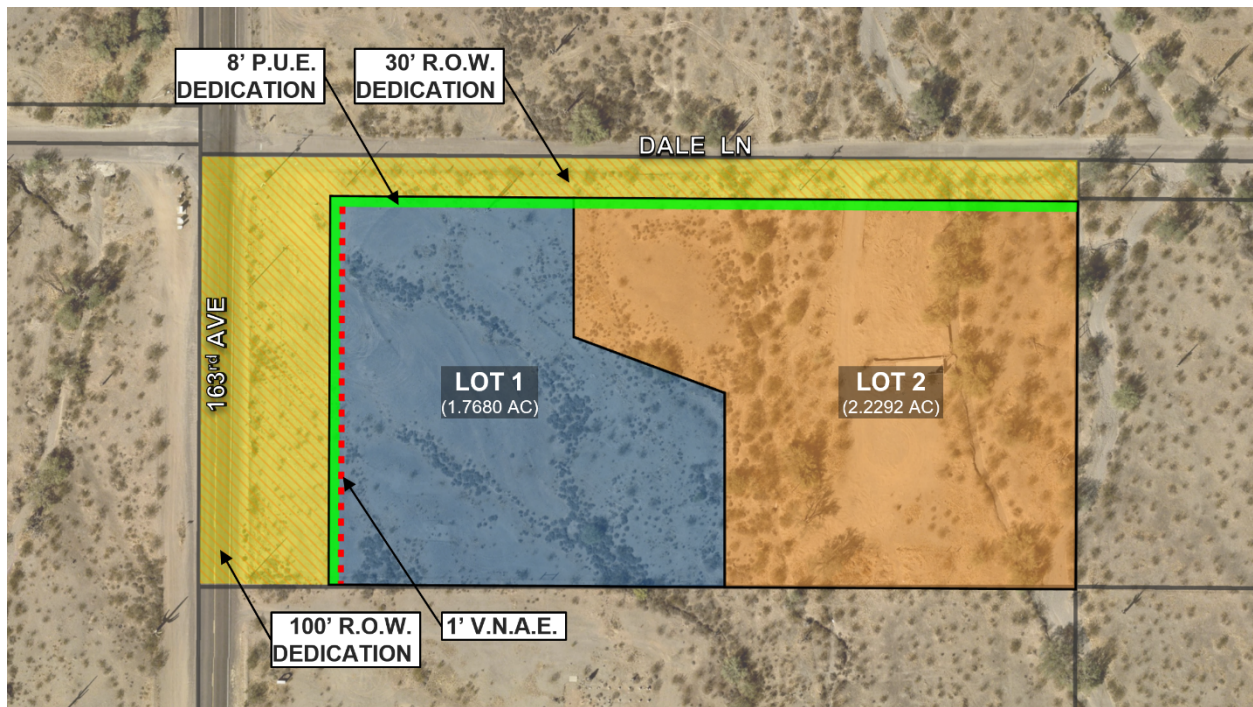
- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Surprise Land Development Ordinance.

Alternative Actions: **Approve** – Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.
Deny – Denial of the requested Final Plat will prevent the applicant from subdividing the property as proposed.

Additional Information:

Joseph Clark of DG Development Services on behalf of Judith Morgan requests approval of a Final Plat entitled "Morgan-Harris Estates" dated December 14, 2022. The subject parcel is zoned Rural Residential (RR) and is located at the southeast corner of Dale Lane and 163rd Avenue. The proposed Final Plat subdivides one (1) vacant lot of approximately 5.15 gross acres into two (2) lots.

This Final Plat will establish 100-feet of right-of-way (ROW) dedication for 163rd Avenue along the western portion of Lot 1. Additionally, 30-feet of right-of-way (ROW) is dedicated for Dale Lane along the northern portion of Lot 1 and 2. An 8-foot public utility easement (PUE) is established along the western portion of Lot 1 and the northern portion of Lot 1 and 2. A 1-foot vehicular non-access easement (VNAE) is established along the western portion of Lot 1 adjacent to 163rd Avenue.



Lots 1 and 2 of the proposed Final Plat meet the development standards of the Rural Residential (RR) zoning district as outline in Table 106-2b of the City of Surprise Land Development Ordinance. Both Lots 1 and 2 exceed the minimum lot area and minimum lot width requirements.

Table 106-2b – Rural Residential (RR) Zoning District	
Min. lot area (sf)	≥ 43,560
Min. lot width	130
Min. front setback (ft)	30
Min. rear setback ¹ (ft)	30
Min. side setback ¹ (ft)	20
Min. street side setback ¹ (ft)	20
Max. bldg. height (ft)	40
Lot coverage	25%
Open space (% of gross acres of residential development) ²	10%
Notes: 1. Garage face and embellishments shall be setback a minimum of 20 feet measured from the opposing property line except rear, alley loaded garages, which shall be setback nine feet from edge of alley line. 2. The city requires open spaces on a new subdivision; if recorded as metes and bounds or by a minor land division than open space will be required on each individual lot; such as open space of trail easements.	

The area for each parcel is shown below:

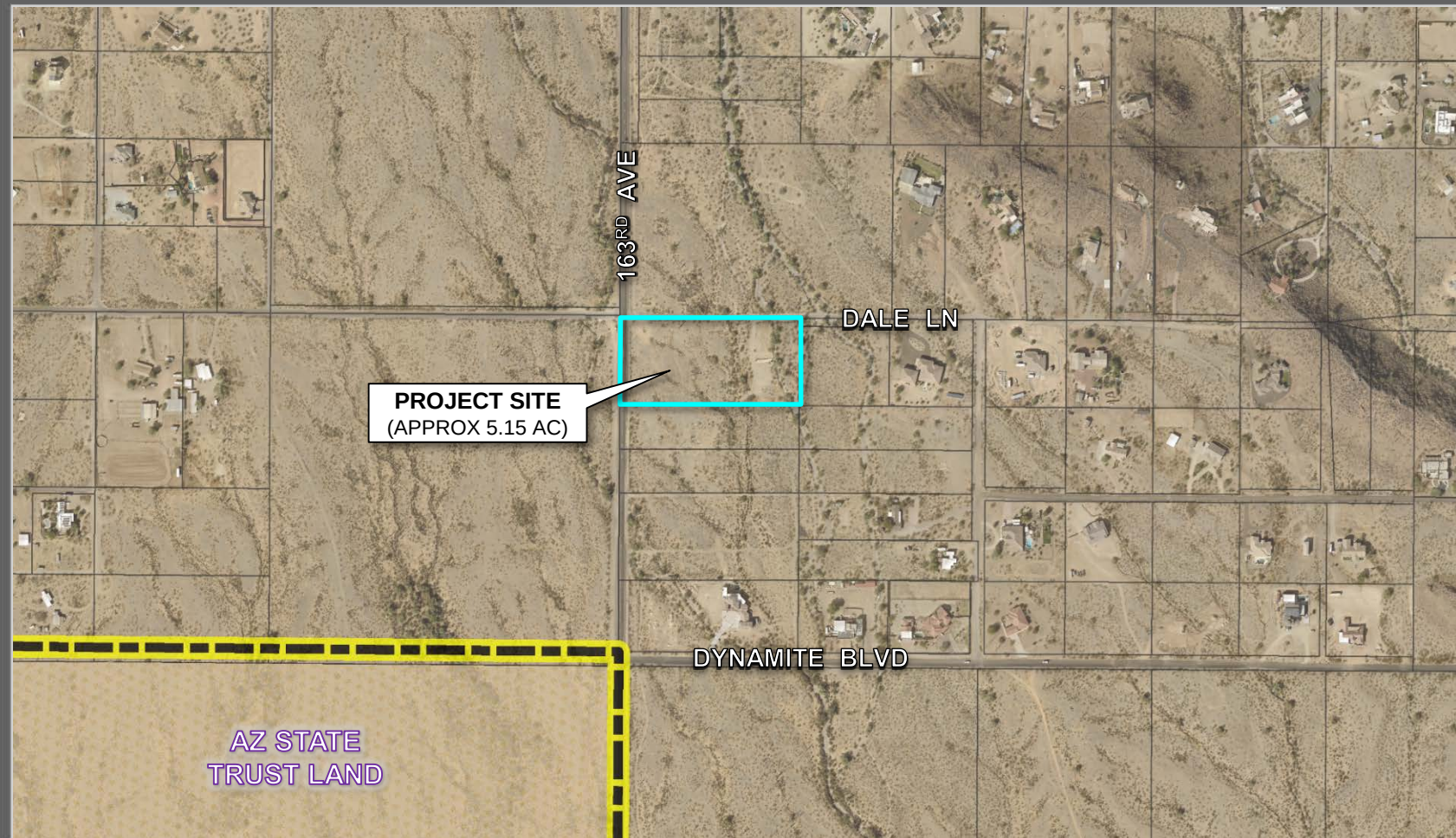
- Lot 1 – approximately 1.7680 acres
- Lot 2 – approximately 2.2292 acres

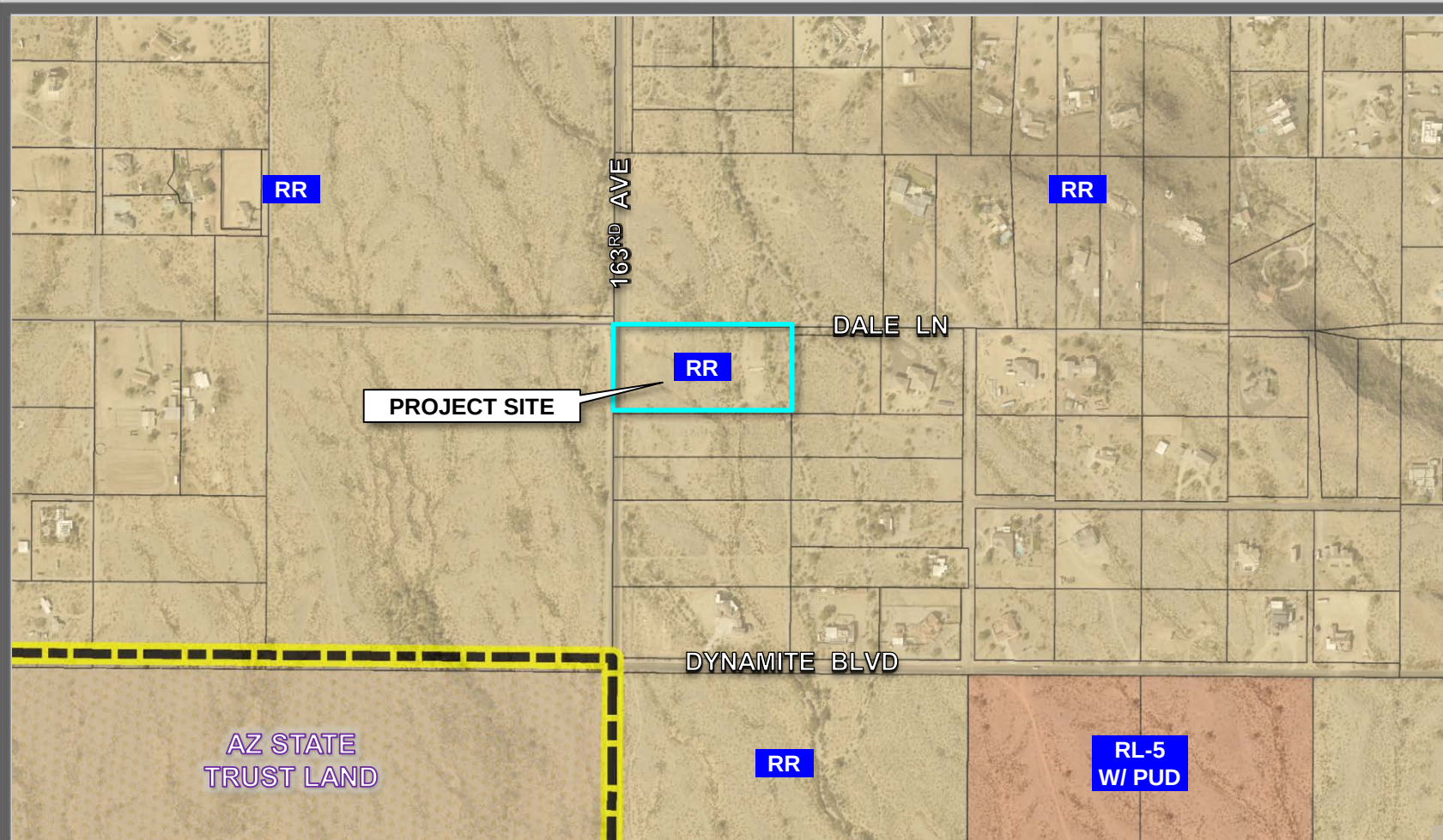
The proposed Final Plat dedicates the following:

- 100-foot right-of-way (ROW) dedication along the western portion of Lot 1 for 163rd Avenue
- 30-foot right-of-way (ROW) dedication along the northern portion of Lot 1 and 2 for Dale Lane
- 8-foot public utility easement (PUE) along the western portion of Lot 1 and the northern portion of Lot 1 and 2
- 1-foot vehicular non-access easement (VNAE) along the western portion of Lot 1 adjacent to 163rd Avenue

Attachments:

01 Vicinity Map
 02 Zoning Map
 03 Final Plat
 04 Plat Exhibit
 PPT





FINAL PLAT
OF
MORGAN-HARRIS ESTATES

OF A PORTION OF LOT 4, SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT JUDITH A. MORGAN, AS OWNER, HAS SUBDIVIDED UNDER THE NAME MORGAN-HARRIS ESTATES, A SUBDIVISION LOCATED IN A PORTION OF LOT 4, SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON, AND HEREBY DECLARES THAT SAID SURVEY SETS FORTH THE LOCATION AND GIVES THE MEASUREMENTS AND DIMENSIONS OF THE LOTS AND EASEMENTS CONSTITUTING SAME, AND EACH LOT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THIS PLAT.

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.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OF CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENT, 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 THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

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 FIELD.

IN WITNESS WHEREOF JUDITH A. MORGAN, AS OWNER, HAS HEREUNTO CAUSED HER NAME TO BE SIGNED THIS _____ DAY OF _____, 20____

BY: _____
JUDITH A. MORGAN

ACKNOWLEDGMENT

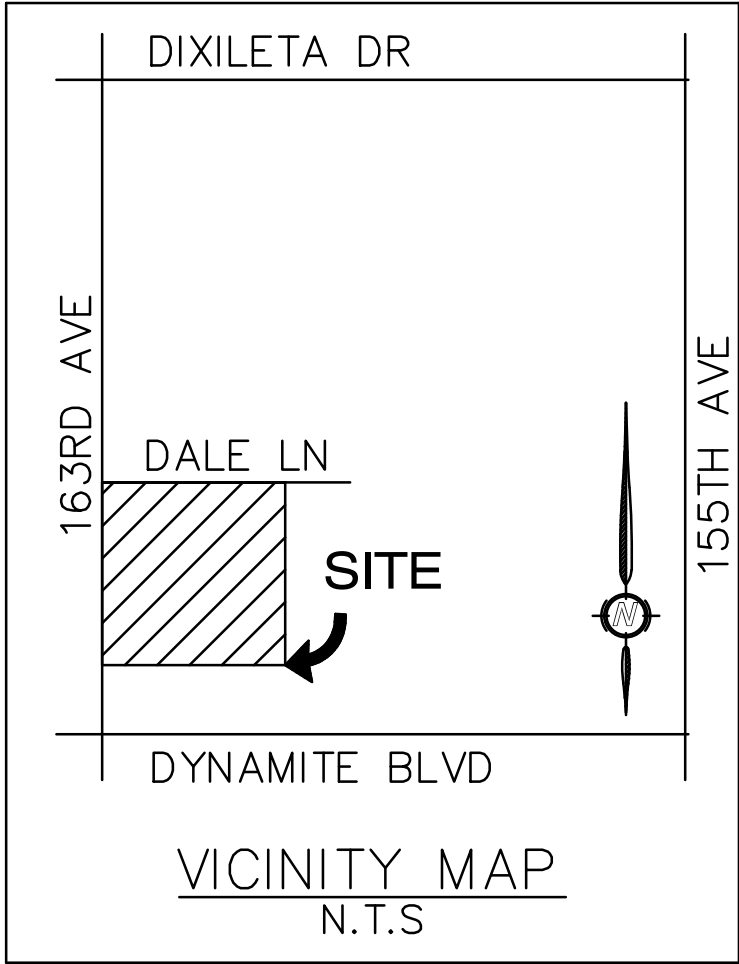
STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

ON THIS _____ DAY OF _____, 2022 BEFORE ME THE UNDERSIGNED NOTARY PUBLIC PERSONALLY APPEARED, JUDITH A. MORGAN, WHO ACKNOWLEDGED HERSELF TO BE THE OWNER AND THAT SHE, AS SUCH OWNER, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING PLAT FOR THE PURPOSE THEREIN CONTAINED.

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

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____



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 MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT

RELEASE OF LIABILITY

JUDITH A. MORGAN, AS 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.

JUDITH A. MORGAN, OWNER, DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS 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 THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

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

NOTES

1. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY THE OWNER. 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 HOMEOWNER'S ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND ANY SALES CONTRACTS OR SALES REPORTS SHALL INCLUDE SUCH NOTE.
3. FIRE SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
4. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
5. THIS PROPERTY IS IN THE SAGUARO VIEW HOMEOWNERS ASSOCIATION WATER SERVICE AREA.
6. DEVELOPMENT OF EACH PARCEL SHALL BE IN ACCORDANCE WITH THE APPROVED RURAL RESIDENTIAL PLAN.
7. 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.
8. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE "AE" AND "X" DESIGNATION BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP NO 04013C1210L 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.
9. THE OWNER OR SUBSEQUENT OWNERS OF ANY EXISTING OR FUTURE WELLS ON THE LAND DESCRIBED IN THIS PLAT SHALL BE REQUIRED TO SIGN A WELL IMPACT WAIVER(S) WITH THE CITY OF SURPRISE.

LEGAL DESCRIPTION

THE NORTH HALF OF THE NORTHWEST QUARTER OF LOT 4, SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

OWNER

JUDITH A. MORGAN
9637 W. AVENIDA DEL SOL
PEORIA, AZ, 85383

SITE INFORMATION

APN: 503-52-051A

ADDRESS: N/A

AREA:
+/- 224,534 SQ. FT. / +/- 5.1545 ACRES

ZONING: RURAL RESIDENTIAL (RR)

BASIS OF BEARING

BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T5N, R1W SAID BEARING BEING NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST.

APPROVALS-FINAL PLAT

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT WAS REVIEWED AND APPROVED THIS _____ DAY OF _____, 20____ 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 _____, 20____

ATTEST:

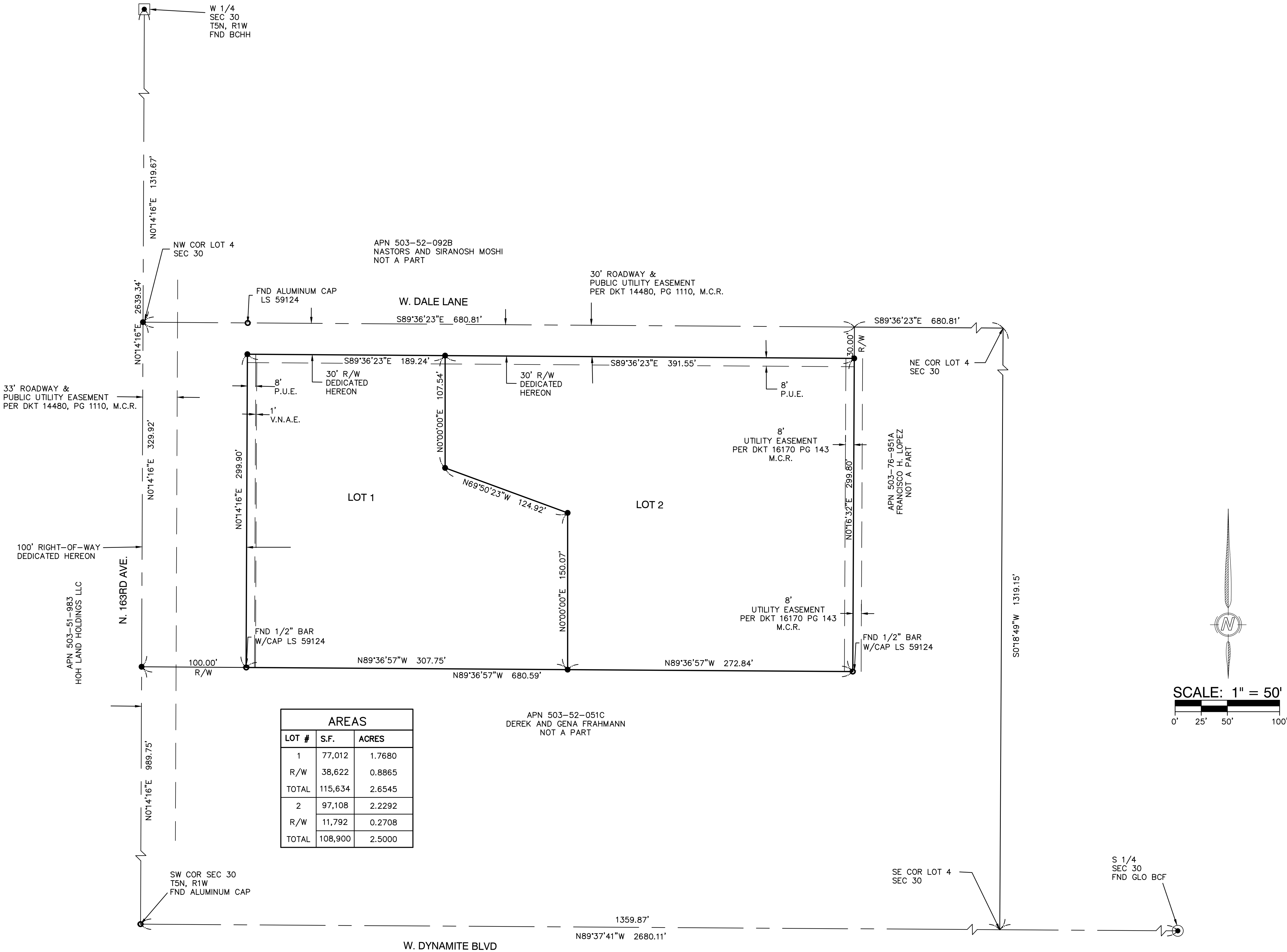
MAYOR DATE

CITY CLERK DATE

	Flahart Brothers Companies, Inc. 1747 N. Acacia Mesa, Arizona 85213 (602) 376-8630	FINAL PLAT OF MORGAN-HARRIS ESTATES	
DRAWN: JMF	DATE: 12/14/22	CHECKED: JMF	SHEET: 1 OF 2

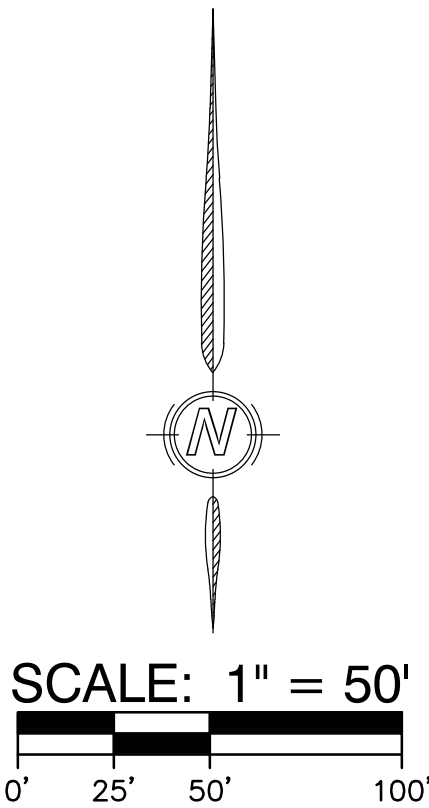
FINAL PLAT
OF
MORGAN-HARRIS ESTATES

OF A PORTION OF LOT 4, SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



LEGEND	
	FOUND 1/2" BAR AS NOTED
	BRASS CAP FLUSH-BCF
	BRASS CAP IN HAND HOLE-BCHH
	SET 1/2" REBAR OR NAIL WITH TAG
FND	FOUND
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
(M)	MEASURED
(R)	RECORDED
M.C.R.	MARICOPA COUNTY RECORDS
DOC	DOCUMENT
DKT	DOCKET
BK	BOOK
PG	PAGE
P.U.E.	PUBLIC UTILITY EASEMENT
R/W	RIGHT OF WAY
---	PROPERTY
---	CENTERLINE
---	EASEMENT

NOTE: NOT ALL SYMBOLS WILL APPEAR IN DRAWING



SURVEYOR'S CERTIFICATE:

I, JEFFREY M. FLAHART, A DULY LICENSED LAND SURVEYOR IN THE STATE OF ARIZONA, DO HEREBY CERTIFY THAT THIS MAP OR PLAT IS BASED ON A SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION DURING THE MONTH OF SEPTEMBER, 2022; THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT ALL MONUMENTS SHOWN EXIST AS OF THE DATE HEREON AND, ARE SUFFICIENT TO ALLOW THE SURVEY TO BE RETRACED.

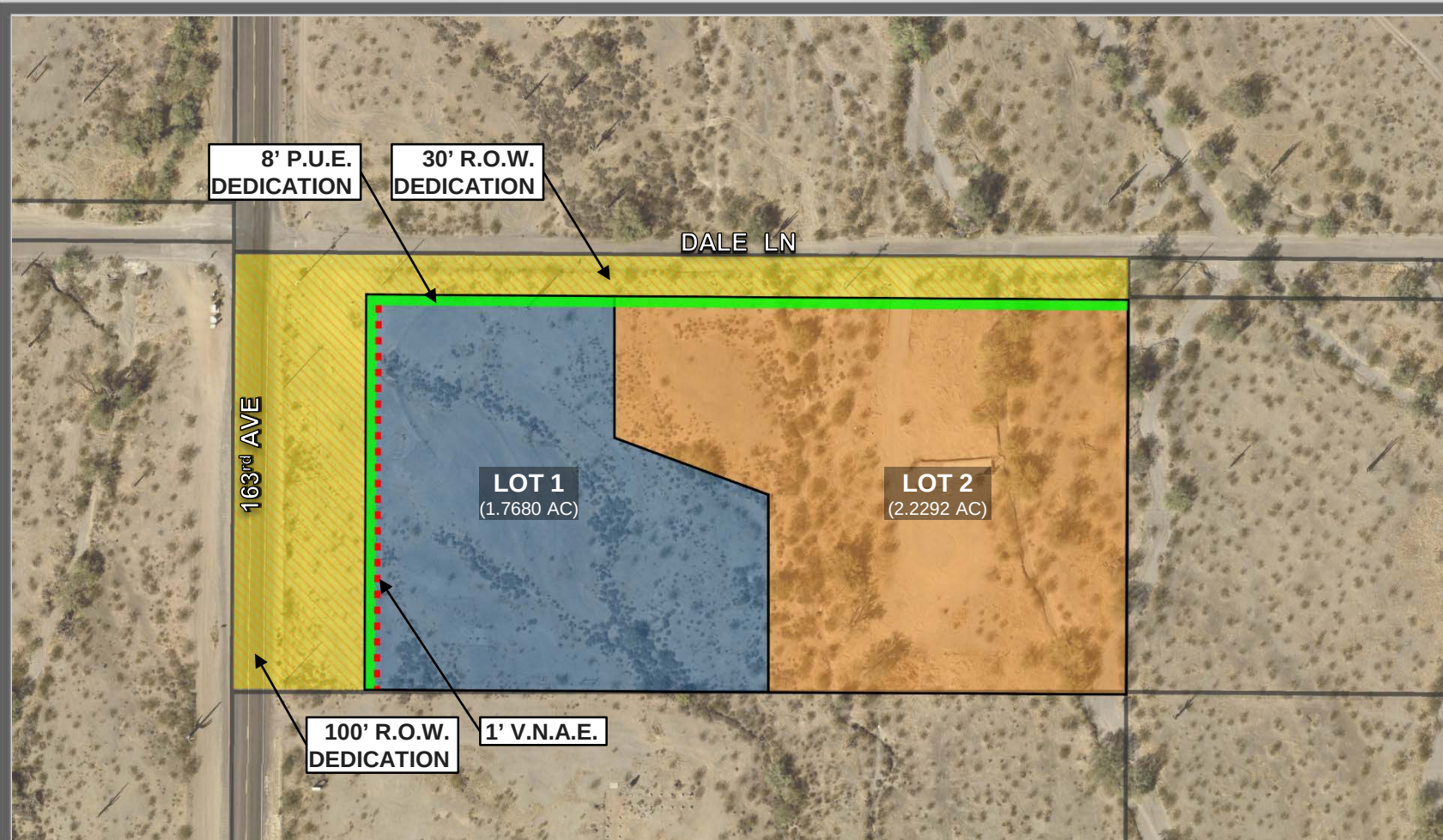
JEFFREY M. FLAHART
ARIZONA R.L.S. 34711

Flahart Brothers Companies, Inc.

1747 N. Acacia
Mesa, Arizona 85213
(602) 376-8630

FINAL PLAT
OF
MORGAN-HARRIS ESTATES

DRAWN: JMF	DATE: 12/14/22	CHECKED: JMF	SHEET: 2 OF 2
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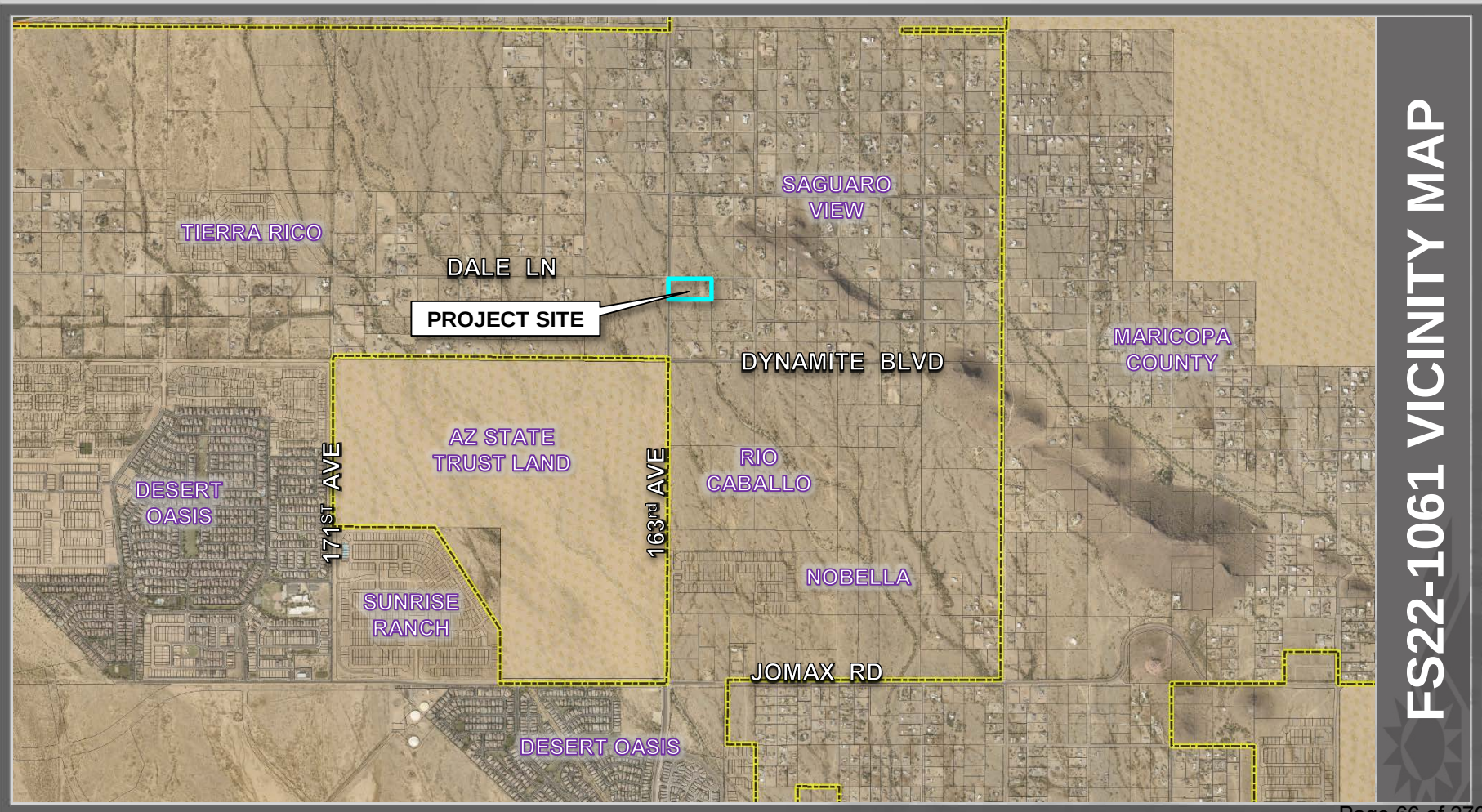


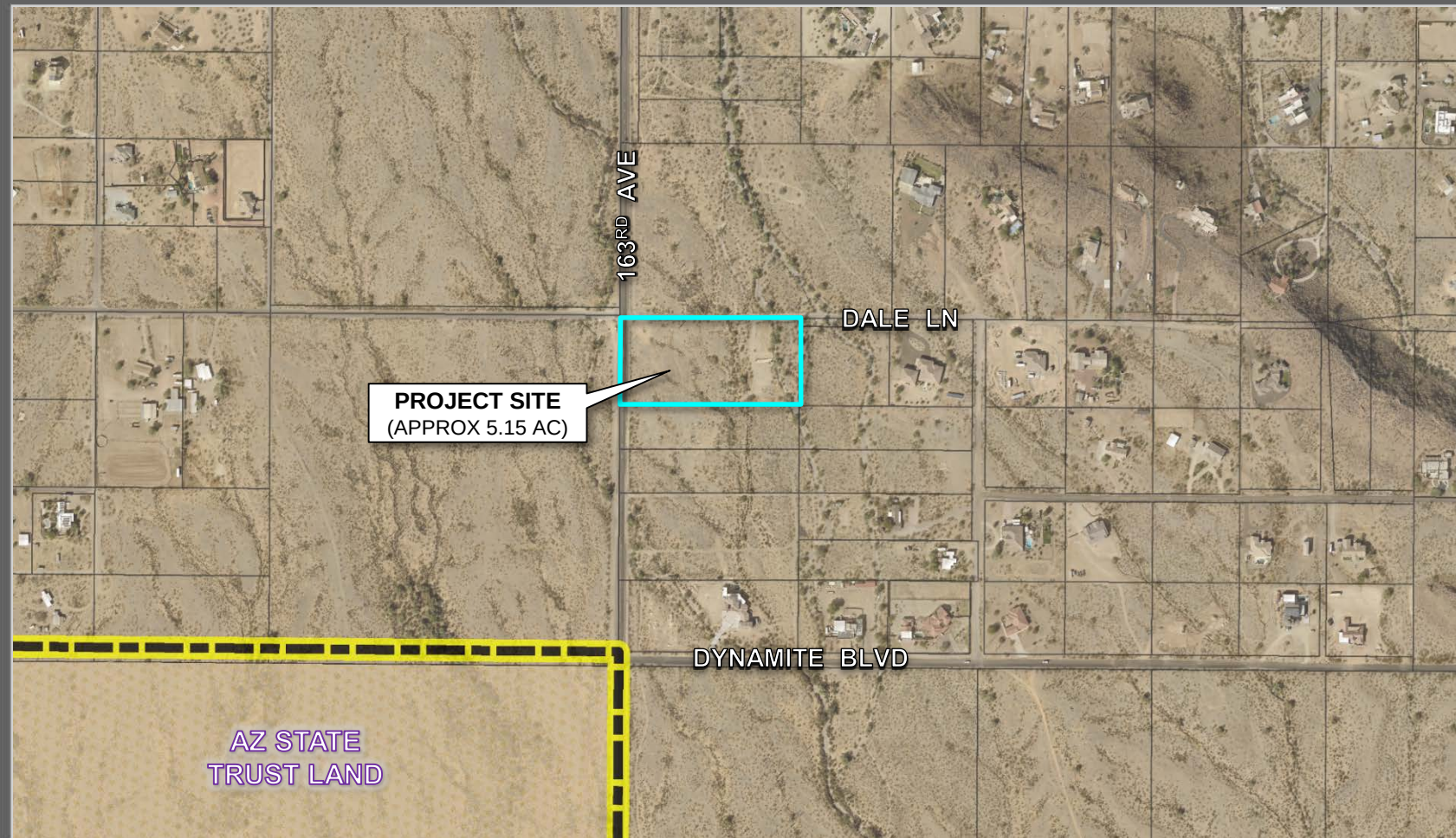


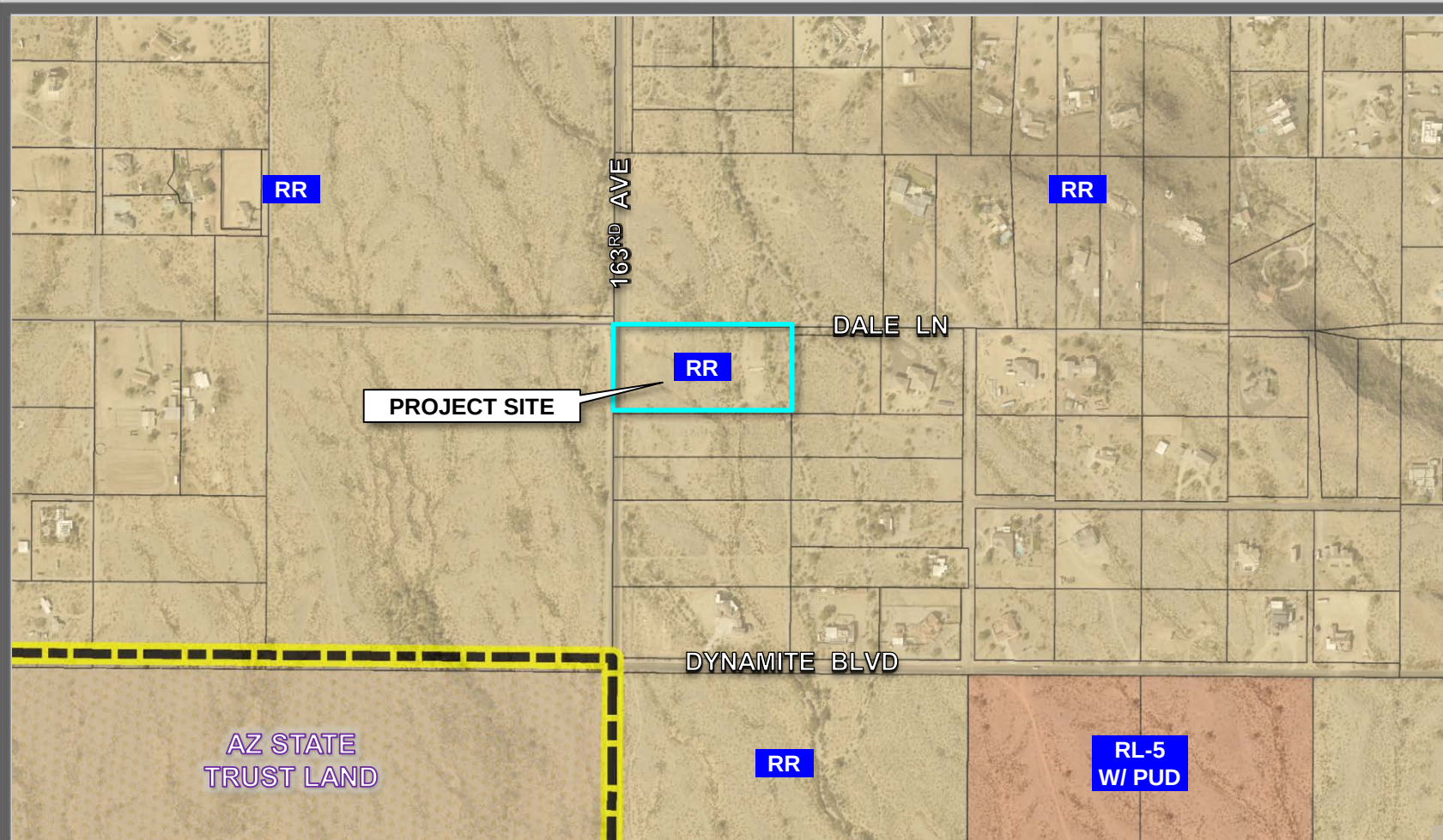
FS22-1061

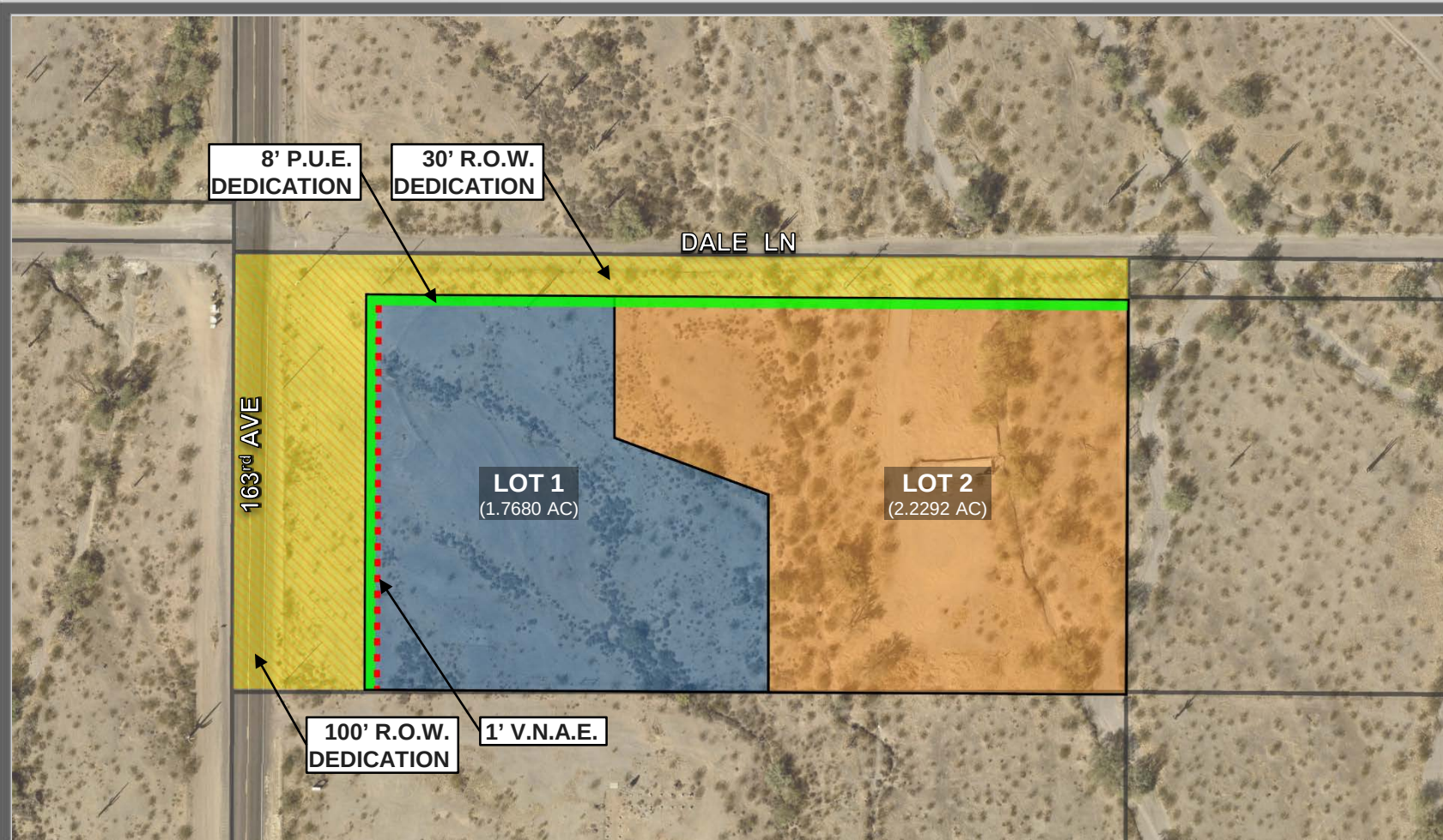
Judith Morgan Lot Split – Final Plat

City Council
February 07, 2023









FINAL PLAT OF MORGAN-HARRIS ESTATES

OF A PORTION OF LOT 4, SECTION 30, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS, THAT JUDITH A. MORGAN, AS OWNER, HAS SUBDIVIDED UNDER THE YONGE MORGAN-HARRIS ESTATES, A SUBDIVISION LOCATED IN A PORTION OF LOT 4, SECTION 30, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON, AND HEREBY DECLARES THAT SAID SURVEY SETS FORTH THE LOCATION AND CORNERS, THE MEASUREMENTS AND DIMENSIONS OF THE LOTS AND EASEMENTS CONVEYING SAME, AND EACH LOT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NAMES OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TRUE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THIS PLAT.

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.

ALL IMPROVEMENTS, FOR STREET AND PUBLIC UTILITY OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENT, 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 IN THE CITY COUNCIL, FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF), AN AVIATION EASEMENT (OFT) 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, OR TAKING OFF FROM, OR OPERATING AT OR ON LAND, AIR FORCE BASES, AND AIRCRAFT FIELD.

IN WITNESS WHEREOF, JUDITH A. MORGAN, AS OWNER, HAS HEREON CAUSED HER NAME TO BE SIGNED THIS _____ DAY OF _____, 20____.

BY: _____
JUDITH A. MORGAN

ACKNOWLEDGMENT

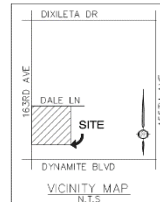
STATE OF ARIZONA }
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2022 BEFORE ME THE UNDERSIGNED NOTARY PUBLIC PERSONALLY APPEARED, JUDITH A. MORGAN, WHO ACKNOWLEDGED HERSELF TO BE THE OWNER AND THAT SHE, AS SUCH OWNER, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING PLAT FOR THE PURPOSE THEREIN CONTAINED.

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

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____



PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUNG AIR FORCE BASE AND MAY BE SUBJECT TO INTERFERENCE BY AIRCRAFT AND OTHER STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE STRIKE ATTENTION STANDARDS ADOPTED BY THE CITY OF SURPRISE, A MAP, DULCIPING THE MOST CURRENT ADOPTED MAP NOISE CONTOURS IN RELATION TO THIS PLAT, SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

JUDITH A. MORGAN, AS 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) HEREBY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, AND FROM ANY LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING BUT NOT LIMITED TO, PERSONAL INJURY OR PROPERTY DAMAGE, THAT MAY ARISE AT AND FROM THE OPERATION OF AIRCRAFT, INCLUDING BUT NOT LIMITED TO, OVERFLIGHTS FROM AIRCRAFT UTILIZING LUNG AIR FORCE BASE, WHETHER SUCH DAMAGES 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 LUNG AIR FORCE BASE AND ITS AUXILIARY FACILITIES, THIS INSTRUMENT SHALL NOT BE IN ANY MANNER A WAIVER OF ANY RIGHTS OR INTERESTS IN THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE OWNER FROM LIABILITY FOR NEGLIGENCE OR INJURY TO PERSONS 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.

JUDITH A. MORGAN, OWNER, DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, (2) HEREBY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, AND FROM ANY AND ALL DAMAGES, INCLUDING BUT NOT LIMITED TO, PERSONAL INJURY OR PROPERTY DAMAGE, THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE PUBLIC RIGHTS-OF-WAY AS SHOWN ON 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, OR TAKING OFF FROM, OR OPERATING AT OR ON LAND, AIR FORCE BASES, AND AIRCRAFT FIELD.

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 LOCATED WITHIN THE PUBLIC RIGHTS-OF-WAY, UNTIL SUCH TIME THAT THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

NOTES

1. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
2. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
3. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
4. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
5. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
7. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION 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 OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
9. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
10. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES LANDSCAPED TRACTS, INTERSECTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.

LEGAL DESCRIPTION

THE NORTH HALF OF THE NORTHWEST QUARTER OF LOT 4, SECTION 30, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

OWNER

JUDITH A. MORGAN
9617 N AVENUE DEL SOL
PEORIA, AZ 85363

SITE INFORMATION

APN: 003-002-001A

ADDRESS: N/A

AREA:

4.7 / 224.54 SQ. FT. / +/- 5.1545 ACRES

ZONING: RURAL RESIDENTIAL (RR)

BASIS OF BEARING

BASIS OF BEARING IS THE BEST LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T30N, R18W BAS BEARING BEING NORTH 05 DEGREES 14 MINUTES 16 SECONDS EAST.

APPROVAL & FINAL PLAT

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT WAS REVIEWED AND APPROVED THIS _____ DAY OF _____, 20____, 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 _____, 20____.

ATTEST:

WATSON _____
DATE

CITY CLERK _____
DATE



FINAL PLAT
OF
MORGAN-HARRIS ESTATES

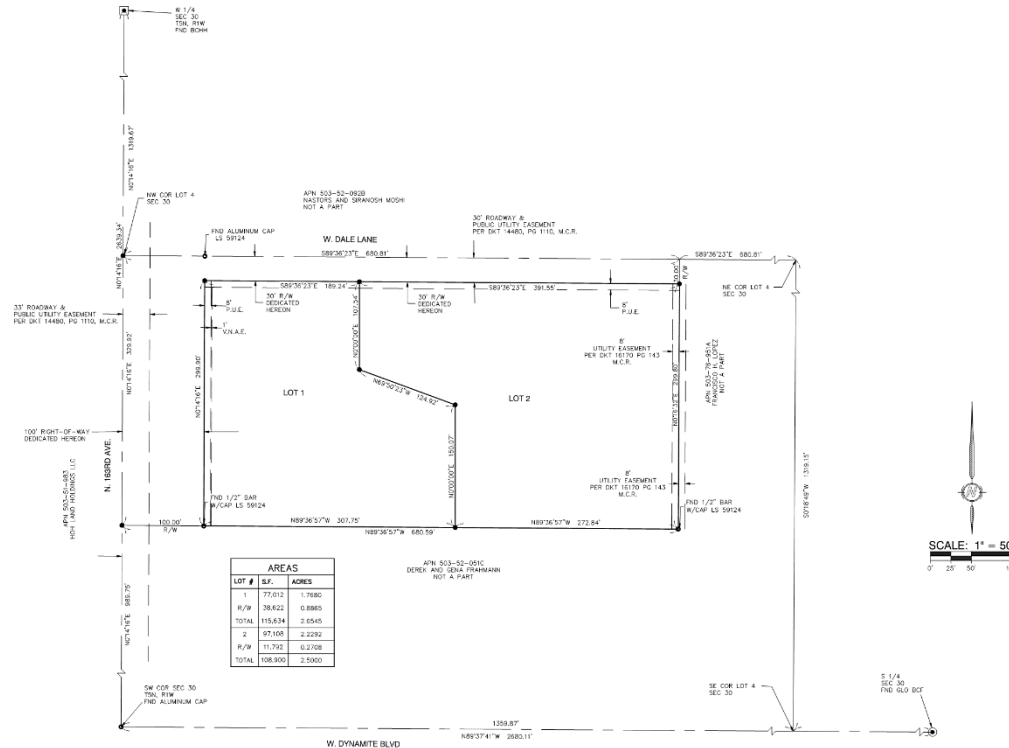
DRAWN JMF	DATE 12/14/22	CHECKED JMF	DATE 12/14/22
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FS22-1093

FS22-1093 FINAL PLAT

FINAL PLAT OF MORGAN-HARRIS ESTATES

OF A PORTION OF LOT 4, SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



SURVEYOR'S CERTIFICATE:
I, JEFFREY W. BLUMANT, A QUALIFIED LAND SURVEYOR IN THE STATE OF ARIZONA, DO HEREBY CERTIFY THAT THIS MAP OR PLAT IS BASED ON A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION DURING THE MONTH OF SEPTEMBER, 2022, THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MONUMENTS SHOWN EXIST AS OF THE DATE HEREON AND ARE SUFFICIENT TO ALLOW THE SURVEY TO BE RETRACED.

Jeffrey W. Blumant
ARIZONA R.L.E. 34711

Final Plat
OF
MORGAN-HARRIS ESTATES

17427 N. ACQUILA
MESA, ARIZONA 85213
(602) 375-8620

DATE: 12/14/22
DRAWN: JMB
CHECKED: JMB
SHEET: 2 OF 2
FS22-1093



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Public Works
Staff Recommendations:

Contact Person: Kristin Tytler, Department Director
District: District 1

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

Consideration and action pertaining to approval of the Rancho Vista Alternative Assurance Agreement.

Motion:

I move to approve the Rancho Vista Alternative Assurance Agreement.

Background:

On February 1, 2022, via Resolution #2022-11, the Mayor and Council of the City of Surprise approved the Final Plat entitled “Rancho Vista.” Pursuant to Section 2 of said Resolution, “The City of Surprise will withhold recording of the aforementioned Final Plat for a maximum of 90 days from the date this Resolution is approved until Financial Assurances have been received by the City of Surprise.” In the Rancho Vista Alternative Assurance Agreement, the Subdivider is requesting that the City of Surprise allow, as an alternative to posting financial assurances, to construct and install all the required infrastructure improvements within twelve (12) months of the date of this Agreement, after approval of the final plat by the City Council but before recordation of the final plat. This is an option made available to developers in the Land Development Ordinance Sec 108-3.2.2 of the City of Surprise Municipal Code. In lieu of acceptable financial assurances, the City will not record the final plat until which time the entire infrastructure is constructed, installed, and accepted by the City of Surprise or replaced by traditional acceptable financial assurances.

Objective Analysis:

The purpose of allowing the Subdivider, as an alternative to posting financial assurances, to extend the completion date an additional twelve (12) months from the date in the Agreement is to construct and install all of the required infrastructure improvements.

Policy Compliant:

This item is policy compliant per Part II – Land Development Ordinance Sec 108-3.2.2.

Financial Impact:

This item does not have a financial impact.

Budget Impact:

This item does not impact the city's budget.

FTE Impact:

This item does not impact the overall full-time equivalent count.

ATTACHMENTS:

1. Alternative Assurance Agreement
 2. Exhibit A
-

ALTERNATIVE ASSURANCE AGREEMENT
(Rancho Vista)

This Alternative Assurance Agreement (“Agreement”) is dated as of this ____ day of _____, 2023 (the “Effective Date”) by and between the City of Surprise, an Arizona municipal corporation (the “City”), and 92 Acres Associates LLC, an Arizona limited liability company (“Subdivider”). The City and Subdivider may be individually referred to as a “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, the City of Surprise Land Development Ordinance, Section 108-3.2.A.2 allows the City Council to approve a final plat, but withhold recordation of the final plat until completion and acceptance of all required infrastructure improvements.

WHEREAS, the Parties desire to enter into this Agreement for the purpose of allowing Subdivider, as an alternative to posting financial assurances, to construct and install all of the required infrastructure improvements within twelve (12) months of the date of this Agreement, after approval of a final plat by the City Council but before recordation of the final plat. This Agreement shall also be used as a basis for an extension of the required completion or improvements for an additional twelve (12) month period, as permitted by Section 108-3.2.A.2.e.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and the mutual promises set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties state, confirm, and agree as follows:

SPECIAL TERMS AND CONDITIONS

1. This Agreement shall apply to the financial assurances required for the Final Plat of Rancho Vista (“Final Plat”). A copy of page 1 of the Final Plat is attached hereto as Exhibit A.
2. The term of this Agreement is twelve (12) months from the Effective Date. The Community Development Director, upon request of Subdivider, may extend the term of this Agreement for an additional twelve (12) month period.
3. During the term of this Agreement Subdivider shall either (i) provide to City financial assurances for the public improvements associated with the Final Plat (“Improvements”) as described in City of Surprise Land Development Ordinance Section 108-3.2.A.1, or (ii) complete the construction, installation, and dedication of the Improvements. The City shall not record the Final Plat until either (i) or (ii) above has been completed by Subdivider.
4. At the expiration of this Agreement if Subdivider has failed to either (i) provide financial assurances for the Improvements as described in City of Surprise Land Development Ordinance Section 108-3.2.A.1, or (ii) initiate the construction of the

Improvements, the City Council may take formal action to rescind approval of the Final Plat.

5. No lots within the Final Plat may be developed or sold until Subdivider has either (i) provided to City financial assurances for the Improvements as described in City of Surprise Land Development Ordinance Section 108-3.2.A.1, or (ii) completed the construction, installation, and dedication of the Improvements.

GENERAL TERMS AND CONDITIONS

6. Subdivider hereby waives and releases the City from any and all claims under A.R.S. § 12-1134, *et seq.*, including any right to compensation for reduction in the fair market value of the real property that is the subject of this Agreement, as a result of the City's approval of this Agreement. The terms of this waiver shall run with the land and shall be binding upon all subsequent Subdividers and shall survive the expiration of other termination of this Agreement.
7. This Agreement is subject to cancellation for conflict of interest. Pursuant to A.R.S. § 38-503 and § 38-511, no member, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested.
8. The provisions of this Agreement are binding upon and shall inure to the benefit and burden of the Parties and all of their successors in interest and assigns. Subdivider shall provide the City with at least ten (10) business days' written notice in the event that title to all or any part of the Final Plat is conveyed or otherwise transferred to a third party that is not related to or an affiliate of Subdivider.
9. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations, negotiations and understandings of the Parties, oral or written, are hereby superseded and merged herein.
10. Upon the conveyance of all or a portion of the Final Plat by Subdivider or its successors-in-title or assigns and the assumption by such transferee or Subdivider's obligations under this Agreement, Subdivider or its successors-in-title or assigns, as applicable, shall be released from its liabilities and obligations under this Agreement.
11. The laws of the State of Arizona shall govern any dispute, controversy, claim or cause of action arising out of or related to this Agreement. The venue for any such dispute shall be Maricopa County, Arizona, and each Party waives the right to object to venue in Maricopa County for any reason. Neither Party shall be entitled to recover any of its attorneys fees or other costs from the other Party incurred in any such dispute, controversy, claim, or cause of action, but each Party shall bear its own attorneys' fees and costs, whether the same is resolved through arbitration,

litigation in a court, or otherwise. The only remedies that either Party may seek in the event of a breach or default of this Agreement by the other Party are specific performance, injunction, and declaratory relief. No money damages may be sought or awarded.

12. All notices, filings, consents approvals and other communications provided or herein or given in connection herewith shall be made in writing, emailed and delivered personally or sent by registered certified United States Postal Service mail to;

City of Surprise
Attention: Community Development Director
16000 N. Civic Center Plaza
Surprise, Arizona 85374
Email: lloyd.abrams@surpriseaz.gov

Copy to:

City of Surprise
Attention: City Engineer
16000 N. Civic Center Plaza
Surprise, Arizona 85374
Email: mark.dorsey@surpriseaz.gov

Surprise City Attorney's Office
16000 N. Civic Center Plaza
Surprise, Arizona 85374
Email: robert.wingo@surpriseaz.gov

Copy to Subdivider:

92 Acres Associates LLC
Attn: Elliott D. Pollack
5111 Scottsdale Rd., Suite 202
Scottsdale, AZ 85251
Email: pollack@edpco.com

[signatures appear on the following pages]

IN WITNESS WHEREOF, the Parties have executed this Agreement, and this Agreement shall be effective, as of the Effective Date set forth above.

CITY:

CITY OF SURPRISE, an Arizona municipal corporation

By: _____
Skip Hall
Mayor

Date: _____

SUBDIVIDER:

92 ACRES ASSOCIATES LLC, an Arizona limited liability company

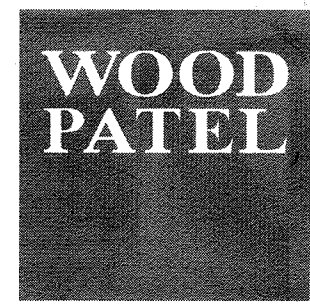
By: _____
Elliott D. Pollack, Member

Date: _____

EXHIBIT A

Rancho Vista Final Plat (Page 1)

[see following page]



Wood, Patel & Associates, Inc.
Civil Engineering
Water Resources
Land Survey
Construction Management
602.335.8500
www.woodpatel.com

RANCHO VISTA FINAL PLAT
FINAL PLAT

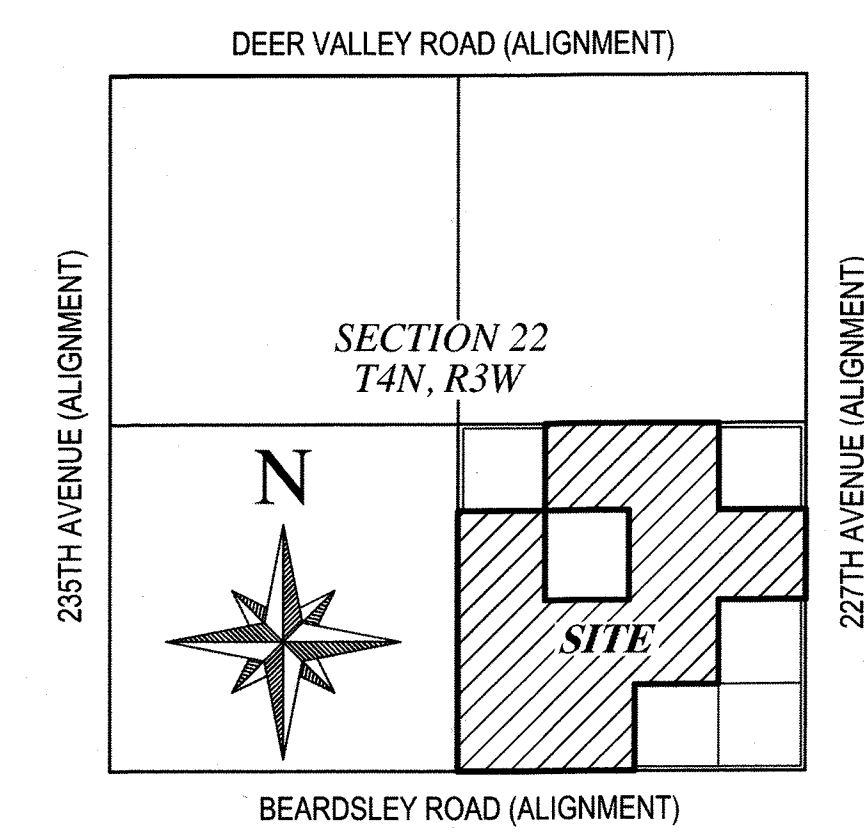


CHECKED BY	BJD
CAD TECHNICIAN	JKP
SCALE	NTS
DATE	01/04/2022
JOB NUMBER	WP# 174648
SHEET	1 OF 12

#FS21-304
2:2017174648SurveyPlan4846-FPI.dwg

FINAL PLAT OF RANCHO VISTA

A SUBDIVISION SITUATED IN A PORTION OF THE SOUTHEAST
QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 WEST, OF
THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE,
MARICOPA COUNTY, ARIZONA



VICINITY MAP
NTS

RELEASE OF LIABILITY

92 ACRES ASSOCIATES 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, 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 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, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

92 ACRES ASSOCIATES LLC, AN ARIZONA LIMITED LIABILITY COMPANY (OWNER) DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS 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 THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY 92 ACRES ASSOCIATES, LLC, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS, FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENCE, WILLFUL, MALICIOUS, OR GROSSLY NEGLIGENT CONDUCT OF 92 ACRES ASSOCIATES, LLC, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS 1ST DAY OF February, 2022 BY THE CITY ENGINEER OF SURPRISE, ARIZONA.
APPROVED [Signature] 02/01/2022
CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS 1st DAY OF February, 2022
ATTEST: [Signature] 2/1/22
MAYOR DATE
[Signature] 2-1-2022
CITY CLERK DATE

OWNER / DEVELOPER

92 ACRES ASSOCIATES LLC
5111 N SCOTTSDALE ROAD, SUITE 202
SCOTTSDALE, AZ 85250
CONTACT: ELLIOTT D. POLLACK

ENGINEER & SURVEYOR

WOOD, PATEL & ASSOCIATES, INC.
2051 WEST NORTHERN AVENUE #100
PHOENIX, AZ 85021
PHONE: (602)335-8500
FAX: (602)335-8580
CONTACT: FRANK M. KOO, P.E.
EMAIL: fkoo@woodpatel.com

SHEET INDEX

- 1 - COVER
- 2 - KEY MAP & LEGENDS
- 3-10 - PLAN SHEETS
- 11-12 - TABLES & DETAILS

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS.

KNOW ALL MEN BY THESE PRESENTS: THAT 92 ACRES ASSOCIATES LLC, AN ARIZONA LIMITED LIABILITY COMPANY, (OWNER), HAS SUBDIVIDED UNDER THE NAME "RANCHO VISTA", A SUBDIVISION LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 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 "RANCHO VISTA", AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE 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 WATER EASEMENT (WE) AND SEWER EASEMENT (SE) FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE WATER AND SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

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 PUBLIC RECREATION/TRAIL EASEMENT FOR PEDESTRIAN ACCESS, EQUINE ACCESS, BICYCLING, AND OTHER NON-MOTORIZED FORMS OF ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE PUBLIC AN EASEMENT FOR RECREATION OVER, UPON, AND ACROSS THOSE AREAS DESIGNATED AS RECREATION TRAILS OR AREAS FOR THE PURPOSE OF ALLOWING THE PUBLIC ACCESS TO THE TRAIL SYSTEM.

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 FIELD.

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.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND 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.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS 4 DAY OF

January, 2022

92 ACRES ASSOCIATES LLC, AN ARIZONA LIMITED LIABILITY COMPANY
BY [Signature]

ITS Managing member

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS.

ON THIS 4 DAY OF January, 2022, BEFORE ME, THE UNDERSIGNED, PERSONALLY

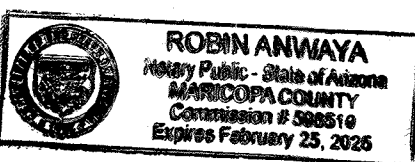
APPEARED Elliott Pollack, WHO ACKNOWLEDGED HIMSELF TO BE

Managing member, OF 92 ACRES ASSOCIATES LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND BEING AUTHORIZED TO DO SO ON BEHALF OF SAID ENTITY, EXECUTED THE FOREGOING PLAT FOR THE PURPOSED THEREIN CONTAINED.

IN WITNESS WHEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL

[Signature]
NOTARY PUBLIC



February 25, 2025
MY COMMISSION EXPIRES

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 MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

NOTES

- 1) 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.

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 HOMEOWNERS' ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
- 2) NO PERMANENT STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN EASEMENTS, IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF THE CITY UTILITIES.
- 3) NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- 4) THE PROPERTY IS LOCATED WITHIN SPECIAL FLOOD HAZARD AREA ZONE A, ZONE AE AND OTHER FLOOD AREAS ZONE X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP NO. 04013C1195L, WITH A DATE OF IDENTIFICATION OF OCTOBER 13, 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.
- 5) IN ACCORDANCE WITH ARS 9-461.07, THE CITY HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN 2020.
- 6) PURSUANT TO A.R.S. § 42-1102, 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 #14751 AND 14710, WHEN APPLICABLE.
- 7) ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND WITHIN STREET RIGHT-OF-WAY OR WITHIN THE PUBLIC UTILITY EASEMENTS WHERE SHOWN ON THIS FINAL PLAT.
- 8) NO PERMANENT STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN EASEMENTS, IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF THE CITY UTILITIES.
- 9) ALL STRUCTURES AND LANDSCAPING WITHIN THE 30' X 30' VISIBILITY TRIANGLES ALONG THE PROPERTY LINES AT ALL LOT CORNERS SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 30' ABOVE GROUND LEVEL.
- 10) ALL SUBDIVISION AND INDIVIDUAL LOT PROPERTY CORNERS SHALL BE SET WITH 1/2" REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- 11) PROVISIONS SHALL BE MADE FOR DEVELOPMENT AND MAINTENANCE OF STREET LIGHTS THROUGH THE CREATION OF A STREET LIGHT IMPROVEMENT DISTRICT (S.L.I.D.)
- 12) ALL PROPOSED DWELLING UNITS SHALL BE SINGLE FAMILY DETACHED.
- 13) A SURVEY MONUMENT TO BE SET IN CONCRETE AT ALL CENTERLINE P.C., P.T. AND STREET INTERSECTIONS UPON COMPLETION OF PAVING IMPROVEMENTS, AS SHOWN ON IMPROVEMENT PLANS.
- 14) ALL RETENTION BASINS MUST DRAIN ANY STORM EVENT UP TO AND INCLUDING THE ONE HUNDRED-YEAR, TWO-HOUR STORM WITHIN THIRTY-SIX (36) HOURS, OWNER(S) OF ANY BASIN FAILING TO MEET THIS REQUIREMENT MUST TAKE CORRECTIVE ACTION TO BRING THE BASIN INTO COMPLIANCE.
- 15) ENFORCEMENT OF THE RESTRICTIONS PERTAINING TO ALL VEHICULAR NON-ACCESS EASEMENTS (VNAE) SHALL BE THE RESPONSIBILITY OF THE RANCHO VISTA COMMUNITY ASSOCIATION.

100 YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE BUENA VISTA PUBLIC WATER SYSTEM 04-07-538 WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. § 45-576.

CERTIFICATION

THIS IS TO CERTIFY THAT A PLAT AND A SURVEY OF THE PREMISES WAS MADE UNDER MY DIRECTION DURING THE MONTH OF DECEMBER, 2019, THAT THE MONUMENTS SET FOR THE PLAT ARE TRUE AND COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE, THAT THE MONUMENTS SHOWN ARE ACTUALLY EXIST OR WILL BE SET AT THE COMPLETION OF MASS GRADING BY THE REGISTERED LAND SURVEYOR UNDER CONTRACT TO COMPLETE THE CONSTRUCTION STAKING FOR THE PROJECT, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

[Signature]
BRIAN J. DIEHL, RLS 23945
WOOD, PATEL & ASSOCIATES, INC.
1630 SOUTH STAPLEY DRIVE - SUITE 219
MESA, ARIZONA 85204
SURVEYOR@WOODPATEL.COM



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Public Works
Staff Recommendations:

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

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

Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11A, B, and C; Resolution # 2023-09.

Motion:

I move to approve Resolution # 2023-09.

Background:

The Public Works Department conducted the final inspection of the public improvements for Zanjero Trails Phase 2 Parcel 11A, B, and C on or about May 5th, 2022, totaling 188,746 SY (approximately 6,701 LF) and determined that the infrastructure was compliant and acceptable to the City. The infrastructure includes asphalt pavement, concrete, storm drain and wastewater lines. Domestic water lines are located within the Epcor Water jurisdiction.

Objective Analysis:

The improvements to this property provide roadways for conveyance through the property, storm drains to convey stormwater to retention basins, and sewer lines to convey wastewater from the property to the city's public system. This action will accept the required infrastructure. The domestic water serving the property is within Epcor Water's jurisdiction.

Policy Compliant:

The City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of street, sewer, and storm drain infrastructure increases the City's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,635,235.85.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the City's HURF, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated into future years' budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_Res 2023-09 Infrastructure Accept Zanjero phase 2
 2. 02_Notice of Completion Letter
 3. 03_Inspector Sign-Off Form
 4. 04 Linear Foot Verification
-

RESOLUTION # 2023-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE PUBLIC IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER TWO YEAR WARRANTY AT ZANJERO TRAILS PHASE 2 PARCEL 11A, B, C MOD GENERALLY LOCATED AT SOUTHWEST CORNER OF CACTUS ROAD AND PERRYVILLE ROAD.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Map of Dedication of Zanjero Trails Phase 2- Parcel 11" on, February 12th, 2019;

WHEREAS, as a condition of the preliminary plat, approval of the final plat, and in compliance with the City Code, the developer installed certain public improvements, including roadway improvements which consist of concrete sidewalks, curbs and gutters, as well as asphalt/paving, and the developer also installed water lines, sewer lines, and drainage infrastructure. The roadway improvements, sewer lines, water lines and drainage infrastructure are all collectively referred to as "Public Improvements";

WHEREAS, Land Solution Cactus, LLC and Lennar Arizona, INC the developer of Zanjero Trails Phase 2 Parcel 11A, B and C, dedicated to the City the Public Improvements, generally located at Southwest corner of Cactus Road and Perryville Road;

WHEREAS, on or about May 5th, 2022, the City of Surprise Public Works Department Engineering Division completed an inspection of the Public Improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the two-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the two-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and Public Improvements.

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

Section 1. The City of Surprise conditionally accepts the Public Improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the Public Improvements.

APPROVED AND ADOPTED this _____ day of _____, 2023.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure



**INFRASTRUCTURE TO
BE ACCEPTED:**

- SEWER
- DRAINAGE
- ROADWAY
Asphalt/Pavement,
Concrete (Curb &
Gutter, Sidewalk)

EXHIBIT A Zanjero Trails Phase 2 Parcel 11A, B, C

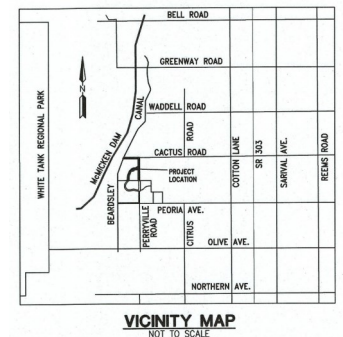


EXHIBIT B

List and Cost of Improvements



EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 12/27/2022
Re: ZANJERO TRAILS PHASE 2 PARCEL 11A,B, C MOD

The public improvements for the above project have been completed and are tentatively scheduled for the February 7, 2023 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Paving	\$ 861,376.24
City Concrete	\$ 561,954.46
City Sewer	\$ 187,511.53
City Drainage	\$ 24,393.62
Total	\$1,635,235.85

May 9, 2022

Hilgart Wilson LLC
2141 E Highland Avenue #250
Phoenix, AZ 85016

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR ZANJERO TRAILS PHASE 2
PARCEL 11 A, B, C MOD – FS17-432**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

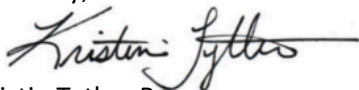
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of two (2) years; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6153 or at kristin.tytler@surpriseaz.gov.

Sincerely,



Kristin Tytler, P.E.
Public Works Director

cc: Nuning Lemka, PW Engineering Manager
John McFarland, PW Streets Manager
Michael Boule, Water Resource Management

David Mobley, PW Field Engineering Supervisor
Amanda Correia, Finance
Warren Bert, GIS



PROJECT SIGN OFF FORM
PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 05/04/22 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

01/03/22 Date of Punch-List Walk 01/20/22 Date Punch-List Completed

FS Number: FS17-432 Permit Number(s): E18P-0200,0201,0202,0203,0204,0205

Project Name: Zanjero Trails Phase 2 Parcel 11C Phase 1 & 2

Project Developer/Builder: (Name/Email, Address)

Lennar Homes - 1665 W Alameda Dr Ste 130 Tempe AZ 85282

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
189th Ave	Local	Futtrue tie in	Jenan Drive	2	1/4	
Jenan Dr	Local	189th ave	Perryville rd	2	1/2	
Perryville rd	Local	Future tie in	Cactus rd	1	1/2	
Cactus rd	Local	Perryville rd	Future tie in	2	1/2	

MATERIALS:

Asphalt:	<u>Solterra Materials</u>	Supplier	<u>2.25</u>	Total Lane Miles	<u>22507</u>	Total Square Yards		
Water:	<u>8" pvc c900</u>	Size/Type	<u>220</u>	Total LF	<u>12" Pvc c900</u>	Size/Type	<u>2510</u>	Total LF
	<u>12" cl 350 dip</u>	Size/Type	<u>1002</u>	Total LF		Size/Type		Total LF
Sewer:	<u>8" sdr26</u>	Size/Type	<u>2820</u>	Total LF		Size/Type		Total LF
		Size/Type		Total LF		Size/Type		Total LF
Storm:	<u>18" rgrcp</u>	Size/Type	<u>391</u>	Total LF		Size/Type		Total LF
		Size/Type		Total LF		Size/Type		Total LF
Fire Ln:		Size/Type		Total LF		Size/Type		Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List	☒ AOC
☒ Final Certification Letter from Engineer of Record	☒ Asphalt Concrete Ticket w/ Name of Contractor
☒ Complete Geotechnical Testing Packet	☒ Streetlight Energize Letter
☒ Sewer Pressure Testing Results	☒ As built Documents (PDF copy on CD)
☒ Sewer Manhole Vacuum Testing Certification	☐ Updated asbuilt CAD base files (copy on CD)
☒ Sewer Manhole Insecticide Certification	
☒ Sewer Videos with Operators Notes (inc. re-videos)	
☐ Other _____	(Specify)

APPROVAL:

Civil Inspector: 
Civil Engineering Supervisor: 

Date: 5/4/22

Date: 5/5/22

FS Case	Project Name	Private/Public	Classification	Roadway	Length (ft)	Length (mile)	Length (Nearest 1/4 mile)	Lane Miles	Width (pavement) (ft)	Pavement Area (ft ²)
17-432	Zanjer Trails Ph 2 Parcel 11A, B, C	Public	Arterial	W. Cactus Road	1819.0	0.34	0.25	0.69	36.5	66,394
17-432	Zanjer Trails Ph 2 Parcel 11A, B, C	Public	Arterial	N. Perryville Road	2670.0	0.51	0.5	0.51	16.0	42,720
17-432	Zanjer Trails Ph 2 Parcel 11A, B, C	Public	Collector	N 189th Avenue/W. Jenan Dr	2212.0	0.42	0.5	0.84	36.0	79,632
				Total	6701.0				Total	188,746



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Public Works
Staff Recommendations:

Contact Person: Kristin Tytler, Department Director
District: Citywide

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

Consideration and action pertaining to acceptance of the City's Arizona Lottery Fund (ALF) allotment for FY2023 in the amount of \$364,134; Resolution #2023-11.

Motion:

I move to approve Resolution #2023-11.

Background:

The Arizona Lottery Fund (ALF) is judicially mandated funding currently derived from Powerball lottery revenues to provide public transportation funding opportunities in Maricopa County. An allocation of \$11,200,000 has been made available for FY2023 distribution. The City of Surprise's eligible portion is \$364,134. The program was made "transit use only", so the funds can only be used for public transit or special needs transportation, sponsored by a local government. There is no local match requirement associated with ALF funds; other funds are called out in the application to highlight the City's contribution to transit services. This year's application is for the City's contracted Regional Paratransit service, RideChoice services and the City's portion of the Surprise's 571 express bus service. These state funds will be used to meet the City Council Strategic Planning Transportation goals. After submission of the application for funding, the City will receive the requested funds in the amount of \$364,134. The proposed resolution authorizes the application and acceptance of the funds upon receipt and reallocates budget authority from the Contingency Fund to the Lottery Fund.

Objective Analysis:

Arizona Lottery Funds allow the City to leverage general fund dollars towards other City priorities without jeopardizing transit service for the Surprise residents, on average, in the amount of \$360,000 annually. By not accepting these funds, and if the City wanted to maintain the current level of service in its transit programs, the City would have to increase its general fund obligations by an additional \$360,000.

Policy Compliant:

This action is consistent with the Council Strategic Plan goal of identifying funding sources for the transportation system.

Financial Impact:

The approval of this item will allow the City to formally receive ALF funding in the amount of \$364,134 for FY2023 to support public transportation services.

Budget Impact:

The FY2023 adopted budget includes revenue allocations of \$400,000 and expense allocations of \$401,100 within the Arizona Lottery Fund for transit services.

FTE Impact:

There are no FTE's associated with this item.

ATTACHMENTS:

1. Signed FY2023_ALF_Application
 2. Resolution 2023-11
-

ALF GRANT APPLICATION FOR FISCAL YEAR 2022-23

SECTION I: APPLICANT INFORMATION

Applicant: City of Surprise Contact: Kristen Taylor

Address: 16000 N. Civic Center Plaza Phone: 623-222-6021

Surprise, AZ 85374 Fax: _____

e-mail address: kristen.taylor@surpriseaz.gov

SECTION II: FUNDING REQUEST

Project Funding Summary (include funding from all project applications)

a. Total all ALF Being Requested for Transit Projects (from Project Forms)	\$	364,134
b. Total Other Funds included in the Projects (from Project Forms)		
c. Grand Total all Funds	\$	364,134

SECTION III: PRIOR YEAR ALF PROJECT STATUS

Funding is available for two years unless an extension is requested. Funding that is not spent within two years is subject to possible redistribution through the annual distribution process to other jurisdictions.

1. Have ALF distributions received by your jurisdiction on or before June 30, 2022 been expended?
Yes X No _____
2. If the funds have been expended, were they spent on the projects as indicated in prior applications?
Yes X No _____
3. If the funds described above have not been expended, what is your ALF fund balance?
\$ 0.00
4. If the answer to lines 1 or 2 are no, provide a brief description of why the funds were not expended or were not expended on projects originally submitted in an application and explain when the funds are planned to be expended.

Authorized chief financial officer signature:

DocuSigned by:

Andrea Davis

E2E4EE750061449...

1/23/2023 | 10:28 AM MST

Date: _____

Finance Director

Title

Authorized jurisdictional signature**:

DocuSigned by:

Bob Wingenroth

C8B99B0184594BA...

Date: 1/24/23

City Manager

Title

****Signatory should be city, town or county manager or program director.**

ALF GRANT APPLICATION FOR FISCAL YEAR 2022-23

SECTION I: APPLICANT INFORMATION

Applicant: _____ City of Surprise _____ Contact: _____ Kristen Taylor _____

SECTION II: PROJECT REQUEST(S)

1. Transit Project

- a. Project Title: _____ City of Surprise Transit Operations _____
- b. Project Location: _____ City of Surprise _____
- c. Project Description: _____ The City of Surprise plans to use all ALF funds to help with bus operations _____
 _____ in the City of Surprise. Currently, Surprise operates Express Route 571, along with funding _____
 _____ Paratransit and RideChoice programs. _____

- Additional project information may be attached.**
- d. ALF funding requested (also include on line 2a) _____ \$364,134 _____
- e. Other Funds included in the Project (include on line 2b on page 1) _____
- f. Total Project Cost _____ \$ _____
- g. Type of Project: ☐ Planning ☐ Capital ☒ Operations ☐ Other _____
- h. Is the project included in the Regional Transportation Plan? (Yes or No) _____ Yes _____
- i. Is the project included in the TIP or UPWP? (Yes or No) _____ Yes _____

2. Transit Project

- a. Project Title: _____
- b. Project Location: _____
- c. Project Description: _____

- Additional project information may be attached.**
- d. Finance Director _____ \$ _____
- e. Other Funds included in the Project (include on line 2b on page 1) _____ \$ _____
- f. Total Project Cost _____ \$ _____
- g. Type of Project: ☐ Planning ☐ Capital ☐ Operations ☐ Other _____
- h. Is the project included in the Regional Transportation Plan? (Yes or No) _____
- i. Is the project included in the TIP or UPWP? (Yes or No) _____

RESOLUTION # 2023-11

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AN ALLOCATION OF ARIZONA LOTTERY FUNDS FROM THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY IN THE AMOUNT OF \$364,134.

WHEREAS, the Regional Public Transportation Authority (“RPTA”) is awarding funding for local transit projects relating to all aspects of transit services;

WHEREAS, upon application, the Arizona State Legislature has authorized an allocation of Arizona Lottery Funds (“ALF”) to the City of Surprise to fund transit activities in the amount of \$364,134.00;

WHEREAS, the FY2023 budget, including the FY2023 Contract Awarding Authority List, was adopted by Council Resolution #2022-56 on June 7, 2022;

WHEREAS, the FY2023 adopted budget includes revenue and expense allocations of \$364,134 within the City’s ALF fund for transit services;

WHEREAS, the Council desires to accept the ALF allocation in the amount of Three Hundred Sixty-Four Thousand One Hundred Thirty-Four Dollars (\$364,134.00);

WHEREAS, this is the same amount RPTA awarded to the City for FY 2022 and will not necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for acceptance of these funds.

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 ALF award for FY2023 and receive funds in the amount of \$364,134.00 from the Regional Public Transit Authority.

Signatures on Following Page

APPROVED AND ADOPTED this ____ day of _____, 2023.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023

Contact Person: Holly Osborn, DIRECTOR-
PARKS & REC

Submitting Department: Parks and Recreation
Staff Recommendations:

District: Citywide

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Comprehensive Citywide Fee Schedule by revising and adding new parks and recreation fees; Resolution #2023-13.

Motion:

I move to approve Resolution #2023-13.

Background:

The Parks and Recreation Department collects various fees for recreation programs, services and rentals. Increases to rental and admission based fees must follow municipal public notice requirements per Arizona Revised Statutes A.R.S. 9-499.15. The Department has realized significant expense increases over the past few years in part-time staffing, supplies and services, and therefore, is recommending an increase in fees for various services as well as increasing the fee ranges to allow for future increases.

The Department is also recommending new field rental rates for Countryside Park due to maintenance and staffing requirements.

Objective Analysis:

Fees are reviewed regularly to ensure fees align with similar programs and services in Valley cities as well as ensuring cost recovery goals are being met. The Department has completed the research and analysis of existing fees and are proposing various increases. The Notice of Intent to update the fees has been posted for 60 days.

Policy Compliant:

The policy is compliant with the City of Surprise Comprehensive Financial Management Policy and User Fees Standard Operating Procedure.

Financial Impact:

The estimated financial impact for the current proposed fee increases on the Citywide Fee Schedule is minimal. The Department is primarily requesting an adjustment to the fee ranges should future fee increases be warranted. Any revenue increases would be used to offset expense increases.

Budget Impact:

The proposed fees will not have a negative impact on the budget. If needed, budget authority will be adjusted in future budget processes.

FTE Impact:

There is no FTE impact.

ATTACHMENTS:

1. Res 2023-13 Citywide Fees Increase
 2. REDLINE_Fee Schedule_Parks_Res 2023-13pdf
 3. FINAL_Fee Schedule_Parks_Res 2023-13pdf
 4. REVISED Fee Schedule Updates- Council Presentation 02 07 23
-

RESOLUTION # 2023-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, INCREASING EXISTING PARKS AND RECREATION FEES, ESTABLISHING NEW PARKS AND RECREATION FEES, AND AMENDING THE COMPREHENSIVE CITYWIDE FEE SCHEDULE.

WHEREAS, per the City of Surprise Comprehensive Financial Management Policies, user fees and charges will be examined periodically;

WHEREAS, the Comprehensive Citywide Fee Schedule was last adopted on November 17, 2021, via Resolution #2021-177, as amended;

WHEREAS, the City has statutory authority to assess these fees and charges, and notice has been provided consistent with state law;

WHEREAS, it is necessary that the City of Surprise establish/revise various Parks and Recreation fees related to facility rentals and admissions;

WHEREAS, the establishment/revision of the Parks and Recreation fees related to providing these services allows the department to recover operational and supply costs; and

WHEREAS, the City of Surprise also wishes to update the Comprehensive Citywide Fee Schedule with revised and new Parks and Recreation fees.

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

Section 1. The fees, as identified in Exhibit A, are hereby authorized and established and shall become effective February 7, 2023.

Section 2. The Comprehensive Citywide Fee Schedule is hereby amended to include the fees and amounts as identified in Exhibit A.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2023.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2023-13
Exhibit A

Fees to be updated and/or added to Comprehensive Citywide Fee Schedule

	Current Amount	Proposed Amount	
Special Event Admission/Aquatics	N/A	\$0-25.00	Per Person/Per Event
Open Swim- Youth Resident	\$2.00	\$2.00-\$5.00	Per Person/Per Day
Open Swim – Adult Resident	\$3.00	\$3.00-\$6.00	Per Person/Per Day
Open Swim- Youth/Adult Non- Resident	\$5.00	\$5.00-\$8.00	Per Person/Per Day
Swim Pass- Youth Individual	\$30.00	\$30.00-\$50.00	Per Season
Swim Pass- Adult Individual	\$50.00	\$50.00-\$80.00	Per Season
Swim Pass- Family (Up to 5 persons)	\$100.00	\$100.00-\$160.00	Per Season
Swim Pass- Family (Additional persons over 5)	N/A	\$10.00-\$20.00	Per Person/Per Season
Special Event Admission/Teens	N/A	\$0-\$25.00	Per Person/Per Event
Tennis Court Fees- Day- 90 min- Resident	\$2.00	\$2.00-\$4.00	Per Person/Per 90 min
Tennis Court Fees- Day- 120 min- Resident	N/A	\$3.00-\$5.00	Per Person/Per 120 min
Tennis Court Fees- After 4pm- 90 min - Resident	\$3.00	\$3.00-\$5.00	Per Person/Per 90 min
Tennis Court Fees- After 4pm 120 min- Resident	N/A	\$4.00-\$6.00	Per Person/Per 120 min
Tennis Court Fees- Day-90 min- Non-Resident	\$3.00	\$3.00-\$5.00	Per Person/Per 90 min
Tennis Court Fees- Day-120 min- Non-Resident	N/A	\$4.00-\$6.00	Per Person/Per 120 min
Tennis Court Fees-After 4pm -90 min- Non-Resident	\$4.00	\$4.00-\$6.00	Per Person/Per 90 min
Tennis Court Fees- After 4pm -120 min- Non-Resident	N/A	\$5.00-\$7.00	Per Person/Per 120 min
Racquetball/Paddleball Court Fees- 60 min- Resident	\$3.00	\$3.00-\$5.00	Per Person/Per 60 min
Racquet Sports Organized Play (Drop – In) Day- Resident	N/A	\$3.00-\$5.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop – In) After 4pm- Resident	N/A	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop – In) Day- Non-Resident	N/A	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop – In) After 4pm-Non- Resident	N/A	\$5.00-\$7.00	Per Person/Per 120 min

	Current Amount	Proposed Amount	
Tennis League Group Rates- Day- 90 min- Resident	N/A	\$10.00-\$12.00	Per Person/Per 90 min
Tennis League Group Rates-After 4pm- 90 min- Resident	N/A	\$14.00-\$16.00	Per Person/Per 90 min
Tennis League Group Rates- Day- 90 min- Non-Resident	N/A	\$12.00-\$14.00	Per Person/Per 90 min
Tennis League Group Rates-After 4pm- 90 min- Non-Resident	N/A	\$16.00-\$18.00	Per Person/Per 90 min
Tennis League Group Rates- Day- 120 min- Resident	\$14.00	\$14.00-\$16.00	Per Person/Per 120 min
Tennis League Group Rates- After 4pm- 120 min- Resident	\$18.00	\$18.00-\$20.00	Per Person/Per 120 min
Tennis League Group Rates- Day- 120 min- Non-Resident	\$16.00	\$16.00-\$18.00	Per Person/Per 120 min
Tennis League Group Rates- After 4pm- 120 min- Non-Resident	\$20	\$20.00-\$22.00	Per Person/Per 120 min
Tennis League Warm-Up Fee	\$4.00	\$4.00-\$5.00	Per Person/Per 30 min
Events & Promotions Activity Tickets	\$1.00-\$5.00	\$1.00-\$50.00	Per Ticket
Pool Rental Staff	\$20.00	\$25.00	Per Hour
Lap Lane Rental	\$30.00	\$50.00	Per Hour
Diving Well Rental	\$30.00	\$50.00	Per Hour
Surprise Aquatic Center Rental ≤100 attendees	\$230.00	\$250.00	Per Hour
Surprise Aquatic Center Rental 101-150 attendees	\$260.00	\$310.00	Per Hour
Surprise Aquatic Center Rental 151-200 attendees	\$280.00	\$330.00	Per Hour
Surprise Aquatic Center Rental 201-250 attendees	\$300.00	\$350.00	Per Hour
Surprise Aquatic Center Rental 251-400 attendees	\$400.00	\$450.00	Per Hour
Hollyhock Pool Rental ≤ 100 attendees	\$180.00	\$210.00	Per Hour
Hollyhock Pool Rental 101-150 attendees	\$210.00	\$240.00	Per Hour
Hollyhock Pool Rental 151-200 attendees	\$230.00	\$260.00	Per Hour
SAC Birthday Party Rental- ≤ 15 attendees	\$100.00	\$120.00	Per 2 Hour Rental
SAC Birthday Party Rental- 16-20 attendees	\$120.00	\$140.00	Per 2 Hour Rental
SAC Birthday Party Rental- 21-25 attendees	\$140.00	\$160.00	Per 2 Hour Rental
SAC Birthday Party Rental- 26-30 attendees	\$160.00	\$180.00	Per 2 Hour Rental

	Current Amount	Proposed Amount	
SAC Birthday Party Rental- 31-50 attendees	\$220.00	\$240.00	Per 2 Hour Rental
HH Pool Birthday Party Rental- ≤ 15 attendees	\$30.00	\$40.00	Per 2 Hour Rental
HH Pool Birthday Party Rental- 16-20 attendees	\$35.00	\$45.00	Per 2 Hour Rental
HH Pool Birthday Party Rental- 21-25 attendees	\$40.00	\$50.00	Per 2 Hour Rental
HH Pool Birthday Party Rental- 26-30 attendees	\$45.00	\$55.00	Per 2 Hour Rental
HH Pool Birthday Party Rental- 31-50 attendees	\$65.00	\$75.00	Per 2 Hour Rental
Tennis Court Rental – Without Lights- Category II(A)	\$5.00	\$5.00-\$8.00	Per Hour
Tennis Court Rental – Without Lights- Category II (B)	\$6.00	\$6.00-\$11.00	Per Hour
Tennis Court Rental – Without Lights- Category III	\$12.00	\$12.00-\$18.00	Per Hour
Tennis Court Rental – With Lights- Category II(A)	\$7.00	\$7.00-\$11.00	Per Hour
Tennis Court Rental – With Lights- Category II (B)	\$8.00	\$8.00-\$12.00	Per Hour
Tennis Court Rental – With Lights- Category III	\$15.00	\$15.00-\$21.00	Per Hour
Tennis Classroom - Category II (A)(B)	\$30.00	\$30.00-\$40.00	Per Hour
Tennis Classroom - Category III	\$35.00	\$35.00-\$45.00	Per Hour
Tennis Ping Pong Room - Category II (A)(B)	\$25.00	\$25.00-\$35.00	Per Hour
Tennis Ping Pong Room- Category III	\$30.00	\$30.00-\$40.00	Per Hour
Racquetball Courts/Sand Volleyball Courts/Pickleball Courts Rentals- All Categories	\$5.00	\$5.00-\$9.00	Per Hour
Field Prep Fee	N/A	\$15.00-\$150.00	Per Field
Countryside Park Field Rentals- Category II (B) – Before 6pm	N/A	\$50.00	Per Hour
Countryside Park Field Rentals- Category II (B) – After 6pm	N/A	\$65.00	Per Hour
Countryside Park Field Rentals- Category III – Before 6pm	N/A	\$75.00	Per Hour
Countryside Park Field Rentals- Category III – After 6pm	N/A	\$90.00	Per Hour
Ramada- Small- Resident	\$15.00	\$20.00	Per 4 Hour Block
Ramada- Small- Non-Resident	\$30.00	\$35.00	Per 4 Hour Block
Ramada- Large- Resident	\$25.00	\$30.00	Per 4 Hour Block

	Current Amount	Proposed Amount	
Ramada- Large- Non-Resident	\$50.00	\$55.00	Per 4 Hour Block
Heritage Park Pavilion- Resident	\$60.00	\$65.00	Per 4 Hour Block
Heritage Park Pavilion- Non-Resident	\$120.00	\$125.00	Per 4 Hour Block

Fees to be removed from the Comprehensive Citywide Fee Schedule

Itty Bitty Beach Party-Resident	\$5.00		Per Person/Per Event
Itty Bitty Beach Party- Non Resident	\$10.00		Per Person/Per Event
Teen Splash/Dive In Movies- Resident	\$5.00		Per Person/Per Event
Teen Splash/Dive In Movies- Non-Resident	\$8.00		Per Person/Per Event
4th of July	\$6.00		Per Person/Per Event
April Pools Day	\$0		Per Person/Per Event
Teen Talent Show	\$5.00		Per Person/Per Admission
Teen Youth Dances	\$5.00-\$10.00		Per Person/Per Event
Tournaments- Pool/Ping Pong/Video Games	\$5.00-\$10.00		Per Person/Per Event
Haunted House	\$3.00-\$5.00		Per Person/Per Event
Goggle Rental	\$2.00		Per Reservation
Demo Racquet Rental	\$3.00		Per Reservation
Aquatics Private Rental Fees- Deposit	\$100.00		Per Day



Citywide Fee Schedule

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

<u>Fee</u>	<u>Amount</u>	<u>Unit of Measure</u>
CITY CLERK		
Passports		
Execution*	\$35.00	Per Card or Book
Photo Service*	\$10.00	Per Photo
Photocopies		
8.5" x 11" or 8.5" x 14"	\$0.50	Per Page
11" x 17"	\$1.00	Per Page
CITY COURT		
Arrest Warrant Processing	\$200.00	Per Warrant
Compliance Monitoring	\$100.00	Per Case
Deferred Prosecution	\$200.00	Per Case
Diversion Program	\$300.00	Per Case
Driver's License Suspension	\$50.00	Per Case
Indigent Administrative Assessment (Determined by the Judge based on financial affidavit.)	\$25.00	Per Charge
Jury Cancellation	\$500.00	Per Case
Municipal Court Enhancement	\$16.40	Per Case
Probation Program	\$100.00	Per Case
Public Defender	\$150.00	Per Case (Determined by Judge based on financial affidavit)
PARKS AND RECREATION		
Special Programs/Events Aquatics Admissions		
Itty Bitty Beach Party		
Resident	\$5.00	Per Person/ Per Event
Non-Resident	\$10.00	Per Person/ Per Event
Teen Splash/Dive-in Movies		
Resident	\$5.00	Per Person/ Per Event
Non-Resident	\$8.00	Per Person/ Per Event
4th of July-Residents Only	\$6.00	Per Person/ Per Event
April Pool's Day	\$0.00	Per Person/ Per Event
Special Event Admissions/Aquatics	\$0-\$25.00	Per Person/Per Event
Open Swim & Lap Swim		
Youth- Resident	\$2.00-\$5.00	Per Person/Per Day
Adult- Resident	\$3.00-\$6.00	Per Person/Per Day
Youth/Adult- Non-Resident	\$5.00-\$8.00	Per Person/Per Day
Swim Passes (Residents Only)		
Adult Individual	\$50.00-\$80.00	Per Season
Family (Up to 5)	\$100.00-\$160.00	Per Season
Family (Additional persons over 5)	\$10.00-\$20.00	Per Person/Per Season
Youth Individual	\$30.00-\$50.00	Per Season
Teen Programs		
Teen Talent Show	\$5.00	Per Person/ Per Admission
Sierra Montana Recreation Center		
Teen Youth Dances	\$5.00-\$10.00	Per Person/ Per Event
Tournaments-Pool/Ping Pong/Video Games	\$5.00-\$10.00	Per Person/ Per Event
Haunted House	\$3.00-\$5.00	Per Person/ Per Admission
Tennis Racquet/Paddle Sports Admissions		
Ball Machine Rental		
Resident	\$7.00	Per Machine/ Per 1/2 Hour



Citywide Fee Schedule

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

Fee	Amount	Unit of Measure
Resident	\$11.00	Per Machine/ Per 1 Hour
Non-Resident	\$9.00	Per Machine/ Per 1/2 Hour
Non-Resident	\$13.00	Per Machine/ Per 1 Hour
Tennis Play Evening/RacquetBall/Drop In Tennis Tennis Court Fees-Night		
After 4pm 90 min - Resident	\$3.00-\$5.00	Per Person/Per 90 min
After 4pm 120 min - Resident	\$4.00-\$6.00	Per Person/Per 120 min
After 4pm 90 min - Non-Resident	\$4.00-\$6.00	Per Person/Per 90 min
After 4pm 120 min - Non-Resident	\$5.00-\$7.00	Per Person/Per 120 min
Tennis Play & Court Fee/Drop in Paddleball/Drop in Racquetball Tennis Court Fees-Day		
Day 90 min - Resident	\$2.00-\$4.00	Per Person/Per 90 min
Day 120 min - Resident	\$3.00-\$5.00	Per Person/Per 120 min
Day 90 min - Non-Resident	\$3.00-\$5.00	Per Person/Per 90 min
Day 120 min - Non-Resident	\$4.00-\$6.00	Per Person/Per 120 min
Racquetball/Paddleball Court Fees		
Racquetball/Paddleball Court Fees 60 min - Resident	\$3.00-\$5.00	Per Person/Per 60 min
Racquet Sports Organized Play		
Racquet Sports Organized Play (Drop –In) Day- Resident	\$3.00-\$5.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) After 4pm- Resident	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) Day- Non-Resident	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) After 4pm-Non- Resident	\$5.00-\$7.00	Per Person/Per 120 min
Tennis League Group Rates		
Day 90 min - Resident	\$10.00-\$12.00	Per Person/Per 90 min
Day 120 min - Resident	\$14.00-\$16.00	Per Person/Per 120 min
Day 90 min - Non-Resident	\$12.00-\$14.00	Per Person/Per 90 min
Day 120 min - Non-Resident	\$16.00-\$18.00	Per Person/Per 120 min
After 4pm 90 min - Resident	\$14.00-\$16.00	Per Person/Per 90 min
After 4pm 120 min - Resident	\$18.00-\$20.00	Per Person/Per 120 min
After 4pm 90 min - Non-Resident	\$16.00-\$18.00	Per Person/Per 90 min
After 4pm 120 min - Non-Resident	\$20.00-\$22.00	Per Person/Per 120 min
Warm-up Fee	\$4.00-\$5.00	Per Person/Per 30 min
Basket of Tennis Balls	\$2.00	Per Person/ Per Day
Racquet Stringing Services	\$15.00 - \$35.00	Per Item
Goggle Rental	\$2.00	Per Reservation
Demo Racquet Rental	\$3.00	Per Reservation
Backboard Rental	\$1.00	Per Person/ Per 30 Minutes
Special Events Admissions		
Event & Promotion Activity Tickets (Fees vary depending on event)	\$1.00-\$50.00	Per Ticket
Special Event Admissions/Teens	\$0-\$25.00	Per Person/Per Event
Municipal Pools Private Rental-Aquatics Rentals		
Category** I	No charges apply	
Surprise Aquatic Center/Hollyhock Community Pool		
Category** II (A) (B)	\$100.00	Per Day
Category** III	See Aquatic Private Rental Fees	
Staff (Requirements based on specific event, projected attendance & required number of personnel for safety.)		
Category** II (A) (B)	\$25.00	Per Hour
Category** III	Included in Rental Fee	
Utilities (Gas/Electric/Water)	\$20.00	Per Hour
Excessive Utilities (To restart heat/utilities when closed for winter/season)	\$500.00	Per Day
Aquatic Private Rental Fees (2 Hr. Min.)- Category* III		
Deposit	\$100.00	Per Day
Lap Lane Rental	\$50.00	Per Hour
Diving Well Rental	\$50.00	Per Hour
Surprise Aquatic Center		
≤100	\$250.00	Per Hour
101-150	\$310.00	Per Hour



Citywide Fee Schedule

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

Fee	Amount	Unit of Measure
151-200	\$330.00	Per Hour
201-250	\$350.00	Per Hour
251-400	\$450.00	Per Hour
Hollyhock Community Pool		
≤100	\$210.00	Per Hour
101-150	\$240.00	Per Hour
151-200	\$260.00	Per Hour
Municipal Pools Birthday Party (Residents only)		
Surprise Aquatic Center (SAC)		
≤15	\$120.00	Per 2 Hour Rental
16-20	\$140.00	Per 2 Hour Rental
21-25	\$160.00	Per 2 Hour Rental
26-30	\$180.00	Per 2 Hour Rental
31-50	\$240.00	Per 2 Hour Rental
Hollyhock Community Pool		
≤15	\$40.00	Per 2 Hour Rental
16-20	\$45.00	Per 2 Hour Rental
21-25	\$50.00	Per 2 Hour Rental
26-30	\$55.00	Per 2 Hour Rental
31-50	\$75.00	Per 2 Hour Rental
Recreation Centers, Tennis Complex, Dreamcatcher Park, Sport Fields, Regional Library Facility Rentals		
Category** I	No charges apply	
Dance Room at Countryside Rec Center		
Category** II (A)	\$50.00	Per Hour
Category** III	\$50.00	Per Hour
Sierra Montana		
Basic Rental Package	\$150.00	Every 3 Hours
Basic Rental Package- Additional Time	\$50.00	Every 3 Hours
Ultimate Rental Package	\$300.00	Every 3 Hours
Ultimate Rental Package- Additional Time	\$50.00	Per Hour
Dreamcatcher Park/Recreation Center Gymnasium/Library Conference Room (2 hr. min.)		
Category** II (A) (B)	\$100.00	Per Hour
Category** III	\$150.00	Per Hour
Multi-Purpose Room (2 Hr. Min.)		
Category** II (A) (B)	\$75.00	Per Hour
Category** III	\$100.00	Per Hour
Classroom		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$35.00	Per Hour
Study Room		
Category** II (A) (B)	\$25.00	Per Hour
Category** III	\$30.00	Per Hour
Field Rentals (All City Fields excluding Surprise Recreation Campus fields and the Fields at Countryside)		
Sport Field w/o Lights (Not at the campus i.e. Marley Park, Bicentennial Park, & Gaines Park.)		
Category** II (A) (B)	\$15.00	Per Hour
Category** III	\$30.00	Per Hour
Sport Field w/ Lights	\$15.00	Per Hour
Field Rentals- Mon-Thurs- Before 3pm	\$7.50	Per Hour
Field Prep Fee	\$15.00-\$150.00	Per Field
Fields at Countryside		
Category II (B) – Before 6pm	\$50.00	Per Hour
Category II (B) – After 6pm	\$65.00	Per Hour
Category III – Before 6pm	\$75.00	Per Hour
Category III – After 6pm	\$90.00	Per Hour
Field Prep Fee	\$15.00-\$150.00	Per Field



Citywide Fee Schedule

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<u>Fee</u>	<u>Amount</u>	<u>Unit of Measure</u>
Surprise Tennis & Racquet Complex Rentals		
Tennis Courts w/o Lights		
Category** II (A)	\$5.00-\$8.00	Per Hour
Category** II (B)	\$6.00-\$11.00	Per Hour
Category** III	\$12.00-\$18.00	Per Hour
Tennis Courts w/ Lights		
Category** II (A)	\$7.00-\$11.00	Per Hour
Category** II (B)	\$8.00-\$12.00	Per Hour
Category** III	\$15.00-\$21.00	Per Hour
Tennis Classroom		
Category** II (A) (B)	\$30.00-\$40.00	Per Hour
Category** III	\$35.00-\$45.00	Per Hour
Tennis Ping Pong Room		
Category** II (A) (B)	\$25.00-\$35.00	Per Hour
Category** III	\$30.00-\$40.00	Per Hour
Racquetball Courts/Sand Volleyball Courts/Pickleball Courts Rentals-All Categories		
Category** II (A) (B) & III	\$5.00-\$9.00	Per Hour
Facility Cleaning/Excessive Utilities (weekends/holidays)		
Category** II (A) (B) & III	\$20.00	Per Hour
Staff- See Staffing Fees		
Accessories		
Portable PA System/Water/Ice/Coolers	\$30.00	Per Item
Podium/Microphone/Pop Up Tent	\$10.00	Per Item
Ramadas		
Category** I	No charges apply	
Ramada Small		
Resident	\$20.00	Per 4 Hour Block
Non-Resident	\$35.00	Per 4 Hour Block
Ramada Large		
Resident	\$30.00	Per 4 Hour Block
Non-Resident	\$55.00	Per 4 Hour Block
Ramada Heritage Park Pavillion (Special event premiums may apply.)		
Resident	\$65.00	Per 4 Hour Block
Non-Resident	\$125.00	Per 4 Hour Block
Group Events (Must use approved vendor list, with insurance on file.)		
Category** I (No charges apply)		
Amplified Sound - Dj (Must reserve all ramada's within 50 ft.)		
Category** II (A)	\$50.00	Every 4 Hours
Category** II (B)	\$50.00-\$100.00	Every 4 Hours
Category** III	\$100.00-\$250.00	Per Location
Amplified Sound - Live Music (Must reserve all ramada's within 50 ft.)		
Category** II (A)	\$100.00	Every 4 Hours
Category** II (B)	\$100.00-\$200.00	Every 4 Hours
Category** III	\$200.00-\$400.00	Per Location
Beer Permit		
Resident	\$10.00	Per Permit
Non-Resident	\$20.00	Per Permit
Admin Fee	\$250.00	Per Event
Staff Required- See Staffing Fees		
Staffing (2 Hr. Min. Requirements Based On Specific Event, Attendance, And Required Personnel For Safety.)		
Category** I (No charges apply)		
Recreation/Campus Staff/Aquatic Staff/Maintenance/Tennis Pro	\$20.00	Per Hour/Per Staff Member

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Fee	Amount	Unit of Measure
Janitor/Custodian	\$15.00	Per Hour/Per Staff Member
Tennis Supervisor	\$40.00	Per Hour/Per Staff Member
Police Officer/Medical EMT	\$50.00	Per Hour/Per Staff Member
Aquatics/Sports Cleaning or Maintenance	\$20.00	Per Hour

COMMUNITY DEVELOPMENT

Community Facilities District (CFD)

CFD Application (per A.R.S. § 48-708 (E))	\$15,000.00	Per CFD
CFD Administrative Expense (per A.R.S. § 48-708 (E))	\$50,000.00 (or actual cost, whichever is less)	Per CFD
CFD Administrative Expense Additional Deposits	\$25,000.00	Per CFD

Building Permit And Inspections

Annual Facilities Permit	\$275.00	Per Permit
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Building/Fire Permit

Building/Fire Permit Fee - Valuation of \$1,000.00 or Less	\$75.00	Each Based on Valuation
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Building/Fire Permit Fee - Valuation of \$1,000.01 to \$999,999.99		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 Of Valuation

Building/Fire Permit Fee - Valuation of \$1,000,000.00+		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$5.00	Per \$1,000.00 Of Valuation

Commercial Factory Built Building	Per Arizona Department of Housing Intergovernmental Agreement	Each
Deferred Permit Submittal	\$165.00	Per Deferral
Designated Slum Property Inspection (2 hr. min. outside normal business hours)	\$150.00	Per Inspection
Finished Floor Elevation Verification	\$415.00	Per Verification
Re-Inspection	\$100.00	Per Hour (\$200.00 min.)
After Hour Inspection	\$100.00	Per Hour (\$200.00 min.)
After Hour Inspection - Weekends/Holidays/3rd Shift	\$100.00	Per Hour (\$300.00 min.)

Manufactured Home	Per Arizona Department of Housing Intergovernmental Agreement	Each
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Residential Factory Built Building	Per Arizona Department of Housing Intergovernmental Agreement	Each
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Swimming Pool Signs	Actual Cost to Jurisdiction	Per Sign
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Temporary Sales/Construction Trailer Permit		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 of Valuation

Temporary Power Permit	\$75.00	Based on Valuation Under \$1,000.00
Temporary Use Permit/Special Event	\$135.00	Per Permit
Self-Certification Meeting	\$300.00	Per Meeting
Solar Permit	\$250.00	Per Permit

Building And Fire Plan Review

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

Fee	Amount	Unit of Measure
Building/Fire Plan Review	65% of the Building/Fire Permit Fee	Per Review
Landscape Plan Review		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 of Valuation
Plan Revisions - After Permit is Approved	\$100.00	Per Hour
Civil Engineering Permit And Inspections		
Annual Traffic Control Permit	\$750.00	Per Permit
City Jurisdiction or Service Area - Civil Construction Permit	3% of Construction Cost	Per Permit
City Jurisdiction or Service Area - Private Utility	1% of Construction Cost	Per Permit
Civil Construction Permit Renewal Or Extension	50% of the original permit fee paid	Per Permit
Inspection And Re-Inspection (2 hr. min. outside normal business hours)	\$75.00	Per Hour
Water, Wastewater, And Reclaimed Water Facility Permits (Wells, water supply facilities, lift stations, etc.)	3% of Construction Cost	Per Permit
Excavation In Paved Streets Within 2 Years Of Street Construction		
5 sq. yds. or less	\$330.00	Per Square Yard
5 - 100 sq. yds.- Fee 1 of 2	\$1,650.00	Per Review
5 - 100 sq. yds.- Fee 2 of 2	\$18.00	Per Square Yard
100 sq. yds. or more- Fee 1 of 2	\$3,360.00	Per Review
100 sq. yds. or more- Fee 2 of 2	\$14.00	Per Square Yard
Facility Plan Review 100%	\$190.00	Per Hour
Facility Plan Review 30%/60%/90%	\$190.00	Per Sheet
Standard Plan Review		
1st and 2nd Review	\$380.00	Per Sheet
3rd and Subsequent Review	\$190.00	Per Hour
Utility Plan Review	Per Franchise Agreement	Per Hour
Development Review Fees		
404 Documentation/Phase 1 Environmental Assessment/Title Report	\$180.00	Per Report
Administrative Use Permit (AUP)	\$400.00	Each
Alta Survey	\$95.00	Per Sheet
Appeals	\$250.00	Per Appeal
Annexation	\$800.00	Per Annexation
Comprehensive Sign Program (CSP)	\$1,750.00	Each
Concept Review	\$300.00	Per Review
Conditional Use Permit (Use Only)	\$1,250.00	Each
Conditional Use Permit with Site Plan		
Fee 1 of 2	\$3,600.00	Each
Fee 2 of 2	\$30.00	Per Acre
Development Agreement	\$5,000.00	Per Agreement
Development Agreement Amendment	\$2,500.00	Per Amendment
Design Review Elevation Only (Remodel, Colors)	\$50.00	Hourly
Preliminary Grading, Drainage and Utilities	\$135.00	Per Sheet
Traffic Impact Analysis/Engineering Report	\$180.00	Per Hour/ Per Report
Final Plat		
Fee 1 of 2	\$1,200.00	Each
Fee 2 of 2	\$17.00	Per Lot/Tract/Parcel
Fire Flow Test Results	\$110.00	Per Test
Follow Up Concept Review	\$150.00	Per Review
General Plan Amendment Major	\$6,000.00	Each
General Plan Amendment Minor	\$2,500.00	Each
Home Product Review	\$125.00	Per Plan



Citywide Fee Schedule

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Fee	Amount	Unit of Measure
Landscape Design Review	\$300.00	Per Sheet
Lot Line Adjustment	\$400.00	Each
Map of Dedication	\$750.00	Each
Minor Land Division		
Fee 1 of 2	\$400.00	Each
Fee 2 of 2	\$17.00	Per Lot/Tract/Parcel
Model Home Complex		
Fee 1 of 2	\$600.00	Each
Fee 2 of 2	\$30.00	Per Lot/Tract/Parcel
Parcel Assemblage	\$400.00	Each
Planned Unit Development Overlay	\$3,540.00	Per Overlay
Preliminary Plat		
Fee 1 of 2	\$2,500.00	Each
Fee 2 of 2	\$30.00	Per Lot/Tract/Parcel
Project Name Change/Site Plan Extension/Continuance Per Applicant Request	\$220.00	Per Request
Rezone		
Fee 1 of 2	\$3,000.00	Each
Fee 2 of 2	\$20.00	Per Acre
Site Plan (Narrative and elevations included in per sheet fee)		
Fee 1 of 2	\$3,000.00	Each
Fee 2 of 2	\$30.00	Per Acre
Temporary Use Permit/Special Event	\$135.00	Per Permit
Text Amendment	\$2,000.00	Each
Utility Plan Review	\$255.00	Per Sheet
Variance		
Fee 1 of 2	\$500.00	Each
Fee 2 of 2	\$25.00	Per Item Requested
Zoning Amendment Major	\$2,500.00	Each
Zoning Amendment Minor	\$885.00	Per Amendment
Water, Wastewater, Or Reclaimed Water Master Plan	\$180.00	Per Review
Address Assignment From Dedicated Access (At time of Permit/Development Review)	\$10.00	Per Address
Address Assignment On Vacant Property Or From Easement (At time of Permit/Development Review)	\$25.00	Per Address
Address Change At Time Of Permit	\$50.00	Per Address
Document Handling	Actual Cost to Jurisdiction	Per Document
Native Plant Inventory – 1st And 2nd Review	\$160.00	Per Sheet
Native Plant Inventory – 3rd And Subsequent Review	\$100.00	Per Sheet
Miscellaneous 4th and subsequent reviews (any plan type)	20% of Initial Base Fee	Each
Plan Revisions - After Permit is Approved	\$100.00	Per Hour
Plan Revision Requested by Applicant	50% of Initial Base Fee	Each
Public Meeting Notice/Advertising	Actual Cost to Jurisdiction	Per Advertisement
Recordation Fee	Actual Cost to Jurisdiction	Per Recording
General Services		
Civil Permit and Design Review Administrative Processing	\$140.00	Per Permit/Review
Building Permit Administrative Processing Fee - Valuation of \$1.00 - \$999,999.99	0.50% of Valuation	Valuation
Building Permit Administrative Processing Fee - Valuation of \$1,000,000.00+	0.052% of Valuation	Valuation
Archived Document Retrieval (Copies are additional)	\$80.00	Per Request
Asbuilts		
12" x 18"	\$2.50	Per Page
24" x 36"	\$5.00	Per Page
CD's Containing Documents	\$5.00	Per CD
Custom Maps (\$150 min.)	\$80.00	Per Hour
Digital Data		
Boundary Shapes	\$25.00	Per Shape



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Fee	Amount	Unit of Measure
Centerlines	\$250.00	Per Centerline
Land Use or Zoning	\$100.00	Per Request
Parcels	\$500.00	Per Parcel
Maps		
8.5" x 11"	\$2.50	Per Page
11" x 17"	\$5.00	Per Map
24" x 36"	\$20.00	Per Map
36" x 48" or 40" x 60"	\$30.00	Per Map
Zoning Verification, Compliance Letter	\$100.00	Each

Right-Of-Way Facilities Fees

Annual Use Fees

Right-Of-Way Use Fee	\$50.00	Per year x number of Small Wireless Facilities
Right-Of-Way Use Fee for Monopoles and Associated Wireless Facilities	\$100.00	Per year x number of Small Wireless Facilities
Application for collocating Small Wireless Facilities (Existing with no modifications)		
One (1) to five (5) applications	\$100.00	Each
Six (6) through 25 applications	\$50.00	Each
Application for Utility Pole and Monopole (New or existing with modifications)		
New, replacement, or modified utility poles not subject to zoning review	\$400.00	Each
New, replacement, or modified monopoles, utility poles, collocations, or wireless facilities subject to zoning review	\$400.00	Each

Miscellaneous

Outside Consultant	Actual Cost to Jurisdiction	Per Consultant
Abatement Administrative Fee (\$150 min.)	10% of Actual Cost	Per Abatement

ECONOMIC DEVELOPMENT

TechCelerator

The Economic Development Director has the authority to reduce or waive the program fee based on business evaluation criteria.

Program Fee

Tier 1	\$0.35	Per Square Foot/Per Month
Tier 2	\$0.51	Per Square Foot/Per Month
Tier 3	\$0.68	Per Square Foot/Per Month
Tier 4	\$0.85	Per Square Foot/Per Month
Tier 5	\$1.01	Per Square Foot/Per Month
Tier 6	\$1.18	Per Square Foot/Per Month
Tier 7	\$1.34	Per Square Foot/Per Month

FINANCE

Business Licensing

All Businesses - Initial Business License	\$168.00	Per License
All Businesses - Annual Renewal Fee	\$84.00	Per License

Pro-Rated Initial Business License

Start date 1st Quarter (Jan, Feb, & Mar)	\$168.00	Per License
Start date 2nd Quarter (Apr, May, & Jun)	\$126.00	Per License
Start date 3rd Quarter (Jul, Aug, & Sept)	\$84.00	Per License
Start date 4th Quarter (Oct, Nov, & Dec)	\$42.00	Per License
Late Payment (Failure to pay by a specified due date.)	25% of Base Rate	Per License
Special Events	\$35.00	Per License

Miscellaneous

Returned Payment Fee	\$15.00	Per Transaction
City Sales and Use Tax Application Fee	\$10.00	Per License
Department of Public Safety Background Check*	\$22.00	Per Check
In-Person Development Services Payment Processing Fee for Credit Card Transactions	2.0%	Per Transaction Amount

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Fee	Amount	Unit of Measure
Online Development Services Payment Processing Fee for Credit Card/Debit Transactions	2.8% or \$1.25 minimum	Per Transaction Amount

FIRE-MEDICAL

Fire Suppression

Engine Company/Ladder Tender	\$427.00	Per Hour
Ladder Company	\$514.00	Per Hour
Command Vehicle	\$244.00	Per Hour
Brush Truck/Support Truck	\$228.00	Per Hour
Water Tender	\$184.00	Per Hour
Staff Vehicle	\$148.00	Per Hour

Fire Code Compliance

Annual Fire Inspections- 3rd, 4th, and 5th Re-Inspection	\$150.00	Per Inspection
Electronic Filing- Fire Code Compliance	\$12.00	Per Inspection

License Inspection

Adult/Child Day Care Facility	\$100.00	Per Inspection
Residential Group Homes/Nursing Care/Supervisory Care/Behavioral Health and Assisted Living Facilities	\$150.00	Per Inspection

Inspection

Pyrotechnics Display	\$300.00	Per Inspection
90 day Firework Vendor- Store	\$150.00	Per Inspection
90 day Firework Vendor- Tent	\$350.00	Per Inspection

Lock Box

Device and Installation	\$65.00	Per Box
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Records Request

Compact Disc	\$20.00	Per Disc
Less than 10 pages	\$5.00	Per Request
10 to 19 pages	\$10.00	Per Request
20 - 29 pages	\$15.00	Per Request
30 - 49 pages	\$25.00	Per Request
50 - 100 pages	\$35.00	Per Request

Remote Alarm

Installation		
Fee 1 Of 2	\$100.00	Per Installation
Fee 2 Of 2	\$150.00	Per Day
Alarm System Non-Compliance	\$75.00	Per Call
Incident Investigation – Car 3099	\$75.00	Per Hour
Tactical Premise	\$75.00	Per Call
Annual Tomar Gate Inspection	\$50.00	Per Inspection

Resuscitation Training

Adult/Infant/Child: CPR/AED Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$59.00	Per Student
BLS Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$59.00	Per Student
Adult/Infant/Child: CPR/AED and Basic First Aid Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$87.00	Per Student
Pediatric (All Ages) CPR/AED and First Aid Digital Certification with Access to Digital Book (G2015) (6 Student Minimum)	\$87.00	Per Student
BLS Blended Course (G2015) DC (2 Student Minimum)	\$76.00	Per Student
CPR and AED Blended Course (G2015) DC- All Ages (2 Student Minimum)	\$76.00	Per Student
CPR/AED and Basic First Aid Blended Course (G2015) DC - All Ages (2 Student Minimum)	\$96.00	Per Student
Pediatric (All Ages) CPR/AED and First Aid Blended Course (G2015) DC (2 Student Minimum)	\$96.00	Per Student



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Fee	Amount	Unit of Measure
Firefighter Service		
Firefighter- Contractual (Fire Suppression)	\$50.00	Per Hour
Firefighter- Contractual Special Event (Non-Fire Suppression)	\$70.00	Per Hour
HUMAN SERVICE & COMMUNITY VITALITY		
Senior Center Rentals		
Category** I	No charges apply	
Classroom		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$35.00	Per Hour
Study Room		
Category**II (A) (B)	\$25.00	Per Hour
Category** III	\$30.00	Per Hour
Senior Center Dining Hall		
Category** II (A) (B)	\$60.00	Per Hour
Category** III	\$100.00	Per Hour
Senior Center Multi-Purpose Room		
Category** II (A) (B)	\$50.00	Per Hour
Category** III	\$75.00	Per Hour
Senior Center 1/2 Multi-Purpose Room		
Category** II (A) (B)	\$35.00	Per Hour
Category** III	\$50.00	Per Hour
Senior Center Classroom D		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$50.00	Per Hour
Kitchen		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$40.00	Per Hour
Senior Center Staff	\$20.00	Per Hour
Senior Programs		
Computer Classes		
Resident	\$50.00	Per Person/ Per Session
Non-Resident	\$60.00	Per Person/ Per Session
Fitness Center		
Resident	\$30.00	Per Person/ Per Month
Non-Resident	\$35.00	Per Person/ Per Month
Holiday Party		
Resident	\$12.00	Per Person/Per Party
Non-Resident	\$20.00	Per Person/ Per Party
One Stroke Painting		
Resident	\$60.00	Per Person/ Per Session
Non-Resident	\$72.00	Per Person/ Per Session
Swap Meet Space Rental		
Resident	\$35.00	Per Space/ Per Day
Non-Resident	\$40.00	Per Space/ Per Day



Citywide Fee Schedule

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Fee	Amount	Unit of Measure
Spanish		
Resident	\$25.00	Per Person/ Per Session
Non-Resident	\$30.00	Per Person/ Per Session
Senior Center Annual Membership		
Resident	\$12.00	Per Person/ Per Year
Non-Resident	\$15.00	Per Person/ Per Year
Crafts	\$1.00 - \$5.00	Per Person/ Per Session
Line Dancing	\$12.00	Per Person/ Per Session
Senior Idol Tickets	\$6.00	Per Ticket
POLICE		
Reports		
Less Than 10 Pages	\$5.00	Per Request
10 - 19 Pages	\$10.00	Per Request
20 - 29 Pages	\$15.00	Per Request
30 - 49 Pages	\$25.00	Per Request
50 - 100 Pages	\$35.00	Per Request
Per Page Over 100 Pages	\$0.15	Per Request
Photos		
12 Or Less	\$20.00	Per Request
Each Additional Print	\$1.00	Per Print
Fingerprint Cards		
2 Or Less	\$15.00	Per Request
Per Card Over 2	\$5.00	Per Card
Miscellaneous		
Letter Of Clearance	\$10.00	Per Letter
Recording 911/Phone/Video- VHS/Cassette/Macro-Cassette/CD	\$20.00	Per Recording
Tow Fee 28-3511*	\$150.00	Per Tow
Transaction- Pawnshop/Secondhand Dealer	\$3.00	Per Transaction
PUBLIC WORKS		
Sanitation Hauler's License		
Application	\$500.00	Per Application
License	\$1,000.00	Per Vehicle
Water Meter Installation		
3/4"	\$275.00	Per Permit
1"	\$310.00	Per Permit
1.5"	\$565.00	Per Permit
2"	\$750.00	Per Permit
3" Hydrant	\$95.00	Per Permit
3"	\$2,005.00	Per Permit
4"	\$2,480.00	Per Permit
6"	\$3,910.00	Per Permit
8"	\$5,635.00	Per Permit
2" Electromagnetic Meter or Compound	\$2,255.00	Per Permit
3" Electromagnetic Meter or Compound	\$3,020.00	Per Permit
4" Electromagnetic Meter or Compound	\$3,700.00	Per Permit
6" Electromagnetic Meter or Compound	\$5,460.00	Per Permit
8" Electromagnetic Meter or Compound	\$7,585.00	Per Permit

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Fee	Amount	Unit of Measure
5/8" Displacement	\$255.00	Per Permit
1.5" Turbine	\$1,125.00	Per Permit
2" Turbine	\$1,385.00	Per Permit

Stormwater Utility Services

Monthly Rate

FY2017	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2018	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2019	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2020	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2021	\$2.75	Per Equivalent Dwelling Unit (EDU)

Classifications	Number of EDU's	Unit of Measure
Residential		
Single Family Residence	1	Per Residence
Non-Residential		
RV Park	1	Per Pad
Commercial/Industrial	1	Per 3,420 Square Feet of Impervious Area
Schools/Churches	1	Per 3,420 Square Feet of Impervious Area
Agriculture- Impervious Area	1	Per 3,420 Square Feet of Impervious Area
Agriculture- Farmed Area	1	Per 3,420 Square Feet of Farmed Area
(Fee applied only to 10% of total farmed area)		

Undeveloped Land is exempt from Stormwater Utility Fee.

Improved Land Stormwater Utility Fee is based on land use classification rates above.

Non-residential classifications may qualify for the commercial credit program detailed below.

Non-residential EDU calculations are rounded to the nearest one-hundredth and subject to a minimum of 1 EDU per parcel.

Commercial Credit Programs

Infrastructure Program (Up to 25% Credit)

1. > 10% Above Standard Requirements	5% Credit
2. > 25% Above Standard Requirements	10% Credit
3. > 35% Above Standard Requirements	15% Credit
4. > 50% Above Standard Requirements	20% Credit
5. Creative means to achieve Above Standard Requirements	5% Credit

Regulatory Credit Program (Up to 13% Credit)

School Education Credit (participate in County Program)	8% Credit
Public Participation	5% Credit
Partnership Donations	5% Credit
Industrial AZPDES Credit	5% Credit
Bonus: Participate in any 2	3% Credit

*This fee is established by a federal, state, or county agency and is subject to change.

**

Category I: City of Surprise, Official City Sponsored Events or Programs, Texas Rangers, Kansas City Royals or Volunteer Org. per Lease Agreement.

Rental Fee- No, Direct Expenses- No

Category II (A): Bona Fide Non-Profit Group, Non-Profit Corporation, or Non-Profit Organization. Partnerships with City of Surprise, Dysart Unified School District IGA, Ottawa University Agreement

Rental Fee- Yes, Direct Expenses- Yes

Category II (B): Surprise Youth Non-Profit Sports Organizations with 90% Residency Requirements | Dysart Unified School Dist. IGA.

Rental Fee- No, Direct Expenses- Yes

Category III: Individuals, Companies, or Organizations, Staging Commercial Entertainments, Consumer Events, Concerts, or Trade Shows.

Rental Fee- Yes, Direct Expenses - Yes



Citywide Fee Schedule

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FEE	AMOUNT	UNIT OF MEASURE
CITY CLERK		
Passports		
Execution*	\$35.00	Per Card or Book
Photo Service*	\$10.00	Per Photo
Photocopies		
8.5" x 11" or 8.5" x 14"	\$0.50	Per Page
11" x 17"	\$1.00	Per Page
CITY COURT		
Arrest Warrant Processing	\$200.00	Per Warrant
Compliance Monitoring	\$100.00	Per Case
Deferred Prosecution	\$200.00	Per Case
Diversion Program	\$300.00	Per Case
Driver's License Suspension	\$50.00	Per Case
Indigent Administrative Assessment (Determined by the Judge based on financial affidavit.)	\$25.00	Per Charge
Jury Cancellation	\$500.00	Per Case
Municipal Court Enhancement	\$16.40	Per Case
Probation Program	\$100.00	Per Case
Public Defender	\$150.00	Per Case (Determined by Judge based on financial affidavit)
PARKS AND RECREATION		
Aquatics Admissions		
Special Event Admissions/Aquatics	\$0-\$25.00	Per Person/Per Event
Open Swim & Lap Swim		
Youth- Resident	\$2.00-\$5.00	Per Person/Per Day
Adult- Resident	\$3.00-\$6.00	Per Person/Per Day
Youth/Adult- Non-Resident	\$5.00-\$8.00	Per Person/Per Day
Swim Passes (Residents Only)		
Youth Individual	\$30.00-\$50.00	Per Season
Adult Individual	\$50.00-\$80.00	Per Season
Family (Up to 5)	\$100.00-\$160.00	Per Season
Family (Additional persons over 5)	\$10.00-\$20.00	Per Person/Per Season
Racquet/Paddle Sports Admissions		
Ball Machine Rental		
Resident	\$7.00	Per Machine/ Per 1/2 Hour
Resident	\$11.00	Per Machine/ Per 1 Hour
Non-Resident	\$9.00	Per Machine/ Per 1/2 Hour
Non-Resident	\$13.00	Per Machine/ Per 1 Hour
Tennis Court Fees-Day		
Day 90 min - Resident	\$2.00-\$4.00	Per Person/Per 90 min
Day 120 min - Resident	\$3.00-\$5.00	Per Person/Per 120 min
Day 90 min - Non-Resident	\$3.00-\$5.00	Per Person/Per 90 min
Day 120 min - Non-Resident	\$4.00-\$6.00	Per Person/Per 120 min
Tennis Court Fees-Night		
After 4pm 90 min - Resident	\$3.00-\$5.00	Per Person/Per 90 min
After 4pm 120 min - Resident	\$4.00-\$6.00	Per Person/Per 120 min
After 4pm 90 min - Non-Resident	\$4.00-\$6.00	Per Person/Per 90 min
After 4pm 120 min - Non-Resident	\$5.00-\$7.00	Per Person/Per 120 min
Racquetball/Paddleball Court Fees		
Racquetball/Paddleball Court Fees 60 min - Resident	\$3.00-\$5.00	Per Person/Per 60 min



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FEE	AMOUNT	UNIT OF MEASURE
Racquet Sports Organized Play		
Racquet Sports Organized Play (Drop –In) Day- Resident	\$3.00-\$5.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) After 4pm- Resident	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) Day- Non-Resident	\$4.00-\$6.00	Per Person/Per 120 min
Racquet Sports Organized Play (Drop –In) After 4pm-Non- Resident	\$5.00-\$7.00	Per Person/Per 120 min
Tennis League Group Rates		
Day 90 min - Resident	\$10.00-\$12.00	Per Person/Per 90 min
Day 120 min - Resident	\$14.00-\$16.00	Per Person/Per 120 min
Day 90 min - Non-Resident	\$12.00-\$14.00	Per Person/Per 90 min
Day 120 min - Non-Resident	\$16.00-\$18.00	Per Person/Per 120 min
After 4pm 90 min - Resident	\$14.00-\$16.00	Per Person/Per 90 min
After 4pm 120 min - Resident	\$18.00-\$20.00	Per Person/Per 120 min
After 4pm 90 min - Non-Resident	\$16.00-\$18.00	Per Person/Per 90 min
After 4pm 120 min - Non-Resident	\$20.00-\$22.00	Per Person/Per 120 min
Warm-up Fee	\$4.00-\$5.00	Per Person/Per 30 min
Basket of Tennis Balls	\$2.00	Per Person/ Per Day
Racquet Stringing Services	\$15.00 - \$35.00	Per Item
Backboard Rental	\$1.00	Per Person/ Per 30 Minutes
Special Events Admissions		
Special Event Admissions/Teens	\$0-\$25.00	Per Person/Per Event
Event & Promotion Activity Tickets (Fees vary depending on event)	\$1.00-\$50.00	Per Ticket
Aquatics Rentals		
Category** I	No charges apply	
Surprise Aquatic Center/Hollyhock Community Pool		
Category** II (A) (B)	\$100.00	Per Day
Category** III	See Aquatic Private Rental Fees	
Staff (Requirements based on specific event, projected attendance & required number of personnel for safety.)		
Category** II (A) (B)	\$25.00	Per Hour
Category** III	Included in Rental Fee	
Utilities (Gas/Electric/Water)	\$20.00	Per Hour
Excessive Utilities (To restart heat/utilities when closed for winter/season)	\$500.00	Per Day
Aquatic Private Rental Fees (2 Hr. Min.)- Category* III		
Lap Lane Rental	\$50.00	Per Hour
Diving Well Rental	\$50.00	Per Hour
Surprise Aquatic Center		
≤100	\$250.00	Per Hour
101-150	\$310.00	Per Hour
151-200	\$330.00	Per Hour
201-250	\$350.00	Per Hour
251-400	\$450.00	Per Hour
Hollyhock Community Pool		
≤100	\$210.00	Per Hour
101-150	\$240.00	Per Hour
151-200	\$260.00	Per Hour
Municipal Pools Birthday Party (Residents only)		
Surprise Aquatic Center (SAC)		
≤15	\$120.00	Per 2 Hour Rental
16-20	\$140.00	Per 2 Hour Rental
21-25	\$160.00	Per 2 Hour Rental
26-30	\$180.00	Per 2 Hour Rental
31-50	\$240.00	Per 2 Hour Rental
Hollyhock Community Pool		
≤15	\$40.00	Per 2 Hour Rental
16-20	\$45.00	Per 2 Hour Rental
21-25	\$50.00	Per 2 Hour Rental
26-30	\$55.00	Per 2 Hour Rental
31-50	\$75.00	Per 2 Hour Rental



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FEE	AMOUNT	UNIT OF MEASURE
Facility Rentals		
Category** I	No charges apply	
Dance Room at Countryside Rec Center		
Category** II (A)	\$50.00	Per Hour
Category** III	\$50.00	Per Hour
Sierra Montana		
Basic Rental Package	\$150.00	Every 3 Hours
Basic Rental Package- Additional Time	\$50.00	Every 3 Hours
Ultimate Rental Package	\$300.00	Every 3 Hours
Ultimate Rental Package- Additional Time	\$50.00	Per Hour
Dreamcatcher Park/Recreation Center Gymnasium/Library Conference Room (2 hr. min.)		
Category** II (A) (B)	\$100.00	Per Hour
Category** III	\$150.00	Per Hour
Multi-Purpose Room (2 Hr. Min.)		
Category** II (A) (B)	\$75.00	Per Hour
Category** III	\$100.00	Per Hour
Classroom		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$35.00	Per Hour
Study Room		
Category** II (A) (B)	\$25.00	Per Hour
Category** III	\$30.00	Per Hour
Field Rentals		
All City Fields (excluding Surprise Recreation Campus fields and the Fields at Countryside)		
Sport Field w/o Lights		
Category** II (A) (B)	\$15.00	Per Hour
Category** III	\$30.00	Per Hour
Sport Field w/ Lights	\$15.00	Per Hour
Field Rentals- Mon-Thurs- Before 3pm	\$7.50	Per Hour
Field Prep Fee	\$15.00-\$150.00	Per Field
Fields at Countryside		
Category II (B) – Before 6pm	\$50.00	Per Hour
Category II (B) – After 6pm	\$65.00	Per Hour
Category III – Before 6pm	\$75.00	Per Hour
Category III – After 6pm	\$90.00	Per Hour
Field Prep Fee	\$15.00-\$150.00	Per Field
Surprise Tennis & Racquet Complex Rentals		
Tennis Courts w/o Lights		
Category** II (A)	\$5.00-\$8.00	Per Hour
Category** II (B)	\$6.00-\$11.00	Per Hour
Category** III	\$12.00-\$18.00	Per Hour
Tennis Courts w/ Lights		
Category** II (A)	\$7.00-\$11.00	Per Hour
Category** II (B)	\$8.00-\$12.00	Per Hour
Category** III	\$15.00-\$21.00	Per Hour
Tennis Classroom		
Category** II (A) (B)	\$30.00-\$40.00	Per Hour
Category** III	\$35.00-\$45.00	Per Hour
Tennis Ping Pong Room		
Category** II (A) (B)	\$25.00-\$35.00	Per Hour
Category** III	\$30.00-\$40.00	Per Hour
Racquetball Courts/Sand Volleyball Courts/Pickleball Courts Rentals-All Categories		
Category** II (A) (B) & III	\$5.00-\$9.00	Per Hour

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FEE	AMOUNT	UNIT OF MEASURE
Facility Cleaning/Excessive Utilities (weekends/holidays)		
Category** II (A) (B) & III	\$20.00	Per Hour
Staff- See Staffing Fees		
Accessories		
Portable PA System/Water/Ice/Coolers	\$30.00	Per Item
Podium/Microphone/Pop Up Tent	\$10.00	Per Item
Ramadas		
Category** I	No charges apply	
Ramada Small		
Resident	\$20.00	Per 4 Hour Block
Non-Resident	\$35.00	Per 4 Hour Block
Ramada Large		
Resident	\$30.00	Per 4 Hour Block
Non-Resident	\$55.00	Per 4 Hour Block
Ramada Heritage Park Pavillion (Special event premiums may apply.)		
Resident	\$65.00	Per 4 Hour Block
Non-Resident	\$125.00	Per 4 Hour Block
Group Events (Must use approved vendor list, with insurance on file.)		
Category** I (No charges apply)		
Amplified Sound - Dj (Must reserve all ramada's within 50 ft.)		
Category** II (A)	\$50.00	Every 4 Hours
Category** II (B)	\$50.00-\$100.00	Every 4 Hours
Category** III	\$100.00-\$250.00	Per Location
Amplified Sound - Live Music (Must reserve all ramada's within 50 ft.)		
Category** II (A)	\$100.00	Every 4 Hours
Category** II (B)	\$100.00-\$200.00	Every 4 Hours
Category** III	\$200.00-\$400.00	Per Location
Beer Permit		
Resident	\$10.00	Per Permit
Non-Resident	\$20.00	Per Permit
Admin Fee	\$250.00	Per Event
Staff Required- See Staffing Fees		
Staffing (2 Hr. Min. Requirements Based On Specific Event, Attendance, And Required Personnel For Safety.)		
Category** I (No charges apply)		
Recreation/Campus Staff/Aquatic Staff/Maintenance/Tennis Pro	\$20.00	Per Hour/Per Staff Member
Janitor/Custodian	\$15.00	Per Hour/Per Staff Member
Tennis Supervisor	\$40.00	Per Hour/Per Staff Member
Police Officer/Medical EMT	\$50.00	Per Hour/Per Staff Member
Aquatics/Sports Cleaning or Maintenance	\$20.00	Per Hour
COMMUNITY DEVELOPMENT		
Community Facilities District (CFD)		
CFD Application (per A.R.S. § 48-708 (E))	\$15,000.00	Per CFD
CFD Administrative Expense (per A.R.S. § 48-708 (E))	\$50,000.00 (or actual cost, whichever is less)	Per CFD
CFD Administrative Expense Additional Deposits	\$25,000.00	Per CFD

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FEE	AMOUNT	UNIT OF MEASURE
Building Permit And Inspections		
Annual Facilities Permit	\$275.00	Per Permit
Building/Fire Permit		
Building/Fire Permit Fee - Valuation of \$1,000.00 or Less	\$75.00	Each Based on Valuation
Building/Fire Permit Fee - Valuation of \$1,000.01 to \$999,999.99		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 Of Valuation
Building/Fire Permit Fee - Valuation of \$1,000,000.00+		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$5.00	Per \$1,000.00 Of Valuation
Commercial Factory Built Building	Per Arizona Department of Housing Intergovernmental Agreement	Each
Deferred Permit Submittal	\$165.00	Per Deferral
Designated Slum Property Inspection (2 hr. min. outside normal business hours)	\$150.00	Per Inspection
Finished Floor Elevation Verification	\$415.00	Per Verification
Re-Inspection	\$100.00	Per Hour (\$200.00 min.)
After Hour Inspection	\$100.00	Per Hour (\$200.00 min.)
After Hour Inspection - Weekends/Holidays/3rd Shift	\$100.00	Per Hour (\$300.00 min.)
Manufactured Home	Per Arizona Department of Housing Intergovernmental Agreement	Each
Residential Factory Built Building	Per Arizona Department of Housing Intergovernmental Agreement	Each
Swimming Pool Signs	Actual Cost to Jurisdiction	Per Sign
Temporary Sales/Construction Trailer Permit		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 of Valuation
Temporary Power Permit	\$75.00	Based on Valuation Under \$1,000.00
Temporary Use Permit/Special Event	\$135.00	Per Permit
Self-Certification Meeting	\$300.00	Per Meeting
Solar Permit	\$250.00	Per Permit
Building And Fire Plan Review		
Building/Fire Plan Review	65% of the Building/Fire Permit Fee	Per Review
Landscape Plan Review		
Fee 1 of 2	\$100.00	Each
Fee 2 of 2	\$6.00	Per \$1,000.00 of Valuation
Plan Revisions - After Permit is Approved	\$100.00	Per Hour
Civil Engineering Permit And Inspections		
Annual Traffic Control Permit	\$750.00	Per Permit
City Jurisdiction or Service Area - Civil Construction Permit	3% of Construction Cost	Per Permit
City Jurisdiction or Service Area - Private Utility	1% of Construction Cost	Per Permit

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FEE	AMOUNT	UNIT OF MEASURE
Civil Construction Permit Renewal Or Extension	50% of the original permit fee paid	Per Permit
Inspection And Re-Inspection (2 hr. min. outside normal business hours)	\$75.00	Per Hour
Water, Wastewater, And Reclaimed Water Facility Permits (Wells, water supply facilities, lift stations, etc.)	3% of Construction Cost	Per Permit
Excavation In Paved Streets Within 2 Years Of Street Construction		
5 sq. yds. or less	\$330.00	Per Square Yard
5 - 100 sq. yds.- Fee 1 of 2	\$1,650.00	Per Review
5 - 100 sq. yds.- Fee 2 of 2	\$18.00	Per Square Yard
100 sq. yds. or more- Fee 1 of 2	\$3,360.00	Per Review
100 sq. yds. or more- Fee 2 of 2	\$14.00	Per Square Yard
Facility Plan Review 100%	\$190.00	Per Hour
Facility Plan Review 30%/60%/90%	\$190.00	Per Sheet
Standard Plan Review		
1st and 2nd Review	\$380.00	Per Sheet
3rd and Subsequent Review	\$190.00	Per Hour
Utility Plan Review	Per Franchise Agreement	Per Hour
Development Review Fees		
404 Documentation/Phase 1 Environmental Assessment/Title Report	\$180.00	Per Report
Administrative Use Permit (AUP)	\$400.00	Each
Alta Survey	\$95.00	Per Sheet
Appeals	\$250.00	Per Appeal
Annexation	\$800.00	Per Annexation
Comprehensive Sign Program (CSP)	\$1,750.00	Each
Concept Review	\$300.00	Per Review
Conditional Use Permit (Use Only)	\$1,250.00	Each
Conditional Use Permit with Site Plan		
Fee 1 of 2	\$3,600.00	Each
Fee 2 of 2	\$30.00	Per Acre
Development Agreement	\$5,000.00	Per Agreement
Development Agreement Amendment	\$2,500.00	Per Amendment
Design Review Elevation Only (Remodel, Colors)	\$50.00	Hourly
Preliminary Grading, Drainage and Utilities	\$135.00	Per Sheet
Traffic Impact Analysis/Engineering Report	\$180.00	Per Hour/ Per Report
Final Plat		
Fee 1 of 2	\$1,200.00	Each
Fee 2 of 2	\$17.00	Per Lot/Tract/Parcel
Fire Flow Test Results	\$110.00	Per Test
Follow Up Concept Review	\$150.00	Per Review
General Plan Amendment Major	\$6,000.00	Each
General Plan Amendment Minor	\$2,500.00	Each
Home Product Review	\$125.00	Per Plan
Landscape Design Review	\$300.00	Per Sheet
Lot Line Adjustment	\$400.00	Each
Map of Dedication	\$750.00	Each
Minor Land Division		
Fee 1 of 2	\$400.00	Each
Fee 2 of 2	\$17.00	Per Lot/Tract/Parcel
Model Home Complex		
Fee 1 of 2	\$600.00	Each
Fee 2 of 2	\$30.00	Per Lot/Tract/Parcel
Parcel Assemblage	\$400.00	Each
Planned Unit Development Overlay	\$3,540.00	Per Overlay
Preliminary Plat		
Fee 1 of 2	\$2,500.00	Each
Fee 2 of 2	\$30.00	Per Lot/Tract/Parcel



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FEE	AMOUNT	UNIT OF MEASURE
Project Name Change/Site Plan Extension/Continuance Per Applicant Request	\$220.00	Per Request
Rezone		
Fee 1 of 2	\$3,000.00	Each
Fee 2 of 2	\$20.00	Per Acre
Site Plan (Narrative and elevations included in per sheet fee)		
Fee 1 of 2	\$3,000.00	Each
Fee 2 of 2	\$30.00	Per Acre
Temporary Use Permit/Special Event	\$135.00	Per Permit
Text Amendment	\$2,000.00	Each
Utility Plan Review	\$255.00	Per Sheet
Variance		
Fee 1 of 2	\$500.00	Each
Fee 2 of 2	\$25.00	Per Item Requested
Zoning Amendment Major	\$2,500.00	Each
Zoning Amendment Minor	\$885.00	Per Amendment
Water, Wastewater, Or Reclaimed Water Master Plan	\$180.00	Per Review
Address Assignment From Dedicated Access (At time of Permit/Development Review)	\$10.00	Per Address
Address Assignment On Vacant Property Or From Easement (At time of Permit/Development Review)	\$25.00	Per Address
Address Change At Time Of Permit	\$50.00	Per Address
Document Handling	Actual Cost to Jurisdiction	Per Document
Native Plant Inventory – 1st And 2nd Review	\$160.00	Per Sheet
Native Plant Inventory – 3rd And Subsequent Review	\$100.00	Per Sheet
Miscellaneous 4th and subsequent reviews (any plan type)	20% of Initial Base Fee	Each
Plan Revisions - After Permit is Approved	\$100.00	Per Hour
Plan Revision Requested by Applicant	50% of Initial Base Fee	Each
Public Meeting Notice/Advertising	Actual Cost to Jurisdiction	Per Advertisement
Recordation Fee	Actual Cost to Jurisdiction	Per Recording
General Services		
Civil Permit and Design Review Administrative Processing	\$140.00	Per Permit/Review
Building Permit Administrative Processing Fee - Valuation of \$1.00 - \$999,999.99	0.50% of Valuation	Valuation
Building Permit Administrative Processing Fee - Valuation of \$1,000,000.00+	0.052% of Valuation	Valuation
Archived Document Retrieval (Copies are additional)	\$80.00	Per Request
Asbuilts		
12" x 18"	\$2.50	Per Page
24" x 36"	\$5.00	Per Page
CD's Containing Documents	\$5.00	Per CD
Custom Maps (\$150 min.)	\$80.00	Per Hour
Digital Data		
Boundary Shapes	\$25.00	Per Shape
Centerlines	\$250.00	Per Centerline
Land Use or Zoning	\$100.00	Per Request
Parcels	\$500.00	Per Parcel
Maps		
8.5" x 11"	\$2.50	Per Page
11" x 17"	\$5.00	Per Map
24" x 36"	\$20.00	Per Map
36" x 48" or 40" x 60"	\$30.00	Per Map
Zoning Verification, Compliance Letter	\$100.00	Each
Right-Of-Way Facilities Fees		
Annual Use Fees		
Right-Of-Way Use Fee	\$50.00	Per year x number of Small Wireless Facilities
Right-Of-Way Use Fee for Monopoles and Associated Wireless Facilities	\$100.00	Per year x number of Small Wireless Facilities



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FEE	AMOUNT	UNIT OF MEASURE
Application for collocating Small Wireless Facilities (Existing with no modifications)		
One (1) to five (5) applications	\$100.00	Each
Six (6) through 25 applications	\$50.00	Each
Application for Utility Pole and Monopole (New or existing with modifications)		
New, replacement, or modified utility poles not subject to zoning review	\$400.00	Each
New, replacement, or modified monopoles, utility poles, collocations, or wireless facilities subject to zoning review	\$400.00	Each

Miscellaneous

Outside Consultant	Actual Cost to Jurisdiction	Per Consultant
Abatement Administrative Fee (\$150 min.)	10% of Actual Cost	Per Abatement

ECONOMIC DEVELOPMENT

TechCelerator

The Economic Development Director has the authority to reduce or waive the program fee based on business evaluation criteria.

Program Fee

Tier 1	\$0.35	Per Square Foot/Per Month
Tier 2	\$0.51	Per Square Foot/Per Month
Tier 3	\$0.68	Per Square Foot/Per Month
Tier 4	\$0.85	Per Square Foot/Per Month
Tier 5	\$1.01	Per Square Foot/Per Month
Tier 6	\$1.18	Per Square Foot/Per Month
Tier 7	\$1.34	Per Square Foot/Per Month

FINANCE

Business Licensing

All Businesses - Initial Business License	\$168.00	Per License
All Businesses - Annual Renewal Fee	\$84.00	Per License

Pro-Rated Initial Business License

Start date 1st Quarter (Jan, Feb, & Mar)	\$168.00	Per License
Start date 2nd Quarter (Apr, May, & Jun)	\$126.00	Per License
Start date 3rd Quarter (Jul, Aug, & Sept)	\$84.00	Per License
Start date 4th Quarter (Oct, Nov, & Dec)	\$42.00	Per License
Late Payment (Failure to pay by a specified due date.)	25% of Base Rate	Per License
Special Events	\$35.00	Per License

Miscellaneous

Returned Payment Fee	\$15.00	Per Transaction
City Sales and Use Tax Application Fee	\$10.00	Per License
Department of Public Safety Background Check*	\$22.00	Per Check
In-Person Development Services Payment Processing Fee for Credit Card Transactions	2.0%	Per Transaction Amount
Online Development Services Payment Processing Fee for Credit Card/Debit Transactions	2.8% or \$1.25 minimum	Per Transaction Amount

FIRE-MEDICAL

Fire Suppression

Engine Company/Ladder Tender	\$427.00	Per Hour
Ladder Company	\$514.00	Per Hour
Command Vehicle	\$244.00	Per Hour
Brush Truck/Support Truck	\$228.00	Per Hour
Water Tender	\$184.00	Per Hour
Staff Vehicle	\$148.00	Per Hour

Fire Code Compliance

Annual Fire Inspections- 3rd, 4th, and 5th Re-Inspection	\$150.00	Per Inspection
Electronic Filing- Fire Code Compliance	\$12.00	Per Inspection



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FEE	AMOUNT	UNIT OF MEASURE
License Inspection		
Adult/Child Day Care Facility	\$100.00	Per Inspection
Residential Group Homes/Nursing Care/Supervisory Care/Behavioral Health and Assisted Living Facilities	\$150.00	Per Inspection
Inspection		
Pyrotechnics Display	\$300.00	Per Inspection
90 day Firework Vendor- Store	\$150.00	Per Inspection
90 day Firework Vendor- Tent	\$350.00	Per Inspection
Lock Box		
Device and Installation	\$65.00	Per Box
Records Request		
Compact Disc	\$20.00	Per Disc
Less than 10 pages	\$5.00	Per Request
10 to 19 pages	\$10.00	Per Request
20 - 29 pages	\$15.00	Per Request
30 - 49 pages	\$25.00	Per Request
50 - 100 pages	\$35.00	Per Request
Remote Alarm		
Installation		
Fee 1 Of 2	\$100.00	Per Installation
Fee 2 Of 2	\$150.00	Per Day
Alarm System Non-Compliance	\$75.00	Per Call
Incident Investigation – Car 3099	\$75.00	Per Hour
Tactical Premise	\$75.00	Per Call
Annual Tomar Gate Inspection	\$50.00	Per Inspection
Resuscitation Training		
Adult/Infant/Child: CPR/AED Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$59.00	Per Student
BLS Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$59.00	Per Student
Adult/Infant/Child: CPR/AED and Basic First Aid Digital Certification Card with Access to Digital Book (G2015) (6 Student Minimum)	\$87.00	Per Student
Pediatric (All Ages) CPR/AED and First Aid Digital Certification with Access to Digital Book (G2015) (6 Student Minimum)	\$87.00	Per Student
BLS Blended Course (G2015) DC (2 Student Minimum)	\$76.00	Per Student
CPR and AED Blended Course (G2015) DC- All Ages (2 Student Minimum)	\$76.00	Per Student
CPR/AED and Basic First Aid Blended Course (G2015) DC - All Ages (2 Student Minimum)	\$96.00	Per Student
Pediatric (All Ages) CPR/AED and First Aid Blended Course (G2015) DC (2 Student Minimum)	\$96.00	Per Student
Firefighter Service		
Firefighter- Contractual (Fire Suppression)	\$50.00	Per Hour
Firefighter- Contractual Special Event (Non-Fire Suppression)	\$70.00	Per Hour
HUMAN SERVICE & COMMUNITY VITALITY		
Senior Center Rentals		
Category** I	No charges apply	
Classroom		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$35.00	Per Hour
Study Room		
Category**II (A) (B)	\$25.00	Per Hour
Category** III	\$30.00	Per Hour

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FEE	AMOUNT	UNIT OF MEASURE
Senior Center Dining Hall		
Category** II (A) (B)	\$60.00	Per Hour
Category** III	\$100.00	Per Hour
Senior Center Multi-Purpose Room		
Category** II (A) (B)	\$50.00	Per Hour
Category** III	\$75.00	Per Hour
Senior Center 1/2 Multi-Purpose Room		
Category** II (A) (B)	\$35.00	Per Hour
Category** III	\$50.00	Per Hour
Senior Center Classroom D		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$50.00	Per Hour
Kitchen		
Category** II (A) (B)	\$30.00	Per Hour
Category** III	\$40.00	Per Hour
Senior Center Staff	\$20.00	Per Hour
Senior Programs		
Computer Classes		
Resident	\$50.00	Per Person/ Per Session
Non-Resident	\$60.00	Per Person/ Per Session
Fitness Center		
Resident	\$30.00	Per Person/ Per Month
Non-Resident	\$35.00	Per Person/ Per Month
Holiday Party		
Resident	\$12.00	Per Person/Per Party
Non-Resident	\$20.00	Per Person/ Per Party
One Stroke Painting		
Resident	\$60.00	Per Person/ Per Session
Non-Resident	\$72.00	Per Person/ Per Session
Swap Meet Space Rental		
Resident	\$35.00	Per Space/ Per Day
Non-Resident	\$40.00	Per Space/ Per Day
Spanish		
Resident	\$25.00	Per Person/ Per Session
Non-Resident	\$30.00	Per Person/ Per Session
Senior Center Annual Membership		
Resident	\$12.00	Per Person/ Per Year
Non-Resident	\$15.00	Per Person/ Per Year
Crafts	\$1.00 - \$5.00	Per Person/ Per Session
Line Dancing	\$12.00	Per Person/ Per Session
Senior Idol Tickets	\$6.00	Per Ticket



Citywide Fee Schedule

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

FEE	AMOUNT	UNIT OF MEASURE
POLICE		
Reports		
Less Than 10 Pages	\$5.00	Per Request
10 - 19 Pages	\$10.00	Per Request
20 - 29 Pages	\$15.00	Per Request
30 - 49 Pages	\$25.00	Per Request
50 - 100 Pages	\$35.00	Per Request
Per Page Over 100 Pages	\$0.15	Per Request
Photos		
12 Or Less	\$20.00	Per Request
Each Additional Print	\$1.00	Per Print
Fingerprint Cards		
2 Or Less	\$15.00	Per Request
Per Card Over 2	\$5.00	Per Card
Miscellaneous		
Letter Of Clearance	\$10.00	Per Letter
Recording 911/Phone/Video- VHS/Cassette/Macro-Cassette/CD	\$20.00	Per Recording
Tow Fee 28-3511*	\$150.00	Per Tow
Transaction- Pawnshop/Secondhand Dealer	\$3.00	Per Transaction
PUBLIC WORKS		
Sanitation Hauler's License		
Application	\$500.00	Per Application
License	\$1,000.00	Per Vehicle
Water Meter Installation		
3/4"	\$275.00	Per Permit
1"	\$310.00	Per Permit
1.5"	\$565.00	Per Permit
2"	\$750.00	Per Permit
3" Hydrant	\$95.00	Per Permit
3"	\$2,005.00	Per Permit
4"	\$2,480.00	Per Permit
6"	\$3,910.00	Per Permit
8"	\$5,635.00	Per Permit
2" Electromagnetic Meter or Compound	\$2,255.00	Per Permit
3" Electromagnetic Meter or Compound	\$3,020.00	Per Permit
4" Electromagnetic Meter or Compound	\$3,700.00	Per Permit
6" Electromagnetic Meter or Compound	\$5,460.00	Per Permit
8" Electromagnetic Meter or Compound	\$7,585.00	Per Permit
5/8" Displacement	\$255.00	Per Permit
1.5" Turbine	\$1,125.00	Per Permit
2" Turbine	\$1,385.00	Per Permit
Stormwater Utility Services		
Monthly Rate		
FY2017	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2018	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2019	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2020	\$2.00	Per Equivalent Dwelling Unit (EDU)
FY2021	\$2.75	Per Equivalent Dwelling Unit (EDU)
Classifications	Number of EDU's	Unit of Measure

Fees are separated by service area to facilitate the identification of a particular fee within the document, however fees as adopted on this schedule may be assessed citywide.

FEE	AMOUNT	UNIT OF MEASURE
Residential		
Single Family Residence	1	Per Residence
Non-Residential		
RV Park	1	Per Pad
Commercial/Industrial	1	Per 3,420 Square Feet of Impervious Area
Schools/Churches	1	Per 3,420 Square Feet of Impervious Area
Agriculture- Impervious Area	1	Per 3,420 Square Feet of Impervious Area
Agriculture- Farmed Area	1	Per 3,420 Square Feet of Farmed Area
(Fee applied only to 10% of total farmed area)		

Undeveloped Land is exempt from Stormwater Utility Fee.

Improved Land Stormwater Utility Fee is based on land use classification rates above.

Non-residential classifications may qualify for the commercial credit program detailed below.

Non-residential EDU calculations are rounded to the nearest one-hundredth and subject to a minimum of 1 EDU per parcel.

Commercial Credit Programs

Infrastructure Program (Up to 25% Credit)

1. > 10% Above Standard Requirements	5% Credit
2. > 25% Above Standard Requirements	10% Credit
3. > 35% Above Standard Requirements	15% Credit
4. > 50% Above Standard Requirements	20% Credit
5. Creative means to achieve Above Standard Requirements	5% Credit

Regulatory Credit Program (Up to 13% Credit)

School Education Credit (participate in County Program)	8% Credit
Public Participation	5% Credit
Partnership Donations	5% Credit
Industrial AZPDES Credit	5% Credit
Bonus: Participate in any 2	3% Credit

*This fee is established by a federal, state, or county agency and is subject to change.

**

Category I: City of Surprise, Official City Sponsored Events or Programs, Texas Rangers, Kansas City Royals or Volunteer Org. per Lease Agreement.

Rental Fee- No, Direct Expenses- No

Category II (A): Bona Fide Non-Profit Group, Non-Profit Corporation, or Non-Profit Organization. Partnerships with City of Surprise, Dysart Unified School District IGA, Ottawa University Agreement

Rental Fee- Yes, Direct Expenses- Yes

Category II (B): Surprise Youth Non-Profit Sports Organizations with 90% Residency Requirements | Dysart Unified School Dist. IGA.

Rental Fee- No, Direct Expenses- Yes

Category III: Individuals, Companies, or Organizations, Staging Commercial Entertainments, Consumer Events, Concerts, or Trade Shows.

Rental Fee- Yes, Direct Expenses - Yes



Updates to Parks and Recreation Fees

Parks and Recreation Department

Parks & Recreation Charges for Services

Rental/Admission Fees

- Pool Admission, Field Rentals, Facility Rentals, Ramadas
 - Fees are included on the Comprehensive Citywide Fee Schedule
 - Changes require a Public Notice and City Council approval

Registration-Based Fees

- Example: Sports leagues, SIC classes, Swim Lessons
 - Not included on the Comprehensive Citywide Fee Schedule
 - Not subject to a Public Notice Process for changes
- Reviewed annually by staff and the Parks and Recreation Advisory Commission
- Fees are posted on the Parks & Recreation website

Parks & Recreation Charges for Services

Programs and services are categorized based on Community/Individual Benefit.

- High Community Benefit = High General Fund Subsidy
- High Individual Benefit = Low General Fund Subsidy
- Services vs. Programming

FY23 Parks and Recreation Budget

- Revenues \$2M Expenses \$16M

Summary of Recommended Fee Changes

Program	Proposed Changes
The Fields at Countryside Rentals	Establish New Field Rental Rates.
Aquatics	Pool Rentals & Birthday Party Rentals- Hourly Fee increases. Adjustment of Fee Ranges for open swim.
Racquet Sports	Adjustment of fee ranges. Fees for different time-blocks of play time.
Ramada Rentals	Fee increase by \$5 per rental.

The Fields Recommended Rental Fee

Implement new fees for Countryside Park due to higher quality fields

	General Field Rentals	Countryside Park Proposed Fee	
Before 6pm	\$15	\$75	Includes required staff fee
After 6pm	\$30	\$90	Includes required staff fee and lights

- No proposed fee increases for general field rentals at all other parks.

Aquatic Recommended Fee Changes

Facility Rental	Current Rate	Proposed Rate
Aquatic Center Birthday Party (2 hour): ≤15 residents	\$100	\$120
Aquatic Center Party (2 hours): 16-20 residents	\$120	\$140
Aquatic Center Private Rental (per hour): 101-150 residents	\$260	\$310
Hollyhock Birthday Party (2 hour): : ≤15 residents	\$30	\$40
Hollyhock Birthday Party (2 hour): : 16-20 residents	\$35	\$45
Hollyhock Private Rental (per hour): 101-150 residents	\$210	\$240

Racquet Sports Fee Range

Add range for current Racquet Sports Court Fees to allow for future increases if needed. No fee increase planned for FY23

	Current Fee	Proposed Fee
Tennis Court Fees- Daytime- 90 min. (Resident)	\$2	\$2-\$4
Tennis Court Fees- Night- 90 min. (Resident)	\$3	\$3-\$5
Tennis Court Fees- Daytime- 90 min. (Non-Resident)	\$3	\$3-\$5
Tennis Court Fees- Night- 90 min. (Non-Resident)	\$4	\$4-\$6
Racquetball/Paddleball Court Fees	\$3	\$3-\$5

- Adding 120 minute play time rates to allow for more player flexibility.

Ramada Rental Fee Changes

	Current Rate	Proposed Rate
Small Ramada- 4 hour rental	\$15	\$20
Large Ramada- 4 hour rental	\$25	\$30
Heritage Park Pavilion – 4 hour rental	\$60	\$65

Fee increase aligns with similar facilities in the Valley.

City Comparison	Small Ramada	Large Ramada
City of Peoria	\$20	\$30
City of Goodyear	\$35	\$50
City of Glendale	\$40	\$60

Fee Adoption Timeline

October 24, 2022: Fees reviewed with Parks and Recreation Advisory Commission

December 6, 2022: Presentation at City Council Workshop

December 6 – February 6: Post Notice of Intent for 60 Days

February 7, 2023: Approval of Fee Schedule at City Council Meeting



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Police
Staff Recommendations: None

Contact Person: Benny Pina, POLICE CHIEF
District: Citywide

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

Consideration and action pertaining to approval of an amendment to the FY2023 Budget by moving budget authority of \$12,800 from the General Contingency to Project G31061 to account for acceptance of Justice Assistance Grant (JAG) funding distributed pursuant to an Intergovernmental Agreement with the City of Phoenix; Resolution #2023-15.

Motion:

I move to approve Resolution #2023-15.

Background:

The Surprise Police Department was awarded \$12,731 in grant funding to purchase handheld drug detection and identification equipment. The ability to rapidly detect and accurately identify fentanyl and methamphetamine will further enhance the effectiveness and efficiency of the Surprise Police Department.

Objective Analysis:

Identifying these drugs in-house significantly reduces the need to package and transport these substances to laboratories for testing, thus reducing the workload of laboratory personnel and those responsible for the safe delivery and return of the material. This program does not require multi-jurisdictional cooperation; however, the equipment will be made available to local law enforcement jurisdictions.

Policy Compliant:

This action is compliant with City and Council policy. The City regularly partners with other government entities when it is beneficial to do so, as is this partnership.

Financial Impact:

This agreement is for \$12,731 in grant funding to purchase handheld drug detection and identification equipment.

Budget Impact:

The Fiscal Year 2023 adopted budget did not include appropriations for revenue and expenses related to the FY2022 JAG grant. Acceptance of the grant will require an amendment to the Fiscal Year 2023

budget by moving budget authority of \$12,800 from General Contingency to Project G31061 FY2022 JAG Grant for the purchase of handheld drug detection and identification equipment. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

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

ATTACHMENTS:

1. JAG Agreement 2022
 2. 23.01.30 Res 2023-15 JAG
-

CONTRACT NO _____

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
THE CITY OF BUCKEYE
AND
THE CITY OF CHANDLER
AND
THE TOWN OF GILBERT
AND
THE CITY OF GLENDALE
AND
THE CITY OF GOODYEAR
AND
THE COUNTY OF MARICOPA, ARIZONA
AND
THE CITY OF MESA, ARIZONA,
AND
THE CITY OF PEORIA
AND
THE CITY OF SCOTTSDALE
AND
AND THE CITY OF SURPRISE
AND
THE CITY OF TEMPE
AND
THE CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #: 16.738)**

Pursuant to A.R.S. §11-952, this Intergovernmental Agreement (AGREEMENT) is entered into as of the 1st day of October, 2021 by and between the City of Avondale, Arizona (AVONDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Avondale Police Department; the City of Buckeye, Arizona (BUCKEYE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Buckeye Police Department; City of Chandler, Arizona (CHANDLER), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Chandler Police Department; City of Gilbert, Arizona (GILBERT), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Gilbert Police Department; City of Glendale, Arizona (GLENDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Glendale Police Department; City of Goodyear, Arizona (GOODYEAR), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Goodyear Police Department; Maricopa County (COUNTY), a political subdivision duly organized and existing under the laws of the State of Arizona, for and on behalf of the Maricopa County Office of the Medical Examiner; City of Mesa, Arizona (MESA), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Mesa

JUSTGRANTS APPLICATION ID NUMBER: GRANT13688934 (Mandatory)

Police Department; City of Peoria, Arizona (PEORIA), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Peoria Police Department; City of Scottsdale, Arizona (SCOTTSDALE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Scottsdale Police Department; City of Surprise, Arizona (Surprise), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Surprise Police Department; City of Tempe, Arizona (TEMPE), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Tempe Police Department; and the City of Phoenix, Arizona (PHOENIX), a municipal corporation duly organized and existing under the laws of the State of Arizona, for and on behalf of the Phoenix Police Department. AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE and PHOENIX may also be referred to individually as 'PARTY' or collectively as 'PARTIES'.

RECITALS

WHEREAS, the PARTIES have become entitled to certain grant funds through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and

WHEREAS, a disparity exists between the funding eligibility of the PARTIES as determined by 42 USC § 3755 (d)(3)(4); and

WHEREAS, Federal law requires that units of local government within a group of jurisdictions identified as disparate to agree upon an allocation process; and

WHEREAS, the PARTIES believe it to be in their best interests to reallocate the JAG funds to resolve said disparity.

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES hereby agree as follows:

SECTION 1

The purpose of this AGREEMENT is to reallocate the funds available to the PARTIES from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to resolve disparities in compliance with 42 USC § 3755 (d)(3)(4). In compliance therewith the PARTIES agree PHOENIX shall receive all the funds and distribute the funds to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE as follows:

1. PHOENIX agrees to receive **\$1,609,591** from the JAG award for the PHOENIX JAG Program; and
2. PHOENIX agrees to pay AVONDALE a total of **\$21,021** of JAG funds; and
3. PHOENIX agrees to pay BUCKEYE a total of **\$9,356** of the JAG funds; and

4. PHOENIX agrees to pay CHANDLER a total of **\$43,233** of JAG funds; and
5. PHOENIX agrees to pay GILBERT a total of **\$19,433** of JAG funds; and
6. PHOENIX agrees to pay GLENDALE a total of **\$78,673** of JAG funds; and
7. PHOENIX agrees to pay GOODYEAR a total of **\$14,245** of JAG funds; and
8. PHOENIX agrees to pay COUNTY a total of **\$38,766** of JAG funds; and
9. PHOENIX agrees to pay MESA a total of **\$143,150** of JAG funds; and
10. PHOENIX agrees to pay PEORIA a total of **\$31,420** of JAG funds; and
11. PHOENIX agrees to pay SCOTTSDALE a total of **\$32,437** of JAG funds; and
12. PHOENIX agrees to pay SURPRISE a total of **\$12,731** of JAG funds; and
13. PHOENIX agrees to pay TEMPE a total of **\$72,022** of JAG funds; and
14. PHOENIX shall retain **\$1,093,104** for the JAG Program (collectively “allocated funds”).
15. PHOENIX agrees to make all payments to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE within thirty (30) days after receipt of the JAG funds by PHOENIX.

SECTION 2

The PARTIES agree to use allocated funds for the JAG Program on or before September 30, 2025.

SECTION 3

1. **Term.** The term of this AGREEMENT shall commence simultaneously with the FY2022 JAG grant program year on October 1, 2021 and continue until September 30, 2025 unless terminated sooner in accordance with the terms of the grant, and such reasonable time thereafter as may be needed to complete the administration of the grant.
 - A. **Obligations of PHOENIX.** PHOENIX agrees to administer the Funds as provided in Section 1, and shall:
 - (a) Ensure that the funds received by PHOENIX are dispersed to AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE in accordance to this AGREEMENT; and

- (b) Collect and transmit to the appropriate Federal funding authorities all financial and program reports as required by the terms and conditions of the grant and applicable Federal regulations.

B. Obligations of AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE. During the term of this AGREEMENT, AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE, GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, AND TEMPE:

- (a) Agree that PHOENIX will administer the Funds as provided in Section 1; and
- (b) Will maintain and provide to PHOENIX all financial and program reports as required by the terms and conditions of the grant and applicable Federal regulations; and
- (c) Will be responsible for the actions of their respective employees in providing services under this AGREEMENT and shall hold harmless the PARTIES to this AGREEMENT from any liability that may arise from the furnishing of the services by the other PARTIES.

2. DISCLAIMER. This AGREEMENT is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, agency, partnership or formal business association or organization of any kind among the PARTIES, and the rights and obligations of the PARTIES shall be only those expressly set forth in this AGREEMENT.

3. NON-AVAILABILITY OF FUNDS. Each payment obligation of the PARTIES created hereby is conditioned on the availability of funds. The PARTIES recognize that the continuation of this AGREEMENT after the close of any of their respective fiscal years shall be subject to the approval of their respective governing bodies providing an appropriation covering this item as an expenditure. None of the PARTIES represent that said budget items will be actually adopted.

SECTION 4

The PARTIES to this AGREEMENT do not intend for any third party to obtain a right by virtue of this AGREEMENT.

SECTION 5

Notice is given that pursuant to A.R.S. 38-511 the PARTIES may cancel any AGREEMENT without penalty or further obligation within three years after execution of the AGREEMENT, if any person significantly involved in initiating, negotiating, securing, drafting or creating the AGREEMENT on behalf of the PARTY is at any time while the AGREEMENT or any extension of the AGREEMENT is in effect, an employee or agent of any other party to the AGREEMENT in any capacity or consultant to any other party of the AGREEMENT with respect to the subject matter of the AGREEMENT. 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 AGREEMENT on behalf of the PARTIES from any other party to the AGREEMENT arising as the result of the AGREEMENT.

SECTION 6

By entering into this AGREEMENT, the PARTIES do not intend to create any obligations express or implied other than those set out herein. Further, this AGREEMENT shall not create any rights in any party not a signatory hereto.

SECTION 7

The PARTIES warrant they are in compliance with the provisions in A.R.S. §41-4401 (e-verify).

SECTION 8

Each PARTY (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other PARTY (as "Indemnitee") from and against all claims, losses, liability, costs, or expenses (including reasonable attorneys' fees, expert witnesses' fees and other litigation costs) (hereinafter collectively referred to as "Claims") arising out of bodily injury (including death) of any person or property damage, but only to the extent that such claims, which result in vicarious 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.

SECTION 9

Each PARTY agrees to comply with the federal certifications regarding lobbying, debarment, suspension and other responsibility matters, and drug free workplace requirements for this grant.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the PARTIES certify that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The PARTIES certify that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
- (b) Have not within a three-year period preceding this AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Have not within a two-year period preceding this AGREEMENT been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcompliance@usdoj.gov , and, after such disclosure, the has received a specific written determination from OJP that neither suspension nor debarment of the PARTY is necessary to protect the interests of the Government in this case.
- (d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (e) Have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where any PARTY is unable to certify to any of the statements in this certification, said PARTY shall attach an explanation to this AGREEMENT.

3. DRUG-FREE WORKPLACE

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

JUSTGRANTS APPLICATION ID NUMBER: GRANT13688934 (Mandatory)

- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the granting agency, and the PHOENIX Grant Administrator (Exhibit A), in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

JUSTGRANTS APPLICATION ID NUMBER: GRANT13688934 (Mandatory)

- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the PARTY, the undersigned hereby certify that the PARTY will comply with the above certifications.

(Remainder intentionally left blank. Signatures to follow)

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF AVONDALE

This Agreement is in the proper legal form
and is within the powers and authority
granted under the laws of this State to those
parties represented by the undersigned legal
counsel.

By: _____

Type Name: Cherlene Penilla

Its: City Manager (Acting)

Avondale City Attorney

Attest: _____

Type Name: Nicholle Harris

Date _____ Date: _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF BUCKEYE

This Agreement is in the proper legal form
and is within the powers and authority
granted under the laws of this State to those
parties represented by the undersigned legal
counsel.

By: _____

Type Name: Dan Cotterman

Its: City Manager

Buckeye City Attorney

Attest: _____

Type Name: John Gaylord

Date _____

Date: _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT

BETWEEN

CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA

FOR

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF CHANDLER

This Agreement is in the proper legal form
and is within the powers and authority
granted under the laws of this State to those
parties represented by the undersigned legal
counsel.

By: _____

Type Name: Sean E. Duggan

Its: Chief of Police

Chandler Assistant City Attorney

Attest: _____

Type Name: Dana DeLong

Date _____

Date: _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

TOWN OF GILBERT

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Brigette Peterson

Its: Mayor

Attest: _____

Gilbert Town Attorney

Type Name: Chaveli Herrera

Date: _____

Date _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

CITY OF GLENDALE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Kevin R. Phelps

Its: City Manager

Attest: _____

Glendale City Attorney

Type Name: Julie K. Bower

Date: _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF GOODYEAR

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Julie Karins

Its: City Manager

Attest: _____

Goodyear City Attorney

Type Name: Roric Massey

Date _____ Date: _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVENMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

COUNTY OF MARICOPA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Bill Gates

Its: Chairman, Board of Supervisors

Attest: _____

Maricopa Deputy County Attorney

Type Name: Juanita Garza

Date _____ **Date:** _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF MESA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Christopher J. Brady

Its: City Manager

Nancy Sorensen
Mesa Police Staff Attorney

Attest: _____

Type Name: Holly Moseley

Date _____ Date: _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF PEORIA

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Jeff Tyne

Its: City Manager

Attest: _____

Peoria City Attorney

Type Name: Lori Dyckman

Date _____ Date: _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

CITY OF SCOTTSDALE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: David Ortega

Its: Mayor

Attest: _____

Scottsdale City Attorney

Type Name: Ben Lane

Date: _____

Date: _____

CONTRACT NO _____

THE STATE OF ARIZONA
COUNTY OF MARICOPA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)

CITY OF SURPRISE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Robert Wingenroth

Its: City Manager

Attest: _____

Surprise City Attorney

Type Name: Sherry Aguilar

Date _____ Date: _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

CITY OF TEMPE

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Corey D. Woods

Its: Mayor

Sonia Blain
Tempe City Attorney

Attest: _____

Type Name: Carla R. Reece

Date _____ **Date:** _____

CONTRACT NO _____

**THE STATE OF ARIZONA
COUNTY OF MARICOPA**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN**

**CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA**

FOR

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

CITY OF PHOENIX

This Agreement is in the proper legal form and is within the powers and authority granted under the laws of this State to those parties represented by the undersigned legal counsel.

By: _____

Type Name: Jeffery Barton

Its: City Manager

Attest: _____

Phoenix City Attorney

Type Name: Denise Archibald

Date _____ **Date:** _____

**EXHIBIT A
TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF AVONDALE, BUCKEYE, CHANDLER, GILBERT, GLENDALE,
GOODYEAR, COUNTY, MESA, PEORIA, SCOTTSDALE, SURPRISE, TEMPE, AND
CITY OF PHOENIX, ARIZONA
FOR
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2022 LOCAL SOLICITATION (CFDA #16.738)**

Notices provided under this AGREEMENT shall be directed to the following persons:

The CITY of <u>AVONDALE</u>: Name: Kimberly Martinez Address: 11485 W. Civic Center Dr. Address: Address: City/St/Zip: Avondale, AZ 85323 Phone: 623-333-7204 Fax: 623-333-0071	The CITY of <u>BUCKEYE</u>: Name: LaMar Brown Address: 100 N. Apache Rd # D Address: Address: City/St/Zip: Buckeye, AZ 85326 Phone: 623-349-6447 Fax:
The CITY of <u>CHANDLER</u>: Name: Melanie R. Smith Address: Mail Stop 303M Address: P.O. Box 4008 Address: City/St/Zip: Chandler, AZ 85244-4008 Phone: 480-782-4085 Fax: 480-782-4110	The TOWN of <u>GILBERT</u>: Name: Michael Soelberg, Address: Chief of Police Address: 75 E. Civic Center Dr. Address: City/St/Zip: Gilbert, AZ 85296 Phone: 480-635-7272 Fax: 480-635-7695
The CITY of <u>GLENDALE</u>: Name: David Rice Address: 6835 N 57th Dr. Address: Address: City/St/Zip: Glendale, AZ 85301 Phone: 623-930-3296 Fax: 623-931-2103	The CITY of <u>GOODYEAR</u>: Name: Jennifer Calovini Address: 14455 W. Van Buren St. Address: Suite E-101 Address: City/St/Zip: Goodyear, AZ 85338 Phone: 623-882-7805 Fax: 623-882-3007
The County of <u>MARICOPA</u>: Name: Amy A. Rex Address: Office of the Medical Examiner	The CITY of <u>MESA</u>: Name: Dorothy O'Brien Address: P.O. Box 1466, MS 6610

JUSTGRANTS APPLICATION ID NUMBER: GRANT13688934 (Mandatory)

Address: 701 W. Jefferson St. Address: City/St/Zip: Phoenix, AZ 85007 Phone: 602-506-8062 Fax: 602-506-1546	Address: Address: City/St/Zip: Mesa, AZ 85211-1466 Phone: 480-644-2331 Fax: 480-644-2857
The CITY of <u>PEORIA</u> : Name: Heather Cammarata Address: 8351 W. Cinnabar Ave. Address: Address: City/St/Zip: Peoria, AZ 85345 Phone: 623-773-7069 Fax: 623-773-5029	The CITY of <u>SCOTTSDALE</u> : Name: Marcus Steele Address: 8401 E. Indian School Rd. Address: Address: City/St/Zip: Scottsdale, AZ 85251 Phone: 480-312-1993 Fax:
The CITY of <u>SURPRISE</u> : Name: Benny Pina Address: Chief of Police Address: 14250 W. Statler Plaza Address: Suite 103 City/St/Zip: Surprise, AZ 85374 Phone: 623-222-4020 Fax:	The CITY of <u>TEMPE</u> : Name: Dreamlyn Johnson Address: 120 E. 5 th St. Address: Police Department Address: City/St/Zip: Tempe, AZ 85281 Phone: 480-350-8358 Fax:
The CITY of <u>PHOENIX</u> : Name: Antoinette Bates Address: Phoenix Police Department Address: 4th Floor, Suite 422 Address: 620 W. Washington St City/St/Zip: Phoenix, AZ 85003 Phone: 602-534-3622 Fax: 602-534-1613	

RESOLUTION # 2023-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX TO ACCEPT GRANT FUNDING AND AMENDING THE FISCAL YEAR 2023 BUDGET BY MOVING BUDGET AUTHORITY OF \$12,800 FROM CONTINGENCY WITHIN THE GRANTS FUND TO PROJECT G31061 FOR THE PURCHASE OF DRUG DETECTION EQUIPMENT.

WHEREAS, pursuant to Arizona Revised Statute §11-951, et seq., the City of Surprise has the authority to enter into intergovernmental agreements (IGA) with other governmental entities for the purposes set forth within;

WHEREAS, the Edward Byrne Justice Assistance Grant (JAG) Program FY 2022 Local Solicitation (CFDA #: 16.738) annually reallocates grant funds to resolve disparities in compliance with 42 USC § 3755 (d)(3)(4) through the City of Phoenix.

WHEREAS, JAG has awarded the City of Surprise up to \$12,731 in compliance with 42 USC § 3755 (d)(3)(4);

WHEREAS, the parties desire to enter into an agreement in order to continue the partnership already in place to combat these issues;

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

WHEREAS, the FY2023 budget was adopted by Council Resolution #2022-56 on June 7, 2022;

WHEREAS, execution of this agreement 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, 2022 through June 30, 2023.

Section 2. The Intergovernmental Agreement between the City of Surprise and the City of Phoenix for the Edward Byrne Justice Assistance Grant (JAG) Program, attached as *Exhibit B*, is approved.

Section 3. 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 _____, 2023.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2023-15

Exhibit A

1. Appropriation - The allocation below represents a movement of budget authority in the amount of \$12,731 from Grant Contingency to the FFY23 JAG project within the Grants Fund to cover the projected expenditures for purchasing drug detection equipment. 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
Grants	Police	#G31061 FFY22 JAG	E	-	12,800	12,800
Grants	Police	#G31061 FFY22 JAG	R	-	12,800	12,800
Grants/Contingency	General Operations	Contingency	E	2,795,800	(12,800)	2,783,000
Grants/Contingency	General Operations	Other	R	2,802,600	(12,800)	2,789,800
Expense Total					-	2,795,800
Revenue Total					-	2,802,600

RESOLUTION 2023-15
EXHIBIT B

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND THE CITY OF PHOENIX, ARIZONA

(BEGINS ON THE NEXT PAGE)



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Police
Staff Recommendations: None

Contact Person: Benny Pina, POLICE CHIEF
District: Citywide

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

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority in the amount of \$18,000 from Contingency within the Grants Fund to grant project G31365 FFY23 Joint Law Enforcement Operations (JLEO) and authorizing acceptance of a grant award from U.S. Department of Justice (DOJ), U.S. Marshals Service, to cover overtime expenses associated with the participation of one Surprise Police Officer in the JLEO Task Force from October 2, 2022 to September 30, 2023; Resolution #2023-16.

Motion:

I move to approve Resolution #2023-16.

Background:

The Surprise Police Department will receive \$18,000 in overtime funding from the U.S. Department of Justice, U.S. Marshals Service to cover overtime expenses associated with the participation of one Surprise Police Officer in the Joint Law Enforcement Operations (JLEO) Task Force from October 2, 2022, to September 30, 2023.

Objective Analysis:

Acceptance of this funding will provide reimbursement of overtime expenses for one Surprise Police Officer's participation in the activities of the JLEO task force. The one negative to obtaining any grant funding is the employee time spent in overseeing the grant and making regular reports back to the grantor.

Policy Compliant:

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

Financial Impact:

This one-time funding is to be used solely for overtime incurred as a result of participation in the JLEO Task Force. There is no city-match requirement; however, all employee related expenses (ERE) associated with this overtime will be absorbed by the Police Department's current operating budget.

Budget Impact:

The FY2023 adopted budget did not include appropriations for revenue and expenses related to the U.S. Marshals JLEO grant award to the Police Department. Acceptance of this grant will require a reallocation of \$18,000 from Contingency within the Grants Fund to Project G31365. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

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

ATTACHMENTS:

1. Res 2023-16 US Marshals Service OT IGA
 2. USM-607 - Surprise
-

RESOLUTION # 2023-16

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, U.S. MARSHALS SERVICE, ACCEPT FUNDING, AND AMEND THE FISCAL YEAR 2023 BUDGET BY MOVING BUDGET AUTHORITY IN THE AMOUNT OF \$18,000 FROM CONTINGENCY WITHIN THE GRANTS FUND TO PROJECT G31365 FOR OVERTIME EXPENSE.

WHEREAS, pursuant to Arizona Revised Statute §13-3872, et seq., the City of Surprise has the authority to enter into agreements with other governmental entities for the purposes set forth within;

WHEREAS, the parties desire to enter into an agreement in order to facilitate the U.S. Marshals Service providing funding for overtime in the amount of \$18,000 for our Officer assigned to the US DOJ, U.S. Marshals Service Fugitive Task Force ("Marshals Office");

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

WHEREAS, the FY2023 budget was adopted by Council Resolution #2022-56 on June 7, 2022;

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, 2022 through June 30, 2023.

Section 2. The City is hereby authorized to enter into an agreement to accept funding in the amount of \$18,000 from the Marshals Office for the City of Surprise Police Department to help fund overtime for its employee who assists the Marshals Office, which Agreement is attached as *Exhibit B*.

Section 3. 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 _____, 2023.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2023-16

Exhibit A

1. Appropriation - The allocation below represents a movement of budget authority in the amount of \$18,000 from Grant Contingency to the FFY23 JLEO project within the Grants Fund to cover the projected expenditures associated with overtime expenses for an officer to participate in Task Force activities. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget. 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
Grants	Police	#G31365 FFY23 JLEO	E	-	18,000	18,000
Grants	Police	#G31365 FFY23 JLEO	R	-	18,000	18,000
Grants/Contingency	General Operations	Contingency	E	2,795,800	(18,000)	2,777,800
Grants/Contingency	General Operations	Other	R	2,802,600	(18,000)	2,784,600
Expense Total					-	2,795,800
Revenue Total					-	2,802,600

RESOLUTION # 2023-16

Exhibit B

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND U.S. DEPARTMENT OF JUSTICE (DOJ), U.S.
MARSHALS SERVICE

(BEGINS ON THE NEXT PAGE)

INSTRUCTIONS: See last page for detailed instructions.

SECTION 1: OBLIGATION

DOCUMENT CONTROL #: M-23-D08-O-000124

SECTION 2: PARTICIPATING AGENCIES

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

Surprise Police Department

and

District of Arizona (08)

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

SECTION 3: PERIOD OF PERFORMANCE

October 2, 2022 to September 30, 2023

SECTION 4: APPROPRIATION DATA

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE	DOLLAR AMOUNT
2023	D08	AFF-B-OP	JLEOTFS4	25205 - TFO Overtime	\$18,000.00

Total Obligation Amount: **\$18,000.00**

ADD OBLIGATION LINE

SECTION 5: DESCRIPTION OF OBLIGATION

Task Force overtime funding for Surprise Police Department in the amount of \$18,000.00 for services rendered between October 2, 2022 through September 30, 2023. Funds are to be used solely for Overtime and shall not include any supplemental benefit costs such as retirement, FICA, and other expenses.

SECTION 6: CONTACT INFORMATION

DISTRICT/RFTF CONTACT:

Name: Alicia Wynn
Phone: 602-824-7996
E-mail: alicia.wynn1@usdoj.gov

STATE/LOCAL CONTACT:

Name: Jon Gake
Phone: 623-222.1828
E-mail: jon.gake@surpriseaz.gov

SECTION 7: AUTHORIZATION

USMS Representative - Certification of Funds:

Signature: ROBERT MCCALL Digitally signed by ROBERT MCCALL
Date: 2022.12.27 11:20:12 -0700 Date: 12/27/2022
Robert McCall - Administrative Officer

Chief Deputy or RFTF Commander - Obligation Approval:

Signature: TSmith3 Digitally signed by TSmith3
Date: 2022.12.28 17:15:24 -0700 Date: 12/28/2022
Thomas Smith - ACDUSM

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

Departmental Representative - Acknowledgement:

Signature: _____ Date: _____

FORM USM-607 INSTRUCTIONS

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

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

SECTION 1: Obligation Number

- A. Enter UFMS Document Control Number.

SECTION 2: Participating Agencies

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

SECTION 3: Period of Performance

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

SECTION 4: Appropriation Data

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

SECTION 5: Description of Obligation

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

SECTION 6: Contact Information

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

SECTION 7: Authorization

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



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Legal
Staff Recommendations:

Contact Person: Robert Wingo, CITY ATTORNEY
District: Citywide

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

Consideration and action pertaining to adoption of the proposed amendments to the City of Surprise [City Council] Policies & Procedures Manual and Boards & Commissions Handbook.

Motion:

I move to adopt the amendments to the City of Surprise Policies & Procedures Manual and Boards & Commissions Handbook as presented.

Background:

Per the mandate of the current City of Surprise Policies & Procedures Manual, the Manual is to be reviewed and updated as appropriate in August, or as soon as practical thereafter, of even-numbered years. The Rules Committee met three times beginning in September of 2022, and collaborated with the City Attorney's Office to identify recommended amendments to not only the Manual, but also the Boards and Commissions Handbook.

The recommended amendments were presented to City Council at the January 17, 2023, Regular City Council Workshop. With the exception of one requested revision to the proposed amendments, City Council was generally supportive of the proposed amendments. The one exception, which was raised by Vice Mayor Judd, was to limit the availability of a Board or Commissions' Motion to Reconsider to two weeks [fourteen calendar days] instead of until their respective next meeting. As Vice Mayor Judd correctly pointed-out, Boards/Commissions typically do not meet every two weeks like City Council, so a definitive period to allow a Motion to Reconsider is preferable. Consequently, Vice Mayor Judd's revision has been drafted into the proposed amendments.

Objective Analysis:

The proposed amendments to the City of Surprise Policies & Procedures Manual and the Boards & Commissions Handbook will provide clarification, ensure harmony with Arizona State statutes as well as the Surprise Municipal Code, and increase efficiency.

Policy Compliant:

Per the City of Surprise Policies & Procedures Manual, the review and update of the Manual will occur in August, or as soon as practical thereafter, every even-numbered year. This item will conclude the

mandated 2022 review and update.

Financial Impact:

There is no financial impact related to this item.

Budget Impact:

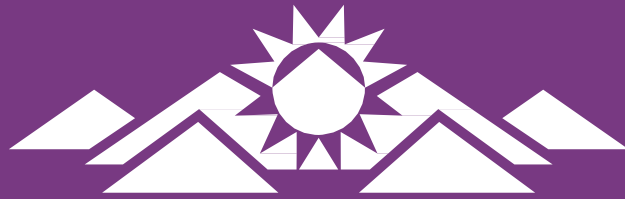
There is no budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 23.01.04 Council Policies Procedures Amended (final version)
 2. 23.01.19 Boards Comm Handbook (final version 2)
-



SURPRISE
ARIZONA

CITY OF SURPRISE
POLICIES & PROCEDURES
MANUAL



PROLOGUE

We will never bring disgrace on this our City by an act of dishonesty or cowardice.

We will fight for the ideals and sacred things of the City, both alone and with many.

We will revere and obey the City's laws, and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught.

We will strive increasingly to quicken the public's sense of civic duty.

Thus, in all these ways, we will transit this City, not only, not less, but greater and more beautiful it was transmitted to us.

-The Athenian Oath

INTRODUCTION

Residents of the City of Surprise are entitled to have fair, ethical and accountable local government that has earned the public's full confidence and trust. Excellence in local governance requires that public officials comply with the letter and spirit of the laws and policies affecting the operations of government. It requires that every official be independent and impartial in matters brought before them. Effective local government requires that each public office be used for the good of the public and not for personal gain. Transparent local government demands that deliberations and discussions be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

Notwithstanding the standards, requirements, and prohibitions set forth within this Policy, the United States and Arizona Constitutions, as the supreme laws of the land, guarantee to all, not excluding elected officials, certain protections, rights, and privileges. Therefore, nothing in this Policy shall be interpreted or applied in a manner which infringes or impairs any elected official's protections, privileges, or rights guaranteed by the respective Constitutions or any federal or state laws adopted under the authority of same.

RULES OF CONDUCT AND Demeanor

Elected and appointed officials are often called upon to make decisions that affect various groups and individuals. Balancing diverse constituent interests can be a difficult task. While someone may be disappointed in a decision, officials must adhere to ethical standards that eliminate disappointment borne of dishonesty, conflicts of interest, unfairness, or illegality. **Preservation of public trust is critical for the preservation of democracy.**

It is the policy of the City of Surprise to uphold, promote, and demand the highest standards of ethics from all of its officials, whether elected or appointed. Accordingly, all members of the City Council will maintain the following standards:

Rule 1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the City of Surprise and not for any private or personal interest, and will assure fair and equal treatment of all persons, claims and transactions coming before the Surprise City Council.

Rule 2. Comply with the Law

Members will comply with the laws of the nation, the State of Arizona, and the City of Surprise in the performance of their public duties. These laws include, but are not limited to: the Federal and State constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, anti-discrimination, confidentiality/non-disclosure laws, and open meeting; City ordinances; and City and City Council policies.

Rule 3. Professional Conduct

The professional and personal conduct of members must be above reproach and devoid of even the appearance of impropriety. Members must refrain from abusive conduct, harassment, personal charges or verbal attacks upon the character or motives of other members of Council, boards, commissions, and committees, City staff or members of the public. Likewise, Honesty and integrity shall be the primary values exercised in resolving all issues.

Rule 4. Conduct of Public Meetings

Members have an obligation to attend meetings, be prepared, and act in accordance with the processes and rules of order established by City Council. Members are expected to review the materials, participate in discussions and make an informed decision on the merits of the issue. Members must act courteously, refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

Rule 5. Transparent Governance

Members must publicly disclose substantive information that is relevant to a matter under consideration by the Council which the member may have received from sources outside the public decision-making process.

Members are increasingly using social media to share information with the public and as a forum to facilitate the public's ability to communicate with them about matters relating to City governance. However, numerous laws and legal obligations are implicated, and legal issues arise, when members utilize social media accounts to carry out their official duties or engage in city business. These legal issues become even more pronounced when members conduct official city business on personal or private social media accounts.

Therefore, in order to ensure social media accounts are administered uniformly, to the highest standards, and in compliance with all laws and legal obligations, the City will create and maintain official social media accounts for use by members in connection with their official duties. Once an official account is created on any given platform, members will not use a personal or private social media account on that platform for official purposes, conducting city business, or performing their duties as a council member. For example, members will not use personal or private social media accounts to make announcements about official responsibilities, actions, or events, discuss city business, solicit comments or input from the public on city matters, or distribute official city notices or information. Nevertheless, recognizing that complete isolation of a private account from city business is an unrealistic standard, using a private account to link, reference, or otherwise direct the public to the member's official account or city webpages, notices, or accounts does not violate this policy. Members' personal or private social media account designs will not utilize official city logos, graphics, pictures, or material that would reasonably mislead the public to believe it is an official city account.

Rule 6. Advocacy

Members of the City Council are frequently contacted by the media for background and quotes. The Mayor is the designated representative of the Council to present and speak on the official City position. Members must represent the official policies or positions of the City Council to the best of their ability if designated as delegates for this purpose. When presenting their individual opinions and positions, members must not allow or perpetuate the inference or misperception of official City representation to exist. Until and unless the Mayor and Council take an **official** position on an issue as a collective public body in a public meeting, any statements or written correspondence should reflect clearly that the position taken is that of the individual in his/her personal capacity. ~~Members should never go "off the record" when making statements and are cautioned to choose words carefully and cautiously. Comments may be taken out of context resulting in unintended issues.~~

Rule 7. Policy Role of Members

The Role of each Member, as an individual, is to represent the community and to share their ideas, recommendations, and point of view ~~forward~~ during consideration of matters before the body. Members must respect and adhere to the Council-manager structure of the Surprise City government as outlined in City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, committees and City staff. Members therefore may not interfere with the administrative functions of the City or the professional duties of City staff; nor impair the ability of staff to implement Council policy decisions. Members should also refrain from individually ~~directing,~~ without a majority consensus of the Council, the City Manager, City Clerk, City Auditor, or City Attorney in the performance of his/her job responsibilities.

Rule 8. Positive Work Place Environment

Members must support and maintain a positive and constructive work place environment for City employees, residents, and businesses dealing with the City. Members must recognize the special role of the Council in dealings with City employees and refrain from directing or giving orders, outside of a public meeting, to any City employee under the supervision of an appointed official. ~~staff other than the City Manager pursuant to the Council Manager form of government.~~

Rule 9. Conflict of Interest

Members must be constantly on guard against conflicts of interest, whether real or perceived. Officials must not be involved in discussing or deciding any issue over which the Council may have jurisdiction and which may impact a financial or property interest of either the member or a member's relatives (relatives means the spouse, children, parent, grandparent, grandchildren, siblings of whole or half blood and their spouses and in-laws).

If a member believes that a conflict of interest, as defined by Arizona Revised Statutes Title 38, Chapter 3, Article 8 ~~(or even a possible conflict)~~ exists, then the member must disclose the fact as soon as possible on the record. From that point on, the member may not participate in any manner (by discussing, questioning or voting) in that matter. Declaring a conflict and not participating should be recognized as a necessary part of preserving public trust and should not be avoided simply because of delays or inconvenience. ~~Indeed, members should declare possible~~

conflicts to avoid any appearance of impropriety. At the same time, members have a duty to participate, and vote. Therefore, members must not abstain from participation or voting unless the matter involves the consideration of their own official conduct or a conflict of interest as defined by law exists.

Rule 10. Accepting Gifts, Favors or Benefits

Pursuant to Arizona law:

A public officer or employee shall not use or attempt to use the officer's or employee's official position to secure any valuable thing or valuable benefit for the officer or employee that would not ordinarily accrue to the officer or employee in the performance of the officer's or employee's official duties if the thing or benefit is of such character as to manifest a substantial and improper influence on the officer or employee with respect to the officer's or employee's duties.

Arizona Revised Statute § 38-504(C)

Therefore, members shall not solicit, directly or indirectly, a gift regardless of value.

An unsolicited gift with a known value or reasonably estimated fair market value of \$50.00 or less is permissible if the gift is not otherwise prohibited by law. An unsolicited gift with a known value or reasonably estimated fair market value greater than \$50.00 is permissible if the gift is not otherwise prohibited by law and if the gift is disclosed by the member as provided in this Section.

For purposes of this section, "gift" means anything of value, which is directly and personally received, unless consideration of equal or greater value is given in return. Gift does not include:

- 1) Salary, compensation, or benefit lawfully received from the City of Surprise
- 2) A gift, devise or inheritance from a relative when motivated by familial relationship
- 3) A gift from a personal friend either motivated by friendship, of a nature that was customarily received before the member became an elected or appointed official, or customarily given due to a personal life event, such as a wedding or birthday.
- 4) A campaign contribution that is permitted and reported as required by law.
- 5) A benefit received, while acting as a representative of the City of Surprise, from another government entity due to participation in that entity's operations, programs, or events.
- 6) An item or benefit that is given to all attendees at an event.
- 7) Admission, food, or beverages furnished in connection with attendance or participation in an official capacity at an event, activity, or function sponsored by the City of Surprise, a non-profit organization, a professional association, a business association, a charitable, cultural/arts, or community organization.
- 8) Items of trivial value, tokens, or award of appreciations for service, informational materials, publications, promotional items, or subscriptions pertinent to the performance of official duties.
- 9) Reasonable expenses for attendance at a convention, fact-finding mission or trip, or similar event if the member is scheduled to speak, present, or otherwise participate in a matter related to City business as a representative of the City of Surprise.
- 10) An item that is reimbursed or not used and that is either paid for or returned within fifteen business days of receipt to the donor or that is delivered within fifteen business days of receipt to a charitable organization and that is not claimed as a charitable contribution for tax purposes.

- ~~1) The acceptance or solicitation of gifts, favors or benefits by a member in their official capacity should be avoided. "Gifts, favors or benefits" include event tickets, admission, meals, products, autographs, memorabilia, special celebrity access, and travel expenses, but does not include de minimus tokens of appreciation or for participation such as a pen, pin, plaque of appreciation or award. Gift, favor, or benefit does not include City sponsored or hosted events, or event tickets/admission given to a member when such is necessary for the member to perform the member's function as a Council member.~~

~~Generally, Arizona law prohibits a Council member from receiving anything of value or any compensation other than the normal salary for any service rendered in connection with that person's duties with the City, or using or attempting to use the position on Council to secure anything of value or benefit. See A.R.S. §§38-504 and 38-505.~~

~~The acceptance and, specifically, the solicitation of gifts, benefits or favors either for the member or the member's family or friends, even if not technically in violation of law, will raise the appearance of impropriety. The member should also not accept or solicit any gift, benefit or favor when such would be advantageous to their political/career aspirations.~~

~~Members must recognize, and avoid at all costs, the appearance of impropriety. When a member does receive a gift, benefit, or favor, as defined above, in either (a) the member's capacity as an elected official (a non-personal gift), or (b) from parties with business before the City or which may come before the City; and when the value of such individually or combined with all gifts, benefits, or favors received in a 24-hour period, has a market value of \$50 or more, the member must disclose such in writing. Written disclosure of any gift required to be reported pursuant to this Section, benefit, or favor must be made to the City Clerk within 15~~10~~ business days after receipt and must include a description of the gift, ~~benefit, or favor~~, the known or reasonably estimated fair market value, the date of receipt, and the source. The disclosure of gifts will be posted on the City's web page along with the member's financial disclosure statements. ~~Under no circumstances may a member accept a gift, benefit or favor that can be construed to be a bribe or reflects to a reasonable person an effort to influence the member contrary to that member's responsibility to the public to act impartially and on the merits of a matter. The acceptance of such gifts or benefits should be in the best interest the parties involved should the transaction be publicized, i.e. how would it look to the public ("headline test"). If the publication of the transaction would make any of the parties involved uncomfortable, it is likely not appropriate.~~~~

~~Examples of items that are not gifts, favors, or benefits include: City event access passes (e.g. spring training passes); dinner tickets received as part of a conference paid for by the member as an individual or by the City; a plaque of appreciation given the member by a civic/community organization; access to celebrities attending the same event as a member; access to an event utilized for various public relations purposes such as building relationships with residents regarding City purpose and business, promoting business or other opportunities in Surprise, promoting relationships with other municipalities, or promoting corporate partnership and development.~~

~~Examples of items that are gifts, favors, or benefits that must be disclosed include: tickets to a sporting event given by a developer doing business in Surprise; sports equipment/clothing given~~

~~by a vendor, contractor, developer, etc. doing business in Surprise; a series of meals and small gifts given over 24 hours the aggregate value of which is \$50 or more.~~

In the event of uncertainty, contact the City Attorney.

PARLIAMENTARY PROCEDURE

Surprise Municipal Code §2-80 provides that “the latest standard edition of Robert’s Rules of Order will serve as a guide for parliamentary procedure...”. In furtherance of such guidance, the parliamentary rules outlined below will be followed in all City Council Meetings, keeping the following principles:

1. The Council must act as a body.
2. The Council should proceed in the most efficient manner possible.
3. The Council must act by at least a majority as defined by the Surprise Municipal Code.
4. Every member must have an equal opportunity to participate in decision making.
5. The Council’s rules of procedure must be followed consistently.
6. The Council’s actions should be the result of a decision on the merits and not a manipulation of the procedural rules.

Rule 1. Powers of the Chair

The Chair (usually the Mayor) has the following powers:

- a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- b) To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- c) To entertain and answer questions of parliamentary law or procedure;
- d) To call a brief recess at any time;
- e) To adjourn in an emergency.

Comment: A decision by the Chair under (a), (b) or (c) may be appealed to the Council upon motion of any member, pursuant to Rule 8(b). Such a motion is in order immediately after a decision under (a),(b) or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.

Rule 2. Consent Agenda

The Council may designate a part of the agenda as the “consent agenda.” Items are placed on the

consent agenda if they are judged to be noncontroversial and routine. Any member may remove an item from the consent agenda and place it on the regular agenda when the consent agenda comes forward for action and can be revised prior to its adoption. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote on each item.

Comment: *Many Councils use a consent agenda as a device to handle routine business more quickly. As a general rule, ordinances, controversial items, matters in which citizens may be interested, and matters of great substance will not be included on the consent agenda.*

The Council reviews the "consent agenda" at the beginning of each meeting. Each member is free to remove items from the consent agenda to the regular agenda. A member may wish to do so if, for example, he or she would like to debate the proposal or vote against the item.

Rule 3. When the Chair Is in Active Debate

If the Chair becomes actively engaged in extended debate on a particular proposal, the Chair may designate another member to preside over the debate. The Chair will resume presiding as soon as action on the matter is concluded.

Comment: *Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet, an unfair advantage accrues to the side whose advocate controls access to the floor. This rule is designed to ensure even-handed treatment to both sides during a heated debate. Ordinarily, if the Chair is leading the meeting, he or she should ask the Vice Chair to preside in this situation. But, if that person also engaged in the debate, the Chair should feel free to call on some other member in order to achieve the purpose of this rule.*

Rule 4. One Motion at a Time

A member may make only one substantive motion at a time.

Comment: *None.*

Rule 5. Substantive Motions

A substantive motion is a motion to take action on the principal item and is out of order while another substantive motion is pending. In other words, a substantive motion is any motion other than the procedural motions listed in Rule 8. A substantive motion may deal with any subject within the Council's legal powers, duties, and responsibilities.

Comment: *This rule sets forth the basic principle of parliamentary procedure that distinct issues will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded. The term substantive motion is used here to underscore the distinction between this type of motion and the various procedural motions listed in Rule 8.*

Rule 6. Debate

The Chair will ~~state the motion and then~~ open the floor to debate ~~on it~~. The Chair will preside over

the debate according to the following general principles:

- (a) Once a motion is made, the maker of the motion is entitled to speak first;
- (b) A member who has not spoken on the issue will be recognized before someone who has already spoken;
- (c) To the extent possible, the debate will alternate between proponents and opponents of the measure.

Comment: None.

Rule 7. Ratification of Actions

To the extent permitted by law, the Council may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Comment: Ratification of actions taken on the Council's behalf but without its prior approval is permitted under these rules, to the extent that such after-the-fact approval of actions is legally allowed. The principle behind the motion to ratify is that an assembly may subsequently approve what it could have authorized. This rule treats the motion to ratify as a substantive proposal rather than as a procedural motion, since a ratification is in effect an after-the-fact substantive action by the Council concerning something that was done without Council approval when advance authorization should have been obtained. For example, if the City enters a contract that would normally have been approved by Council prior to the City entering the contract, but the circumstances were such that prior Council approval was not possible, Council can approve the contract after the fact under this rule.

Rule 8. Withdrawal of Motion

A motion may be withdrawn by the maker at any time before it is amended or before the Chair puts the motion to a vote, whichever occurs first.

Comment: This rule prohibits withdrawing motions after they have been amended. Once a motion has been amended, it is no longer the same motion as was made by the maker, so it is no longer his or hers to withdraw.

Rule 9. Procedural Motions

(a) Motions Allowed. In addition to substantive proposals, only the following procedural motions, and no others, are permitted. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Comment: The following enumeration of procedural motions is exhaustive; if a procedural option is not on the list, then it is not available. Procedural motions are frequently used to "act upon" a substantive motion by amending it, delaying consideration of it, and so forth. Several procedural motions can be entertained in succession without necessarily disposing of the previous procedural motion. The order of priority establishes which procedural motion yields to which—that is, which procedural motion may be made and considered while another one is pending.

(b) Order of Priority of Motions. In order of priority (if applicable), the procedural motions are:

Motion 1. To Appeal a Procedural Ruling of the Chair. A decision of the Chair ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the Council. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the Chair and the motion, if timely made, may not be ruled out of order.

Comment: *This motion allows the ruling of the Chair on certain procedural matters to be appealed to the whole Council. This appeal must be made as soon as the Chair's decision is announced, so this motion is accorded the highest priority.*

Motion 2. To Adjourn. This motion may be made only at the conclusion of Council consideration of a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to or adjourn ends the current meeting to a time and place certain and establishes a specified time and place for the meeting to reconvene.

Comment: *Since the number of members is small and procedures are available to limit debate, Motion 2 allows both debate and amendment, but specifies the motion is in order only when consideration of a pending matter has concluded. If the Council wants to adjourn before completing final action on a matter, it must, prior to adjourning, first temporarily conclude its consideration of that matter. This is done with one of three motions: to defer consideration of the matter, to postpone the matter to a certain time or day, or to refer the matter to a committee. Only as a last resort should the Council use a motion to suspend the rules, in order to allow the motion to adjourn to interrupt deliberation on the matter.*

Motion 3. To Take a Brief Recess. This motion is made when a member wishes to take a short break during the meeting, but does not end the meeting.

Comment: *This motion allows the Council to pause briefly in its proceedings and should not be confused with the motion to adjourn to a time and place certain, which is a form of the motion to adjourn under these rules. Motion 3 is a "motion to take a brief recess" rather than a "motion to recess" or "motion to adjourn." Since the number of Council members is small, and procedures are available to limit debate, debate is allowed on this motion. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the Chair or a motion to adjourn is pending.*

Motion 4. Call to Follow the Agenda. This motion would require the agenda be taken in order, prohibiting the Chair from taking items out of order. The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.

Comment: *This motion may be debated. Unless the motion is made when the item of business that deviates from the agenda is proposed, the right to insist on following the agenda is waived for that item.*

Motion 5. To Suspend the Rules. The Council may not suspend provisions of the rules that state requirements imposed by law on the Council. For adoption, the motion requires a vote equal to two-thirds of the actual membership of the Council, excluding vacant seats.

Comment: *This motion is in order when the Council wishes to do something that it may legally do but cannot accomplish without violating its own rules. The motion permits the Council to exercise greater flexibility and perhaps informality than adhering strictly to what the rules might allow. A motion to suspend the rules requires approval by two-thirds of the actual membership of the Council to pass. Note that the Chair and members who are absent from the meeting are counted for purposes of determining two-thirds of the Council, but vacant seats are excluded in making the two-thirds determination.*

Motion 6. To Go into Executive Session. The Council may go into Executive session only for one or more of the permissible purposes listed in A.R.S. §38-431.03. The motion to go into Executive Session must cite the purpose of the Executive Session and must be adopted at an open meeting.

Comment: *The requirements for this motion are found in A.R.S. §38-431.03(A), which permits Executive Session only for 7 topics. Those are:*

- 1. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting.*
- 2. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.*
- 3. Discussion or consultation for legal advice with the attorney or attorneys of the public body.*
- 4. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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.*
- 5. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.*

6. 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.

7. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

Motion 7. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Comment: *This motion is debatable.*

Motion 8. Motion for the Previous Question. The motion is not in order until every member has had an opportunity to speak once and there has been either at least 15 minutes of debate or debate has become repetitive.

Comment: *With small boards, a minimum period of debate on every proposal that comes before it strikes a superior balance between efficiency and effective representation by all Council members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote. Fifteen minutes is merely a suggested minimum period of time. This rule avoids the practice followed by some boards of allowing any member to end debate by simply saying "call the question," without the Council actually taking a vote on that procedural issue. Such a practice is contrary to regular parliamentary procedures. In addition, such a practice allows individual members to impose their will unilaterally on the group, in defiance of the principle of majority rule on which these rules are based.*

Motion 9. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules.

Comment: *This motion allows the Council to postpone consideration to a specified time or day and is appropriate when more information is needed or the deliberations are likely to be lengthy. Note the restriction on making a new motion with the same effect while a postponed motion remains pending.*

Motion 10. To Refer a Matter to a Sub-Committee. The Council may vote to refer an item on the agenda to a sub-committee for study and recommendations. Sixty days or more after a substantive motion has been referred to a sub-committee, a member may compel consideration of the item by the entire Council, whether or not the committee has reported the matter to the Council by requesting the matter be placed back on the Council agenda.

Comment: *The right of the maker to compel consideration by the full Council after a specified period of time prevents using the motion as a mechanism to defeat a proposal by referring it to a subcommittee that is willing to "sit" on it.*

Motion 11. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment will be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

Comment: *The restriction on amendments stated in subpart (a), second sentence, of the provisions concerning this motion should be read narrowly; it is intended only to prevent an amendment that merely negates the provisions of the original motion. The intent of such an amendment can be achieved in a simpler and more straightforward manner by the defeat of the original proposal. Pertinent amendments that make major substantive changes in the original motion are quite proper.*

Some Councils allow a "substitute motion" when major changes in a motion are proposed. Such a motion is, in effect, a type of amendment. To avoid confusion, "substitute motions" are not allowed under these rules. All proposals for changes in a motion or in an amendment are treated as motions to amend, no matter how major their potential effect.

Subpart (b) of the rules governing this motion limits the number of proposed amendments that may be pending at one time to two, in order to reduce confusion. Amendments are voted on in reverse order; that is, the last-offered amendment, which would amend the first amendment, is voted on first. Once the last-offered of the two pending amendments is disposed of, an additional amendment may be offered.

Some Councils may have a practice of requiring the person making the original motion to approve of any proposed amendments to that motion. Such a practice is not recommended. Once a motion has been offered to the Council, it is up to the Council to decide whether or not it should be changed by amendment. If the person making the motion does not favor a proposed amendment, he or she is free to vote against it. And so long as the original motion has not been voted on and no amendment to it has passed, the original maker of the motion is free under these rules to withdraw it (see Rule 8). If a motion has been withdrawn, the Council members are generally free to make their own separate motions on the same subject.

Motion 12. To Reconsider. The Council may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the "nos" prevail) and no later than at the next regularly scheduled Council meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the next regularly scheduled Council meeting.

Comment: *To avoid placing a measure in limbo, these rules restrict the availability of the motion to no later than the regularly scheduled same meeting following as the original*

vote, including any continuation of that meeting if it is recessed, or adjourned to a time and place certain. Any Motion for Reconsideration occurring at the following regularly scheduled meeting must be placed on the agenda in compliance with Arizona's Open Meeting Laws. Surprise Municipal Code allows an item to be placed on an agenda by the Mayor no less than 24 hours before a meeting; a motion and second of any council member made during a future agenda item at a public meeting; or upon written request signed by two council members and submitted to the city clerk no less than five business days prior to the meeting date. In the case of a Motion to Reconsider item, each of the options above would need to be acted on by members who voted on the prevailing side.

USE OF CITY RESOURCES

Discretionary Funds:

Each member will be allotted discretionary funds, not to exceed an amount determined by Council during the annual budget process, to be utilized for a public purpose and betterment or benefit of the community or the Councilmember's district within a member's respective District or city wide for the Mayor. Use of discretionary funds must be consistent with all applicable laws.

Use of discretionary funds requires the member wishing to utilize such funds to provide a Disbursement Request to the Finance Department. The City Attorney's Office will be consulted prior to expenditure to ensure compliance with all applicable laws. Funds will be released consistent with this policy.

Expenses, Reimbursements and Stipends

Council members are eligible to receive a City-issued cell phone or receive a monthly stipend for the business use of a personal cell phone.

Travel expenses, including mileage, reimbursements and stipends will be provided to members on the same basis as general City employees and will be approved and processed consistent with City policy.

Uses Barred

Consistent with State Law, no City resources, including communications media (computers, newsletters, etc.) may be used for advocacy or promotion of any issue subject to voter approval or candidate for elected office.

Council Offices

Council Offices are located in the northeast section of the 4th Floor of City Hall. The Office of the Mayor will be occupied by the one elected to that office, or appointed after a vacancy consistent with City Code. All other offices will be occupied on a first-come first-serve basis. Any member can request to move into any vacant office. If more than one member wishes to occupy a vacant office, selection of Council member offices will be based on seniority (that is the greatest number

of uninterrupted days as a Surprise elected official), and then by lottery.

PREPARATION OF THE COUNCIL AGENDA

Supporting Information and Attachments

Each item on the Agenda should have supporting information and documentation for the item being considered. Necessary information includes the following, if applicable:

- Background Information: Relevant historical information, such as prior actions on the same or similar item, origin of the request, regional impact, or similar information.
- Financial Impact: actual and operational costs, revenue and other financial considerations, and whether such are one-time or ongoing.
- Budget Impact: Funding sources in the current budget (including e.g. contingency, unforeseen grants, etc.), and funding sources for future years, if applicable.
- Policy Compliant: Statement whether the action is consistent with City and Council Policy. If not, an explanation of why the item should deviate from policy. (Policy for this purpose includes normal City practice whether or not included in a written policy).
- FTE Impact: Necessary change in the number of FTE, whether the action would require a new FTE or the transfer of an FTE from another program.
- Objective Analysis: Analysis containing potential positive and negative impacts and impacts of if the item is not approved.
- Actual final documents (Resolution, Ordinance, Contracts, etc.)

Use of Consent Agenda

Consistent with the Council Rules of Conduct and Demeanor, and Parliamentary Rule #2, the Consent Agenda, unless otherwise required by law, should include all items previously discussed by Council for which no changes were requested by any member of Council; routine items (i.e. minor budget amendments, simple Intergovernmental Agreements, contract extensions, grant acceptances, and simple contract amendments); and items placed on the Consent Agenda at the Agenda Review.

Draft Agenda, Agenda Review

The Mayor (or designee) and/or the Vice Mayor (or designee), along with relevant staff selected by the City Manager, will review the Draft Agenda no fewer than 6 calendar days prior to the Council meeting. A Draft Agenda and the required “Supporting Information and Attachments” must be provided to the Mayor and Vice Mayor (or designees) no later than 24 hours prior to the Agenda Review meeting. Items may be removed that do not have sufficient information as identified in “Supporting Information and Attachments”. Removed items will be placed on the agenda as soon as the “Supporting Information and Attachments” are available. The requirements of this section do not apply to emergency meetings or items placed on the agenda pursuant to Municipal Code Section 2-61(c)(1) (pertaining to items added 24 hours prior to the meeting) for which there is insufficient time to comply with this section.

SUBCOMMITTEES & WORKING GROUPS

Subcommittees and Working Groups formed in accordance with Surprise Municipal Code §2-40(i) will convene meetings at the direction of the subcommittee chair. Requests for meetings may be made to the subcommittee chair through the staff liaison.

An Agenda for each subcommittee meeting will be posted by the City Clerk no less than 24 hours prior to the meeting, in conformance with the Open Meeting Law, A.R.S. §38-431.01. Subcommittee meetings will convene in a meeting room at City Hall generally accessible to the public, except that executive sessions may be held in any location at City Hall.

IMPLEMENTATION AND ENFORCEMENT

As an expression of the standards of conduct for members expected by the City, this Policy & Procedure Manual is intended to be self-enforcing. Members themselves have the primary responsibility to assure that standards are understood and met, and that the public can continue to have full confidence in the integrity of government. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, standards will be included in the regular orientations for candidates for City Council, and newly elected members. Members entering office must sign a statement affirming they have read and understood the provisions of this City Council Policy & Procedure Manual. In addition, this manual [and the Boards and Commissions Handbook](#)—will be reviewed by the City Council to consider recommendations and update it as necessary in August of even-numbered years, or a soon thereafter as practical.

Notwithstanding the intended self-enforcing nature of these policies and procedures, the City Council, by a vote of a majority of its members, may impose sanctions on members whose conduct does not comply with the City's standards, such as reprimand, formal censure, removal from meeting (if the member's conduct is disruptive or impedes the orderly conduct of business at the meeting), or removal from any position or assignment to which the member has been appointed by the Mayor or City Council.

REPORTING VIOLATIONS

Members have a duty to create the image and reality of a responsive, accessible, and fair City government. Accordingly, members have a duty to report if another member has violated law or policy. Moreover, members must never attempt to use their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any person with the intent of interfering with that person's duty to disclose such improper activity. As a Corresponding duty, members shall refrain from making a false, misleading, or unsubstantiated report. If after review it is determined that a complaint is groundless and was made in bad faith or for the purpose of harassment, or intentionally false or otherwise malicious in nature, the complainant may be subject to sanctions under this Policy.

COMPLAINT

A Complaint by a member must be filed with the City Attorney on or before one-hundred eighty (180) days after the violation is alleged to have occurred or thirty (30) days after the alleged violation was discovered, whichever date is earlier. Upon receipt, the City Attorney will engage conflict counsel who will conduct an initial screening of the complaint and within fifteen (15) days recommend that the City Attorney handle the complaint as follows:

- (a) Dismiss it for being incomplete, untimely, or on its face lacking factual or legal merit;
- (b) Dismiss it if the complaint on its face fails to state allegations that, if true, would violate a mandatory requirement or prohibition as opposed to an aspirational or administrative provision of this Policy, City Code or any other laws;
- (c) Refer alleged violations of Arizona or federal laws to an appropriate agency if the complaint states on its face allegations that, if true, would constitute a violation of Arizona or federal law;
- (d) Or If the complaint states on its face allegations that, if true, would constitute a violation of a mandatory requirement or prohibition (as opposed to aspirational or administrative provisions) of the this Policy, the City Code or any other law, conflict counsel shall investigate the complaint and report to the City Council, the complainant, the member who is the subject of the complaint, and the City Attorney findings of fact and conclusions of law within sixty (60) days. The City Council shall consider the Conflict Counsel's report at a public meeting and either accept or reject the report as submitted and shall impose sanctions as it finds appropriate.

In all circumstances, the City Attorney shall follow conflict counsel's recommendation. The City Attorney's recommendation to refer a complaint for further investigation pursuant to subsection (c) and (d) above shall not raise the presumption that any of the complaint's allegations are true or that any member had violated this Policy or law. The timelines for handling complaints set forth above set the outer limits. All parties involved are strongly encouraged to make their findings, recommendations, and decisions as expeditiously as possible for the sake of the public and the City officials against whom complaints have been filed.

The City Attorney will adopt written rules of procedure to govern the review process, including the right of a member against whom the complaint has been lodged to respond to the complaint, attend any hearing, and present witnesses and other evidence on her or his own behalf.

Any complaints relating to City elections must be filed with or referred to the City Clerk for review and disposition as provided by law.

APPENDIX

- A. Statement of Commitment
- B. Rules for the Public at Council Meetings

Statement of Commitment

As a member of the Surprise City Council I agree to uphold the principles, policies and procedures set forth in the Surprise City Council Policy & Procedure Manual and conduct myself by the following model of behavior. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct that is divisive or harmful to the best interests of the City;
- Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read and that I understand the Surprise City Council Policy & Procedure Manual, dated this _____ day of _____, _____.

Mayor /Council Member for District _____

Rules for the Public at Council Meetings

- 1) Presence in the Council Dais Area. During a Council meeting, members of the public are permitted within the area in front of the Council dais only at the invitation or consent of the chair for purposes of making presentations and providing information to Council.
- 2) Addressing Council
 - a) Any member of the public desiring to address the Council may not proceed to the lectern until after being recognized by the Chair.
 - b) At the lectern, the member of the public should clearly state their name, and approximate cross streets for the record.
 - c) Statements will be limited to four (4) minutes per item to allow the meeting to proceed and end in a timely manner. The time limit may be extended at the option of the Chair.
 - d) If several speakers desire to speak regarding a single topic, the Chair can limit the number of speakers or limit the time given to each group; however, an equal amount of time will be given to each side of an issue.
 - e) Oral communications during the City Council meeting may not be used to lodge charges or complaints against any employee of the City or members of the body, regardless of whether such person is identified in the presentation by name or by any other reference that tends to identify him/her. Any such charges or complaints should be submitted during normal business hours to the City Manager for appropriate action.
- 3) No loud vocalization (shouting or calling out) will be permitted from the seating area of the Council Chamber.



SURPRISE

ARIZONA

CITY OF SURPRISE
BOARDS & COMMISSIONS
HANDBOOK



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WELCOME!

Thank you for your willingness to serve the City of Surprise. As a citizen volunteer, you are a member of a select group appointed by City Council. Your participation personifies citizen involvement in the governing process. By serving on a board or commission you become part of the official family of the City of Surprise. You represent the Mayor and Council and must abide by a number of policies and procedures which govern public bodies. Primary among these are the Open Meeting Law, the City Code that applies to your board or commission, and the Rules contained in this Handbook. Members must expect that all deliberations and recommendations will be reviewed and scrutinized not only by the City Council, but also by the public, media, and other interested parties.

Being a member of a board or commission is not an easy task, but, if done well, it can be very rewarding.

City Overview

Surprise residents enjoy clean, safe neighborhoods, a family-friendly environment and incredible retail and recreational amenities. Surprise is rated one of the ~~top ten~~-safest cities in the ~~nation~~ state and offers ~~top-ranked both~~ public and charter schools.

Recreation is big in this beautiful Sonoran-desert community. Surprise Stadium is the Spring Training home of Major League Baseball's Texas Rangers and Kansas City Royals. The Surprise Tennis and Racquet Complex attracts both tennis legends and national tournaments, and the White Tank Mountain Regional Park offers 30,000 acres of outdoor recreation. Plus, the city offers ~~seven~~ ~~several~~ gorgeous 18-hole golf courses, an urban fishing lake, and ~~two~~ ~~multiple~~ public aquatic centers.

The Surprise Recreation Campus is where our community comes together for celebratory events including 4th of July fireworks, arts and music festivals and the annual Surprise Party. The city offers a variety of sports and recreation programs for residents of all ages and community centers where youth can play games and indoor sports.

Art is another important focus in Surprise. In addition to having two local art centers, the city has commissioned several public art pieces and invests in various arts and cultural events and programs, including a free concert series called ~~Second~~ Sundays in the Park and the popular Thunderbird Fine Art & Wine Festival.

Surprise has a diversified employment corridor from small home-based businesses to large company headquarters and is focused on growing local jobs. That goal is supported by our AZ TechCelerator business incubator ~~and Beehive co-working space~~, as well as robust international recruitment strategies and programs that offer soft landing opportunities to international companies looking to locate in the city.

Surprise is the ideal place to live, work and play!

Form of Government

The City of Surprise operates under the Council-Manager form of government. Under this form, the elected governing body is responsible for the legislative function of the municipality, such as establishing policy, passing local ordinances, adopting a budget, appropriating money, and developing an overall vision for the community. Day to day operations for the City are the responsibility of the City Manager.

City Council

In addition to the Mayor, who is elected at-large, there are six other members who are elected from the most current election districts shown on the official election district map on file in the Office of the City Clerk. Each Council Member is elected to a four-year term of office.

Appointed Officials

The City Council appoints ~~three~~ six individuals to serve in different functions ~~that support the City Council~~; Presiding City Court Judge, Associate Judge, City Manager, City Attorney, City Auditor, and City Clerk.

The Presiding City Court Judge is appointed to a fixed term by City Code and is responsible for all operational matters pertaining to the City Court. As a separate branch of government, the City Court is autonomous, with only the approval of the annual budget within the power of the City Council.

The City Manager serves at the pleasure of Council and is responsible for drafting a balanced budget for Council consideration, and executing the Council approved budget. In addition to supervising daily operations of the City, the City Manager works with elected officials and citizens to plan for the future of the community and to define and carry out the vision of the Council by setting goals and establishing strategies for reaching these goals.

The City Clerk serves at the pleasure of Council and is the official document and record custodian for the City. The Clerk is responsible for assuring the Council, and all the boards and commissions of the City, comply with the notice and agenda requirements of the Open Meeting Law, and assuring the City complies with the public records law. The Clerk also services at the City's chief elections officer.

Relationships

With Council

A good relationship with the City Council is essential. The primary responsibility of boards, commissions, and committees is providing additional avenues of communication between the City Council and the general public. Commission and committee members should keep in mind that only the City Council can establish City policy. It is the City Council's role to receive the recommendations made by commissions and committees, and to consider them as part of the Council's decision making. No matter what one individual's position may be, it is important that each commission or committee member support the recommendations made by the member's commission or committee and, ultimately, the policy decisions of the City Council once the decision is made. This is true even if the recommendation by the commission or committee is not that of the individual member.

Official communications with the City Council should be written and from the entire appointed body. Communications will be forwarded through the Staff Liaison to the City Council and the City Manager's Office. Remember, the role of the Staff Liaison is to *communicate* the position of the commission or committee - not *advocate* on behalf of the commission or committee. Whenever a commission or committee has an item before the City Council, the Chair or a representative of that appointed body is encouraged to attend the City Council meeting to speak to the topic or answer questions.

When an appointed member addresses the City Council at a public meeting, it should be made clear whether or not he/she is speaking on behalf of the board, commission, or committee, or as an individual. If the member is speaking on behalf of a board, commission, or committee, only the majority position of the body should be presented. If the member is expressing his/her own personal viewpoint on a particular subject, it should be stated as such.

With Staff

Each board and commission has a Staff Liaison assigned by the City Manager. The role of the Staff Liaison is principally to coordinate the preparation of the agenda for each meeting, to prepare minutes in accordance with the Open Meeting Law, and to work with the board or commission chair to assure the work of the board or commission is completed in a timely and effective manner.

Just as it is inappropriate for Council to direct work of staff who are under the jurisdiction of the City Manager, so too must members of boards and commissions refrain from doing so. Instead, each Board and Commission should utilize agenda discussions at meetings as a basis for making requests of staff. All board or commission members needing to contact City personnel for information concerning official business should always make the request through the Staff Liaison.

Any action by the board or commission must be consistent with the powers and duties of the board and commission outlined in the ordinance that created the board or commission. This means that no board or commission may on its own, or through city staff, enter into contracts, authorize the expenditure of funds, bind the city to act, or act outside the powers granted by the City Council.

In general, the Staff Liaison will do the following:

- Establish and maintain a positive working relationship with the members;
- Assist with the creation of operating procedures;
- Work with the body to assure the body acts consistent with its established powers and duties, and complies with this handbook;
- Offer advice and recommendations to members as appropriate and when requested;
- Report the boards' and commissions' concerns to the City Manager, who, in turn, will notify Council;
- Provide advice regarding the most effective way of presenting recommendations to City Council, as appropriate;
- Facilitate interaction between boards and commissions as appropriate;
- Make meeting arrangements and prepare and distribute agenda packets to board and commission members on a timely basis;
- Provide members with the background information necessary for making an informed decision;
- Take notes during the meeting and prepare meeting minutes in a timely manner for approval by the board or commission; and
- Provide or otherwise arrange for orientation and training for new members.
- Assure agenda packets are complete, including any attachments, when posted.

With Fellow Members

Cooperation among fellow board, commission, and committee members is essential to success. Building consensus around common goals and objectives, members should first show a willingness to objectively define the issues at hand and then work to reconcile opposing viewpoints. When board and commission members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with others:

1. Respect an individual's viewpoint, even though it may be different from your own.
2. Allow other members adequate time to present their views before making comments.
3. Be open and honest.
4. Welcome new members and help them become acquainted with their board, commission, or committee.
5. Accept responsibility, voice opinions, be fair and factual.

With Fellow Boards & Commissions

The City Council has authorized the use of “joint” meetings and occasionally has “joint” meetings of more than one board, commission, or committee. When this occurs, each body should focus on its respective advisory responsibilities. The same considerations should be made during “joint” meetings as are followed for relationships with fellow members of the same body.

With the Public

Good relations with the public are vital for all City boards, commission, and committees. In many cases each body serves as a link between the City Council and the public, helping to inform the public, to reconcile opposing viewpoints, and to explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each body provides a channel for citizen expression by listening to comments, opinions, and concerns from the public. Therefore, it is important to be responsive and in tune with the community.

Eligibility/Application

Residency

Most boards and commission members must be residents of Surprise. However, residency requirements may vary depending on the criteria set forth within the state statute and/or city ordinance establishing a Board or Commission. For example, the Public Safety Personnel Retirement System Local Board and the Judicial Selection Advisory Commission may both have members for whom the residency requirements do not apply per law. There are, however, a few exceptions.

Term

Board and commission members are appointed for terms of four years with no term limits. The terms of the members are staggered so that only one half of the board is up for reappointment at any one time. Terms begin on July 1st and end on June 30th, four years later. Members must reapply for their position prior to the end of their term.

No board or commission member may offer themselves for election to any salaried local, state, or federal office. A member shall be deemed to have offered him or herself for nomination or election on the filing of a nomination paper pursuant to A.R.S. tit. 16, ch. 3, art. 2.

Member Selection

Generally, members of board and commissions are appointed through an application process. Applications are available at the City Clerk's Office and can be submitted any time.

When a vacancy in a board or commission is anticipated, the City Clerk will advertise the vacancy. Applications from eligible individuals are forwarded to the City Council's Boards and Commission Subcommittee, who review the applications and interview applicants. The Subcommittee will forward those applicants the subcommittee is recommending for appointment to the full Council. The Council will meet and consider recommendations for appointment at a public meeting. Applicants are appointed by a majority vote of the City Council.

After appointment, but usually immediately following the appointment by Council, the City Clerk administers the Oath of Office. For any newly appointed member not available to participate in the formal swearing in process, the City Clerk will make arrangements to administer the Oath of Office at a more convenient time.

The Oath of Office requires the newly appointed member to swear, under oath, to support the Constitution of the United States, laws of the State of Arizona, and all official policies and procedures of the City of Surprise.

Vacancies

If a vacancy in a board or commission is created because of a member's death, resignation, or removal, a new member is appointed to serve for the unexpired portion of the term. If a vacancy in a board or commission is created because a term has expired, a new member is appointed for a full term (4 years). In either event, the same selection and process is used.

Removal

The members of every board and commission serve at the pleasure of City Council. Any member of any board or commission may be removed with or without cause by a majority vote of City Council. At the time of removal, Council may establish a period during which the removed member is ineligible for future appointment. The decision is final and not appealable.

Member Orientation and Training

All members are required to attend an orientation and training workshop during their first term of office. The workshop will be coordinated with Staff Liaisons. Though some members may have previous general board training background and experience, it is important that all members are oriented to the policies and procedures specific to the City of Surprise.

Boards & Commissions Roles

As elected officials, Council recognizes the value boards and commission members bring to the community. Boards and commissions are created by the Council and may be changed, or abolish, at any time.

Boards and commissions are given powers and tasks to perform by Council. These powers and tasks are set out in City Code. A summary of the powers, duties, and tasks for each board or commission is contained in the board or commission specific handouts available through the Staff Liaison. Most boards and commissions also utilize the bi-laws set forth in Section 2-295 of the City Code, a copy of which is also available through the Staff Liaison.

Classification of Boards, Commissions & Committees

Commissions & Committees advise the City Council by making recommendations on public policy. Commissions are perpetual, while committees are gathered for a limited period for a very limited purpose. Examples of commissions include the Arts & Culture, Community and Recreation and [Veterans, Disability and Human Services Advisory](#) Commissions. An example of a committee is the City's Bond Election Evaluation Committee.

Commissions and Committees are asked to make recommendations based on their own expertise, what they hear from other community members, and based on the information and analysis of specific issues. Although all commission and committee actions and recommendations are subject to the approval by City Council, the Council appoints citizens to these positions because Council trusts that the members will exercise sound, independent judgment and do their best to form advice for the City Council. The City Council will consider recommendations within the parameters of Council's own deliberations. As a result, the City Council can do the following:

- Follow the recommendation of the commission or Committee;
- Request further study;
- Decide to take a different action than what has been recommended;
- Decide not to act at all.

Boards: Boards, unlike commissions and committees, have some decision-making powers within their purview. Examples of boards include the Personnel Appeals, Adjustment and Construction Review, and the City's Trust Fund Boards

Council Expectations

The City Council has the following expectations of its appointed boards and commissions:

- Provide citizens' perspectives on issues;
- Prioritize options for Council and refine recommendations;
- Enable citizens to contribute their expertise to the community;
- Advise Council on policy matters;
- Act in full accordance with all the powers and duties established in City Code; and
- Comply with the Open Meetings Law, laws governing public bodies and the City policies and procedures.

Election of Officers

Every board and commission must select a member to serve as the chair and a member to serve as the vice-chair. This selection must be done each July, or any time there is a chair or vice chair vacancy. If, for any reason, both the chair and vice chair are absent from a meeting, the members who are in attendance at the meeting must select a member to serve as the chair for that meeting. The chair or vice-chair may be removed from their positions as chair or vice-chair at any time by a three-fourths majority vote of the board or commission membership.

Role of Chair/Vice Chair

The chair, or vice chair when the chair is absent, presides over meetings, decides all points of order and procedure, and performs any duties required by law. The chair, or vice chair in the absence of a chair, has the right to make a motion, second any motion, and vote on any matter under consideration of the board or commission.

Meetings

Quorum

A quorum is the number of members needed for there to be a proper meeting of the board or commission. A quorum exists when a majority of the members are present. Vacancies on a board or commission do not count when determining whether or not a quorum exists. If a quorum is not present, the meeting must still be conducted for the purpose of attendance only. No other business can be conducted unless a quorum is present.

Times & Location

Each board and commission must meet at least one time per year. Boards and commissions may have two types of meetings; “Regular” meetings, those meetings scheduled as part of an annual calendar of meetings; and “Special” meetings, those meetings that are called by the chair or Staff Liaison that were not included in the annual calendar of meetings.

Boards and commissions that meet regularly must adopt an annual meeting schedule. Meetings on the schedule are referred to as “Regular” meetings and, unless the adopted calendar states otherwise, Regular meetings must be held at 6:00 pm at City Hall. Boards and commissions may designate a different time and place for the meeting, however, by adopting a Regular meeting schedule.

The chair of each board and commission, or the Staff Liaison as authorized by the City Manager, may call a “Special” meeting. Typically, Special meetings will only be used when the use of a Regular meeting is not practical.

In any event, meetings must be held at a time and a place designed to maximize public engagement in the business of the body.

Attendance

Attendance is very important and must be in person. Calling in ~~(by phone, Skype, Face Time, or otherwise)~~ by phone or video is not permitted.

If any member is absent (unexcused) for two consecutive meetings, or three meetings in any six month period, the matter will be promptly referred to the nomination committee by the city clerk. The nomination committee, in coordination with the respective board’s presiding officer and member, will attempt to resolve the unexcused attendance issue. In the event that resolution is not reached, the matter will be referred to the ~~or if a member fails to respond to contact from the Staff Liaison, the Staff Liaison will refer the matter to the~~ City Council for consideration and action. Council may remove the member by majority vote. If so removed, the removed member will be ineligible for reappointment to any public body for a period of no less than six months.

Preparation.

Adequate preparation is another requisite for effective membership. The Staff Liaison will provide reports, proposals, and other information to help you make informed decisions. Do not hesitate to request additional information you need to make thoughtful and appropriate decisions.

Agenda

The agenda, and any supporting materials, are created in cooperation with the Staff Liaison, and given to the City Clerk five days prior to the meeting. The Agenda will be posted no later than 24 hours prior to the meeting.

Minutes

Minutes of each meeting will be prepared by the Staff Liaison and must include attendance, record any vote, and otherwise comply with the Open Meeting Law. The City Clerk will post the minutes of each board and commission meeting. Sub-committees & Working Groups

A subcommittee is a “subgroup” of two or more board or commission members who meet to discuss and to make recommendations on matters that will come to the full body for action. Sub-Committees are not allowed, unless specifically authorized by the City Council. If the majority of a body wishes to use sub-committees, the body should take formal action to submit such request through the Staff Liaison consistent with this Handbook.

A working group is a “subgroup” of two or more board or commission members tasked by the public body to gather information, study and evaluate matters that will be considered by the public body, and report findings back to the public body. Working groups may be formed by a majority vote of the public body. Working groups should not make any recommendations relative to action to be taken by the public body.

Conducting Business

In a nutshell, effective members:

- Attend all meetings.
- Are willing to participate in/attend their board's or commission's events and activities.
- Are well prepared for meetings.
- Recognize that serving the public interest is the top priority.
- Recognize that the body must operate in an open and public manner.
- Are knowledgeable about the legislative process and issues affecting the body.
- Examine all available evidence before making a judgment.
- Communicate well and participate in group discussions.
- Are aware that authority to act is granted to the board as a whole, not to individual members.
- Exhibit a willingness to work with the group in making decisions.
- Recognize that compromise may be necessary to reach consensus.

Do not let personal feelings toward other board members or staff interfere with your judgment.

Rules of Conduct & Demeanor

As volunteers, board and commission members represent the City of Surprise. Therefore, they should conduct themselves in an appropriate manner at all times. While every board or commission tends to have its own “personality” and methods for working together to form recommendations, some of the characteristics that successful boards and commissions have in common include:

- Interest in City issues and a willingness to learn about them;
- Preparing for each meeting by reviewing the agenda packet, knowing the issues to be discussed;
- Steady, consistent attendance and being on time for meetings;
- A sense of open-mindedness, patience, and fairness;
- An ability to envision and consider the long-term effects of a proposed project/issue and to balance those effects with short-term consideration.
- The ability to come to a conclusion, making an informed recommendation.
- Excellent people skills; i.e., respect for one another, respect for differing opinions, reasoning and communicating in a concise and clear manner.
- Ability to work well with staff and community members.

Just as it is inappropriate for Council to direct work of staff who are under the jurisdiction of the City Manager, members of public bodies also are prohibited from doing so. Instead, members should utilize agenda discussions at meetings as a basis for making requests of staff.

Boards and commissions are extensions of the City Council. As such, members must adhere to ethical standards that eliminate disappointment borne of dishonesty, conflicts of interest, unfairness, or illegality. **Preservation of public trust is critical for the preservation of democracy.**

It is the policy of the City of Surprise to uphold, promote, and demand the highest standards of ethics from all of its officials, whether elected or appointed. Accordingly, all members of each board and commission will maintain the following standards:

Rule 1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the City of Surprise and not for any private or personal interest, and will assure fair and equal treatment of all persons, claims, and transactions coming before the board or commission.

Rule 2. Comply with the Law

Members will comply with the laws of the nation, the State of Arizona, and the City of Surprise in the performance of their public duties. These laws include, but are not limited to: the Federal and State constitutions, laws pertaining to conflicts of interest, election campaigns, financial disclosures, anti-discrimination, confidentiality/non-disclosure laws, open meeting, City ordinances, and City and City Council policies.

Rule 3. Professional Conduct

The professional and personal conduct of members must be above reproach and devoid of even the appearance of impropriety. Members must refrain from abusive conduct, harassment, personal charges or verbal attacks upon the character or motives of members of Council, boards, commissions, and committees, City staff, or members of the public.

Rule 4. ~~Respect for Process~~ Conduct of Public Meetings

~~Members must perform their duties in accordance with the processes and rules of order established by the City Council governing the board or commission. Members have an obligation to attend meetings, be prepared, and act in accordance with the processes and rules of order established by City Council. Members are expected to review the materials, participate in discussions and make an informed decision on the merits of the issue. Members must act courteously, refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.~~

~~Rule 5. Conduct of Public Meetings~~

~~Members must prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. Members must refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.~~

Rule ~~5~~6. Decisions Based on Merit

Members must base all decisions on the merits and substance of the matter at hand.

Rule ~~67~~. Transparent Governance

Members must publicly share substantive information that is relevant to a matter under consideration by the board/commission which the member may have received from sources outside the public decision-making process.

Rule ~~78~~. *[Intentionally Omitted]*

Rule ~~89~~. *[Intentionally Omitted]*

Rule ~~910~~. Positive Work Place Environment

Members must support and maintain a positive and constructive work place environment for City employees, residents, and businesses dealing with the City. Members must recognize the special role of Council appointed board and commission members in dealings with City employees and refrain from creating the perception of inappropriate direction to staff.

Rule 10. Conflict of Interest

Members must be constantly on guard against conflicts of interest, whether real or perceived. Officials must not be involved in discussing or deciding any issue over which the Council may have jurisdiction and which may impact a financial or property interest of either the member or a member's relatives (relatives means the spouse, children, parent, grandparent, grandchildren, siblings of whole or half blood and their spouses and in-laws).

If a member believes that a conflict of interest, as defined by Arizona Revised Statutes Title 38, Chapter 3, Article 8 exists, then the member must disclose the fact as soon as possible on the record. From that point on, the member may not participate in any manner (by discussing, questioning or voting) in that matter. Declaring a conflict and not participating should be recognized as a necessary part of preserving public trust and should not be avoided simply because of delays or inconvenience. At the same time, members have a duty to participate, and vote. Therefore, members must not abstain from participation or voting unless the matter involves the consideration of their own official conduct or a conflict of interest as defined by law exists.

~~Members must be constantly on guard against conflicts of interest, whether real or perceived. Officials must not be involved in discussing or deciding any issue over which the board or commission may have jurisdiction and which may impact a financial or property interest of either the member or a family member (spouse, children, grandparent, grandchildren, in-laws).~~

~~If a member believes that a conflict of interest (or even a possible conflict) exists,~~

~~then the member must disclose the fact as soon as possible on the record. From that point on, the member may not participate in any manner (by discussing, questioning or voting) in that matter. Declaring a conflict and not participating should be recognized as a necessary part of preserving public trust and should not be avoided simply because of delays or inconvenience. Indeed, members should declare possible conflicts to avoid any appearance of impropriety.~~

Rule 11. Accepting Gifts, Favors or Benefits

~~The acceptance or solicitation of gifts, favors or benefits by a member in their official capacity should be avoided. "Gifts, favors, or benefits" include event tickets, admission, meals, products, autographs, memorabilia, special celebrity access, and travel expenses, but does not include de minimus tokens of appreciation or for participation such as a pen, pin, plaque of appreciation or award. Gift, favor, or benefit does not include City sponsored or hosted events, or event tickets/admission given to a member when such is necessary for the member to perform the member's function as a board or commission member.~~

~~Generally, Arizona law prohibits a member from receiving anything of value or any compensation for any service rendered in connection with that person's duties with the City, or using or attempting to use the member's position to secure anything of value or benefit. See A.R.S. §§38-504 and 38-505.~~

~~The acceptance and, specifically, the solicitation of gifts, benefits, or favors either for the member or the member's family or friends, even if not technically in violation of law, will raise the appearance of impropriety. The member should also not accept or solicit any gift, benefit, or favor when such would be advantageous to their political/career aspirations.~~

Pursuant to Arizona law:

A public officer or employee shall not use or attempt to use the officer's or employee's official position to secure any valuable thing or valuable benefit for the officer or employee that would not ordinarily accrue to the officer or employee in the performance of the officer's or employee's official duties if the thing or benefit is of such character as to manifest a substantial and improper influence on the officer or employee with respect to the officer's or employee's duties.

Arizona Revised Statute § 38-504(C)

Therefore, members shall not solicit, directly or indirectly, a gift regardless of value.

An unsolicited gift with a known value or reasonably estimated fair market value of \$50.00 or less is permissible if the gift is not otherwise prohibited by law. An unsolicited gift with a known value or reasonably estimated fair market value greater than \$50.00 is permissible if the gift is not otherwise prohibited by law and if the gift is disclosed by the member as provided in this Section.

For purposes of this section, "gift" means anything of value, which is directly and personally

received, unless consideration of equal or greater value is given in return. Gift does not include:

- 1) Salary, compensation, or benefit lawfully received from the City of Surprise
- 2) A gift, devise or inheritance from a relative when motivated by familial relationship
- 3) A gift from a personal friend either motivated by friendship, of a nature that was customarily received before the member became an elected or appointed official, or customarily given due to a personal life event, such as a wedding or birthday.
- 4) A campaign contribution that is permitted and reported as required by law.
- 5) A benefit received, while acting as a representative of the City of Surprise, from another government entity due to participation in that entity's operations, programs, or events.
- 6) An item or benefit that is given to all attendees at an event.
- 7) Admission, food, or beverages furnished in connection with attendance or participation in an official capacity at an event, activity, or function sponsored by the City of Surprise, a non-profit organization, a professional association, a business association, a charitable, cultural/arts, or community organization.
- 8) Items of trivial value, tokens, or award of appreciations for service, informational materials, publications, promotional items, or subscriptions pertinent to the performance of official duties.
- 9) Reasonable expenses for attendance at a convention, fact-finding mission or trip, or similar event if the member is scheduled to speak, present, or otherwise participate in a matter related to City business as a representative of the City of Surprise.
- 10) An item that is reimbursed or not used and that is either paid for or returned within fifteen business days of receipt to the donor or that is delivered within fifteen business days of receipt to a charitable organization and that is not claimed as a charitable contribution for tax purposes.

Written disclosure of any gift required to be reported pursuant to this Section must be made to the City Clerk within 15 business days after receipt and must include a description of the gift, the known or reasonably estimated fair market value, the date of receipt, and the source. The disclosure of gifts will be posted on the City's web page.

In the event of uncertainty, contact the City Attorney.

Parliamentary Rules

Surprise Municipal Code §2-295(15) provides that "Meetings will generally be conducted consistent with Robert's Rules of Order, unless other procedural rules are adopted by City Council." In furtherance of such guidance, the parliamentary rules outlined below will be followed in all meetings of boards, commissions and Committees; keeping the following principles:

1. The members must act as a body.
2. The body should proceed in the most efficient manner possible.
3. The body must act by at least a majority.
4. Every member must have an equal opportunity to participate in decision making.

5. The rules of procedure must be followed consistently.
6. The body's actions should be the result of a decision on the merits and not a manipulation of the procedural rules.

Rule 1. Powers of the Chair

The Chair has the following powers:

- a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- b) To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- c) To entertain and answer questions of parliamentary law or procedure;
- d) To call a brief recess at any time;
- e) To adjourn in an emergency.

Comment: *A decision by the Chair under (a), (b) or (c) may be appealed to the board/commission upon motion of any member, pursuant to Rule 8(b). Such a motion is in order immediately after a decision under (a),(b) or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.*

Rule 2. Consent Agenda

The board/commission may designate approval of minutes a part of a "consent agenda." No other items should be on "consent".

Rule 3. When the Chair Is in Active Debate

If the Chair becomes actively engaged in extended debate on a particular proposal, the Chair may designate another member to preside over the debate. The Chair will resume presiding as soon as action on the matter is concluded.

Comment: *Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet, an unfair advantage accrues to the side whose advocate controls access to the floor. This rule is designed to ensure even-handed treatment to both sides during a heated debate. Ordinarily, if the Chair is leading the meeting, he or she should ask the Vice Chair to preside in this situation. But, if that person also engaged in the debate, the Chair should feel free to call on some other member in order to achieve the purpose of this rule.*

Rule 4. One Motion at a Time

A member may make only one substantive motion at a time.

Comment: None.

Rule 5. Substantive Motions

A substantive motion is a motion to take action on the principal item and is out of order while another substantive motion is pending. In other words, a substantive motion is any motion other than the procedural motions listed in Rule 8. A substantive motion may deal with any subject within the board/commission's legal powers, duties, and responsibilities.

Comment: *This rule sets forth the basic principle of parliamentary procedure that distinct issues will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded. The term substantive motion is used here to underscore the distinction between this type of motion and the various procedural motions listed in Rule 8.*

Rule 6. Debate

The Chair [or the board/commission's clerk](#) will state the motion and then open the floor to debate on it. The Chair will preside over the debate according to the following general principles:

- (a) The maker of the motion is entitled to speak first;
- (b) A member who has not spoken on the issue will be recognized before someone who has already spoken;
- (c) To the extent possible, the debate will alternate between proponents and opponents of the measure.

Comment: None.

Rule 7. Ratification of Actions

To the extent permitted by law, the board/commission may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Comment: Ratification of actions taken on the board/commission's behalf but without its prior approval is permitted under these rules, to the extent that such after-the-fact approval of actions is legally allowed. The principle behind the motion to ratify is that an assembly may subsequently approve what it could have authorized. This rule treats the motion to ratify as a substantive proposal rather than as a procedural motion, since a ratification is in effect an after-the-fact substantive action by the board/commission concerning something that was done without board/commission approval when advance authorization should have been obtained.

Rule 8. Withdrawal of Motion

A motion may be withdrawn by the maker at any time before it is amended or before the Chair puts the motion to a vote, whichever occurs first.

Comment: This rule prohibits withdrawing motions after they have been amended. Once a motion has been amended, it is no longer the same motion as was made by the maker, so it is no longer his or hers to withdraw.

Rule 9. Procedural Motions

(a) Motions Allowed. In addition to substantive proposals, only the following procedural motions, and no others, are permitted. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Comment: The following enumeration of procedural motions is exhaustive; if a procedural option is not on the list, then it is not available. Procedural motions are frequently used to “act upon” a substantive motion by amending it, delaying consideration of it, and so forth. Several procedural motions can be entertained in succession without necessarily disposing of the previous procedural motion. The order of priority establishes which procedural motion yields to which—that is, which procedural motion may be made and considered while another one is pending.

(b) Order of Priority of Motions. In order of priority (if applicable), the procedural motions are:

Motion 1. To Appeal a Procedural Ruling of the Chair. A decision of the Chair ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board/commission. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the Chair and the motion, if timely made, may not be ruled out of order.

Comment: *This motion allows the ruling of the Chair on certain procedural matters to be appealed to the whole board/commission. This appeal must be made as soon as the Chair's decision is announced, so this motion is accorded the highest priority.*

Motion 2. To Adjourn. This motion may be made only at the conclusion of board/commission consideration of a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to or adjourn ends the current meeting to a time and place certain and establishes a specified time and place for the meeting to reconvene.

Comment: *Since the number of members is small and procedures are available to limit debate, Motion 2 allows both debate and amendment, but specifies the motion is in order only when consideration of a pending matter has concluded. If the board/commission wants to adjourn before completing final action on a matter, it must, prior to adjourning, first temporarily conclude its consideration of that matter. This is done with one of three motions: to defer consideration of the matter, to postpone the matter to a certain time or day, or to refer the matter to a committee. Only as a last resort should the board/commission use a motion to suspend the rules, in order to allow the motion to adjourn to interrupt deliberation on the matter.*

Motion 3. To Take a Brief Recess. This motion is made when a member wishes to take a short break during the meeting, but does not end the meeting.

Comment: *This motion allows the board/commission to pause briefly in its proceedings and should not be confused with the motion to adjourn to a time and place certain, which is a form of the motion to adjourn under these rules. Motion 3 is a "motion to take a brief recess" rather than a "motion to recess" or "motion to adjourn." Since the number of board/commission members is small, and procedures are available to limit debate, debate is allowed on this motion. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the Chair or a motion to adjourn is pending.*

Motion 4. Call to Follow the Agenda. This motion would require the agenda be taken in order, prohibiting the Chair from taking items out of order. The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.

Comment: *This motion may be debated. Unless the motion is made when the item of business that deviates from the agenda is proposed, the right to insist on following the agenda is waived for that item.*

Motion 5. To Suspend the Rules. The board/commission may not suspend provisions of the rules that state requirements imposed by law on the board/commission. For adoption, the motion requires a vote equal to two-thirds of the actual membership of the board/commission, excluding vacant seats.

Comment: *This motion is in order when the board/commission wishes to do something that it may legally do but cannot accomplish without violating its own rules. The motion permits the board/commission to exercise greater flexibility and perhaps informality than adhering strictly to what the rules might allow. A motion to suspend the rules requires approval by two-thirds of the actual membership of the board/commission to pass. Note that the Chair and members who are absent from the meeting are counted for purposes of determining two-thirds of the board/commission, but vacant seats are excluded in making the two-thirds determination.*

Motion 6. To Go into Executive Session. The board/commission may go into Executive session only for one or more of the permissible purposes listed in A.R.S. §38-431.03. The motion to go into Executive Session must cite the purpose of the Executive Session and must be adopted at an open meeting.

Comment: *The requirements for this motion are found in A.R.S. §38-431.03(A), which permits Executive Session only for 7 topics. However, due to the limited responsibilities and duties of the City's boards and commissions, the following executive sessions are the only authorized reasons for entering into an executive session without prior approval of the City Attorney's Office:*

1. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the

~~discussion or consideration should occur at a public meeting.~~

2.1. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

3.2. Discussion or consultation for legal advice with the attorney or attorneys of the public body.

~~Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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.~~

~~4. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.~~

~~5. 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 board/commission, or its designated representatives, of an Indian reservation located within or adjacent to the city or town.~~

~~6. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.~~

Motion 7. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Comment: *This motion is debatable.*

Motion 8. Motion for the Previous Question. The motion is not in order until every member has had an opportunity to speak once and there has been either at least 15 minutes of debate or debate has become repetitive.

Comment: *With small boards, a minimum period of debate on every proposal that comes before it strikes a superior balance between efficiency and effective representation by all board/commission members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote. Fifteen minutes is merely a suggested minimum period of time. This rule avoids the practice followed by some boards of allowing any member to end debate by simply saying “call the question,” without the board/commission actually taking a vote on that procedural issue. Such a practice is contrary to regular parliamentary procedures. In addition, such a practice allows individual members to impose their will unilaterally on the group, in defiance of the principle of majority rule on which these rules are based.*

Motion 9. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules.

Comment: *This motion allows the board/commission to postpone consideration to a specified time or day and is appropriate when more information is needed or the deliberations are likely to be lengthy. Note the restriction on making a new motion with the same effect while a postponed motion remains pending.*

~~**Motion 10. To Refer a Matter to a Sub-Committee.** The board/commission may vote to refer an item on the agenda to a sub-committee for study and recommendations. Sixty days or more after a substantive motion has been referred to a sub-committee, a member may compel consideration of the item by the entire board/commission, whether or not the committee has reported the matter to the board/commission by requesting the matter be placed back on the board/commission agenda.~~

~~**Comment:** The right of the maker to compel consideration by the full board/commission after a specified period of time prevents using the motion as a mechanism to defeat a proposal by referring it to a subcommittee that is willing to~~

~~“sit” on it.~~

Motion ~~101~~. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment will be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed legislative action (resolution/ordinance) must be reduced to writing before the vote on the amendment is taken.

Comment: *This motion is similar to a traditional motion to amend except for the additional requirement to write down amendments to legislation. The restriction on amendments stated in subpart (a), second sentence, of the provisions concerning this motion should be read narrowly; it is intended only to prevent an amendment that merely negates the provisions of the original motion. The intent of such an amendment can be achieved in a simpler and more straightforward manner by the defeat of the original proposal. Pertinent amendments that make major substantive changes in the original motion are quite proper.*

Some board/commissions allow a “substitute motion” when major changes in a motion are proposed. Such a motion is, in effect, a type of amendment. To avoid confusion, “substitute motions” are not allowed under these rules. All proposals for changes in a motion or in an amendment are treated as motions to amend, no matter how major their potential effect.

Subpart (b) of the rules governing this motion limits the number of proposed amendments that may be pending at one time to two, in order to reduce confusion. Amendments are voted on in reverse order; that is, the last-offered amendment, which would amend the first amendment, is voted on first. Once the last-offered of the two pending amendments is disposed of, an additional amendment may be offered.

Subpart (c) of the rules for this motion imposes an additional writing requirement for amendments to legislative actions. The rule assumes that amendments to proposed ordinances, like the ordinances themselves, should be in written form before they are voted on, both because of the importance of ordinances and to

make it easier to maintain the required ordinance book and the minutes of the board/commission accurately. Similarly, amendments to orders, policies, and resolutions should be in written form before they are voted on, because of their significance and to make it easier to record them in the minutes.

Some board/commissions may have a practice of requiring the person making the original motion to approve of any proposed amendments to that motion. Such a practice is not recommended. Once a motion has been offered to the board/commission, it is up to the board/commission to decide whether or not it should be changed by amendment. If the person making the motion does not favor a proposed amendment, he or she is free to vote against it. And so long as the original motion has not been voted on and no amendment to it has passed, the original maker of the motion is free under these rules to withdraw it (see Rule 8). If a motion has been withdrawn, the board/commission members are generally free to make their own separate motions on the same subject.

Motion 112. To Reconsider. The board/commission may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the "nos" prevail) and within fourteen calendar days of ~~at~~ the meeting at during which the original vote was taken, ~~including any continuation of that meeting through adjournment to a time and place certain.~~ The motion cannot interrupt deliberation on a pending matter, but is in order at any time before the expiration of fourteen calendar days. ~~final adjournment of the meeting.~~

Comment: *To avoid placing a measure in limbo, these rules restrict the availability of the motion to fourteen calendar days after the ~~same~~ meeting as of the original vote, ~~including any continuation of that meeting if it is recessed, or adjourned to a time and place certain.~~*

Open Meeting Law

The Open Meeting Law was enacted in 1962 to assure actions taken by the government be done in the open. The Act was adopted to promote accountability of public officials, to encourage public participation, and build trust between local government and its citizenry.

The core provisions of the Open Meeting Law state:

"All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings." A.R.S. §38-431.01(A)

"It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonable ? necessary to inform the public of the matters to be discussed or decided." A.R.S. §38-431.09

Q &A

Who is a "public official"?

Anyone who serves on a City Council, or serves on any board or commission appointed by the City Council, or who serves on any committee or subcommittee appointed by the City Council and whose purpose is to make a recommendation to the City Council. A.R.S. §38-431(1) and (6)

What constitutes a meeting?

A meeting occurs any time a majority of public officials from the same public body (be it a Council, board, commission or committee) communicate about an item within the jurisdiction of the public body. A.R.S. §38-431(4). This can happen through technology (facebook, twitter, email, text messages), in a series of meetings between 1 or more members (also called "serial meetings"), or in private meetings with City staff members. To be safe – **any** discussion about the business of the public body should happen **only** at an open public meeting.

What is included in the Agenda?

The agenda must include a description of the item being discussed that will provide reasonable notice to the public of the item being discussed or decided. A.R.S. §38-431.09

Who prepares and posts the agenda?

The Staff Liaison will prepare a meeting agenda, making sure the item/s being discussed are within the scope of the board/commission. The City Clerk will post the agenda in accordance with the Open Meeting Law. The agenda must be posted at least 24 hours before the meeting in order to comply with the Open Meeting Law. A.R.S. §38-431.02 (C)

In what way may the public participate in a meeting?

The public has the right to attend, listen and even record the meeting (video or audio). Council expects every public body to provide an opportunity for public input, including through "call to the public". The public never has the right to disrupt

the meeting, however.

What is an executive session?

An executive session is a lawfully permitted session for a public body to meet in a closed session -for discussion only - for very limited purposes. A.R.S. §38-431.03(D). Those purposes are:

1. Personnel (with proper notice to the employee);
2. Records exempt by law from public inspection (e.g. medical records);
3. Legal advice from the body's attorney;
4. Litigation and contract negotiations;
5. International, interstate and tribal negotiation;
6. Purchase, sale, or lease of real property.

No vote or official action can be taken in an executive session.

Can a board or commission meet in executive session?

Yes, as long as the item is properly on the agenda, and a majority of members vote to recess into executive session. Most boards and commissions, however, will not have the occasion to recess into an executive session.

Who takes the minutes for board/commission meetings?

The Staff Liaison will take minutes, and gives them to the City Clerk who posts them in accordance with the Open Meeting Law. For boards and commissions, minutes must include:

- The date, time and place of the meeting;
- Identify the members present or absent;
- A general description of the matters considered (that is what was discussed); and
- A description of the legal action taken.



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Arts, Culture & Library
Department
Staff Recommendations: None

Contact Person: Kelsey Lamphier, Acting Director
District: Citywide

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

Presentation and discussion pertaining to the City of Surprise Public Libraries

Motion:

None, discussion only.

Background:

This item was placed on the agenda to allow staff provide an update on the Surprise Public Libraries

Objective Analysis:

The Arts, Culture & Library Department is focused on enriching the community through programs, services, experiences and events within these important areas.

Policy Compliant:

This action is consistent with city and council policies.

Financial Impact:

None at this time; however, topics covered in this presentation may lead to future action which may have a fiscal impact.

Budget Impact:

None at this time; however, topics covered in this presentation may lead to future action which may have a budget impact.

FTE Impact:

This item does not impact the overall full-time equivalent count.

ATTACHMENTS:

1. Library Update Work Session 2.7
-



SURPRISE PUBLIC LIBRARY UPDATE

ARTS, CULTURE + LIBRARY DEPARTMENT

Staffing Update

- 100+ Interviews Conducted
- 33/34 Positions Filled
 - Many County Employees Hired
 - Familiar Friendly Faces
- Full Staff Start Date: 2/13



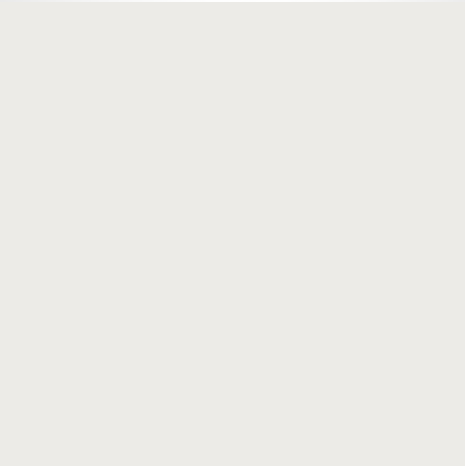


Operations & Programming

- Baseline: Existing Programming Schedule
 - Storytime, Tai Chi, Benevilla, Blood Drives
- Restore Programming
- New Programming Opportunities
 - City Partnership
 - Seeking Patron Ideas

Surprise Regional Upgrades

- Carpet
- Paint
- LED Lighting
- Water Fountain
- Blinds/ Sunshades

















Inside Out Library

- Surprise Regional 'Closed' 2/13 - 3/2
 - Grand Re-Opening Celebration
- Asante & Hollyhock to Remain Open
- Patrons Will Still be Able to Pickup Holds
- Special Programming Events
 - Special Collection



Continued Partnership

- Surprise Public Library and County
- Surprise Public Library – All Operations, Programming, Staffing Begins 2/13
- MCLD – Software & Support
- Full Transition Complete by July 1

Library Card Design Contest

- Opportunity to Design the City's 1st Cards!
- Child, Teen and Adult Categories

Visit www.surpriseaz.gov/library
to download the entry form!

SURPRISE PUBLIC LIBRARY CARD DESIGN CONTEST!

Want to be part of Surprise history and help us design our very first set of library cards?

Create your design in the box below.

Address: _____

Phone: (62) _____ Fax: (62) _____ E-Mail: (62) _____

CONTEST RULES:

- All designs must be original, personally created, suitable for display in a library setting.
- Both physical and digital designs are acceptable.
- All designs must be complete, printed and digital photographs, suitable for display in a library setting.
- All designs must be printed on paper, not on cardstock.
- All designs must be printed on paper, not on cardstock.
- All designs must be printed on paper, not on cardstock.
- All designs must be printed on paper, not on cardstock.

HOW TO ENTER THE CONTEST BY E-MAIL:

1. Design your card in the box below.

2. Email your design to: library@surprisepubliclibrary.org

For more information, please call (62) 777-7777

Name: _____

Phone: (62) _____

Address: _____

Phone: (62) _____

Age: ☐ 12-14 ☐ 15-17 ☐ 18-24

Frequently Asked Questions

- Access to County Collection
- Continued Access to e-Resources
- Library Cards
- Room Reservation
- Book Suggestions/ Additions to Collection



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 7, 2023
Submitting Department: Legal
Staff Recommendations:

Contact Person: Robert Wingo, CITY ATTORNEY
District: Citywide

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

Presentation and discussion pertaining to Arizona's Open Meeting Law.

Motion:

Discussion only.

Background:

At the January 17, 2023 Regular City Council Meeting, Councilmember Jack Hastings requested a presentation on Arizona's Open Meeting Law. Councilmember Aly Cline seconded the request.

Objective Analysis:

This presentation will provide an overview of Arizona's Open Meeting Law, which is codified in A.R.S. 38-431 *et seq.* with additional emphasis on the aspects of the Open Meeting Law which are not necessarily intuitive and consequently may result in an inadvertent violation of law.

Policy Compliant:

The City Attorneys Office maintains a practice of presenting "refresher" Open Meeting Law training to all City public bodies, including City Council and Boards/Commissions on an annual basis. This presentation will fulfill this training for 2023 as it relates to City Council.

Financial Impact:

There is no financial impact related to this item.

Budget Impact:

There is no budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 02.07.23 OML Training Presentation
-



SURPRISE
ARIZONA

OPEN MEETING LAW TRAINING

LEGAL DEPARTMENT, FEBRUARY 07, 2023

OPEN MEETING LAW

. . . opening the window on how government works in Arizona



A.R.S §38-431.01(A)

Arizona law states:

All meetings of any public body must be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies must occur during a public meeting.

PURPOSE OF THE OPEN MEETING LAW

To ensure that the public has an opportunity to observe what the government is doing, and how it is being done.

STATE POLICY A.R.S. §38.431.09

- Meetings of public bodies must be conducted openly.
- Notices and agendas provided for meetings with information reasonably necessary to inform the public of matters to be discussed or decided.
- Construe OML in favor of “open and public meetings.”
- Discuss or take action ONLY on items that are on the agenda.

WHAT IS A MEETING?

Meeting: the gathering, in person or through technological devices, of a quorum of members of a public body at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action.

A.R.S. § 38-431(4).

“... in person or through technological devices”

WHETHER

- All together in one room, OR
- One or more of the people participating by phone, OR
- One or more participating by computer, video chat, or phone
- Over time rather than all at once.

...it is all considered a meeting

Another way to define meeting...

1. Phone calls.
2. Emails-be careful responding to emails. Using “Reply All” and Forwarding emails may lead to OML trouble.
3. Serial meeting-less than a quorum present. Later the same discussion is had with other members.
4. Social events-when in doubt, post as possible quorum.
5. Social media-be careful “liking” comments, emerging area of law.

Are social events meetings?

- A.G. recommends that the event be posted if a quorum will be present.
- Identify time, date, location, and purpose.
- State that no legal action will be taken – *and then don't talk about city business!*
- It does not matter what label is placed on a gathering; it may be called a "work" or "study" session, or the discussion may occur at a social function.

Ariz. Att'y Gen. Op. I79-4 (¶7.5.1).

ALTERNATIVE COMMUNICATIONS

- Letters
- Blogs
- Media (e.g. newspaper, radio)
- Social Media (e.g. Facebook, Twitter)

(Cannot use alternative methods of communication to circumvent Open Meeting Laws.)

COMMUNICATION WITH STAFF

- Council/Board may communicate with staff.
- Staff may provide the Council/Board with reports or other information outside a public meeting.
- Staff may not be used to side step the open meeting law.

VIOLATIONS

It is a violation of the open meeting law if one member sends an email to a quorum of the members that proposes legal action, even if the other members don't respond to the email or take the exchange any further.

(Watch those technological devices!)

CAUTIONS –TO AVOID VIOLATIONS

- Don't “**Daisy Chain**” with phone calls or emails to other Council/Board members
- Don't use the “**Spoke and Wheel**” method of communicating

CAUTIONS –TO AVOID VIOLATIONS (Cont.)

- Consensus-building is not permitted outside of the meeting.
- Use caution with emails and telephone calls between meetings to discuss potential agenda items.
- During the meeting –stay on track. Keep to the agenda item as it was posted –no wandering “off topic”.

SPECIAL KIND OF MEETING:

EXECUTIVE SESSION

- City Clerk is responsible for noticing the public of all meetings, including executive sessions.
- Majority of Council/Board must vote to convene into executive session.
- Only members of the public body and those individuals whose presence is reasonably necessary for the public body to carry out its duty are permitted to attend the executive session.

SPECIAL KIND OF MEETING:

EXECUTIVE SESSION, cont.

- Legal Advice
- Litigation, Contract Negotiations, and Settlement Discussions
- Purchase, Sale or Lease of Real Property

SPECIAL KIND OF MEETING:

MORE INFREQUENT PURPOSES FOR EXECUTIVE SESSIONS

- Confidential records
- Salary negotiations with employee organizations
- Negotiation direction for International, Interstate or Tribal organizations

SPECIAL KIND OF MEETING

EXECUTIVE SESSION, cont.

- Discussion ONLY.
- Can give direction in some cases.
- Must keep minutes of e-session.
- Minutes are confidential except in limited circumstances.

PENALTIES FOR VIOLATING THE OPEN MEETING LAW

ARS § 38-431.07

- Civil Penalty up to \$500
- Removal from Office for Intentional Violations
- Plus court costs and attorney fees
- City cannot represent you or pay for a lawyer to represent you.



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You