

RFLS NO:	4349
SUBMIT DATE:	10/9/2014

**SURPRISE CITY ATTORNEY
REQUEST FOR LEGAL SERVICES**

Please retain form with document throughout the entire process.

Requestor: Bernadette Gortarez
Department & Extension: PW - Traffic Engineering, Ext. 27025
Contract Title: Res 2014-107 for Valley Metro Transit Services
Date of Contract, Event/Performance: 10/23/2014
Description of Legal Services Requested: Please review attached resolution and assign a number. This resolution is for the Transit Services Agreement between RPTA and the City of Surprise.
Vendor Name, Address & Phone: Valley Metro
 101 N. First Avenue, Suite 1100
 Phoenix 85003 (602) 262-7433
To Council? Yes, with Resolution
If Yes, Council Meeting Date: 11/04/2014

*****City Attorney's Office Use*****

RFLS Status: Approved

Attorney Comment:

DONNA.BRONSKI

10/31/2014

City Attorney's Office

Date

11/3/2014 6:39:19 AM

RESOLUTION # 2014-107

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA) OF MARICOPA COUNTY AND THE CITY OF SURPRISE FOR TRANSIT SERVICE.

WHEREAS, pursuant to Arizona Revised Statutes § 11-952, *et seq.*, the City of Surprise has the authority to enter into intergovernmental agreements, and;

WHEREAS, the RPTA has established a network of regional public transportation services within Maricopa County, and;

WHEREAS, the City and RPTA together with other Maricopa County cities have provided a regional public transportation system, and;

WHEREAS, the parties now wish to approve the terms and renewal for the Transit Service Agreement entered into by the City of Surprise and the Regional Public Transportation Authority, Contract # 166-75-2015,

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

Section 1. The City of Surprise hereby agrees to amend the Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Surprise for transit service, as attached.

Section 2. The Mayor is hereby authorized and directed to sign this Amendment to the Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Surprise for transit service, Contract #166-75-2015.

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

TRANSIT SERVICES AMENDMENT
BETWEEN
THE CITY OF SURPRISE
AND
THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY

CONTRACT # 166-75-2015

THIS AMENDMENT dated this 1st day of July, 2014, amends the following items of the Transit Service Agreement Contract # 166-75-2014 entered into between the City of Surprise and the Regional Public Transportation Authority, dated the 1st day of July 2013.

The following Section replaces and supersedes that Section of the agreement entered into July 1, 2013.

SECTION 10. INDEMNIFICATION

Except for claims arising solely and exclusively from the negligent or willful acts or omissions of Member, its officers, officials, agents or employees (hereinafter referred to as "Indemnatee"), RPTA shall indemnify, defend, save and hold the Indemnatee harmless from and against any and all claims, actions, liabilities, damages, losses, expenses and costs (including court costs, attorneys' fees and costs of claim processing, primary loss investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), loss or damage to tangible property: (1) arising under this Agreement, or (2) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of RPTA or any of its owners, officers, directors, agents, contractor or employees, including employees from the Member assigned to work full time for RPTA.

It is the specific intent of the Parties to this contract that the Indemnatee shall, in all instances except for loss or damage resulting from the sole and exclusive negligence of the Indemnatee, be indemnified against all liability, loss or damage of any nature whatever for or on account of any injuries to or the death of any person or damages to or the destruction of property belonging to any person, arising out of or in any way connected with the performance of this Agreement. It is agreed that RPTA will be responsible for primary loss investigation, defense and judgment costs.

The following Schedules amend those Schedules of the agreement entered into July 1, 2013.

The attached Schedule A amends Schedule A entered into July 1, 2013.

The attached Schedule B amends Schedule B entered into July 1, 2013.

The attached Schedule C amends Schedule C entered into July 1, 2013.

The attached Schedule E amends Schedule E entered into July 1, 2013.

The attached Schedule F amends Schedule F entered into July 1, 2013.

All other terms of the Parties Transit Services Agreement dated July 1, 2013 remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have each executed this Agreement as of the date
first set forth above.

REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA)

Stephen R. Banta, Chief Executive Officer

By: _____

APPROVED AS TO FORM:

By: _____
Michael J. Ladino
General Counsel

City of Surprise

Sharon Wolcott, Mayor,

By: _____

By: _____
Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

By: _____

Member Attorney

SCHEDULE "A" REGIONALLY FUNDED FIXED ROUTE BUS SERVICE

Sources of Project Operating Budget

I. Regionally Funded Fixed Route Bus Service \$97,807.00 (including express)

The above line represents the value of transit service paid for by the RPTA to the benefit of the City of Surprise. The calculation to derive this figure is daily revenue miles of service x number of service days x cost per revenue mile of service.

RPTA Funded Service in the City of Surprise **FY15**

Level	Route	Physical	Funding	Annual Miles	Gross Costs	Fares	PM	Net
W	571	El Mir	RPTA	5,086	47,164	(7,907)	(4,914)	34,343
		Phone	RPTA	15,079	139,843	(20,096)	(14,571)	105,175
		Surp	RPTA	3,801	35,247	(11,792)	(3,673)	19,782
Grand Total				23,965	222,254	(39,795)	(23,159)	159,300
Less: JARC								(61,493)
Estimated Cost to RPTA								97,807

SCHEDULE "B" – CITY FUNDED FIXED ROUTE BUS SERVICE COST ESTIMATE

For the period July 1, 2014 to June 30, 2015 the City of Surprise will pay the Regional Public Transportation Authority **\$96,855.00** for bus service on Routes in Surprise.

Payments made by the CITY to RPTA for operation of Bus Routes depicted in Schedule B shall consist of twelve (12) monthly installments of **\$8,071.25** commencing July 1, 2014 and shall become due within thirty (30) days of receiving an invoice from the RPTA.

Fixed Route Service Funded by the City of Surprise FY15

Level	Route	Physical	Funding	Annual Miles	Gross Costs	Fares	PM	Net
W	571	El Mir	Surp	5,036	46,705	(7,830)	(4,867)	34,008
		Phoe	Surp	14,932	138,481	(19,901)	(14,430)	104,151
		Surp	Surp	3,764	34,904	(11,677)	(3,637)	19,590
Grand Total				23,732	220,090	(39,408)	(22,933)	157,749
Less: JARC								(60,895)
<u>Estimated Cost to Surprise</u>								<u>96,855</u>

SCHEDULE "C" – NORTHWEST VALLEY DIAL A RIDE SERVICES AND FINANCIAL INFORMATION

I. Sources of Project Operating Budget:

FY 2014-2015

For the period of time July 1, 2014 through June 30, 2015, the City of Surprise will pay RPTA an estimated amount of **\$600,000.00** for provision of Northwest Valley Dial-a-Ride Services (NWVDAR). Payments will be made monthly based on total revenue miles traveled by CITY residents, boarding fees and other costs, less fare revenue. The cost per revenue mile charged to the CITY, boarding fees and other costs are established by the contract between the RPTA and the service provider. Town shall pay RPTA in twelve (12) monthly installments of **\$50,000.00** and shall become due within thirty (30) calendar days after the receipt of an invoice from RPTA.

Expenses for NWVDAR Services under this Agreement are allocated to jurisdictions that are part of the NWVDAR System (Member Jurisdictions) based upon the number of vehicle revenue miles (VRM) projected to be provided to the Member Jurisdiction's passengers based on residency status. VRM shall be allocated based upon the actual number of miles utilized in the following manner: If a passenger is a resident of a Member Jurisdiction, the expense for the passenger's transportation (within the NWVDAR system) shall be charged to the Member Jurisdiction for which the passenger is a resident regardless of where the trip originated or terminated. If a passenger is a non-resident of the Member Jurisdictions, the expense for the passenger's transportation (within the NWVDAR system) shall be allocated to the jurisdiction based on the (VRM) in each Member Jurisdiction and the non-resident passenger will be transported to the closest transfer location in the City of Phoenix when leaving the NWVDAR Service Area.

**SCHEDULE “C” – NORTHWEST VALLEY DIAL A RIDE SERVICES AND
FINANCIAL INFORMATION Cont.**

NOTE: In the new brokerage model, vehicle revenue miles will be the shortest travel distance between the origin and destination as determined by the demand response software. There is no deadhead.

The goal of the Northwest Valley Dial-a-Ride (NWVDAR) is to enhance the mobility of senior citizens and persons with disabilities living in participating the cities and the Towns. The NWVDAR provides service in the cities of Surprise and El Mirage, the Town of Youngtown and the unincorporated Sun City and Sun City West. The NWVDAR call center coordinates transfers with adjoining communities.

SCHEDULE “C” – NORTHWEST VALLEY DIAL A RIDE SERVICE SPECIFICATIONS

The program is designed to meet the performance criteria established by the Federal Transit Administration (FTA) Section 504 Program and the Americans with Disabilities Act (ADA) of 1990. The following is a description of the service:

1. Type of Service:

A reservation based paratransit transportation service with a 45-minute on time window for Non-ADA service at least 95 percent of the time and with a 30 minute on time window for ADA service at least 95 percent of the time. The NWVDAR service is provided by a contracted provider. The contractor has a fleet of taxi cabs, sedans and other accessible vehicles and contracts with one other provider that also has medical transport and accessible vehicles. The combined fleet is sized to meet all demands of the NWVDAR.

2. Eligibility Criteria/Certification Cards:

This service is available for use by individuals that are ADA certified, seniors over the age of 65 and other persons with disabilities that reside within the in City, Town or jurisdiction participating in the NWVDAR. Only those with valid ADA certification or ADA visitors will be eligible to book an ADA trip.

3. Restrictions/Priorities:

Priority will be given to all ADA trips and there will be no restrictions or priorities based on trip purpose for any ADA trips.

**SCHEDULE “C” – NORTHWEST VALLEY DIAL A RIDE SERVICE
SPECIFICATIONS Cont.**

4. Fares:

ADA fares shall comply with the adopted RPTA Board Policy and are a flat rate and apply throughout the services area.

Non-ADA fares are based a fixed rate as determined by each entity. Notwithstanding any provisions of this Agreement, Fares may be amended at any time upon the approval of the RPTA Board of Directors. Passengers not a resident of the participating cities trip miles will be charged based upon revenue miles traveled within each city or town’s jurisdiction.

5. Days and Hours:

Service hours every day for ADA and Non-ADA service will be from 7:00 a.m. to 5:00 p.m. in El Mirage, Sun City, Sun City West, Surprise and Youngtown. Additionally, Saturday service is available for Dialysis or Cancer treatment from 7:00 a.m. to 5:00 p.m. in Sun City and Sun City West. Days and hours of operation may be amended at any time upon mutual agreement among parties to this Agreement.

6. Service Area:

The DAR Service Area is defined by each of the Northwest Valley participating jurisdictions. Each community’s Service Area may be amended at any time upon agreement among the parties to this Agreement.

SCHEDULE “C” – NORTHWEST VALLEY DIAL A RIDE SERVICE
SPECIFICATIONS Cont.

7. Transfers:

Transfers to or from the Peoria or Glendale Dial-a-Ride services will be arranged by the originating dial-a-ride and in a way that ensures that the receiving dial-a-ride is open and that the passenger does not wait more than 30 minutes for the transfer vehicle.

8. Complaints:

There is a central (RPTA-based) complaint system and process referred to as the Customer Assistance System (CAS). The contractor, monitored by RPTA, will have all complaints entered into CAS. The contractor will respond to the complaints and document resolution in CAS. One of the measures that the contractor receives incentives on is the number of valid complaints per 1,000 trips.

9. Payment to Provider:

The contractor will be paid by cost per revenue mile, boarding fee, group trip charge minus fare revenue collected. All fares will be kept by the operator but remain the property of RPTA and serve to offset expenses.

10. Contract Administration:

RPTA shall serve as Contract Administrator. RPTA Shall:

- Provide regular reports to Funding agencies (cities/town)
- Process, review, validate, and pay contractor invoices
- Monitor customer complaints

- Assume compliance of the contract and that its operation adheres to state, local, and federal Laws.
- Administer federal, regional, and local project funds
- Market and merge the project

**SCHEDULE "C" – NORTH WEST VALLEY DIAL A RIDE SERVICE COST
ESTIMATE**

**City of Surprise
Valley Metro Mobility Services
Fiscal Year 2014-2015**

Sources:

Payments from Agency	\$600,000
Public Transportation Fund - ADA	\$22,333
New Freedom Federal Grant	\$182,050
Passenger Fares	\$38,000
Total Sources	\$842,383

Uses:

Payments to Contractor	\$795,883
Administrative and Agency Overhead	\$46,500
Total Uses	\$842,383

SCHEDULE “E” – AMERICANS WITH DISABILITIES ACT (ACT) – PUBLIC TRANSPORTATION FUNDS (PTF) AVAILABILITY

For the period July 1, 2014 to June 30, 2015 the maximum amount of Public Transportation Funds (PTF) available for the City of Surprise is **\$22,333.00**. The PTF will pay actual costs for ADA trips and other requests for Paratransit service made by ADA certified Riders up to the maximum amount. A final reconciliation at fiscal year-end will be performed and adjustments, if necessary, will be made using actual ADA eligible costs.

Total reimbursements to the City will not exceed the net amount that factors in estimated and actual costs associated with operating RPTA’s In-Person Eligibility Determination Facility and ADA Certification office.

Any remaining ADA PTF funds not used up to the maximum reimbursements may be requested by City for other ADA certified rider eligible expenses, and certified by the City’s chief financial officer or designee. RPTA will reimburse City within thirty (30) business days based upon availability of funds. City may request that reimbursements be made electronically. Wire transfers must be pre-arranged through the RPTA Finance Department.

Maximum amount: **\$22,333.00**

SCHEDULE “F” – ADA PLATINUM PASS PROGRAM

ADA certified passengers participating in the Member ADA Platinum Pass Program may apply for a Platinum Pass that will allow them to ride fixed route service at no cost to them. It is estimated that Member’s ADA PTF annual allocation for the ADA Platinum Pass Program shall incur a cost of **\$330.00** in FY 2014-15. In all cases Member shall be responsible for the actual costs incurred by RPTA for administering this program including actual transportation costs by its residents. In the event that Member does not use its estimated funding provided through the RPTA Board approved ADA-PTF allocation, RPTA may direct such remaining funding to other ADA programs approved by RPTA, including but not limited to, funding of dial-a-ride and other alternative transportation programs for ADA certified users within Member jurisdiction.

Member does hereby agree to participate in the Valley Metro ADA Platinum Pass Program specified in this Schedule F. The ADA Platinum Pass program allows free use of fixed route bus and light rail by ADA certified member residents. The Member will be responsible for the cost of reduced fare on local service and full express fare on express service. Participation in the ADA Platinum Pass Program is voluntary by Member and may be cancelled by Member by providing a ninety (90) calendar day written notice to RPTA. Participation in the ADA Platinum Pass Program reduces ADA operational costs by encouraging ADA certified passengers to use fixed route service in-lieu of more traditional ADA paratransit services. Each eligible ADA certified passenger that opts to participate will receive a reduced fare ADA Platinum Pass to be used at rail fare vending machines and at bus fare boxes for the payment of fare, as defined by the Valley Metro RPTA Board approved fare policy in effect. Current fare information can be found here: http://www.valleymetro.org/paying_your_fare/fare_options/. RPTA shall administer this program on behalf of Member and will deduct funding from Member’s annual ADA allocation of Public Transportation Funds (PTF) that may be appropriated annually to Member by the RPTA Board of Directors. RPTA shall provide report within 15 calendar days from the receipt of detailed billing report from the City of Phoenix on usage and costs incurred. Member ADA-PTF account shall be debited for all pass uses by residents of CITY on an annual basis up to the monthly capped amount of the individual reduced fare Platinum Pass and/or express fare Platinum Pass when applicable.



City Clerk's Office
Sherry Ann Aguilar, City Clerk
16000 N. Civic Center Plaza
Surprise, AZ 85374
Ph: 623-222-1200
Fax: 623-222-1001

November 4, 2014

Michael Basha
16213 S. 29th Drive
Phoenix, AZ. 85045

Re: Acquisition of Control for Basha's #137, Surprise, Arizona

Dear Mr. Basha:

Please be advised that we are in receipt of your request for an Acquisition of Control for Basha's #137 located at 15367 W. Waddell Road, Surprise, **Arizona 85379**. The notice for this license has been posted on the property and will need to remain posted until the public hearing has taken place.

You are hereby notified that your presence is being requested by the City of Surprise Mayor and Common Council to attend a public hearing at our regular scheduled Council Meeting to be held on:

Tuesday, November 18, 2014 – 6:00 p.m. Surprise City Hall - Council Chambers 16000 N. Civic Center Plaza
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Upon receipt of this correspondence, please acknowledge receipt by email to clerk@surpriseaz.gov and advise who will be representing you at this meeting. Your cooperation is greatly appreciated.

If you have any questions, please call 623-222-1220.

Sincerely,

City Clerk, MMC



City Clerk's Office

Date: November 4, 2014

To: Sergio Angulo, City planner
Police Department, Chris Tovar/ Lt. John Bacon - PD
Doug Helbig/Chief White – Fire
Stacie McQuarrie, Business License Technician

From: Sherry Ann Aguilar - City Clerk, MMC

Re: **Liquor License Application:**

Basha's #137
Current License – 09070239 – Acquisition of Control
15367 W. Waddell Road, Surprise, Arizona 85379

The above referenced applications has been submitted for consideration by the Surprise City Council at their **Regular Council Meeting** scheduled for:

Tuesday, November 18, 2014 - 6:00 p.m.

REPORT DUE DATE TO CITY CLERK

A copy of the application is attached for your review and comments. Please provide a written statement regarding this application by no later than **Monday, November 10, 2014 - Noon,** as the questions apply to your respective departments to the City Clerk.

COMMUNITY DEVELOPMENT DIRECTOR (Please respond to the following questions):

- 1) The number and series of licenses in close proximity of establishment.
- 2) The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.
- 3) The residential and commercial population in close proximity.

Liquor License Application: Basha's #137 - Page 2

- 4) The effect or impact of the proposed premises on businesses or residential neighborhood whose activities might be affected by granting the license.
- 5) Review to ensure that parking space requirements meet City Code.
- 6) If the applicant has not applied for rezoning or has applied for rezoning but the requested zoning is not appropriate for a business as detailed in the application, the "**Denial**" can be given by the Zoning Division, and the reasons such denial are detailed on the Review Form.

POLICE DEPARTMENT (Please respond to the following questions):

- 1) Evidence concerning the nature of the proposed business, its potential market and its likely customers.
- 2) Effect of vehicular traffic in close proximity.
- 3) The history for the past five (5) years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report(s) of such activity at least 20 days before the hearing by the board.
- 4) Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.
- 5) Appropriateness of series license requested.

FIRE MARSHALL (Please respond to the following questions in written form):

- 1) Review property to ensure building or plot plan is in compliance with applicable fire codes.

TAX AND LICENSE DIVISION (Please respond to the following questions in written form):

- 1) Review to ensure that applicant has current business license, or has been contacted by Tax and Licensing regarding the need for a business license or is in the process of applying for a business license (whichever is applicable).

Please contact me if you have any questions – 222-1220.



City Clerk, MMC

PUBLIC NOTICE

Notice is hereby given that the Surprise City Council will conduct a public hearing on **Tuesday, November 18, 2014 – 6:00 p.m.**, for an Acquisition of Control for Basha's #137 (**BASHAS, INC.**) located at 15367 W. Waddell Road, Surprise, Arizona 85379. The public hearing will be held in the City Council Chambers – 16000 N. Civic Center Plaza, Surprise, Arizona. Members of the public are invited to attend.



MEMO

Date: 11/5/2014

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Accounting Support Specialist
RE: Liquor License Application – Basha's #137

Business License Status:

License #1006869, current and valid for 2014.



COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Date: November 5, 2014
To: Sherry Aguilar, City Clerk
From: Sergio Angulo, Planner I
Re: Liquor License Application for:

Bashas' #137
Series #09 – Location/Corporation - 09070239
15367 W. Waddell Road
Surprise, Arizona

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

1. Vogue Bistro (Series 12) – 15411 W Waddell Rd #108
2. 4 Sons Food Store (Series 10) – 15445 W Waddell Rd
3. Walgreens #7933 (Series 10) – 15514 W Waddell Rd

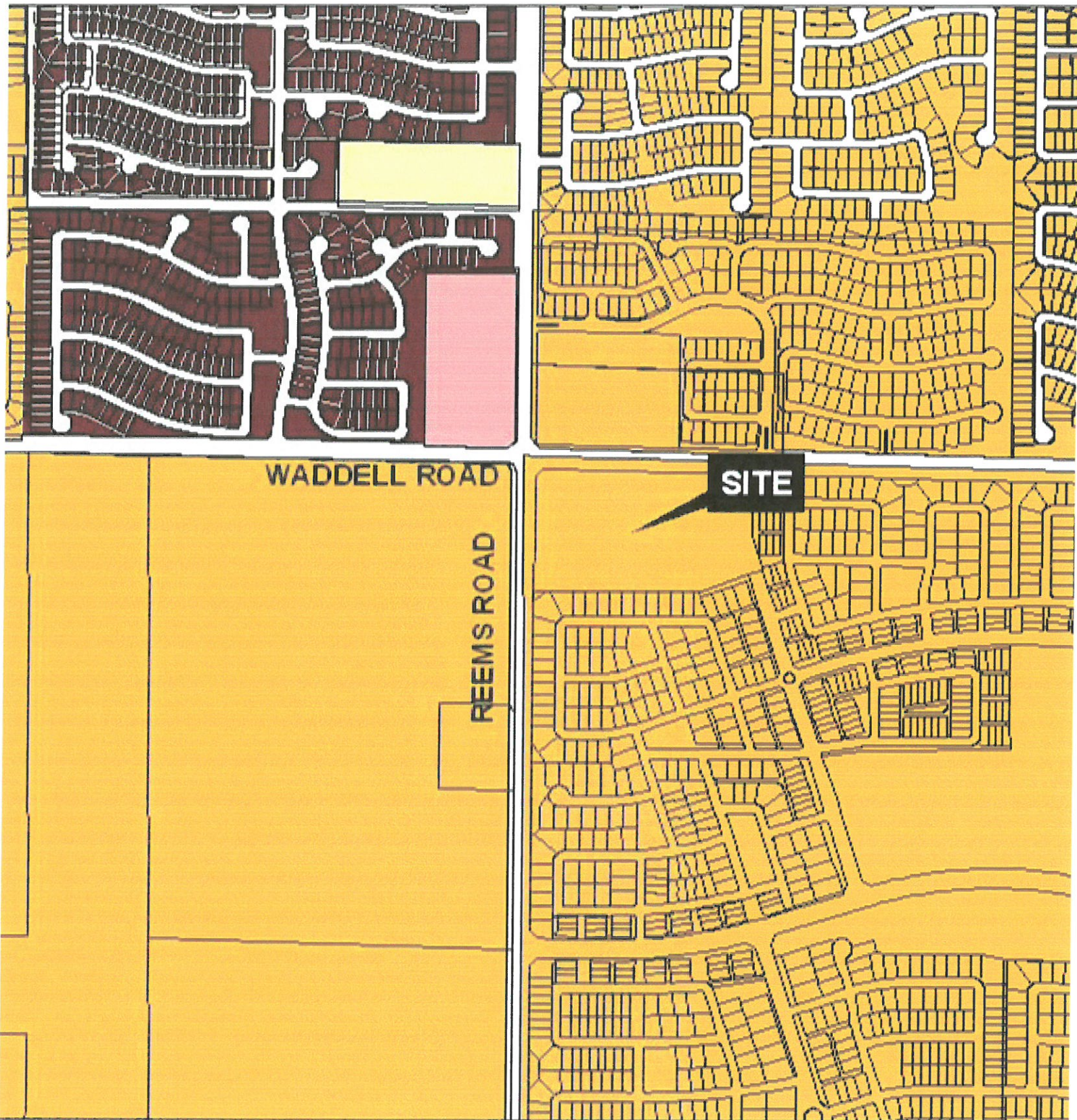
The immediate area is composed of commercial establishments. The property is zoned PAD Marley Park which is consistent with the proposed use.

Commercial is expected to increase with the build out of Marley Park and Prasada commercial parcels.

Residential growth is expected to remain steady in Marley Park. The nearest residential and commercial population to the west will most likely grow with the Prasada Planned Area Development (PAD).

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no effect 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.

Bashas' #137
15367 W. Waddell Road



gend -- Zoning

BP I-1 PAD-I R1-5 F-1



FIRE PREVENTION DIVISION
14250 W. Statler Plaza Ste.101
Surprise, AZ 85374-7479
623-222-5120
Fax: 623-222-5002



Date: November 5, 2014
TO: Sherry Ann Aguilar, City Clerk
FROM: Doug Helbig, Fire Marshal
Subject: Fire Code Compliance Inspection

Basha's #137

Current License – 09070239 – Acquisition of Control
15367 W. Waddell Road, Surprise, Arizona 85374

The above business was inspected on May 21, 2014 and found to be in compliance with applicable City fire codes.

Sincerely,

Fire Marshal



**SURPRISE POLICE DEPARTMENT
LIQUOR LICENSE APPLICATION REVIEW**

REFERENCE:

License Number – 09070239
Series #09
Acquisition of Control

November 6, 2014

APPLICANT:

Basha's #137
15367 W. Waddell Road
Surprise, Arizona 85379

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Basha's is an established grocery store within the city of Surprise. Its current market consists of all residents of the City of Surprise and the surrounding northwest valley. There is no foreseen change in their current customer base due to this acquisition of license.
- 2) ***Effect of vehicular traffic in close proximity.***
There is no anticipated change in the current volume of traffic at this established location.
- 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.***
In the last five years, there have been at least 15 shoplifting/theft calls, of which seven involved the theft of alcohol. There were also a couple of incidents of trespassing and a couple of fraud reports. In November of 2009, the interior bank at Basha's was robbed; however, there no longer is a bank in the store.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
Basha's is open from 5 AM to 10 PM every day of the week. Basha's is the anchor store of the Marley Park Shopping Center, which houses other miscellaneous businesses, including a hair salon, dentist office, Great Clips Haircuts, and Vogue Bistro, which has a series 12 liquor license. Vogue doesn't stay open past 10 PM and is closed on Sundays. There is also a Jack in the Box fast food restaurant which has its drive through open 24 hours on weekends. There is a detached small pad of stores on the other end of the plaza, which houses a Little Caesar's Pizza, Baskin Robin's ice cream, Subway and a nail salon. None of these businesses sell alcohol and all close by 11 PM.
- 5) ***Appropriateness of series license requested.***
The series #9 license is appropriate for this Basha's grocery store.

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

Tuesday, November 4, 2014 @ 04:00 PM

A. Call to Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 04:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, November 4, 2014**. Also in attendance with Mayor Wolcott were Vice Mayor Hall, Council Member Winters, Council Member Biundo, Council Member Villanueva, and Council Member Tande.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Regular City Council Work Session Agenda

Regular Agenda Item - Non-Public Hearing:

- 1. Presentation and discussion of current status on the ERP (Enterprise Resource Planning) project to replace Financial, HR/Payroll, and Community Development software systems - NO ACTION**

IT Director, Tammie Hollowell introduced representatives from ERP (Berry Dunn) to conduct a powerpoint presentation.

Seth Hedstrom CAPM, & Jon Grace, Senior Consultant, Lead Analyst.

Regular City Council Work Session Minutes – November 4, 2014 – Page 2

Reviewed the short list of vendors:

Quintel Management Consulting (Colorado)
Tyler Technologies (Texas)
Woolpert (California)

Currently in the process of vendor demonstrations this week.

Next steps include Round 2 scoring; Reference calls; Site Visits and Contract Negotiations.

Council Member Tande inquired about PeopleSoft.

PeopleSoft did not submit a proposal.

Vice Mayor Hall asked if this will integrate all of the departments.

The software would be fully integrated citywide.

Vice Mayor inquired about the method of support.

2. Update on Skate Park design concepts and Surprise Farms and Veramonte Park Project progress - NO ACTION

CRS Director, Mark Coronado and Asst. Director, Donna Miller conducted a powerpoint presentation regarding Skate Park design concepts and Surprise Farms and Veramonte Park Project progress. The splash pad will have a pirate theme. The park will be ADA accessible times two.

Vice Mayor Hall inquired about the size, he referred to Marley Park and Surprise Farms. He also inquired about the lighting.

Council Member Tande commented on budgeting.

Council Member Winters inquired about the cost and timeframe.

Mr. Coronado recognized staff that has been involved in this project.

Regular City Council Work Session Minutes – November 4, 2014 – Page 3

Mayor Wolcott stated that it is so exciting to see this come to fruition; that this is what everyone has been waiting for and that exciting things are happening and residents are noticing.

Council Member Tande spoke of residents questioning why we can't do more.

Dave Sanders - CRS Commission Member gave an overview on behalf of the commission. This is a very exciting time with this project. Very positive feedback from the public on this project.

Vice Mayor Hall asked if the sketch at grade or if it drops off.

Council Member Winters stated that he attended all of the meetings regarding the skatepark, and the responses from the public were very positive.

Council Member Tande inquired about cool surface for the summer.

Council Member Biundo inquired about water fountains and picnic areas.

Council Member Villanueva thanked everyone for a fabulous design and stated that she would like to see a park like this for the whole City.

3. Discussion regarding Council Boards and Commissions related to community engagement; powers, duties and possible code changes - NO ACTION

City Attorney, Misty Leslie gave a powerpoint presentation regarding Council Boards and Commissions related to community engagement; powers, duties and possible code changes. She reviewed what has been discussed to date.

Economic Development:
Tourism Commission

Vice Mayor Hall commented that Tourism and ED can help each other and that a resort at White Tanks and a conference center is very much in need for a City of this size.

Council Member Biundo stated that we need some time to figure out a market strategy to clarify funding.

Mr. Coronado clarified the application process and challenges for funding events.

Regular City Council Work Session Minutes – November 4, 2014 – Page 4

Mayor Wolcott stated that we know there is a process in question regarding the tourism dollars and that we made it clear in the strategic plan that tourism is economic development for the City.

Vice Mayor Hall stated that it is hard to get a restaurateur or hotel operator to tell you how much more business they have done from last year to this year.

Restaurants and bars are up 42%, hotels up 29% from tax reports.

Disability Advisory Commission - 11 powers and duties outlined in code.

Mayor Wolcott stated that Dial-A-Ride was a major issue and Council Member Winters was an advocate who brought this forward to Council to rethink this service to our community in a successful way.

Council Member Winters stated that he wants to keep the DAC; that they have done a lot of great things for this community; that they have been very good in getting things done in our communities and that they provide a good service for the City for the quality of life for the disabled community.

Council Member Biundo stated that he agrees and applauds the DAC for specific things they have been doing, especially contact with the business community. He further commented that he would like to see DAC look more into item #9 on powerpoint - Informal education, on site visits, training classes and seminars.

Vice Mayor Hall agreed that the DAC has done a lot of good for our community.

Mayor Wolcott suggested the DAC to be more involved in Dreamcatcher Park.

Council Member Winters commented that yes the DAC was involved with oversight of the project.

Vice Mayor Hall commented on a great turnout for the Special Olympics Event that was highly attended.

Mayor Wolcott stated that we have consensus to keep the DAC, but focus on refining the duties and focus of this Commission.

Ms. Leslie commented on 1 & 11 - might not need for this commission.

Vice Mayor Hall commented on the CRS Commission and collaborating with joint meetings with CRS, tourism & economic development.

Regular City Council Work Session Minutes – November 4, 2014 – Page 5

Mr. Coronado stated that the CRS Commission is very engaged with Tourism and economic development.

Planning for parks, we as a city has decided that we don't want to be a bedroom community, but a self sustaining city. The criteria for parks need to change. Folks in the communities need to get to the parks without driving. We need more pocket parks, green spaces, walkable trails, etc.

Council Member Tande commented on the competitive aspect of recreation, and casual recreation for our residents.

Council Member Villanueva spoke of the joint commissions meeting a couple times a year.

Mr. Coronado stated that the CRS Commission is working very closely with CD and that they have to have a plan in place.

Mayor Wolcott spoke on collaborative efforts which will serve our residents best. She suggested meeting in a summit format for all boards/commissions.

Council Member Tande spoke of the Strategic Plan that we already have in place.

Mayor Wolcott commented that each item that comes forward to Council should be tied into the Strategic Plan.

Council Member Winters recommended a verbal report once per year to come before Council.

Vice Mayor Hall - We had to earn the respect of our residents before anything else. We finally have our finances in order, we have improved our bond rating and have earned the respect of our residents. We need to move ahead and have the finances in place before proceeding. The Staff needs to come to the Commissions for their input with a method for financing.

John Yaeger - DAC Chairperson, you already took away half of what I was going to say so I will shorten my remarks. DAC has morphed into more than why it was originally created. Fiesta Grande event, sat up booth, handed out information and most didn't know we existed. A couple in the OTS, both on scooters and expressed they had an issue. They received a summons from the City. He quoted Ralph Waldo Emerson "The purpose of life is not to be happy. It is to be useful, to be honorable, to be compassionate and to have it make some difference that you have lived and lived well."

Regular City Council Work Session Minutes – November 4, 2014 – Page 6

Roddi Jess - DAC member, I am a newcomer to the Commission, a resident for 8 years. I was able to reap all of the benefits of what the commission has been doing. This is an amazing City. City pool, can't get down stairs, but thanks to DAC, 2 lifts will be installed at the pools.

E. Call to the Public

F. Executive Session

G. Adjournment

Council Member Biundo made the motion to adjourn the Regular City Council Work Session of November 4, 2014 at 6:05 PM. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

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, November 4, 2014.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, November 4, 2014 @ 06:25 PM

A. Call to Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:25 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, November 4, 2014**. Also in attendance with Mayor Wolcott were Vice Mayor Hall, Council Member Winters, Council Member Biundo, Council Member Villanueva, and Council Member Tande.

Staff City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and City Clerk,
Present: Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

1. Recognition of "Diabetes Awareness Month" presented to the City of Surprise employees Dana Garr and LariBeth Kirkendall.

Mayor Wolcott read the proclamation and presented it to Dana Garr and Laribeth Kirkendall and family members.

Dana Garr thanked the Mayor and Council for their support and also presented a gift to the Mayor and City Manager Wingenroth, A Circle of Hope pen.

2. Recognition of Karen Winterstein, National Association of Elementary School Principals 2014 Principal of the Year (and current Principal of Sunset Elementary School in Sierra Montana).

Mayor Wolcott recognized Karen Winterstein, National Association of Elementary School Principals 2014 Principal of the Year (and current Principal of Sunset Elementary School in Sierra Montana).

E. City Manager Report

City Manager Wingenroth welcomed Eric Fitzer to the Surprise Team as Community Development Director. He thanked Chris Boyd for serving as Interim CD Director.

F. City Attorney Report

G. Regular City Council Meeting Agenda:

Consent Agenda

Council Member Tande made the motion to approve the consent agenda. Council Member Biundo seconded the motion. Six yes votes. Motion carried.

3. Consideration and action authorizing the City Manager or his designee to accept a grant from the Department of Homeland Security for reimbursement of costs associated with the Police Department Terrorism Liaison Officer; Resolution 2014-106 - APPROVED

4. Consideration and action authorizing the City Manager to act on the City's behalf and accept a grant from the Department of Homeland Security for the purchase of various items of equipment , and amending the FY2015 budget by reallocating \$54,000 from within the grants and contingency fund; Resolution 2014-108 - APPROVED

5. **Consideration and action to approve a liquor license request by Kimberly Sowinski for Smokey's BBQ located at 13749 N. Litchfield Rd., Ste. G-109, Surprise, Arizona 85374 for a Series 12 license (New License #1207A056/LLC) - APPROVED**
6. **Consideration and action on the minutes of October 21, 2014 Regular City Council Work Session and Regular City Council Meeting - APPROVED**

Regular Agenda Item - Non Public Hearing

7. **Presentation and discussion on City of Surprise's Community Development federal funding and the 5-year consolidated plan - NO ACTION**

ACM, Rick Buss started out the presentation on the City of Surprise's Community Development federal funding and the 5-year consolidated plan.

This report was a group effort also conducted by IGR Director, Michael Celaya and Christina Ramirez, Neighborhood Services.

Vice Mayor Hall requested numbered slides for future presentations. He commented that he liked recommendation #4, said it gets back to creating jobs.

Council Member Tande stated that he likes the idea of feedback from the survey.

Council Member Biundo stated that he was not aware that the OTS is the only area that qualifies in Surprise for CDBG Funding.

Council Member Villanueva referred to the OTS Survey and stated that we need to have specifics for the OTS.

Mayor Wolcott stated that Council needs to have the information before it is distributed to the neighborhood.

Council Member Villanueva spoke of the old telephone poles.

Mayor Wolcott stated that it is important that Council moves forward and not create a new commission at this time due to time constraints. This should stay with the Planning Commission for now.

H. Call to the Public

Kymberlee Stutzman, DAC Member stated that for the record, the focus of this commission is very important and has been successful. She further stated that the commission has an action plan in place and would want to see this commission stay in place.

I. Other Business

Council Member Villanueva - ADOT Presentation on Bell/Grand Overpass Project

J. Mayor/Council Reports

Mayor and Council attended and/or reported on the following:

Council Member Villanueva - Had a great time in Disneyland.

Vice Mayor Hall - Westmec coming to Surprise; visited site at 99th Avenue south of stadium. Nick Bacon Dedication on Tuesday, November 11th at City Hall Courtyard.

Council Member Biundo thanked - Larry Brown and Sherry Aguilar on their efforts of organizing the Nick Bacon event.

Mayor Wolcott - ADOT Bell/Grand Interchange; working with ADOT to nail down the status of the project. She asked Mr. Wingenroth to come back with a work session on updates on the project.

K. Executive Session

L. Adjournment

Council Member Villanueva made the motion to adjourn the Regular City Council Meeting of November 4, 2013 at 8:01 PM. Council Member Biundo seconded the motion. Six yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

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, November 4, 2014.**

Sherry Ann Aguilar, City Clerk

CITY OF SURPRISE

TENTATIVE SCHEDULE OF WORK SESSIONS

AND REGULAR MEETINGS FOR 2015

MONTH:

MEETING DATES:

TIME:

JANUARY 2015	Tuesday, January 6th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, January 20th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
FEBRUARY 2015	Tuesday, February 3rd, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, February 17th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
MARCH 2015	Tuesday, March 3rd, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, March 17th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
APRIL 2015	Tuesday, April 7th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, April 21st, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
MAY 2015	Tuesday, May 5th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, May 19th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
JUNE 2015	Tuesday, June 2nd, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, June 16th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
JULY 2015	SUMMER BREAK – NO WORK SESSIONS OR MEETINGS THIS MONTH.	
AUGUST 2015	Tuesday, August 4th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, August 18th, 2015 (az. League of Cities Conference August 18th – 21st, 2015).	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.

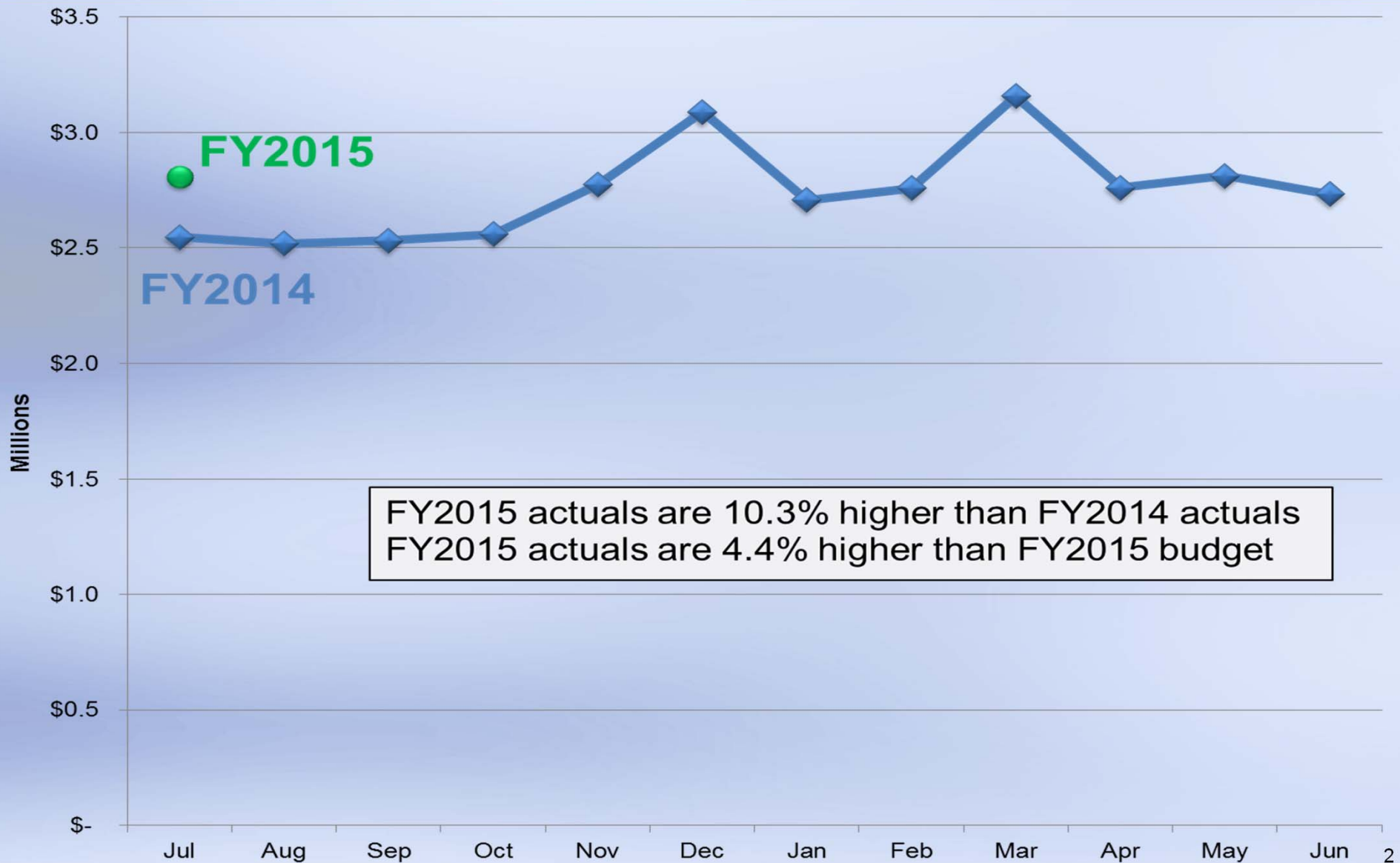
SEPTEMBER 2015	Tuesday, September 1st, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, September 15th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
OCTOBER 2015	Tuesday, October 6th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, October 20th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
NOVEMBER 2015	Tuesday, November 3rd, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, November 17th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
DECEMBER 2015	Tuesday, December 1st, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, December 15th, 2015	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.

FY2015 Monthly Budget Status Report

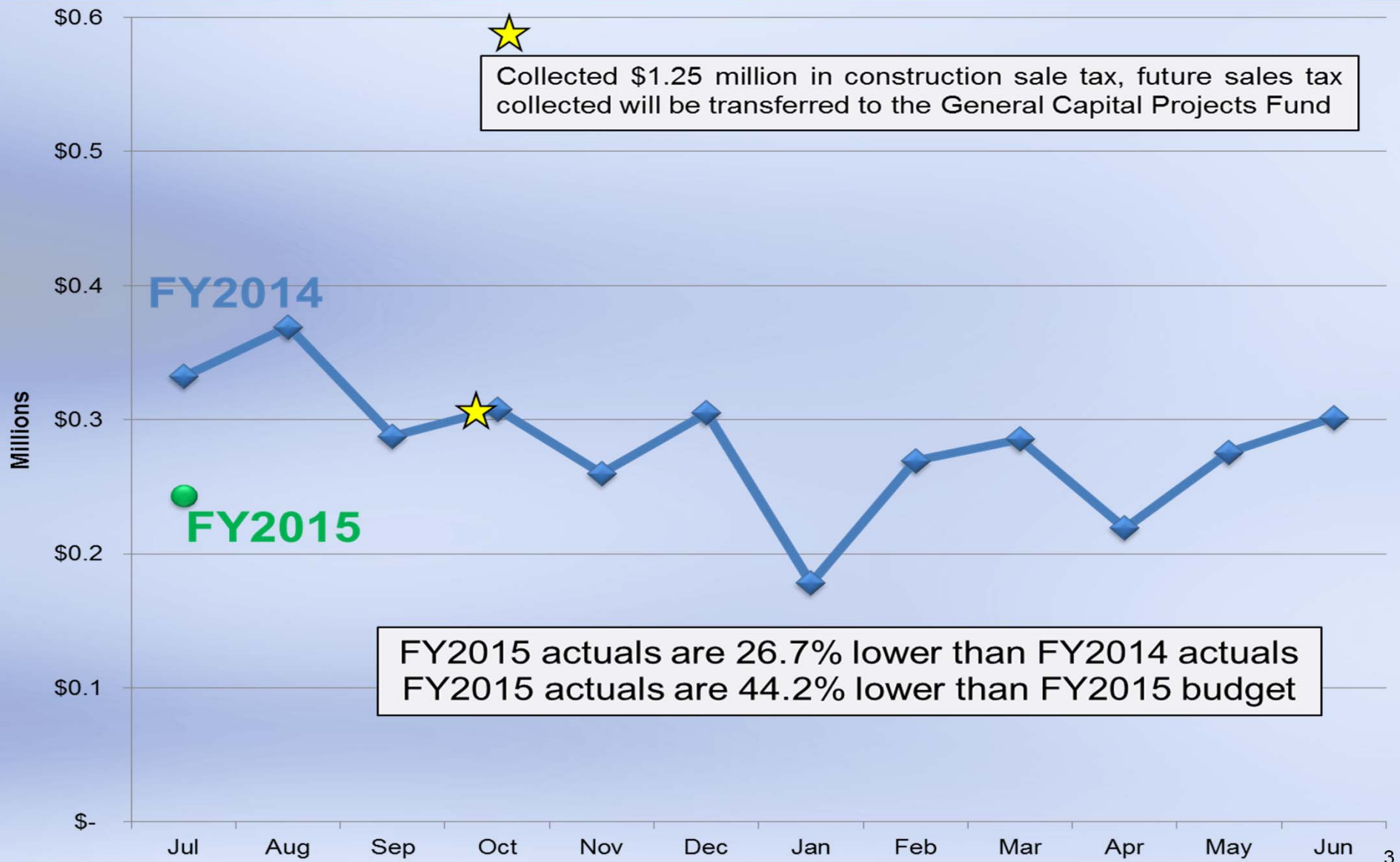
as of September 2014



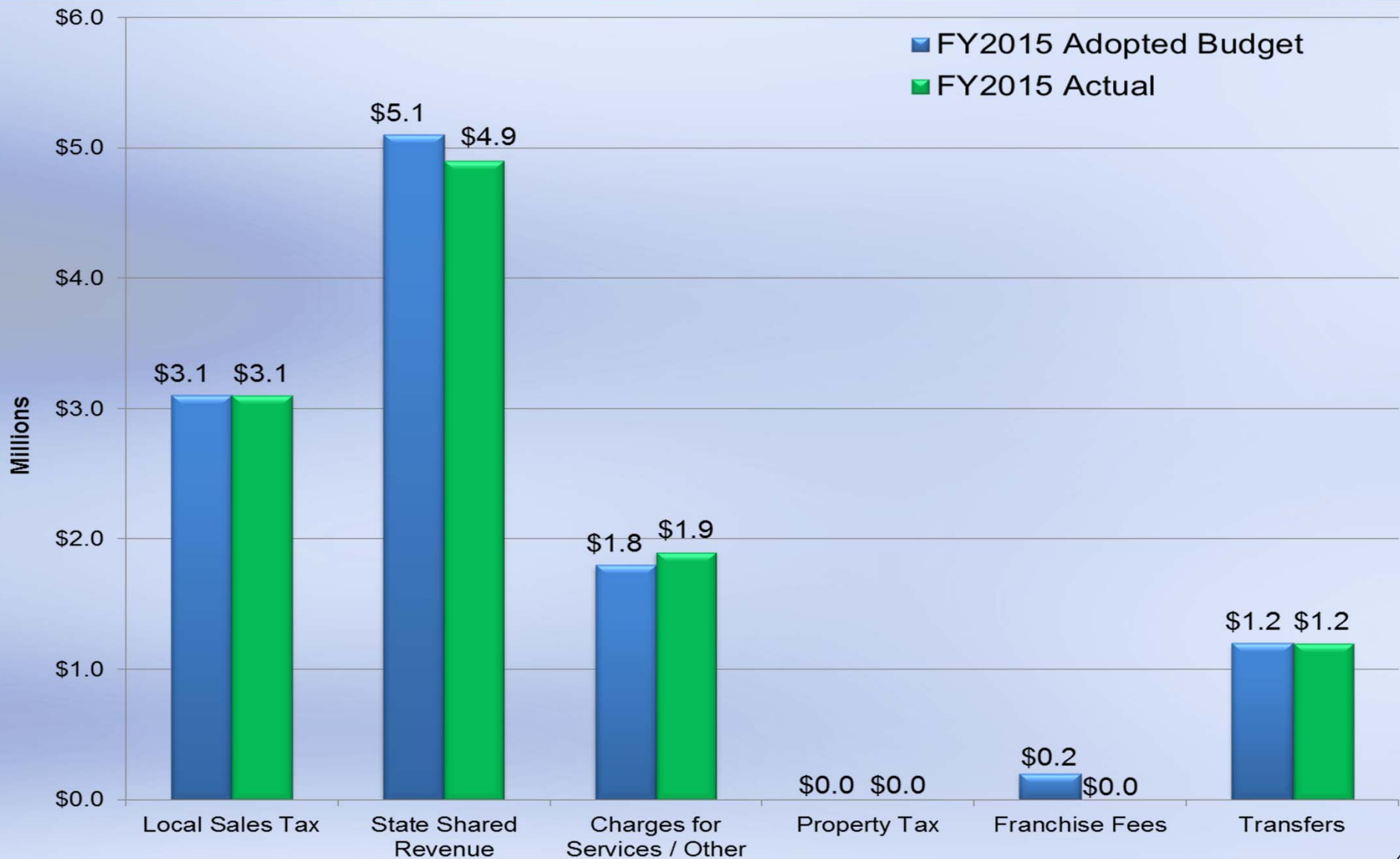
Sales Tax (Excluding Construction)



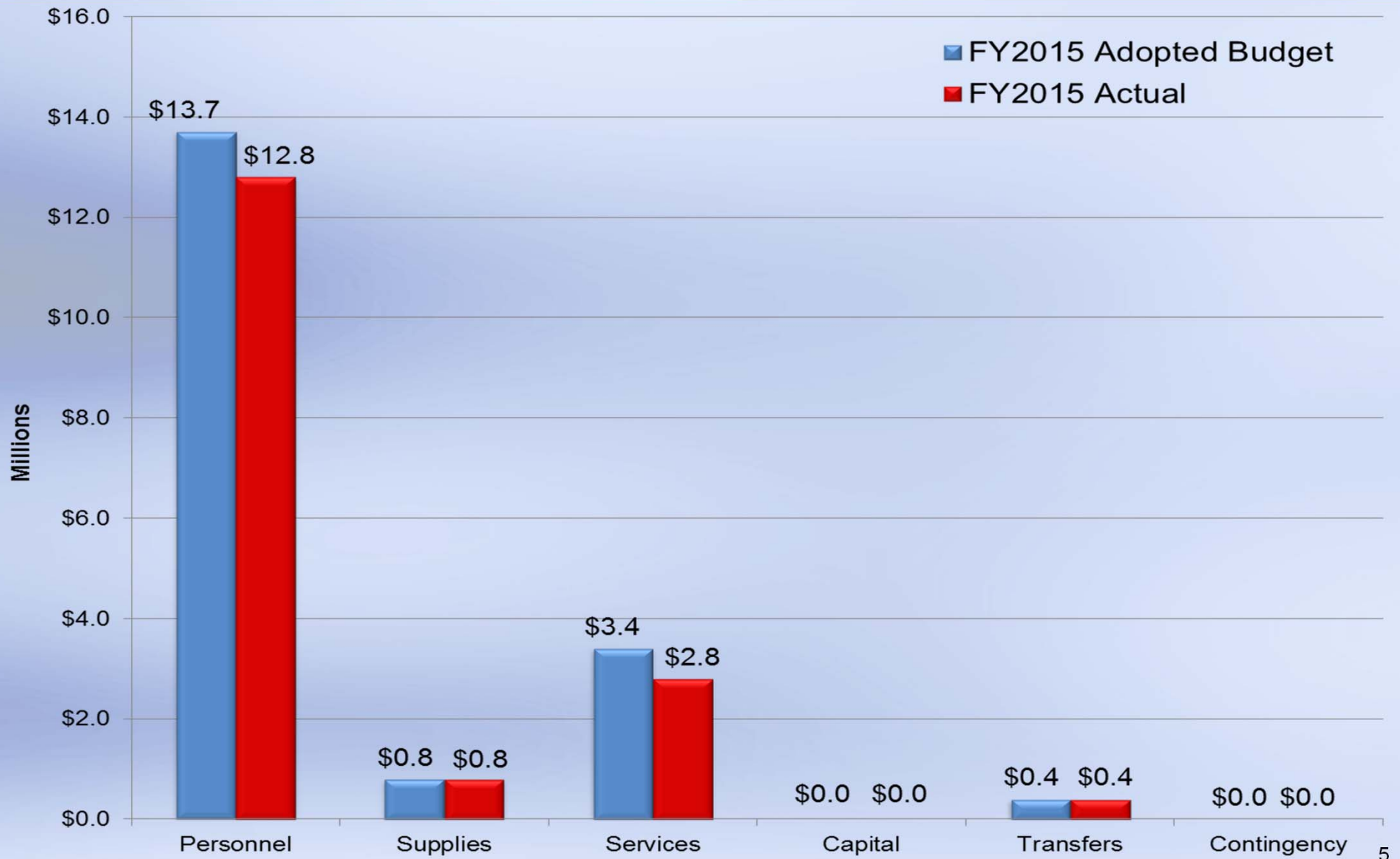
Construction Sales Tax



FYTD Resources by Category



FYTD Expenditures by Category



HIGHWAY USER REVENUE FUND QUARTERLY UPDATE

Background - HURF



- The **State collects gasoline and use fuel taxes**, motor carrier taxes, vehicle license taxes, vehicle registration fees, and other miscellaneous fees.
- These **revenues are then distributed to the cities**, towns and counties and to the State Highway Fund.
- The City's allocation is based on population and is currently **2.1%** of the distribution for cities.

Executive Summary - HURF



- Revenues are on target
- Expenses are under budget through the 1st quarter
 - Timing of Streets Division services

FY2015 Monthly Budget Status Report

as of September 2014



**FY2014
Year-End Inter-fund Transfers
and Budget Amendments
City Council Work Session
November 18, 2014**



Inter-fund Transfers



The Comprehensive Financial Management Policies state:

“22. All cash transfers between funds must be approved by City Council (excluding those related to capital assets).”

Types of Inter-fund Transfers



- A. To debt service funds for annual debt service payments
- B. To various development fee funds for the reallocation of development impact study fee costs
- C. To general fund from enterprise funds:
 - i. indirect costs
 - ii. payment in lieu of taxes
 - iii. franchise fees
 - iv. sanitation hauler's license
- D. Accounting Transactions
 - i. close inactive funds
 - ii. establish beginning fund balance

FY2014 Budget Amendments



§ Several technical budget amendments are required to maintain compliance with:

- i. State statutes
- ii. Financial management policies

§ Amendments do not increase the overall budget, merely adjust appropriations as needed

Types of Budget Amendments



1. Create new funds for tracking FY2014 development impact fee study and impact fee reallocation of study costs
2. Firefighter's Pension Fund – alternative pension benefit contribution
3. SPA1 Recharge Wells at the South Plant project overage
4. Budget authority for grants previously approved by Council
5. Fire-Medical overtime
6. Community and Economic Development contingency – attrition of director and increases in developer reimbursement and economic development expenses from developer agreements

Inter-fund Transfers Budget Amendments



Questions or Comments?



RESOLUTION # 2014-114

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2014 BUDGET BY REALLOCATING APPROPRIATIONS FROM VARIOUS FUNDS FOR THE PURPOSE OF INTERFUND TRANSFERS TO PROVIDE APPROPRIATE AUTHORIZATION LEVELS.

WHEREAS, in the course of daily operations some adjustments and transfers were identified which are necessary amendments to the FY2014 Annual Budget;

WHEREAS, certain interfund transfers necessary to comply with adopted City ordinances, resolutions, and policies, and generally accepted accounting principles were not included in the adopted budget or exceed the amount included in the adopted budget;

WHEREAS, the FY2014 budget was adopted by Council Resolution #2013-13 on June 18, 2013;

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, 2013 through June 30, 2014.

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

Exhibit A
City of Surprise, Arizona
Schedule of Budget Changes of Interfund Transfers
Fiscal Year 2014

Transfers Between	Description	Adopted Budget	Increase/ (Decrease)	Final Budget	Actual Transfer
Transfers from 2012 Fire Development Fee to:					
Pre-2012 Fire Development Fee	Transfer for rental payment	-	208,300	208,300	208,262
	Total Transfers from 2012 Fire Development Fee	-		208,300	208,262
Transfers from 2012 General Government Development Fee to:					
Pre-2012 General Government Development Fee	Transfer for rental payment	-	101,300	101,300	101,296
	Total Transfers from 2012 General Government Development Fee	-		101,300	101,296
Transfers from DEA Fund to:					
RICO Fund	Establish a beginning balance for this fund	-	295,600	295,600	295,553
	Total Transfers from DEA Fund	-		295,600	295,553
Transfers from Prasada CFD to:					
General Fund	Close out inactive fund	-	1,600	1,600	1,586
	Total Transfers from Prasada CFD	-		1,600	1,586
Transfers from Asante CFD to:					
General Fund	Close out inactive fund	-	26,200	26,200	26,132
	Total Transfers from Asante CFD	-		26,200	26,132
Transfers from West Surprise Land Group CFD to:					
General Fund	Close out inactive fund	-	2,800	2,800	2,708
	Total Transfers from West Surprise Land Group CFD	-		2,800	2,708
Transfers from Cyburt Hall CFD to:					
General Fund	Close out inactive fund	-	26,200	26,200	26,132
	Total Transfers from Cyburt Hall CFD	-		26,200	26,132
Transfers from Transit Fund to:					
General Fund	Close out inactive fund	-	4,700	4,700	4,620
	Total Transfers from Transit Fund	-		4,700	4,620
Transfers from Sanitation Fund to:					
General Fund	Payments in lieu of property taxes	8,600	300	8,900	8,805
	Total Transfers from Sanitation Fund	8,600		8,900	8,805
Transfers from Wastewater Fund to:					
General Fund	Franchise fees	314,300	20,500	334,800	334,730
General Fund	Payments in lieu of property taxes	388,200	10,200	398,400	398,382
2007 MPC Debt Service Fund	2007 MPC rental payments	7,072,700	27,500	7,100,200	7,100,171
	Total Transfers from Sewer Fund	7,775,200		7,833,400	7,833,283
Transfers from Water Fund to:					
General Fund	Franchise fees	200,400	17,500	217,900	217,880
General Fund	Payments in lieu of property taxes	153,900	9,500	163,400	163,384
	Total Transfers from Water Fund	354,300		381,300	381,264
Transfers from 2007 MPC Reserve Fund to:					
2007 MPC Debt Service Fund	Transfer cash in excess of required reserve	73,700	(46,200)	27,500	27,422
	Total Transfers from 2007 MPC Reserve Fund	73,700		27,500	27,422

Exhibit A
City of Surprise, Arizona
Schedule of Budget Changes of Interfund Transfers
Fiscal Year 2014

Transfers Between	Description	Adopted Budget	Increase/ (Decrease)	Final Budget	Actual Transfer
Transfer from Fire and EMS Development Fee Funds, General Government Development Fee Funds, Library Development Fee Funds, Parks & Recreation Development Fee Funds, Police Development Fee Funds, Public Works Development Fee Funds, Sewer System Development Fee Funds, Water System Development Fee Funds, Water Resources System Development Fee Funds, and Roads of Regional Significance Funds to:					
163Rd Ave Dev Fund 2014 Law	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Fire & EMS Dev Fee Fund 2014	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Sewer SPA1 Devel Fee 2014 Law	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Sewer SPA2 Dev Fee 2014 Law	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Water Sys SPA1 Dev Fee 2014	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Water Sys SPA2 Dev Fee 2014	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Wtr Res SPA1 Dev Fee 2014 Law	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
Wtr Res SPA2 Dev Fee 2014 Law	Reallocation of prior years development impact study fee	-	13,500	13,500	13,504
	Total Transfers from Various Development Fee Funds	-		108,000	108,035
Total		\$ 8,211,800	\$ 814,000	\$ 9,025,800	\$ 9,025,098

**FY2014
Year-End Inter-fund Transfers
and Budget Amendments
City Council Work Session
November 18, 2014**



Inter-fund Transfers



The Comprehensive Financial Management Policies state:

“22. All cash transfers between funds must be approved by City Council (excluding those related to capital assets).”

Types of Inter-fund Transfers



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FY2014 Budget Amendments



§ Several technical budget amendments are required to maintain compliance with:

- i. State statutes
- ii. Financial management policies

§ Amendments do not increase the overall budget, merely adjust appropriations as needed

Types of Budget Amendments



1. Create new funds for tracking FY2014 development impact fee study and impact fee reallocation of study costs
2. Firefighter's Pension Fund – alternative pension benefit contribution
3. SPA1 Recharge Wells at the South Plant project overage
4. Budget authority for grants previously approved by Council
5. Fire-Medical overtime
6. Community and Economic Development contingency – attrition of director and increases in developer reimbursement and economic development expenses from developer agreements

Inter-fund Transfers Budget Amendments



Questions or Comments?



RESOLUTION # 2014-115

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2014 BUDGET BY REALLOCATING APPROPRIATIONS FROM VARIOUS FUNDS ON REQUIRED AMENDMENTS TO CLOSE OUT FY2014.

WHEREAS, in the course of daily operations some adjustments were identified which are necessary amendments to the FY2014 Annual Budget;

WHEREAS, in the course of preparing the FY2014 Comprehensive Annual Financial Report (CAFR), some adjustments were identified and are required to ensure compliance with state law for appropriations. These legally required amendments will allow the city to close out FY2014 budgetary accounts and proceed with the annual independent audit. These are standard, end-of-year processes that are required to close the books, and the bottom line budget amounts do not change;

WHEREAS, the FY2014 budget was adopted by Council Resolution #2013-13 on June 18, 2013;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, 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, 2013 through June 30, 2014.

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

RESOLUTION # 2014-115
Exhibit A

The FY2014 Annual Budget is amended by reallocating appropriations among lawfully available appropriations to ensure the continued operations of the City of Surprise in the payment of necessary expenditures. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these reallocations do not increase or decrease the total budget.

1. Accounting changes

A. Establishment of new special revenue and enterprise funds:

Fund	Increase (Decrease)
FSA Special Account Fund	\$298,600
Sewer SP1 FY2014	15,100
Sewer SP2 FY2014	15,100
Water Resources 1 FY2014	15,100
Water Resources 2 FY2014	15,100
Water System 1 FY2014	15,100
Water System 2 FY2014	15,100
Water Operations Contingency	(60,400)
Sewer Operations Contingency	(30,200)
Grants and Contingencies Fund	(299,300)
	<u>\$0</u>

2. Budget corrections

- A. Firefighter's pension – Sworn fire personnel who are not eligible for ASRS, PSPRS, and are not participating in the PSPRS Drop program are eligible for an Alternative Pension Benefit Contribution. The City passed Resolution #09-87 in order to exhaust the firefighter's pension fund using these Alternative Pension Benefit Contributions. For FY2014, the city was able to identify additional eligible staff for this program.

Firefighter's Pension Fund	Increase (Decrease)
Salaries	\$3,000
Contingency	(3,000)
	<u>\$0</u>

3. Carry Forwards – amendments for current fiscal year activity for projects and grants that were approved in prior fiscal years.

Project/Grant	Increase (Decrease)
2007 HOME	\$7,900
2011 HOME Funds	67,700
2011 CDBG Public Service	7,200
AZDOHS/ADEM SWAT Training	6,400
FY2012 CDBG Admin	84,400
FY2012 CDBG Emerg Repairs	238,800
2013 CDBG Public Service	34,000
2013 CDBG Emergency Repair	10,000
2013 CDBG Admin	14,700
Neighborhood Stabiliz. Program Admin.	22,200
Neighborhood Stabiliz. Program Operations	261,400
NSP3 - Administration	22,200
NSP3 - Operations	430,800
RTP - ADOT	119,300
DOVE VALLEY PKWAY 163RD-179TH	69,400
SPA1 Recharge Wells @ South Plant	500
2011 Byrne JAG Grant	7,700
FTA-DART-AZ-90-X096	800
Contingency	(864,300)
	<u>\$0</u>

4. Budget authority to expend revenue

A. Marley Park Community Facilities District – amendment to record expenditure authority related to trustee fees for Marley Park Community Facilities District.

Fund	Increase (Decrease)
Spring Training Ticket Surcharge	\$226,300
Grants and Contingencies Fund	<u>(\$226,300)</u>
	<u>\$0</u>

B. Budget authority to expend revenue amortized for the Stadium Improvement fund.

Fund	Increase (Decrease)
Stadium Improvement Fund	\$79,600
Grants and Contingencies Fund	(\$79,600)
	<u>\$0</u>

5. General fund department corrections – amendment for Fire-Medical exceeding its overtime budget.

Fund – Description	Increase (Decrease)
General Fund – Overtime	\$49,500
Wildland Fund – Overtime	(43,700)
HALO Fund – Overtime	(5,800)
	<u>\$0</u>



COMMUNITY DEVELOPMENT

Date: November 18, 2014

To: Mayor and City Council

From: Eric Fitzer, Director
Hobart Wingard, Planner
hobart.wingard@surpriseaz.gov 623-222-3156

Re: FS14-383 – City of Surprise Temporary Public Safety Facility

Application Summary

The applicant is requesting Conditional Use Permit (CUP) approval for an existing temporary public safety facility in Village 5.

Location

The approximate three (3) acre project is located on the southwest corner of 163rd Avenue and Happy Valley Road, within the Asante PAD and Village 5. The physical address is 24900 North 163rd Avenue.

History

- On November 3, 1988, the subject property was annexed into the City of Surprise.
- On November 24, 2004, the Asante PAD was approved by the Mayor and City Council.
- On December 1, 2005, a PAD amendment regarding the Asante Retail Center was approved by the Mayor and City Council.
- On August 15, 2008, a PAD amendment regarding a signage program was approved by the Mayor and City Council.
- On June 9, 2009, a PAD amendment for garage storage was administratively approved.
- On November 24, 2004, the Asante PAD was approved by the Mayor and City Council.
- On June 26, 2012, a PAD amendment regarding neighborhood layout concepts was approved by the Mayor and City Council for the Asante PAD.
- On December 24, 2013, an administrative site plan for the public safety facility was approved by staff.

Project Summary

The City of Surprise is seeking a CUP to facilitate a newly constructed temporary public safety facility. After staff administratively approved the site, it was found within the Asante PAD that the land use, as defined in the document, is Public Parks / Facilities, PP/F. The Asante PAD was created under a previous zoning code, Title 17. The zoning district in the previous zoning code that most closely aligned with the PAD designation of PP/F is Government Use (GU). It

was found in Title 17 that this district conditionally accommodate all government uses with the caveat that the Mayor and City Council have the authority to consider and approve the CUP.

Per the Asante Development agreement, the subject site was set aside for a future public safety facility. Until recently, Fire Station 304 was located at the intersection of Grand Avenue and 163rd Ave. The station required relocation due to the terms and conditions outlined within the existing land lease agreement. This proposed project will house Public Safety Facilities until a permanent facility can be built upon this parcel.

The factory-built temporary station will be used by the City of Surprise Fire and Police Department for housing, training, and administrative duties. This site plan will also include an apparatus storage structure for any public safety equipment. This facility will operate 24 hours a day, 7 days a week.

All utilities necessary to serve the public safety facility have been stubbed to the location. The water and sewer service provider is the city of Surprise and electricity is provided by APS. The station will not have gas service at this time. Prior to construction of the permanent public safety facility, the project will utilize a septic system for sewer service. Access to the station will be accomplished by an existing portion of Happy Valley Road located along the northern edge of the site.

Landscaping was minimal and consists of a variety of desert tolerant plant materials that are consistent with the landscape palate of the surrounding developed parcels. The permanent facilities will have a complete landscape plan incorporated.

Citizen Review Meetings

A citizen review meeting was held on October 28, 2014 at the existing public safety facility. A Citizen Participation Report is attached.

Findings of Fact

1. Staff finds that the proposed Conditional Use Permit complies with the Surprise General Plan.
2. Staff finds that the proposed Conditional Use Permit complies with the Surprise Municipal Zoning Code.
3. Staff finds that the proposed Conditional Use Permit complies with the Asante PAD.

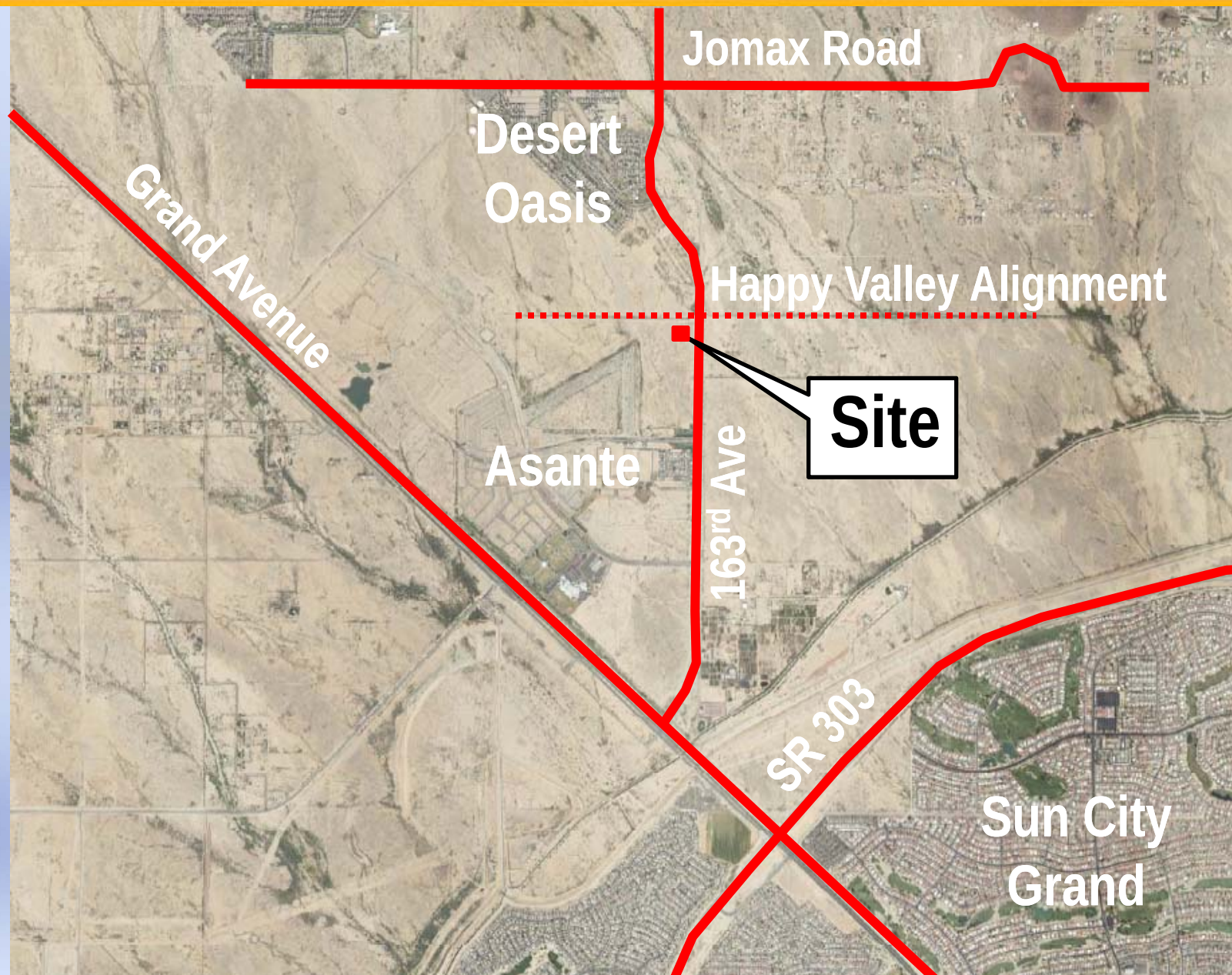
Recommendation

Staff recommends approval of Village 5 Temporary Public Safety Facility.

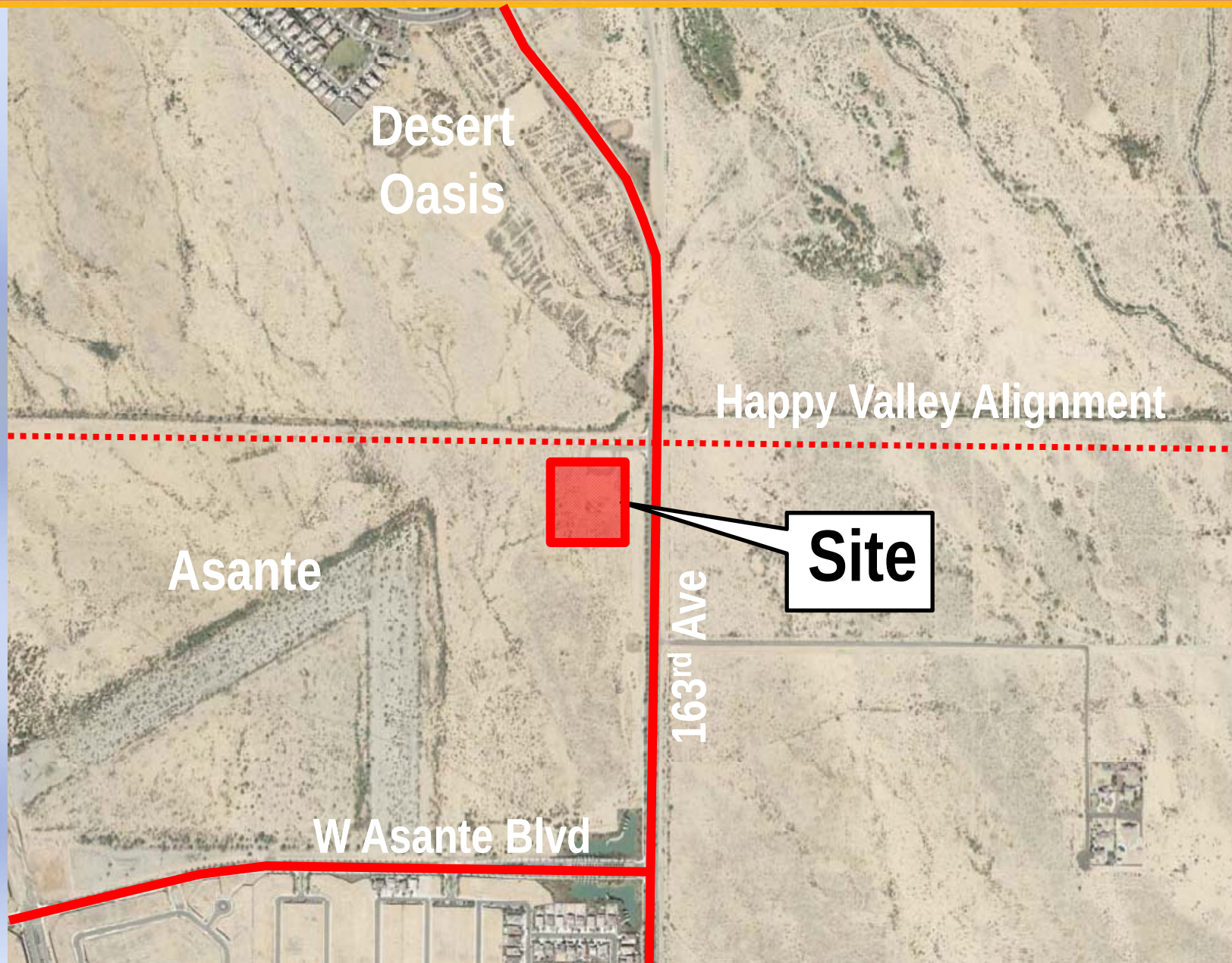
Attachments

Vicinity Maps, Site Plan, Elevations, and Citizen Participation Report

VICINITY MAP



VICINITY MAP



Seal

GRA

25759

KENNETH W. POWERS

Exp. 12/31/2015

ARIZONA, U.S.A.

EXPIRES: 12-31-2015

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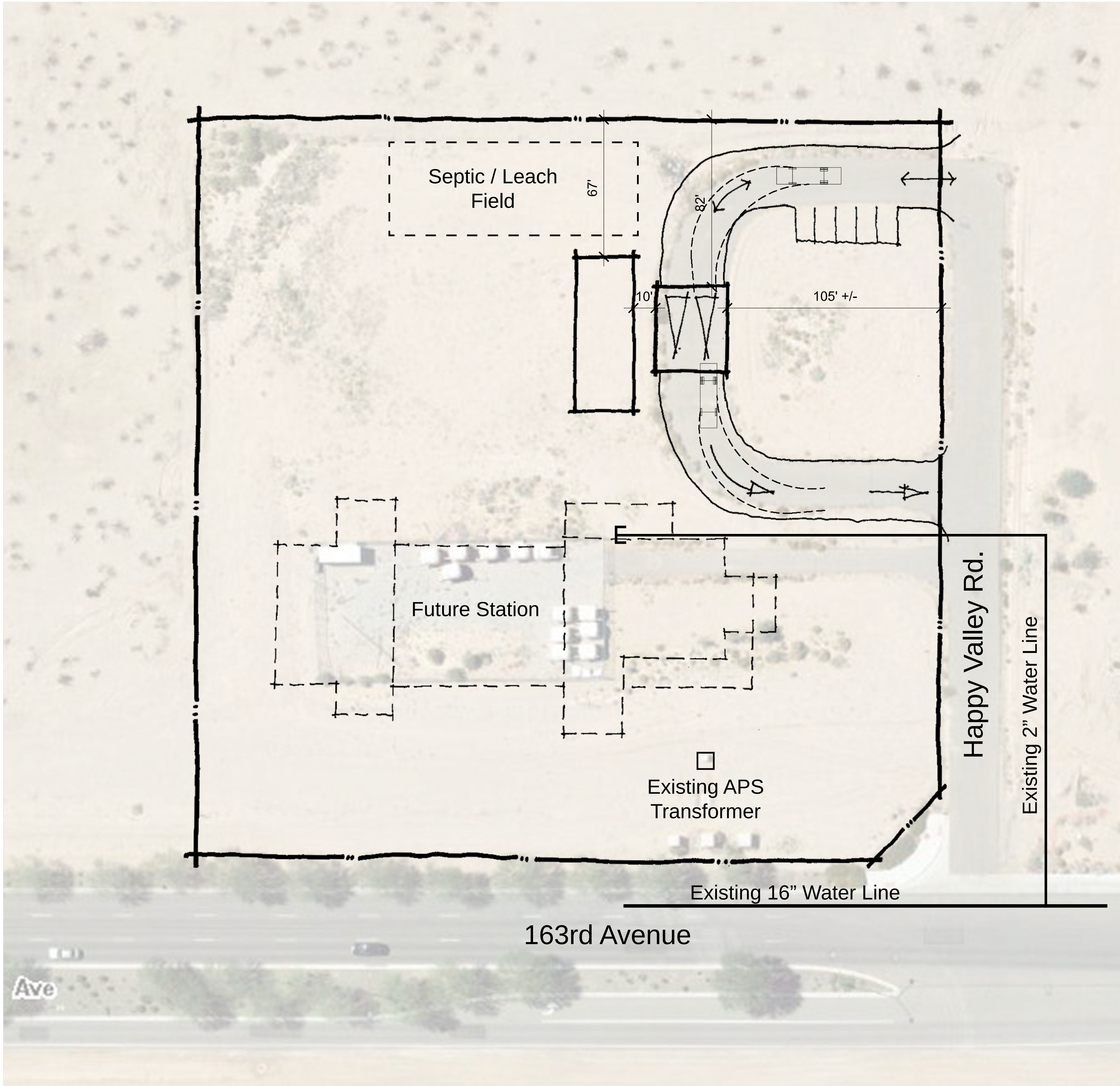
Surprise Temporary
Fire Station No. 304

Plan Number
Drawn/Checked By
GRA
Date
August 29, 2013
Project Number
313037
Sheet Number

A1

ADMINISTRATIVE APPROVAL

CITY OF SURPRISE SIGNATURE BLOCK	
THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.	
APPROVED	
COMMUNITY DEVELOPMENT DIRECTOR	DATE
APPROVED	
WATER SERVICES DIRECTOR	DATE
APPROVED	
CITY ENGINEER	DATE



Surprise Fire Station 304 Temporary Facilities Planning

Temporary Facilities

Scale: 1: 30





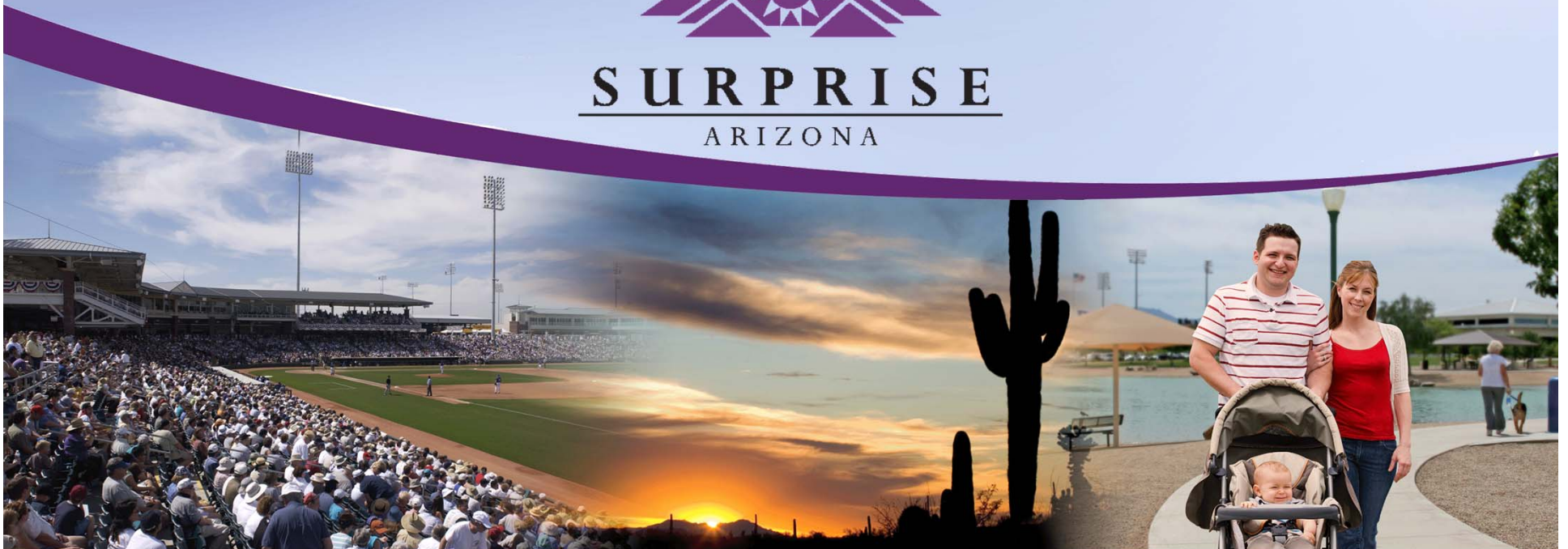




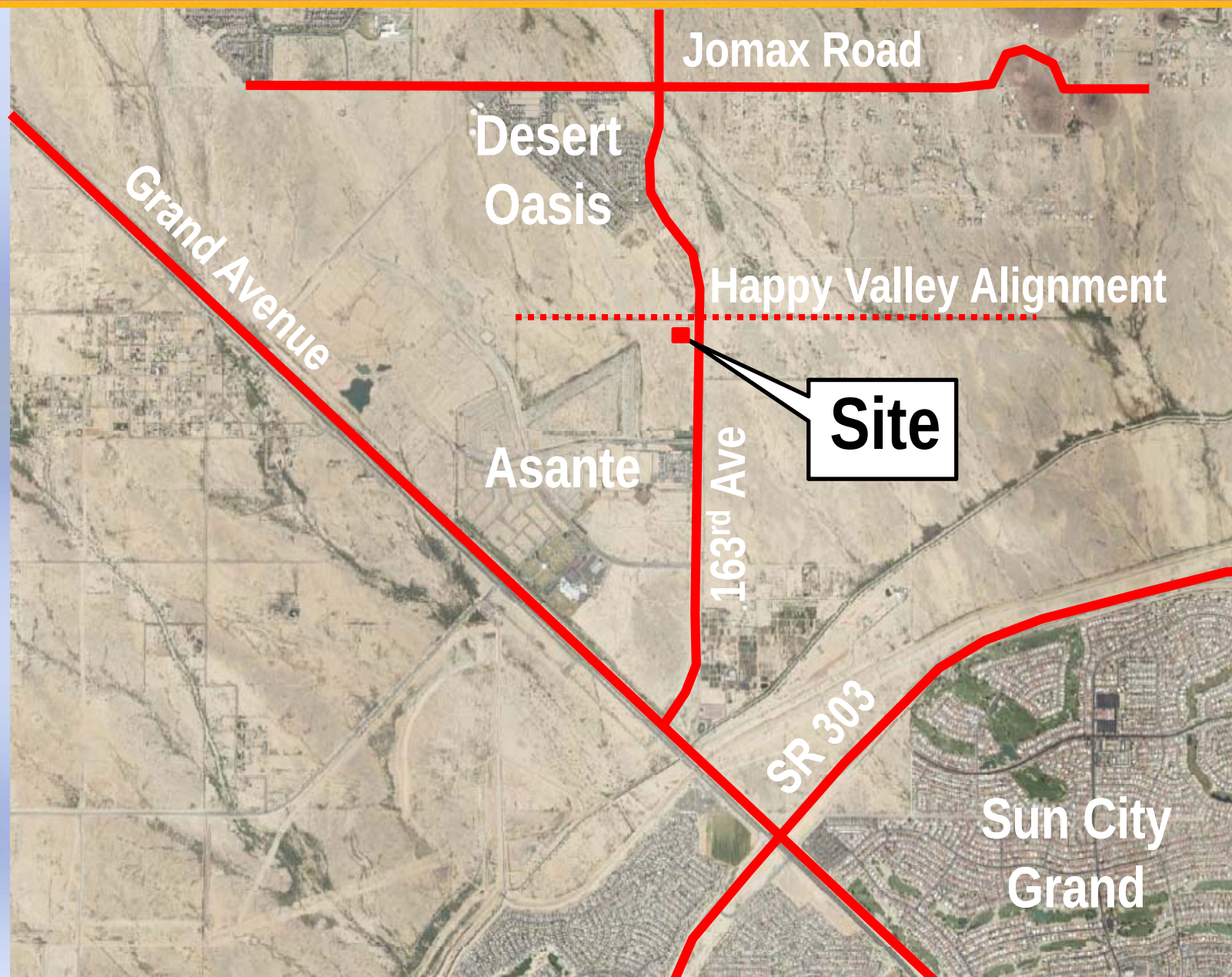


Temporary Public Safety Facility City Council

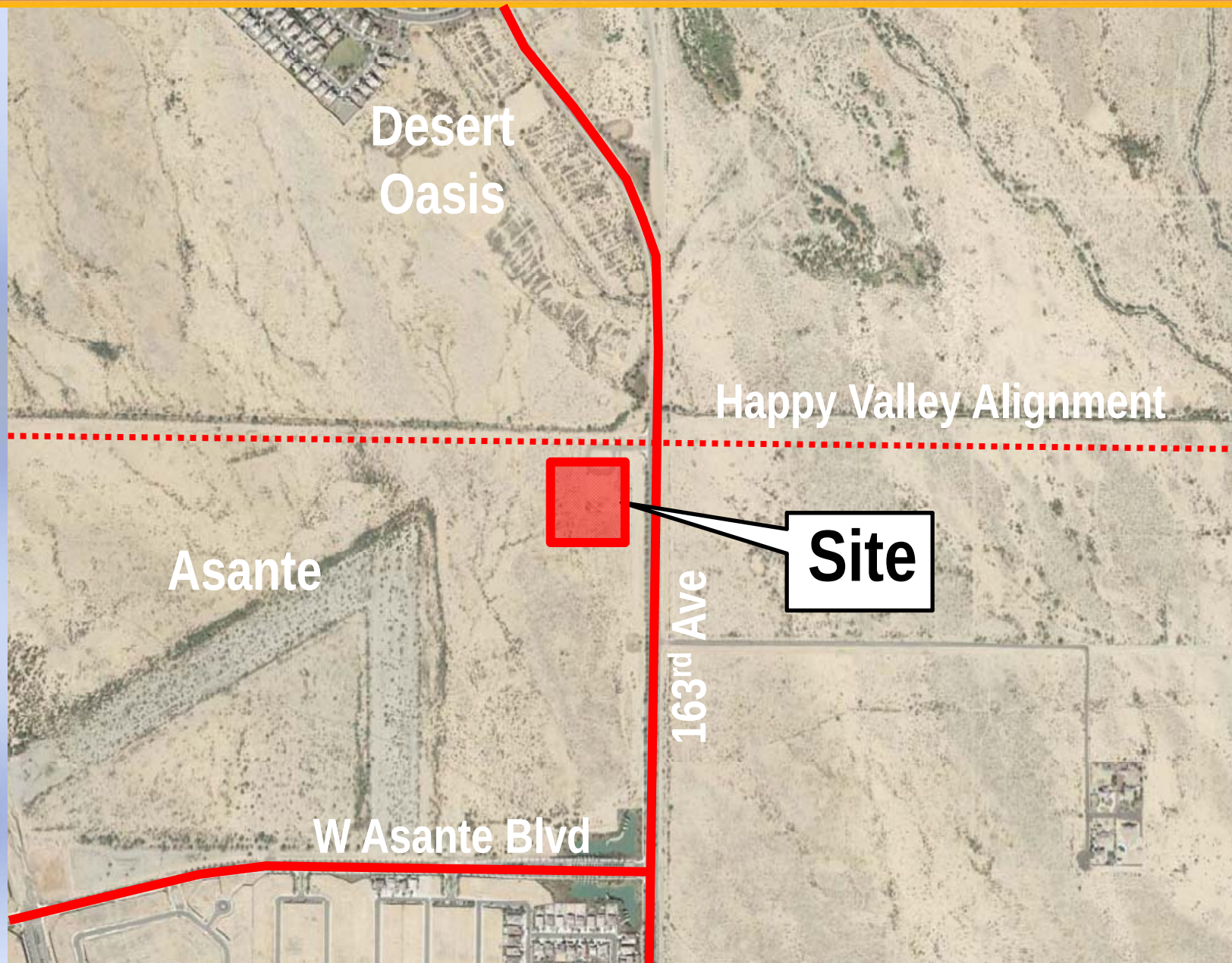
November 18, 2014



VICINITY MAP



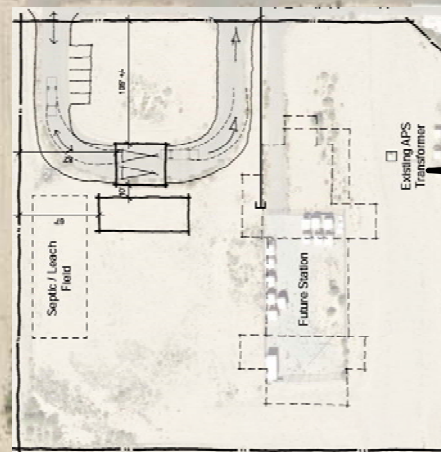
VICINITY MAP



VICINITY MAP



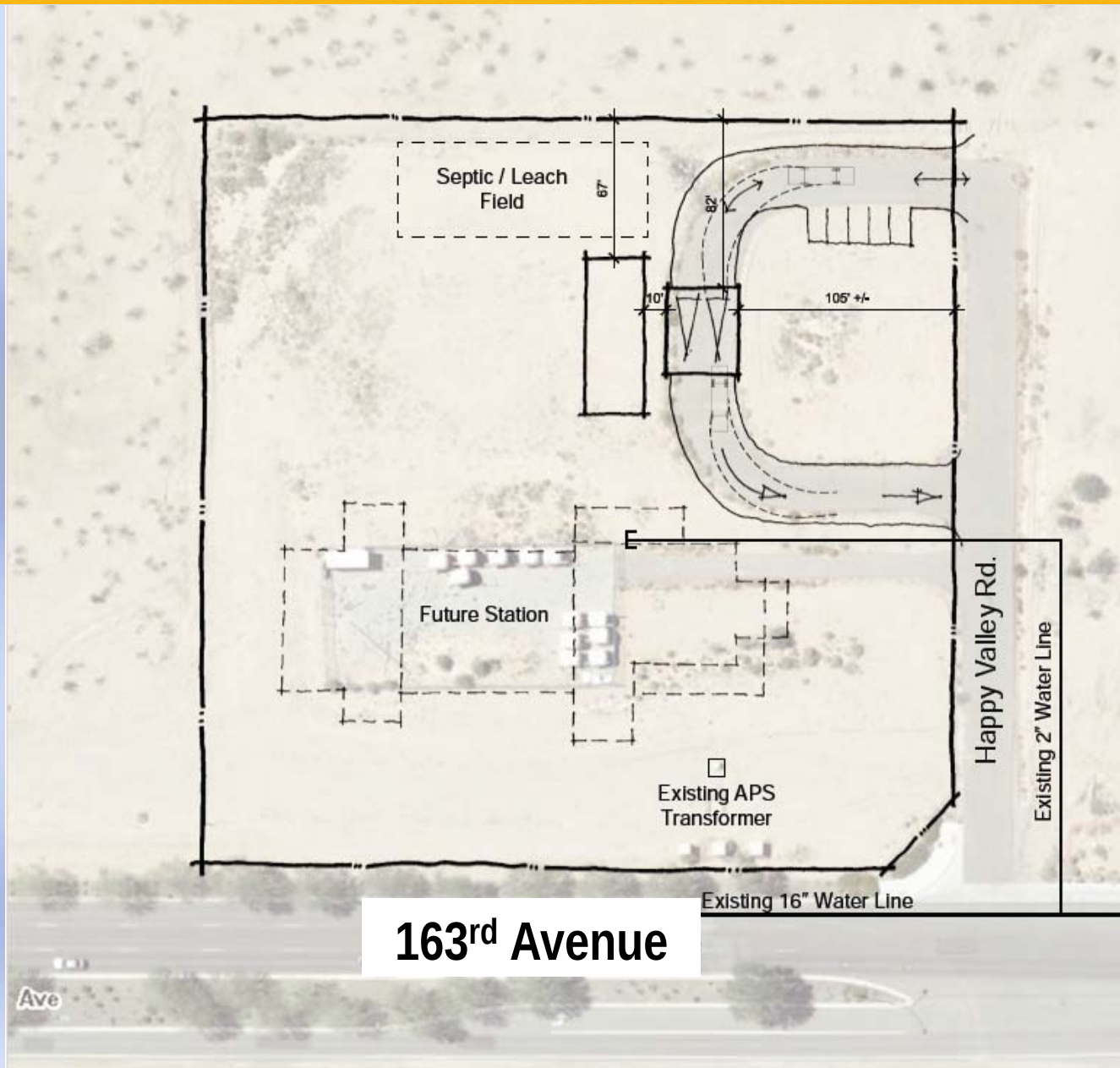
Happy Valley Alignment



Site

163rd Ave

SITE PLAN



RENDERINGS



RENDERINGS



PHOTOGRAPH



**Citizen Review Meeting
October 28, 2014**

Questions or Comments?

