



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

Tuesday, September 2, 2014 @ 6:00 PM

[Back](#) [Print](#)

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

#1 District Citywide [Recognition of the Capital Scholar Program Participants.](#)

None
Council
Member
Williams

E. City Manager Report:

F. City Attorney Report:

G. Regular City Council Meeting Agenda:

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.

Consent Agenda:

- | | | | |
|-----|------------|---|--|
| *#2 | District 6 | Consideration and action on a resolution accepting maintenance of the street and public improvements at Park Skyway, generally located south of Cactus between Solar Canyon Way and 132nd Avenue. Resolution No 2014-37. | Approve
Mike Gent,
Public
Works
Department |
| *#3 | District 1 | Consideration and action on a resolution accepting maintenance of streets for Austin Ranch West SPA 3 Infrastructure South paving improvements, generally located at 183rd Avenue and Deer Valley Rd at the Austin Ranch SPA 3 Water Facility. Resolution No. 2014-46 | Approve
Mike Gent,
Public
Works
Department |
| *#4 | District 5 | Consideration and action on a Series 12 Liquor License request for Red Lobster located at 13709 W. Bell Road, Surprise, AZ. 85374 (12079985 - Interim/New License, LLC). | Approve
Sherry Ann
Aguilar, City
Clerk MMC |
| *#5 | District 1 | Consideration and action approving a final plat entitled Surprise Village Marketplace East, dated July 16, 2014, a property generally | Approve
Chris Boyd, |

- located at the southwest corner of Bell Road and Sarival Avenue; Resolution #2014-90. Community Development
- *#6 District 4 Consideration and action on a resolution accepting maintenance of the sidewalk improvements at Orangewood RV, generally located near the intersection of Bell Road and 114th Ave.; Resolution No 2014-62. Approve Mike Gent, Public Works Department
- *#7 District Citywide Consideration and action on the minutes of August 18, 2014 Regular City Council Work Session and Regular City Council Meeting. Approve Sherry Ann Aguilar, City Clerk
- *#8 District Internal Consideration and action authorizing the city to renew an Intergovernmental Agreement between the City of Surprise and the Department of Justice Drug Enforcement Administration for two (2) experienced officers to be assigned to the DEA Task Force for a period of not less than two years; Resolution No. 2014-89. Approve Michael T. Frazier, Chief of Police
- *#9 District 3 Consideration and action on a resolution to accept maintenance of streets and public utility improvements at the McDonalds, generally located at the southwest corner of the Reems Road and Greenway Road Intersection; Resolution No 2014-42. Approve Mike Gent, Public Works Department

Regular Agenda Item - Non-Public Hearing:

- #10 District Internal Consideration and action to appoint members to the following Board/Commissions: Richard Jessen to the Judicial Selection Advisory Commission, term expiration, July 1, 2018; Mary Melby to the Arts & Cultural Advisory Commission, term expiration July 1, 2015 and Kenneth Broadfoot to the Public Safety Retirement Board, term expiration December 1, 2016. The City Clerk will perform the Oath of Office after approval. Approve Sherry Ann Aguilar, City Clerk MMC
- #11 District Internal Consideration and action adopting proposed Council policies & procedure, addressing Council rules of conduct and demeanor, parliamentary rules, use of city resources, reimbursements, and implementation/enforcement. No Action Misty Leslie, City Attorney
- #12 District Citywide Consideration and action reallocating \$50,000 from Tourism Fund Contingency to Tourism Fund Services for the 2015 NFL Super Bowl Flag Football Event; Resolution No. 2014-73. Approve Mark A. Coronado, Director - Community & Recreation Services
- #13 District Internal Consideration and approval of the Employment Contract for the City Manager. Approve Misty Leslie, City Attorney

- | | | | |
|-----|-------------------|--|---|
| #14 | District Internal | <u>Consideration and Action on the First Amendment to the Employment Agreement for City Clerk dated March 26, 2013.</u> | Approve
PEL
Subcommittee
Chair Todd
Tande |
| #15 | District Internal | <u>Consideration and action on the First Amendment to the Employment Agreement for City Attorney dated March 25, 2013.</u> | Approve
PEL
Subcommittee
Chair Todd
Tande |
| #16 | District Citywide | <u>Consideration and action on citywide organizational changes adding three new positions and moving budgeted positions between departments by amending the FY2015 budget; Resolution 2014-92.</u> | Approve
Bob
Wingenroth,
City
Manager |

H. 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 on any item not 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.

- I. Other Business and Future Agenda Items:
- J. Mayor/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.

L. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: August 28, 2014 at

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

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date: September 2, 2014 Contact Person: Mike Gent, Public Works Department
Submitting Department: Public Works District: 6
Staff Recommendations: Approve

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on a resolution accepting maintenance of the street and public improvements at Park Skyway, generally located south of Cactus between Solar Canyon Way and 132nd Avenue.
Resolution No 2014-37.

Motion:

I move to approve Resolution No. 2014-37

Background:

The Public Works Department conducted the final inspection of the streets and utility improvements for Park Skyway located south of Cactus Road between Solar Canyon Way and 132nd Avenue on or about February 20, 2014, totaling 1435SY of concrete and 4890LF of water and sewer line.

Financial Impact Statement:

Acceptance of streets, water, and sewer infrastructure increases the city's asset base and adds to future maintenance commitments. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future street preservation and maintenance and water and sewer operational budgets.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2014-37 with Exhibit A](#)
- ☐ [Memo](#)
- ☐ [Letter](#)
- ☐ [Warranty Bond](#)
- ☐ [Inspector Sign Off](#)
- ☐ [Notice of completion Letter](#)
- ☐ [Unconditional Waivers](#)
- ☐ [Final Plat](#)

☐ [Resolution of Final Plat](#)

External Attachment Links:

Meeting Requirements:

Powerpoint Video White Board Other

Presentation Speaker Names (spelling and titles for TV captions):

RESOLUTION # 2014-37

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO ACCEPT MAINTENANCE OF STREETS AND PUBLIC IMPROVEMENTS AT PARK SKYWAY GENERALLY LOCATED SOUTH OF CACTUS BETWEEN SOLAR CANYON WAY AND 132ND AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Skyway Business Park II Units 29-47" on, September 11, 2012;

WHEREAS, LGE Corporation the developer of Park Skyway, dedicated to the City the street and offsite street and public utility improvements, specifically those streets and utilities located south of Cactus Road between Solar Canyon Way and 132nd Avenue;

WHEREAS, the City of Surprise Public Works Department Engineering Division notes that the two-year warranty period will commence upon the acceptance of maintenance by the City; and,

WHEREAS, the City of Surprise Public Works Department Engineering Division conducted the final inspection of the streets and water improvements located south of Cactus Road between Solar Canyon Way and 132nd Avenue on or about February 20, 2014.

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

Section 1. The City of Surprise accepts the maintenance of the streets and public utility improvements located as generally depicted on the map attached as Exhibit "A."

APPROVED AND ADOPTED this _____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

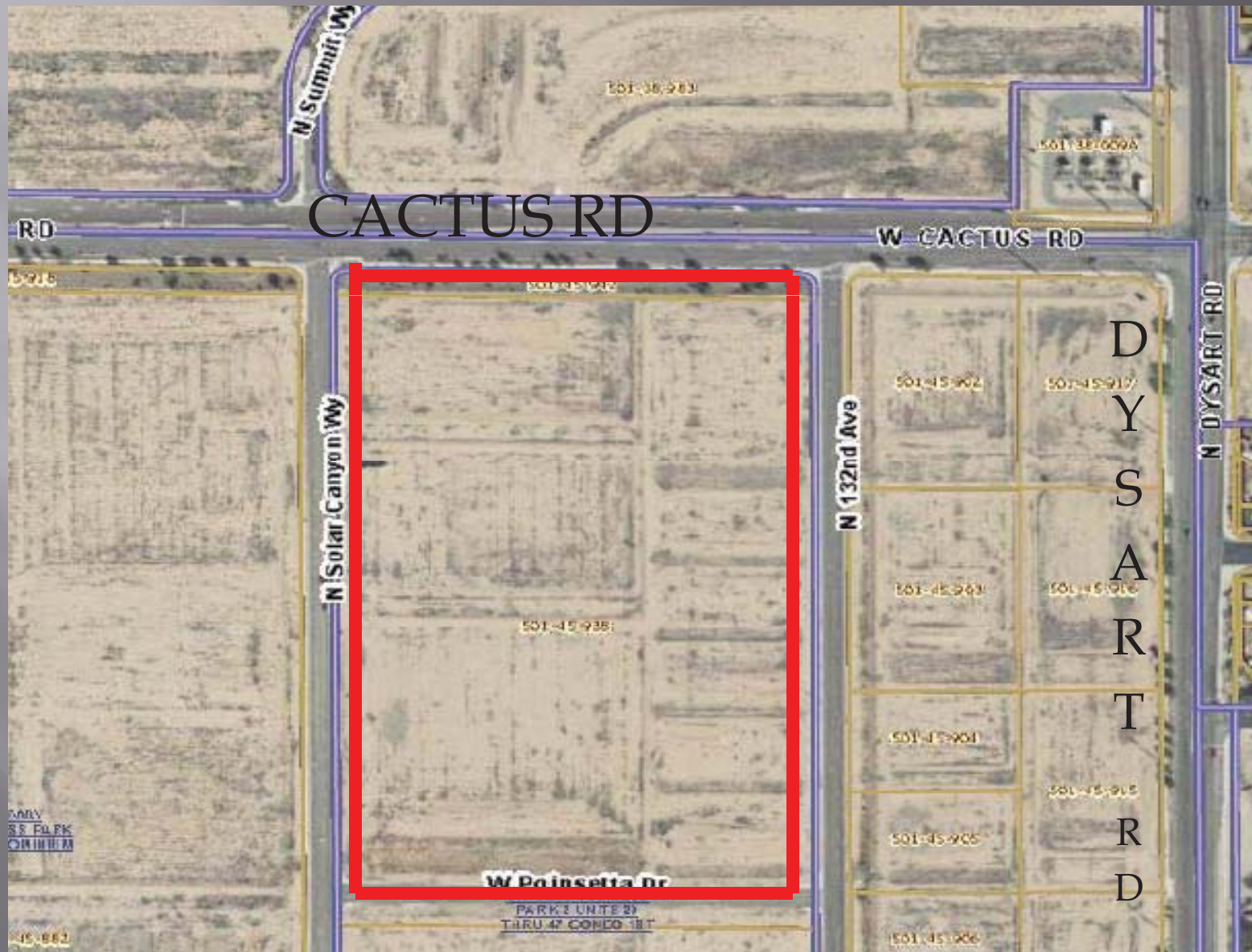
Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

Exhibit A

[Map of Infrastructure]

PARK SKYWAY





Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 3/26/14
Re: Park Skyway Improvements and City Acceptance

The public improvements for the above project have been completed and are on the May 6, 2014 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 - \$6,872.40
- City Concrete - \$90,654.50
- City Water - \$129,722.00

LGE Design Build
740 North 52nd Street
Phoenix, AZ 85008



480.966.4001
602.225.2924
www.lgedesignbuild.com

March 6, 2014

Joe Garza
Engineering Permit Specialist
City of Surprise Public Works Dept.
Transportation-Engineering Division
16000 N Civic Center Plaza
Surprise, AZ 85374

Re: Park Skyway, 12000 N. 132nd Avenue

Joe,

Please be advised the final contract amounts for the Park Skyway project are as follows:

E12P-0287	Water	\$129,722.00
E12P-0289	Concrete	\$90,654.50
E12P-0290	Paving	\$6,872.40

If you need any other information for the warranty bond, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "James Alonzo", written over a horizontal line.

James Alonzo
Project Manager

/kg



**Financial Assurance
Warranty Assurance**

FA12-0006

Date: 3/20/2014 10:12:41 AM **Case #:** FS12-192

Project Name: FS12-192 – PARK SKYWAY

LGE DESIGN BUILD

JIM ALONZO 480 966 4001

740 N 52ND ST, #200 PHOENIX, AZ 85008

Permit Information:

Permit #	Type	Cost	Bond Amount
E12P-0287	WATER	\$129,722.00	\$12,972.20
E12P-0289	CONCRETE	\$90,654.50	\$9,065.45
E12P-0290	PAVING	\$6,872.40	\$687.24

Total Bond Amount: \$22,724.89

The Total Bond Amount represents the Bond Amount that is required for your project at the time of this document's generation. If there are any questions or if there are any changes to the estimated costs for the permits covered by this bond, contact the City of Surprise Engineering Department at 623-222-6141.



PROJECT SIGN OFF FORM
PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 12/16/2013 ☐ Commercial ☒ Commercial w/Offsite ☐ Residential

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

10/20/2013 Date of Punch-List Walk 11/20/2013 Date Punch-List Completed

Permit Number: E12P-O288

Project Name: PARK SKYWAY Project Description (Phase/Parcel): _____

Project Developer/Builder: (Name, Address, and Phone #)

LGE DESIGN BUILD, 740 N. 52nd ST., PJOENIX, AZ 85008, 489-966-4001

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features

MATERIALS:

Asphalt: _____ Supplier _____ Total Lane Miles _____ Total Square Yards

Water: 2" Size/Type 85' Total Linear Feet _____ Size/Type _____ Total Linear Feet

_____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Sewer: 6" PCV Size/Type 925' Total Linear Feet _____ Size/Type _____ Total Linear Feet

_____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Fire Ln: 10" DIP Size/Type 3,595' Total Linear Feet 6" DIP Size/Type 285' Total Linear Feet

Additional Comments:

Will Final at the end of 24 months warranty period

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

☐ Engineer of Record Reports to Include but not limited to:

_____ ATC, _____ AOC, _____ Material Submittals, ☒ Water Test Results, ☒ Daily Reports

_____ Final Certification Letter from Engineer of Record

☒ Asphalt Concrete Emulsion Fog Seal Cert. (SS1H)

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Sewer Pressure Testing Results

N/A Streetlight Energize Letter

☒ Sewer Manhole Vacuum Testing Certification

☒ As built Documents (☒ 2 Bond and ☒ 1 Mylar)

N/A Sewer Manhole Insecticide Certification

☒ CD with As Built Documents in .pdf format

☒ Sewer Videos with Operators Notes (inc. re-videos)

_____ Other _____ (Specify)

APPROVAL:

Civil Inspector: DENNIS MARTINEZ, CCI

Date: 12/16/2013

Civil Engineering Supervisor: JASON MAHKOVITZ, P. E.

Date: 2-20-14



Public Works Department
Engineering Development Services
16000 North Civic Center Plaza
Surprise, Arizona 85374
Phone 623-222-6141
Fax 623-222-6006

February 20, 2014

LGE Design Build
740 N. 52nd St. #200
Phoenix, AZ 85008

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR
PARK SKYWAY PHASE 1-FS12-192**

The City of Surprise Public Works Department has completed the inspection of the street and public utility improvements for the above referenced subdivision. 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 623-222-6141.

Sincerely,

Jason Mahkovtz,
Interim City Engineer

jm/jg

c: Dennis Martinez, Civil Inspector
Cindy Coen, Legal
David Kohlbeck, Public Works
File

Andrea Davis, Finance
Antonio DeLaCruz, Public Works
Terry Lowe, Public Works

UNCONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

(Pursuant to A.R.S. § 33-1008 (d) (4))

PROJECT Park Skyway
JOB NUMBER/NAME 947
TRADE/SERVICE Site Utilities

The undersigned has been paid in full for all labor, services, equipment or material furnished to the jobsite or to LGE Corporation on the

(Person with whom undersigned contracted)

job of Skyway, LLC located at 12000 N 132nd Ave
(Owner) (Job Description)

and does hereby waive and release any right to mechanic's lien, any state or federal statutory bond right, any private bond right, any bonded stop notice, any claim for payment and rights under similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position, except for disputed claims for extra work in the amount of \$ -0-.

The undersigned warrants that he either has already paid or will use the monies he receives from his final payment to promptly pay in full any of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Dated: 1/2/14

Cooper Bates, LLC

(Company Name)

By: [Signature]

(Signature)

Manager
(Title)

NOTICE:

THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

UNCONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

(Pursuant to A.R.S. § 33-1008 (d) (4))

PROJECT Park Skyway

JOB NUMBER/NAME 947

TRADE/SERVICE Grading & Paving

The undersigned has been paid in full for all labor, services, equipment or material furnished to the jobsite or to LGE Corporation on the

(Person with whom undersigned contracted)

job of Skyway, LLC located at 12000 N 132nd Ave
(Owner) (Job Description)

and does hereby waive and release any right to mechanic's lien, any state or federal statutory bond right, any private bond right, any bonded stop notice, any claim for payment and rights under similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position, except for disputed claims for extra work in the amount of \$ -0-.

The undersigned warrants that he either has already paid or will use the monies he receives from his final payment to promptly pay in full any of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Dated: 1-15-14

Knochel Bros, Inc.

(Company Name)

By: Elsworth Niemeyer

(Signature)

Admin / ASSISTANT

(Title)

NOTICE:

THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

UNCONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

(Pursuant to A.R.S. § 33-1008 (d) (4))

PROJECT Park Skyway
JOB NUMBER/NAME 947
TRADE/SERVICE Concrete

The undersigned has been paid in full for all labor, services, equipment or material furnished to the jobsite or to LGE Corporation on the

(Person with whom undersigned contracted)

job of Skyway, LLC located at 12000 N 132nd Ave
(Owner) (Job Description)

and does hereby waive and release any right to mechanic's lien, any state or federal statutory bond right, any private bond right, any bonded stop notice, any claim for payment and rights under similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position, except for disputed claims for extra work in the amount of \$ -0-.

The undersigned warrants that he either has already paid or will use the monies he receives from his final payment to promptly pay in full any of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Dated: 1.28.14

Suntec Concrete

By: Shawn Riley (Company Name)
(Signature)
Acctg Mgr.
(Title)

NOTICE:

THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47
CITY OF SURPRISE, AZ.

A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM, ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, 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 SKYWAY, L.L.C. A CALIFORNIA LIMITED LIABILITY COMPANY AS "OWNER", HAS SUBDIVIDED UNDER THE NAME FINAL PLAT FOR "SKYWAY BUSINESS PARK II" UNITS 29-47, A SUBDIVISION LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "SKYWAY COMMONS" 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 GRANTS TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL WATER/SEWER LINES AND WATER METERS AS SHOWN ON THE PLAT, INCLUDING A CROSS-ACCESS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES AND TO DEDICATED WATER/SEWER LINES/WATER METERS FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER/SEWER LINES/WATER METERS.

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

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.

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 PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE WITHIN 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.

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 29 DAY OF AUGUST, 2012.

BY: (OWNER)

BY:

ITS GENERAL MANAGER



Diana J. Kean - Notary Public
Ventura
Comm exp - 9-16-15

ACKNOWLEDGMENT:

STATE OF CA

COUNTY OF Ventura

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 29th DAY OF August, 2012 BY 2942, ITS General Manager, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

IN WITNESS THEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES

OWNER:

SKYWAY, L.L.C.

101 HODENCAMP ROAD, SUITE 200
THOUSAND OAKS, CA 91360
CONTACT: MOSHE SILAGI
PHONE: 805-494-7704

DEVELOPER

LGE CORPORATION

740 N. 52ND STREET
PHOENIX, ARIZONA 85008
PHONE: (480) 966-4001
FAX: (480) 966-9001
CONTACT: FRANK PETTIT

SURVEYOR:

HUNTER ENGINEERING, INC.

10450 N. 74TH STREET, SUITE 200
SCOTTSDALE, ARIZONA 85258
PHONE: (480) 991-3985
FAX: (480) 991-3986
CONTACT: JERRY D. HEATH, JR.

NOTES:

- CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENTS EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES SHALL BE LIMITED TO UTILITIES, AND WOOD, WIRE OR REMOVABLE SECTION-TYPE FENCING UNLESS APPROVED OTHERWISE BY THE CITY OF SURPRISE.
- ALL ELECTRIC AND COMMUNICATION LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
- THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS, NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS DEVELOPMENT WITHOUT WRITTEN AUTHORIZATION OF THE CITY OF SURPRISE.
- ALL UTILITIES SHALL BE PLACED UNDERGROUND.
- THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT THE MAINTENANCE OF ANY PRIVATE STREETS, PRIVATE UTILITIES, PRIVATE FACILITIES AND LANDSCAPED AREAS WITHIN THE PROJECT.
- ALL RETENTION BASINS MUST DRAIN ANY STORM EVENT UP TO AND INCLUDING THE FIFTY-YEAR, TWENTY-FOUR-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.
- ALL DRYWELLS ON THIS PROJECT SHALL BE MAINTAINED BY THE OWNER(S) AND ARE TO BE REPLACED BY THE OWNER(S) WHEN THEY CEASE TO DRAIN THE SURFACE WATER IN A THIRTY-SIX (36) HOUR PERIOD. REGULAR MAINTENANCE OF THE DRYWELL SILTING CHAMBER IS REQUIRED TO ACHIEVE THE BEST OPERATION OF THE DRYWELL.
- ALL INDIVIDUAL LOT PROPERTY CORNERS SHALL BE SET WITH 1/2" REBAR AND CAP BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE ENGINEERING DEPARTMENT.
- ALL COMMERCIAL/INDUSTRIAL BUILDINGS SHALL BE EQUIPPED WITH A FIRE SPRINKLING SYSTEM, SUBJECT TO THE REVIEW AND APPROVAL BY THE CITY OF SURPRISE FIRE CHIEF OR THE FIRE CHIEF'S DESIGNEE.
- ZONING FOR THIS PROPERTY IS P.A.D., PLANNED AREA DEVELOPMENT.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 1605 J, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 30, 2005, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE.
- 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.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- THE EXISTING 60 FOOT RIGHT-OF-WAY KNOWN AS POINSETTIA DRIVE THAT IS ACROSS A PORTION OF LOT 1 OF THIS FINAL PLAT IS TO BE ABANDONED WITH THIS FINAL PLAT.

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:

1. SKYWAY, L.L.C. A CALIFORNIA LIMITED LIABILITY COMPANY ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (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 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. 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 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.

2. 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

FEMA NOTES:

THE CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) FOR THIS AREA, MAP NUMBER 04013C1605J (EFFECTIVE REVISED DATE SEPTEMBER 30, 2005), DESIGNATES THE PROPERTY WITHIN FLOOD HAZARD ZONE X.

ZONE: X IS DEFINED AS AREAS OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, AREAS OF 1% ANNUAL CHANCE SHEET FLOW FLOODING WHERE THE AVERAGE DEPTHS ARE LESS THAN 1 FOOT, AREAS OF 1% ANNUAL CHANCE STREAM FLOODING WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE, OR AREAS PROTECTED FROM THE 1% ANNUAL CHANCE FLOOD BY LEVEES. NO BASE FLOOD ELEVATIONS OR DEPTHS ARE SHOWN WITHIN THIS ZONE. INSURANCE PURCHASE IS NOT REQUIRED IN THESE ZONES.

BASIS OF BEARING & DATUM INFO.:

COORDINATE SYSTEM: GDACS 4FB1 CONTROL POINT
DATUM: GPS 80
PROJECTION: NAD 83, ARIZONA CENTRAL ZONE
GEOID MODEL: GEOID 99
PER FINAL PLAT FOR SKYWAY BUSINESS PARK, BK. 808, PG. 23, M.C.R.

THE BASIS OF BEARING IS BASED UPON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 22, T3N, R1W, FROM A 2-INCH ALUM. CAP (0.4- FEET BELOW PAVEMENT, RLS 36563) AT THE NORTH 1/4 CORNER TO A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION, HAVING A BEARING OF SOUTH 89 DEGREES 09 MINUTES 46 SECONDS EAST A DISTANCE OF 2615.58- FEET. PER THE FINAL PLAT OF SKYWAY BUSINESS PARK II CONDOMINIUM, BK. 923, PG. 01, M.C.R.

LEGAL DESCRIPTION - GROSS SITE:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MARKING THE NORTH QUARTER CORNER OF SAID SECTION 22, FROM WHICH A BRASS CAP IN HANDHOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 22 BEARS SOUTH 89°09'46 EAST, SAID BEARING BEING RECORDED IN THE FINAL PLAT FOR SKYWAY BUSINESS PARK II, BOOK 923 OF MAPS, PAGE 1, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, FOR A DISTANCE OF 2615.58 FEET;

THENCE SOUTH 89°09'46 EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, FOR A DISTANCE OF 1962.91 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°00'52" WEST, FOR A DISTANCE OF 2633.28 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22;

THENCE NORTH 89°10'41" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 907.87 FEET;

THENCE NORTH 00°07'51" WEST, FOR A DISTANCE OF 2633.63 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22;

THENCE SOUTH 89°09'46" EAST, ALONG SAID NORTH LINE, FOR A DISTANCE OF 914.55 FEET TO THE POINT OF BEGINNING.

LOT AREAS:

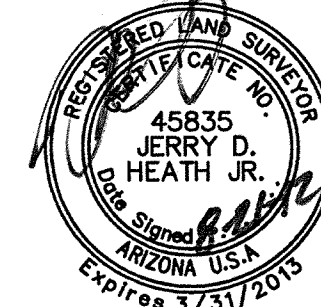
LOT NO.	ACRES±	SQ.FT.±
1	24.059	1,048,005
2	17.257	751,711
3	3.152	137,316
4	3.221	140,308
TRACT A	0.965	42,019
TRACT B	1.065	46,371
R/W-NET	5.363	233,624
TOTAL GROSS	55.081	2,399,335

THE TOTAL (NET) AREA OF LOTS FOR THIS SUBDIVISION IS:
49.717 ACRES (2,165,711) SQUARE FEET±

CERTIFICATION:

I, JERRY D. HEATH, JR., HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA. THAT THIS MAP, CONSISTING OF 3 SHEETS, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION DURING THE MONTH OF JUNE 2012, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN. THAT ALL EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JERRY D. HEATH, JR., R.L.S. #45835
HUNTER ENGINEERING, INC.



CITY OF SURPRISE ENGINEER APPROVAL:

DATA ON THIS PLAT REVIEWED AND APPROVED THIS 27th DAY OF August, 2012, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED

Jan Marking
CITY ENGINEER

FOR

8-27-12
DATE

CITY OF SURPRISE COUNCIL APPROVAL:

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA THIS 11th DAY OF September, 2012.

Shirley White
MAYOR

9/8/2012
DATE

ATTEST:

Sherry Ann Ogila
CITY CLERK

DATE

RECORDER

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20120846671 09/19/2012 10:59
BOOK 1124 PAGE 24
ELECTRONIC RECORDING

ParkSkyway-3-1-1-M-
chagollaj

FINAL PLAT FOR SKYWAY BUSINESS
PARK II UNITS 29 - 47

A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM, ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 22
TWN: 3N
RANGE: 1W

JOB NO.:
LGEC123-SP

SCALE
1"=80'

SHEET
1 OF 3

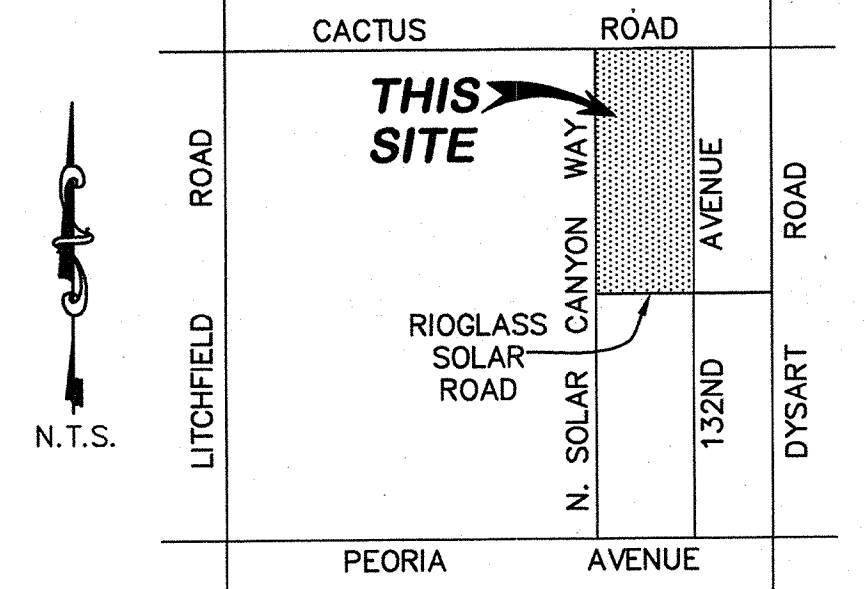
HUNTER
ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991-3985
F 480 991-3986

DRAWN BY: PJE
CHECKED BY: JDH

NO. DATE REVISION BY
PURPOSE:
FINAL PLAT

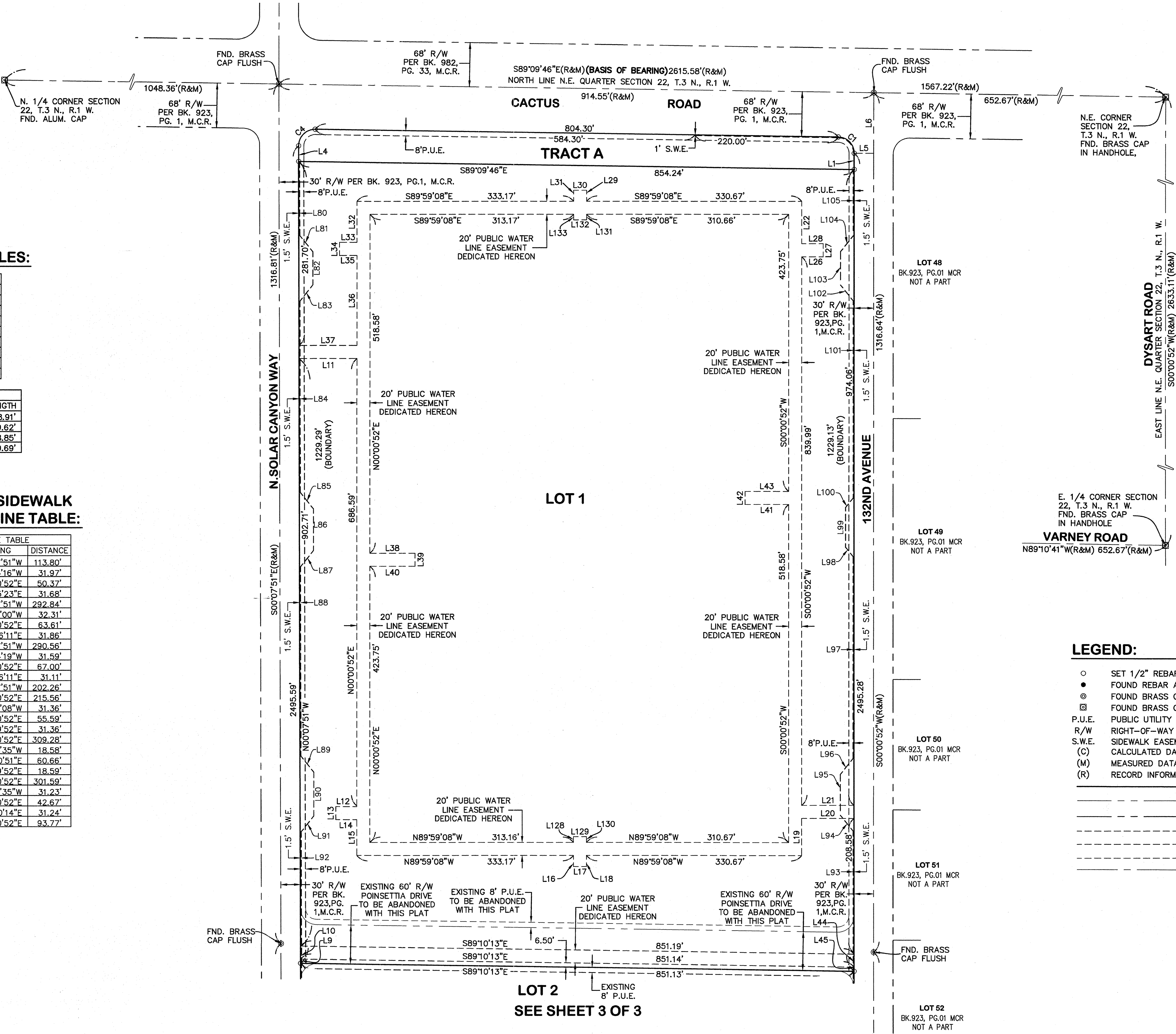
VICINITY MAP:

SECTION 22
T.3 N., R.1 W.



FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47
CITY OF SURPRISE, AZ.

A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM, ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



BOUNDARY LINE TABLES:

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°00'52"W	24.86'
L2	S00°00'52"W	29.65'
L3	S00°07'51"E	30.42'
L4	S00°07'51"E	24.08'
L5	S89°59'08"E	30.00'
L6	S00°00'52"W	92.22'
L7	S89°59'08"E	30.00'
L8	N00°00'52"E	45.78'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	25.00'	89°10'38"	38.91'
C2	25.00'	90°48'27"	39.62'
C3	25.00'	89°02'50"	38.85'
C4	25.00'	90°58'05"	39.69'

LOT 1 20' WATER ESMT. LINE TABLE: LOT 1 SIDEWALK ESMT. LINE TABLE:

LINE TABLE		
LINE	BEARING	DISTANCE
L9	N00°07'51"W	6.50'
L10	N00°07'51"W	20.00'
L11	N89°59'08"W	88.89'
L12	S89°59'08"E	32.29'
L13	N00°00'52"E	20.00'
L14	S89°59'08"E	32.29'
L15	N00°00'52"E	55.31'
L16	N00°00'52"E	17.00'
L17	S89°59'08"E	20.00'
L18	N00°00'52"E	17.00'
L19	S00°00'52"W	57.28'
L20	N89°59'08"W	80.67'
L21	N89°59'08"W	80.67'
L22	S00°00'52"W	65.06'
L26	N89°59'08"W	33.00'
L27	N00°00'52"E	20.00'
L28	N89°59'08"W	33.00'
L29	S00°00'52"W	17.00'
L30	N89°59'08"W	20.00'
L31	S00°00'52"W	17.00'
L32	N00°00'52"E	63.16'
L33	S89°59'08"E	26.98'
L34	N00°00'52"E	20.00'
L35	S89°59'08"E	26.98'
L36	N00°00'52"E	137.28'
L37	S89°59'08"E	88.94'
L38	S89°59'08"E	69.50'
L39	S00°00'52"W	20.00'
L40	N89°59'08"W	69.50'
L41	N89°59'08"W	67.02'
L42	N00°00'52"E	20.00'
L43	S89°59'08"E	67.02'
L44	N00°00'52"E	20.00'
L45	N00°00'52"E	6.50'
L128	N00°00'52"E	8.98'
L129	N89°54'39"E	20.00'
L130	S00°00'52"W	9.02'
L131	N00°00'52"E	8.44'
L132	S89°59'08"E	20.00'
L133	S00°00'52"W	8.44'

LINE TABLE		
LINE	BEARING	DISTANCE
L80	N00°07'51"W	113.80'
L81	N38°44'16"W	31.97'
L82	N00°00'52"E	50.37'
L83	N38°35'23"E	31.68'
L84	N00°07'51"W	292.84'
L85	N38°36'00"W	32.31'
L86	N00°00'52"E	63.61'
L87	N38°36'11"E	31.86'
L88	N00°07'51"W	290.56'
L89	N38°34'19"W	31.59'
L90	N00°00'52"E	67.00'
L91	N38°36'11"E	31.11'
L92	N00°07'51"W	202.26'
L93	N00°00'52"E	215.56'
L94	N38°38'08"W	31.36'
L95	N00°00'52"E	55.59'
L96	N38°39'52"E	31.36'
L97	N00°00'52"E	309.28'
L98	N38°39'35"W	18.58'
L99	N00°00'51"E	60.66'
L100	N38°39'52"E	18.59'
L101	N00°00'52"E	301.59'
L102	N38°39'35"W	31.23'
L103	N00°00'52"E	42.67'
L104	N38°40'14"E	31.24'
L105	N00°00'52"E	93.77'

LEGEND:

- SET 1/2" REBAR LS #45835
- FOUND REBAR AND CAP
- FOUND BRASS CAP FLUSH
- ⊗ FOUND BRASS CAP IN HAND HOLE
- P.U.E. PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- S.W.E. SIDEWALK EASEMENT
- (C) CALCULATED DATA PER FOUND MONUMENTATION
- (M) MEASURED DATA PER FIELD COLLECTION
- (R) RECORD INFORMATION
- LOT LINE AND R/W LINE DEDICATED HEREON
- - - EXISTING R/W LINE ABANDONED HEREON
- - - EXISTING RIGHT-OF-WAY LINE
- - - EXISTING EASEMENT
- - - PUBLIC UTILITY EASEMENT LINE (P.U.E.)
- - - PUBLIC WATER LINE EASEMENT LINE
- - - MONUMENT CENTERLINE

RECORDER

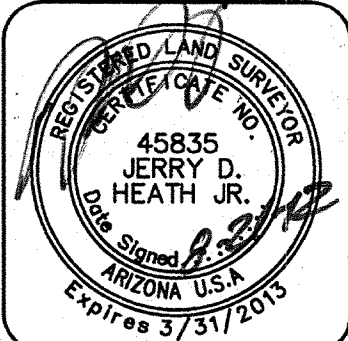
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20120846671 09/19/2012 10:59
BOOK 1124 PAGE 24
ELECTRONIC RECORDING

ParkSkyway-3-1-1-M-
chagollaj

BY	
NO.	DATE
REVISION	
PURPOSE: FINAL PLAT	

DRAWN BY: PJE
CHECKED BY: JDH

HUNTER
ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST. SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986



FINAL PLAT FOR SKYWAY BUSINESS
PARK II UNITS 29 - 47
A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM,
ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS
OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST
QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE
GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 22
TOWNSHIP: 3N
RANGE: 1W

JOB NO.:
LGEC123-SP

SCALE
1"=80'

SHEET
2 OF 3

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47
CITY OF SURPRISE, AZ.

A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM, ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

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L1	S00°00'52"W	24.86'
L2	S00°00'52"W	29.65'
L3	S00°07'51"E	30.42'
L4	S00°07'51"E	24.08'
L5	S89°59'08"E	30.00'
L6	S00°00'52"W	92.22'
L7	S89°59'08"E	30.00'
L8	N00°00'52"E	45.78'

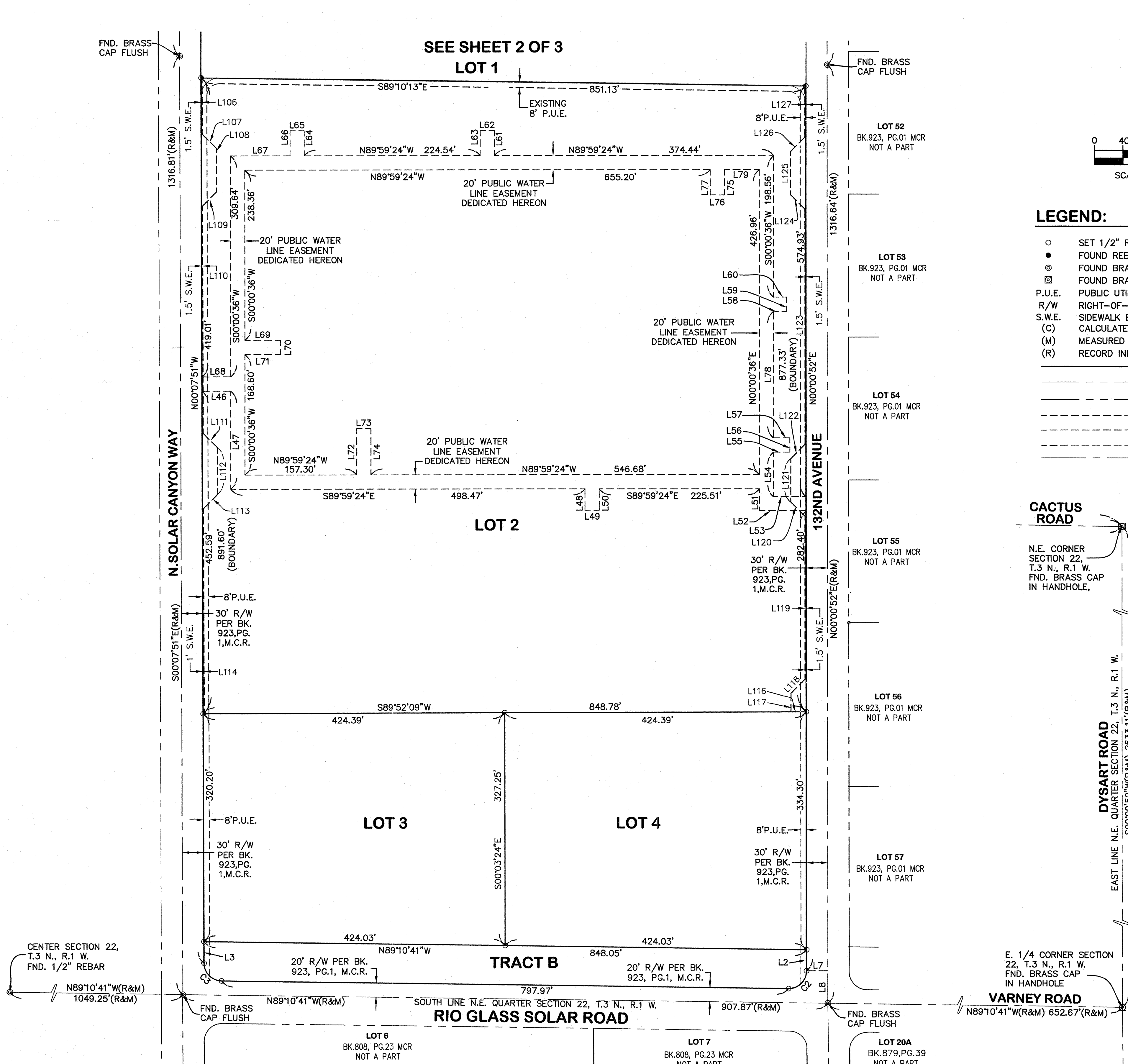
CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	25.00'	89°10'38"	38.91'
C2	25.00'	90°48'27"	39.62'
C3	25.00'	89°02'50"	38.85'
C4	25.00'	90°58'05"	39.69'

LOT 2 20' WATER
ESMT. LINE TABLE:

LINE TABLE		
LINE	BEARING	DISTANCE
L46	S89°59'24"E	40.30'
L47	S00°00'36"W	137.32'
L48	S00°01'31"W	29.97'
L49	S89°59'24"E	20.00'
L50	N00°01'31"E	29.97'
L51	N00°00'36"E	30.78'
L52	N89°59'24"W	65.64'
L53	N89°59'24"W	45.64'
L54	S00°00'36"W	62.37'
L55	N89°59'24"W	22.72'
L56	S00°00'36"W	20.00'
L57	S89°59'24"E	22.72'
L58	S89°59'24"E	18.49'
L59	N00°00'36"E	20.00'
L60	N89°59'24"W	18.49'
L61	S00°00'36"W	35.02'
L62	S89°59'24"E	20.00'
L63	N00°00'36"E	35.02'
L64	S00°00'36"W	35.04'
L65	N89°59'24"W	20.00'
L66	S00°00'36"W	35.04'
L67	N89°59'24"W	83.54'
L68	S89°59'24"E	40.35'
L69	S89°58'49"E	50.22'
L70	S00°01'11"W	20.00'
L71	N89°58'49"W	50.22'
L72	S00°01'31"W	65.19'
L73	N89°58'29"W	20.00'
L74	N00°01'31"E	65.19'
L75	N00°00'36"E	35.50'
L76	S89°59'24"E	20.00'
L77	S00°00'36"W	35.50'
L78	S00°00'36"W	176.80'
L79	N89°59'24"W	48.77'

LOT 2 SIDEWALK
ESMT. LINE TABLE:

LINE TABLE		
LINE	BEARING	DISTANCE
L106	N00°07'51"W	78.88'
L107	N44°59'08"W	28.32'
L108	N00°03'11"E	60.83'
L109	N45°00'52"E	27.90'
L110	N00°07'51"W	318.39'
L111	N44°59'08"W	28.26'
L112	N00°13'44"W	65.54'
L113	N45°00'52"E	28.28'
L114	N00°07'51"W	288.21'
L116	N89°52'09"E	21.65'
L117	S00°00'52"W	26.20'
L118	S45°00'52"W	28.50'
L119	N00°00'52"E	228.35'
L120	N44°59'08"W	28.47'
L121	N00°00'52"E	60.82'
L122	N45°00'52"E	28.47'
L123	N00°00'52"E	328.98'
L124	N45°00'25"W	28.32'
L125	N00°03'10"E	60.83'
L126	N45°00'52"E	28.27'
L127	N00°00'52"E	71.82'



LEGEND:

- SET 1/2" REBAR LS #45835
- FOUND REBAR AND CAP
- ⊙ FOUND BRASS CAP FLUSH
- ⊙ FOUND BRASS CAP IN HAND HOLE
- P.U.E. PUBLIC UTILITY EASEMENT
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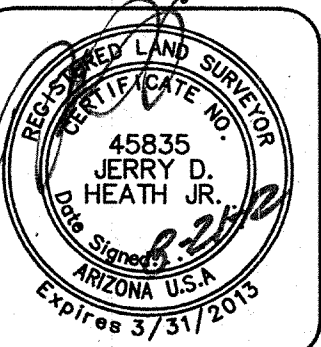
RECORDED
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20120846671 09/19/2012 10:59
BOOK 1124 PAGE 24
ELECTRONIC RECORDING

ParkSkyway-3-1-1-M-
chagollaj

NO.	DATE	REVISION		BY

DRAWN BY: PJE
CHECKED BY: JDH

HUNTER
ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986



FINAL PLAT FOR SKYWAY BUSINESS
PARK II UNITS 29 - 47
A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM,
ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS
OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST
QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE
GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 22
TOWNSHIP: 3N
RANGE: 1W
JOB NO.:
LGEC123-SP
SCALE
1"=80'
SHEET
3 OF 3

RESOLUTION #2012-83

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT
ENTITLED "SKYWAY BUSINESS PARK II UNITS 29-47,"
GENERALLY LOCATED SOUTH OF CACTUS ROAD
BETWEEN SOLAR CANYON WAY AND 132ND AVENUE.**

WHEREAS, on December 14, 2006, the Mayor and City Council approved the Skyway Business Park II Final Plat, and;

WHEREAS, this resolution is in compliance with the approved Surprise Municipal Code, and Surprise General Plan.

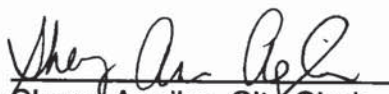
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Surprise, Arizona, as follows:

Section 1. The Final Plat case FS12-192 entitled "Skyway Business Park II Units 29-47," is approved.

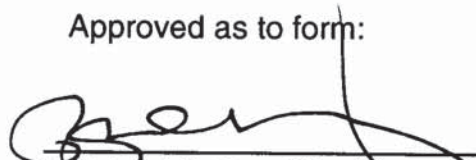
APPROVED AND ADOPTED this 11 day of Sept., 2012.


Sharon R. Wolcott, Mayor

Attest:


Sherry Aguilar, City Clerk

Approved as to form:


Michael Bailey, City Attorney

Yeas: Vice Mayor Williams, Council Members: Biundo, Alton, Villanueva,
Woodard and Hall. Absent – Mayor Wolcott

Nays: _____



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: September 11, 2012

To: Mayor and City Council

From: Jeffrey J. Mihelich, Assistant City Manager
Vamshee Kovuru, Planner
vamshee.kovuru@surpriseaz.gov 623-222-3153

Re: FS12-192, Final Plat for Park Skyway and Southwest Products

Application Summary

The applicant is requesting a Final Plat Amendment of the Skyway Business Park Phase II Units 29-47 that will establish the property boundaries to accommodate the proposed Park Skyway and Southwest Products industrial projects.

Location

The project is generally located south of Cactus Road between Solar Canyon Way and 132nd Avenue. The total land area of units 29-47 equals 49.7 acres.

History

- On December 14, 2006, the Mayor and City Council approved the Skyway Business Park II Final Plat.
- On September 6, 2012, the Planning and Zoning Commission conditionally approved the site plans for Park Skyway and Southwest Products pending the approval of the Final Plat Amendment by the City Council.

Project Summary

The proposed location is currently zoned Industrial Performance (IP). The Final Plat Amendment includes abandoning Poinsettia Drive that will allow for a shared retention basin along the common property line of Park Skyway and Southwest Products. The Final Plat Amendment would create four (4) new lots by combining Units 29-47. The four (4) new lots will be developed in phases as follows:

- Lot 1 will be developed as Phase 1 that will accommodate 418,672-square-foot Park Skyway industrial shell building. The intended uses are distribution, warehouse, and manufacturing.

- Lot 2 will be developed as Phase 2 that will accommodate 121,285-square-foot Southwest Products industrial building. The proposed uses consist largely manufacturing, assembly, and distribution of specialty vehicles, generators for military, industrial and commercial applications, and truck engine sales and distribution.
- Lot 3 and 4 will be developed as market permits.

Economic Impact

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region. Southwest Products will create 120-160 full time and part time jobs. Park Skyway will create 150-220 full time and part time jobs.

Findings

1. Staff finds that the proposed final plat complies with the Surprise Municipal Code.
2. Staff finds that the proposed final plat complies with the Surprise General Plan.

Recommendation

Staff recommends approval of Final Plat Amendment for Skyway Business Park Phase II Units 29-47.

Attachment

Resolution, Vicinity Map, Final Plat, Site Plan.

Cactus Road

**Skyway Business
Park Phase II Units
29-47**

Varney Road

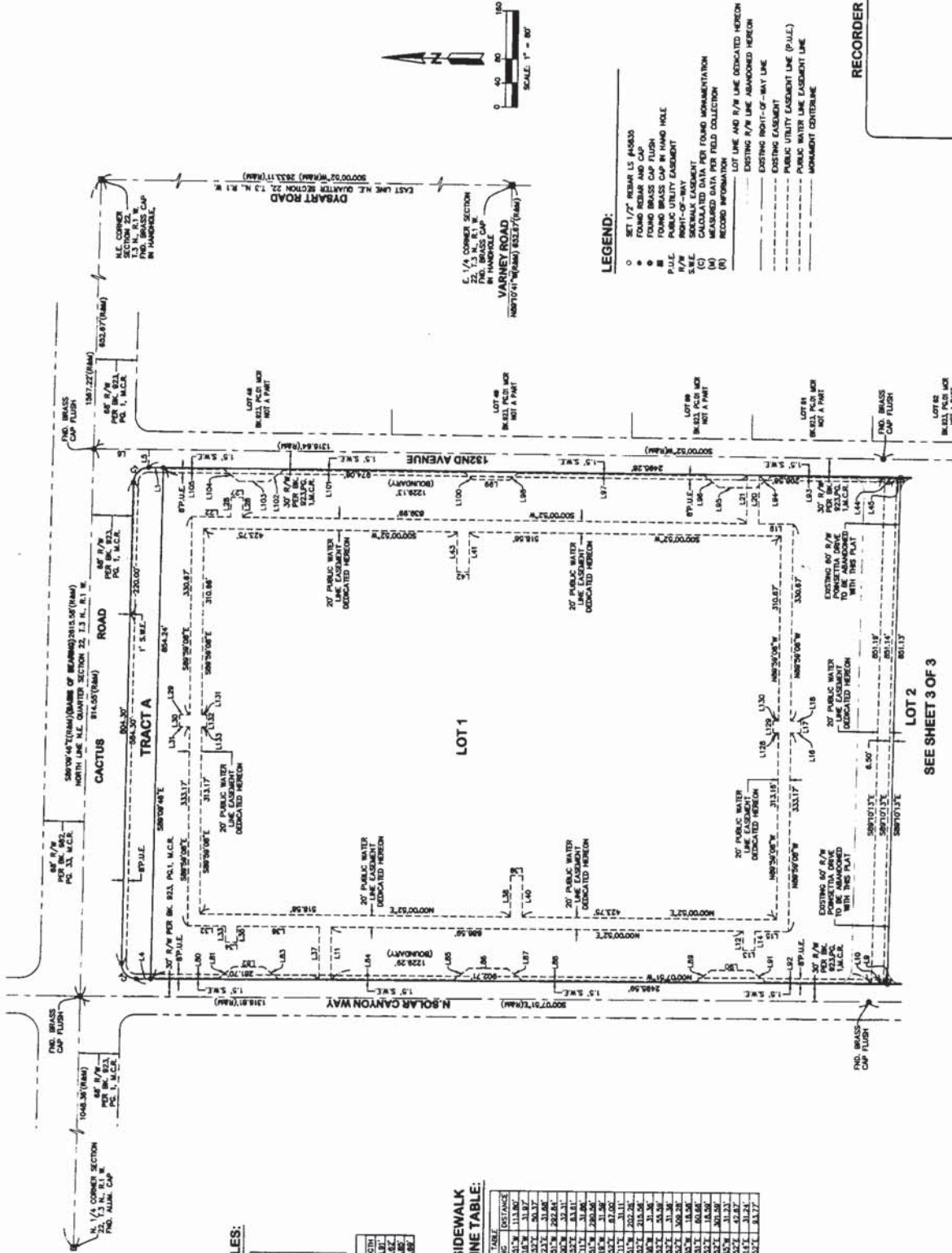


Solar Canyon Drive

132nd Avenue

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47 CITY OF SURPRISE, AZ

A REPLAT OF UNITS 29 THROUGH 47, SKYWAY BUSINESS PARK II CONDOMINIUM, ACCORDING TO THE FINAL PLAT RECORDED IN BOOK 923 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



BOUNDARY LINE TABLES:

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°00'30"W	24.85'
L2	S 00°00'30"W	29.85'
L3	S 00°00'30"W	30.52'
L4	S 00°00'30"W	24.08'
L5	S 89°56'08"E	30.00'
L6	S 00°00'30"W	92.22'
L7	S 89°56'08"E	30.00'
L8	N 00°00'30"E	43.78'

LOT 1 20' WATER ESMT. LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 89°07'48" E	5.00
L2	N 00°00'00" W	10.00
L3	S 89°07'48" E	5.00
L4	N 00°00'00" W	10.00
L5	S 89°07'48" E	5.00
L6	N 00°00'00" W	10.00
L7	S 89°07'48" E	5.00
L8	N 00°00'00" W	10.00
L9	S 89°07'48" E	5.00
L10	N 00°00'00" W	10.00
L11	S 89°07'48" E	5.00
L12	N 00°00'00" W	10.00
L13	S 89°07'48" E	5.00
L14	N 00°00'00" W	10.00
L15	S 89°07'48" E	5.00
L16	N 00°00'00" W	10.00
L17	S 89°07'48" E	5.00
L18	N 00°00'00" W	10.00
L19	S 89°07'48" E	5.00
L20	N 00°00'00" W	10.00
L21	S 89°07'48" E	5.00
L22	N 00°00'00" W	10.00
L23	S 89°07'48" E	5.00
L24	N 00°00'00" W	10.00
L25	S 89°07'48" E	5.00
L26	N 00°00'00" W	10.00
L27	S 89°07'48" E	5.00
L28	N 00°00'00" W	10.00
L29	S 89°07'48" E	5.00
L30	N 00°00'00" W	10.00
L31	S 89°07'48" E	5.00
L32	N 00°00'00" W	10.00
L33	S 89°07'48" E	5.00
L34	N 00°00'00" W	10.00
L35	S 89°07'48" E	5.00
L36	N 00°00'00" W	10.00
L37	S 89°07'48" E	5.00
L38	N 00°00'00" W	10.00
L39	S 89°07'48" E	5.00
L40	N 00°00'00" W	10.00
L41	S 89°07'48" E	5.00
L42	N 00°00'00" W	10.00
L43	S 89°07'48" E	5.00
L44	N 00°00'00" W	10.00
L45	S 89°07'48" E	5.00
L46	N 00°00'00" W	10.00
L47	S 89°07'48" E	5.00
L48	N 00°00'00" W	10.00
L49	S 89°07'48" E	5.00
L50	N 00°00'00" W	10.00
L51	S 89°07'48" E	5.00
L52	N 00°00'00" W	10.00
L53	S 89°07'48" E	5.00
L54	N 00°00'00" W	10.00
L55	S 89°07'48" E	5.00
L56	N 00°00'00" W	10.00
L57	S 89°07'48" E	5.00
L58	N 00°00'00" W	10.00
L59	S 89°07'48" E	5.00
L60	N 00°00'00" W	10.00
L61	S 89°07'48" E	5.00
L62	N 00°00'00" W	10.00
L63	S 89°07'48" E	5.00
L64	N 00°00'00" W	10.00
L65	S 89°07'48" E	5.00
L66	N 00°00'00" W	10.00
L67	S 89°07'48" E	5.00
L68	N 00°00'00" W	10.00
L69	S 89°07'48" E	5.00
L70	N 00°00'00" W	10.00
L71	S 89°07'48" E	5.00
L72	N 00°00'00" W	10.00
L73	S 89°07'48" E	5.00
L74	N 00°00'00" W	10.00
L75	S 89°07'48" E	5.00
L76	N 00°00'00" W	10.00
L77	S 89°07'48" E	5.00
L78	N 00°00'00" W	10.00
L79	S 89°07'48" E	5.00
L80	N 00°00'00" W	10.00
L81	S 89°07'48" E	5.00
L82	N 00°00'00" W	10.00
L83	S 89°07'48" E	5.00
L84	N 00°00'00" W	10.00
L85	S 89°07'48" E	5.00
L86	N 00°00'00" W	10.00
L87	S 89°07'48" E	5.00
L88	N 00°00'00" W	10.00
L89	S 89°07'48" E	5.00
L90	N 00°00'00" W	10.00
L91	S 89°07'48" E	5.00
L92	N 00°00'00" W	10.00
L93	S 89°07'48" E	5.00
L94	N 00°00'00" W	10.00
L95	S 89°07'48" E	5.00
L96	N 00°00'00" W	10.00
L97	S 89°07'48" E	5.00
L98	N 00°00'00" W	10.00
L99	S 89°07'48" E	5.00
L100	N 00°00'00" W	10.00

LOT 1 SIDEWALK ESMT. LINE TABLE:

LINE TABLE		DISTANCE
LINE	BEARING	
L1	N80°07'41.74\"/>	113.80
L2	N00°07'41.74\"/>	31.87
L3	N00°07'41.74\"/>	90.37
L4	N00°07'41.74\"/>	31.87
L5	N00°07'41.74\"/>	90.37
L6	N00°07'41.74\"/>	31.87
L7	N00°07'41.74\"/>	90.37
L8	N00°07'41.74\"/>	31.87
L9	N00°07'41.74\"/>	90.37
L10	N00°07'41.74\"/>	31.87
L11	N00°07'41.74\"/>	90.37
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L312		

LEGEND:

- SET 1/2\"/>

RECORDER

SEE SHEET 3 OF 3

2 of 3

SCALE 1\"/>

SECTION 22

RECORDS OF MARICOPA COUNTY, ARIZONA

BOOK 923 OF MAPS, PAGE 1

TOWNSHIP 3 NORTH, RANGE 1 WEST

OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SKYWAY BUSINESS PARK II UNITS 29 - 47

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47

RECORDS OF MARICOPA COUNTY, ARIZONA

BOOK 923 OF MAPS, PAGE 1

TOWNSHIP 3 NORTH, RANGE 1 WEST

OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SKYWAY BUSINESS PARK II UNITS 29 - 47

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47

RECORDS OF MARICOPA COUNTY, ARIZONA

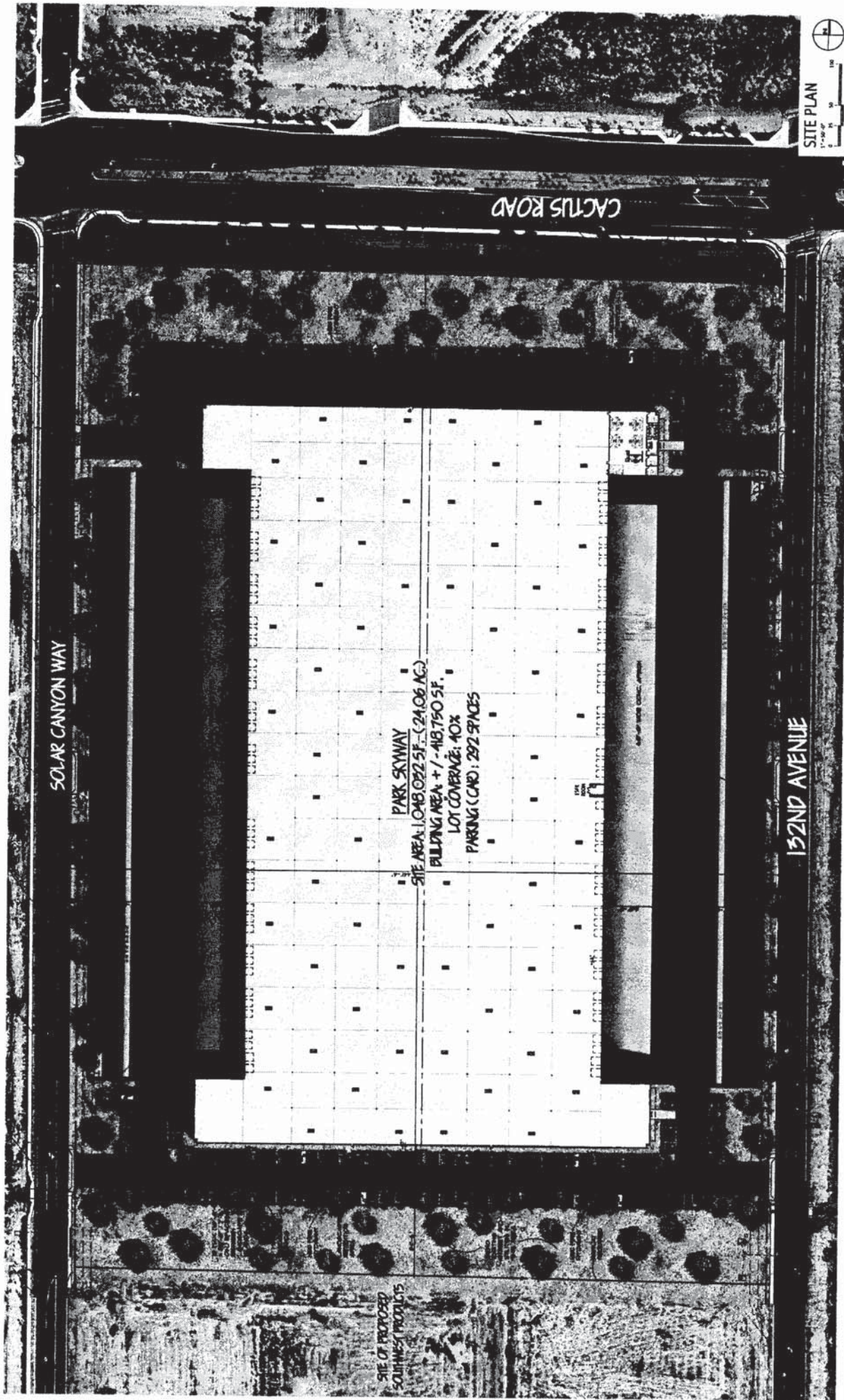
BOOK 923 OF MAPS, PAGE 1

TOWNSHIP 3 NORTH, RANGE 1 WEST

OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SKYWAY BUSINESS PARK II UNITS 29 - 47

FINAL PLAT FOR SKYWAY BUSINESS PARK II UNITS 29 - 47



SITE PLAN
1" = 50'





Rendering Date: 02.07.2012

This artist rendering is for conceptual design only and should not be referred to as a construction document

SOLAR CANYON WAY

RIO ALASS SOLAR ROAD

132ND AVENUE

SITE OF PROPOSED
PARK S/WAY

SWP
Southwest Products

BUILDING AREA: +/- 121,285 SF.

CANOPY AREA: +/- 45,700 SF.

TOTAL BUILDING & CANOPY: +/- 166,985 SF.

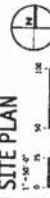
SITE AREA +/- 715,930 SF. (16.4 AC)

LOT COVERAGE: 25%

PARKING (CAR): 295 SPACES

2.4 CARS/1,000 SF.

SITE PLAN



Surprise, Arizona

2012 . 05 . 23

This artist rendering is for conceptual design only and should not be referred to as a construction document.

SWP
Southwest Products

TCB
DESIGN BUILD

CRAWLEY
ARCHITECTS

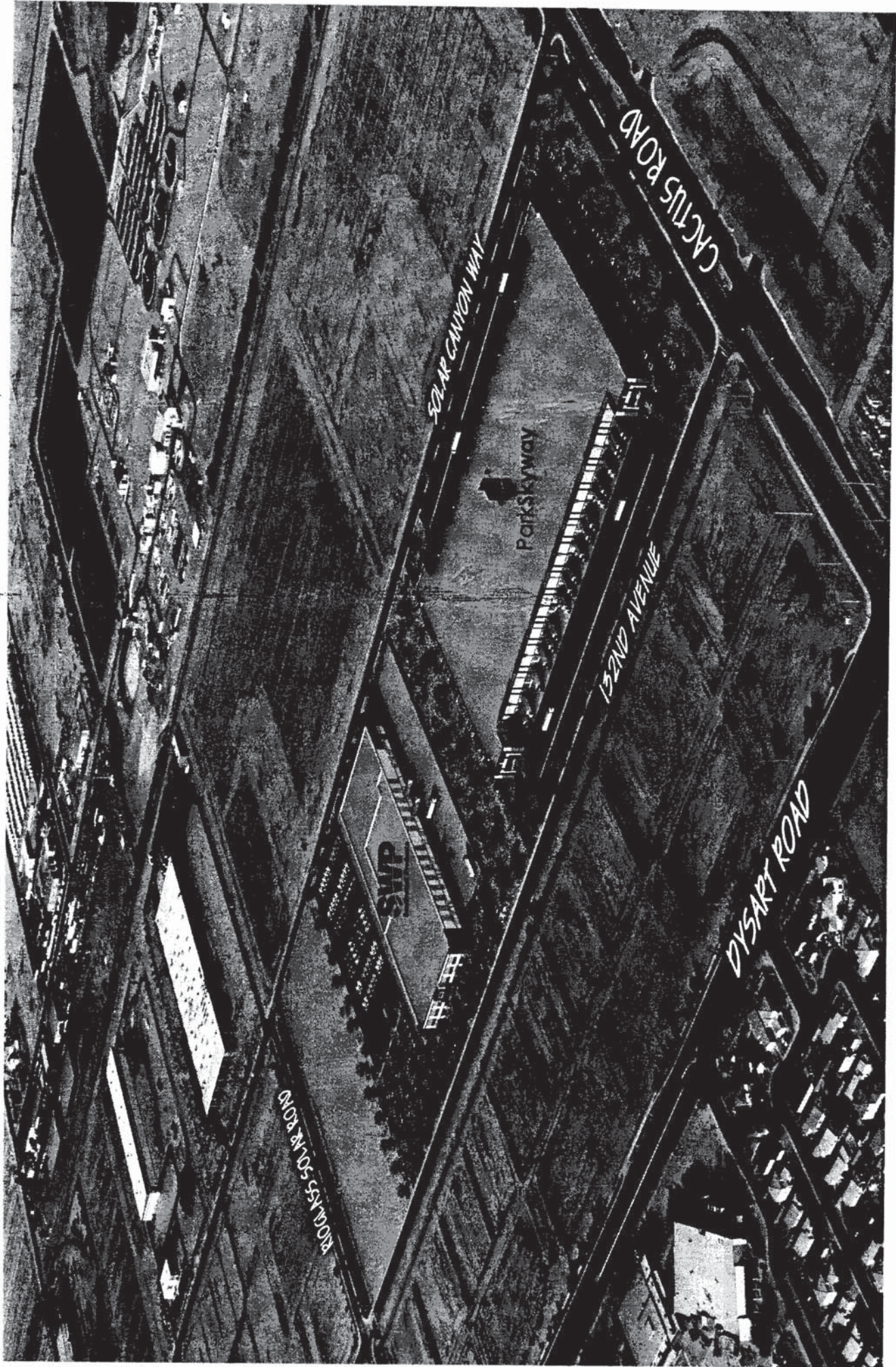


SWP
Southwest Products

This artist rendering is for conceptual design only and should not be referred to as a construction document.

2012.05.16







CITY OF SURPRISE
Regular City Council Meeting

September 11, 2012 @ 6:00:00 PM

+ Back Print

Council Meeting Date:	September 11, 2012	Contact Person:	Vamshee Kovuru, Community & Economic Development
Submitting Department:	CD	District:	3
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
---------	---	---------	----------------	-------------------

Agenda Wording:

Consideration and action on Resolution No. 2012-83, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat entitled "Skyway Business Park II Units 29-47," located south of Cactus Road between Solar Canyon Way and 132nd Avenue.

Motion:

I move to approve Resolution 2012-83.

Background:

The applicant is requesting a final plat amendment of the Skyway Business Park Phase II Units 29-47. The final plat includes abandoning Poinsettia Drive and will establish the property boundaries to accommodate the proposed Park Skyway and Southwest Products industrial projects.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region. Southwest Products will create 120-160 full time and part time jobs. Park Skyway will create 150-220 full time and part time jobs.

ATTACHMENTS:

Click to download

- ☐ [Staff Report](#)
 - ☐ [Resolution](#)
 - ☐ [Vicinity Map](#)
 - ☐ [Final Plat](#)
 - ☐ [Site Plan](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Vamshee Kovuru, Planner, Community & Economic Development

City Clerk's Office only

Council Action

Motion/Second:

Wolcott	_____
Biundo	_____
Alton	_____
Williams	_____
Villanueva	<u>S</u>
Woodard	_____
Hall	<u>M</u>

Results:

For	<u>6</u>
Against	<u>0</u>
Passed	<u>XX</u>
Failed	_____
Continued	_____
Tabled	_____
Absent	<u>1</u> (Wolcott)



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Mike Gent, Public Works Department
Submitting Department:	Public Works	District:	1
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
---------	---	---------	----------------	-------------------

Agenda Wording:

Consideration and action on a resolution accepting maintenance of streets for Austin Ranch West SPA 3 Infrastructure South paving improvements, generally located at 183rd Avenue and Deer Valley Rd at the Austin Ranch SPA 3 Water Facility. Resolution No. 2014-46

Motion:

I move to approve Resolution No. 2014-46

Background:

The Public Works Department conducted the final inspection of the street improvements for Austin Ranch West Infrastructure South Paving on December 23, 2013, totaling 9,581 SY (approx. 0.88 Ln miles).

Financial Impact Statement:

Acceptance of streets, water, and sewer infrastructure increases the city's asset base and adds to future maintenance commitments. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future street preservation and maintenance and water and sewer operational budgets.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2014-46](#)
 - ☐ [Memo](#)
 - ☐ [ROW Map](#)
 - ☐ [Final Inspection Letter](#)
 - ☐ [Inspector Sign Off](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint

Video

White Board

Other

Presentation Speaker Names (spelling and titles for TV captions):

RESOLUTION # 2014-46

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ACCEPTING MAINTENANCE OF STREET IMPROVEMENTS AT AUSTIN RANCH WEST GENERALLY LOCATED NEAR THE INTERSECTION OF 183th AVENUE AND DEER VALLEY ROAD.

WHEREAS, Courtland Communities, the developer of Austin Ranch and its related wastewater treatment facility, dedicated to the City the street and offsite street improvements, specifically those streets located at 183th Ave and Deer Valley Road;

WHEREAS, the City of Surprise Public Works Department Engineering Division certifies that the two-year warranty period has expired; and

WHEREAS, the City of Surprise Public Works Department Engineering Division conducted the final inspection of the street improvements located at 183th Ave and Deer Valley Road on or about February 20, 2014.

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

Section 1. The City of Surprise accepts the maintenance of the street and public utility improvements located as generally depicted on the map attached as Exhibit "A."

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

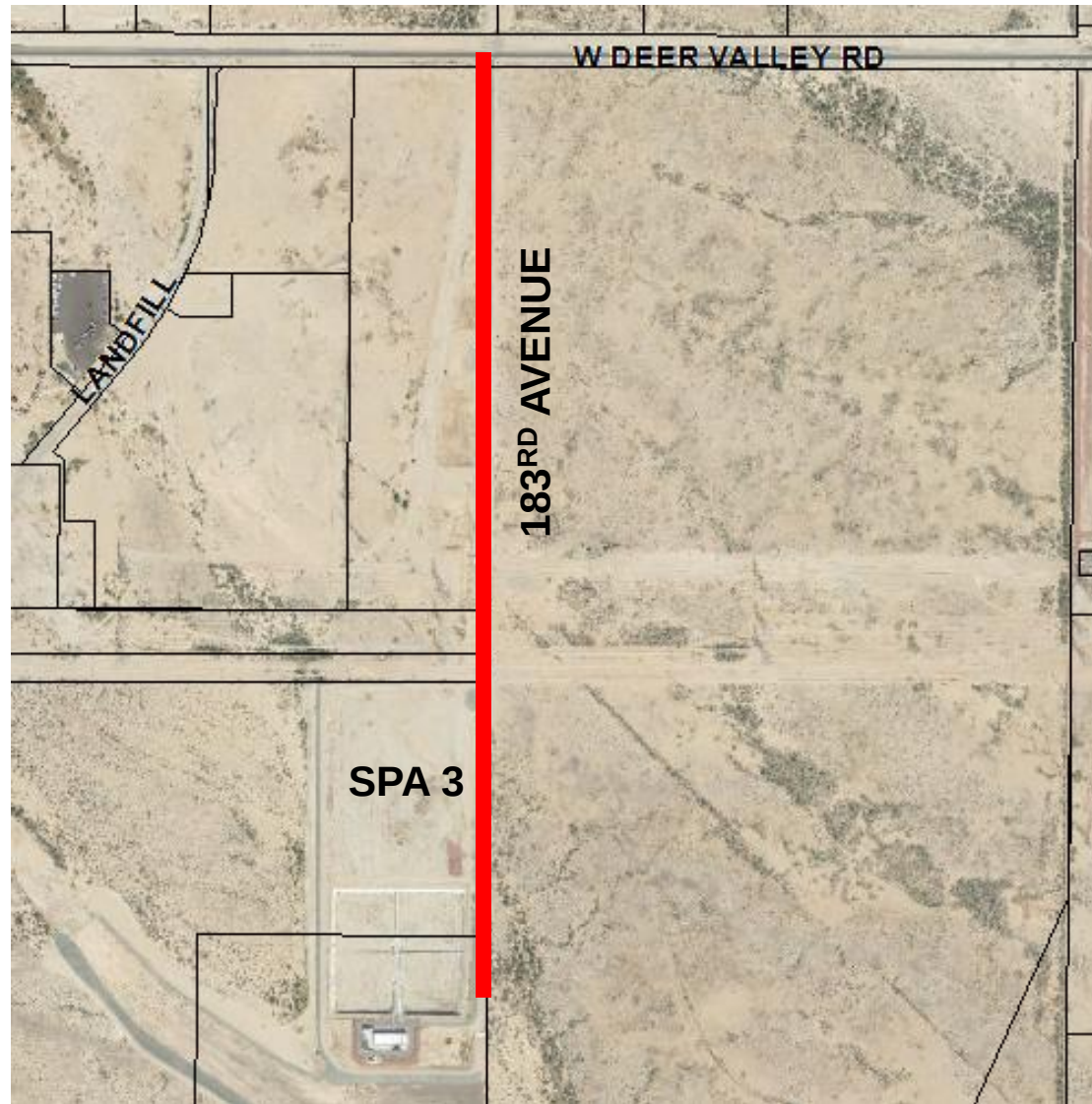
Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

AUSTIN RANCH WEST SPA 3 PAVING





Public Works Department
Transportation-Engineering Division
16000 N. Civic Center Plaza
Surprise, AZ 85374-7470

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 3/4/14
Re: Austin Ranch West Infrastructure South Paving Improvements and City Acceptance

The public improvements for the above project have been completed and are on the April 15, 2014 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 - \$192,051.00

40' HIGHWAY EASEMENT 88-0423163

08-0959694
503-75-002-H

07-1032071
503-75-002-G

04-0148424
503-75-002-H

05-1095361
PARCEL NO. 5
503-75-002-F

40' HIGHWAY EASEMENT 88-0423163

40' HIGHWAY EASEMENT 88-0423163
(East 40' of NW 1/4 Sec 22)

SRP WD DKT 15275 P 641

CTR 1/4 COR
SEC 22

EASEMENT FOR ROADWAY
(East 40' of N 330' SW 1/4 Sec 22)

CITY OF SURPRISE
SWD 04-1026160
503-75-003-M

04-807872 40' WY EOL

AUSTIN RANCH
UTILITIES CO
SWD 2005-1158228
503-75-003-L



Public Works Department
Engineering Development Services
16000 North Civic Center Plaza
Surprise, Arizona 85374
Phone 623-222-6141
Fax 623-222-6006

February 20, 2014

Courtland Communities
16841 N 31st Ave, Suite 101
Phoenix, AZ 85053

**RE: FINAL INSPECTION AND COUNCIL ACTION FOR AUSTIN RANCH SPA 3
INFRASTRUCTURE SOUTH PAVING – SPA06-253**

The City of Surprise Public Works Department has completed the final inspection of the street improvements for the referenced project. Council action is required and a final letter will sent once Council accepts the project.

If you have any questions or concerns, you can reach me at 623-222-6141.

Sincerely,

Jason Mahkovtz,
Interim City Engineer

jm/jg

c: David Mobley, Civil Inspector
Cindy Coen, Legal
Mike Gent, Public Works
File

Andrea Davis, Finance
Antonio DeLaCruz, Public Works
Terry Lowe, Public Works



PROJECT SIGN OFF FORM
PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 12/23/2013 ☐ Commercial ☒ Commercial w/Offsite ☐ Residential

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

12/23/2013 Date of Punch-List Walk 12/23/2013 Date Punch-List Completed

Permit Number: E07P-0025

Project Name: Austin Ranch Spa 3 Water Facility Project Description (Phase/Parcel): _____

Project Developer/Builder: (Name, Address, and Phone #)

Courtland Homes Inc

Phx Az 85014

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
183rd ave	Collector	DeerValley Rd	Treatment Plant	2	1 mile	

MATERIALS:

Asphalt: Vulcan Materials Supplier 1 1/4 Total Lane Miles 9,581 Total Square Yards

Water: N/A Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

_____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Sewer: N/A Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

_____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Fire Ln: N/A Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

N/A Engineer of Record Reports to Include but not limited to:

_____ ATC, _____ AOC, _____ Material Submittals, _____ Water Test Results, _____ Daily Reports

N/A Final Certification Letter from Engineer of Record

N/A Asphalt Concrete Emulsion Fog Seal Cert. (SS1H)

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

N/A Sewer Pressure Testing Results

N/A Streetlight Energize Letter

N/A Sewer Manhole Vacuum Testing Certification

☒ As built Documents (☒ 2 Bond and ☒ 1 Mylar)

N/A Sewer Manhole Insecticide Certification

☒ CD with As Built Documents in .pdf format

N/A Sewer Videos with Operators Notes (inc. re-videos)

_____ Other _____ (Specify)

APPROVAL:

Civil Inspector: David Mobley

Date: 12/23/2013

Civil Engineering Supervisor:

Date: 12.23.13



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date: September 2, 2014 Contact Person: Sherry Ann Aguilar, City Clerk
Submitting Department: District: 5
Staff Recommendations: Approve

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on a Series 12 Liquor License request for Red Lobster located at 13709 W. Bell Road, Surprise, AZ. 85374 (12079985 - Interim/New License, LLC).

Motion:

I move to approve a Series 12 Liquor License request for Red Lobster located at 13709 W. Bell Road, Surprise, AZ. 85374 (12079985 - Interim/New License, LLC).

Background:

This request is of a routine nature and no concerns are noted from departmental reports attached (Police, Fire, Business License and CD).

Financial Impact Statement:

None.

ATTACHMENTS:

Click to download

☐ [Red Lobster Dept. Reports](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



COMMUNITY DEVELOPMENT DEPARTMENT

Date: August 6, 2014
To: Sherry Aguilar, City Clerk
From: Chris Boyd, Community Development Director
By: Sergio Angulo, Assistant Planner
Re: Liquor License Application for:

**Red Lobster #6288
Series #12 – New License / LLC
13709 W. Bell Rd.
Surprise, Arizona 85374**

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

1. Olive Garden (Series 12 – Active) – 13379 W. Grand Rd.
2. Target #1335 (Series 10 – Active) – 13731 W. Bell Rd.
3. Sprout's Farmer's Market (Series 10 – Active) – 13759 W. Bell Rd.
4. Chili's Grill & Bar (Series 12 – Active) – 13765 W. Bell Rd.
5. Cobblestone Auto Spa (Series 10 – Active) – 13811 W. Bell Rd.
6. Rio Mirage Café (Series 12 – Active) – 13863 W. Bell Rd.
7. Chipolte Mexican Grill (Series 12 – Active) – 13869 W. Bell Rd. #107
8. Red Robin (Series 12 – Active) – 14015 W. Bell Rd.
9. Carrabba's Italian Grill (Series 12 – Active) – 14043 W. Bell Rd.
10. Pei Wei Asian Diner (Series 12 – Active) – 14155 W. Bell Rd. #113
11. Rubio's Baja Grill (Series 12 – Active) – 13736 W. Bell Rd. #2
12. Streets of New York (Series 12 – Active) – 13736 W. Bell Rd. #4
13. Applebee's Neighborhood Grill & Bar (Series 12 – Active) – 13756 W. Bell Rd.
14. Wal-Mart (Series 9 – Active) – 13770 W. Bell Rd.
15. Caramba Fresh Mexican Food (Series 12 – Active) – 17239 N. Litchfield Rd.
16. Yorman's Bistro (Series 12 – Active) – 17191 N. Litchfield Rd.
17. China Buffet (Series 12 – Active) – 17119 N. Litchfield Rd. #20
18. Mike's Greek & Italian (Series 12 – Pending) – 17191 N. Litchfield Rd.
19. Buffalo Wild Wings (Series 12 – Active) – 13882 W. Bell Rd.
20. Diamond Shamrock (Series 10 – Active) – 13908 W. Bell Rd.
21. New York Pizza Dept. (Series 12 – Active) – 13980 W. Bell Rd. #1
22. Sun Village Community Association (Series 14 – Active) – 17300 N. Sun Village Pkwy.
23. Octane Lounge (Series 9 – Active) – 13420 W. Bell Rd. #140
24. Peter Piper Pizza (Series 12 – Active) – 12851 W. Bell Rd. #20
25. Portofino West (Series 12 – Active) – 12851 W. Bell Rd. #15
26. Runner's Sports Bar (Series 9 – Active) – 12751 W. Bell Rd. #8&9
27. Tom Yum (Series 12 – Active) – 13736 W. Bell Rd. #2
28. 99 Cents Only Store (Series 10 – Active) – 12801 W. Bell Rd.
29. Frank-N-Steins (Series 12 – Active) – 14071 W. Bell Rd. #104

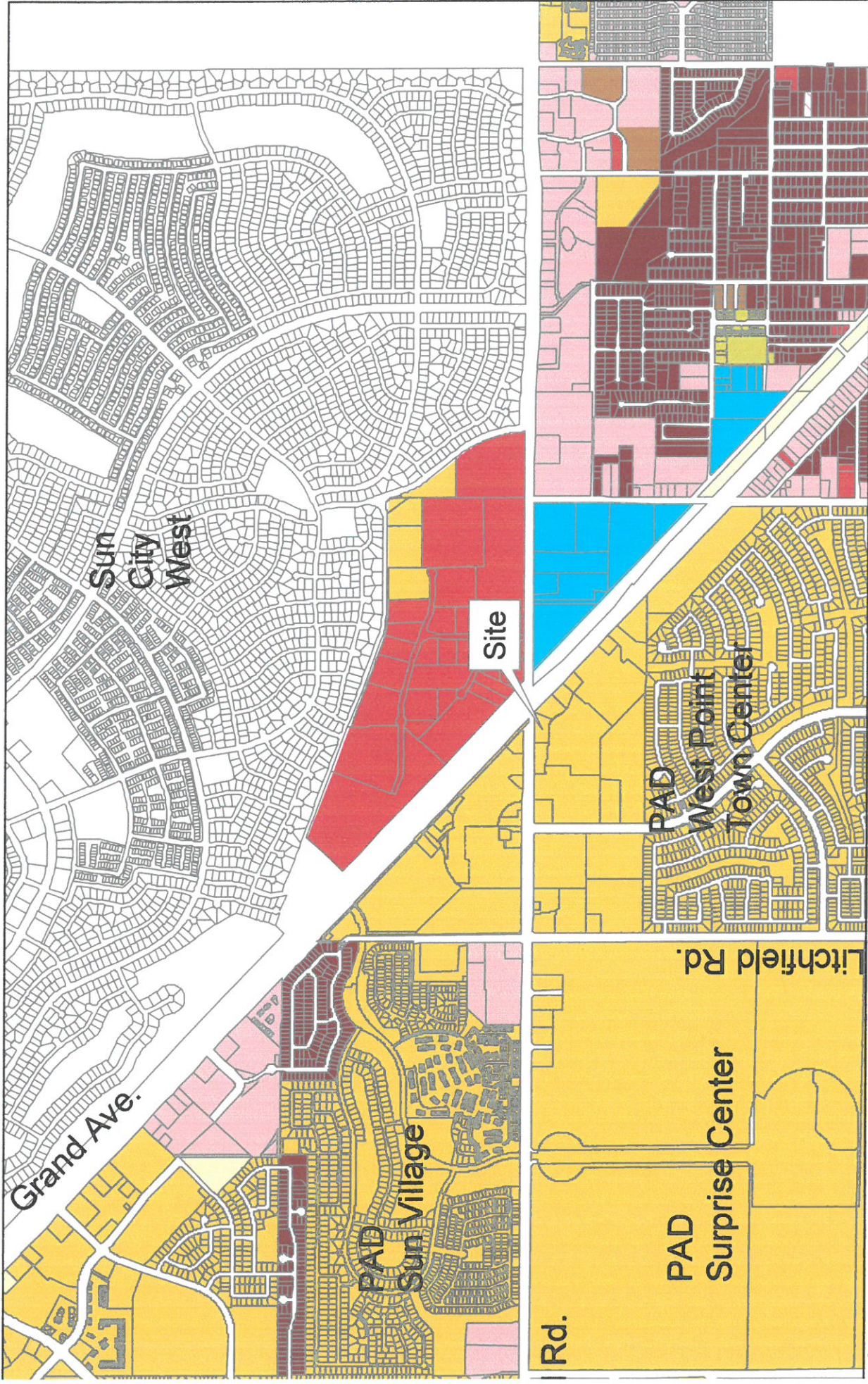
30. Saigon Kitchen (Series 12 – Active) – 14071 W. Bell Rd.
31. Irish Wolfhound Restaurant (Series 6 – Active) – 16811 N. Litchfield Rd. #102-104
32. Link's Neighborhood Grill (Series 12 – Active) – 17300 N. Sun Village Pkwy #D
33. Long Horn Steakhouse (Series 12 – Active) – 14127 W. Bell Rd.
34. Hayashi (Series 12 – Active) – 13823 W. Bell Rd.
35. Uncle Bear's (Series 12 – Active) – 13752 W. Bell Rd.

The immediate area is composed of commercial establishments. The property is zoned PAD West Point Town Center which is consistent with the proposed use.

Residential and commercial growth will likely remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. The business is located on a major arterial street and attracts many customers who are passing through the area as well as those walking from the nearby theater. 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.

Surrounding Zoning Red Lobster 13709 W. Bell Rd.



nd



MEMO

Date: 08/05/2014

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

RE: Liquor License Application – Red Lobster Hospitality LLC dba Red Lobster #6288

Business License Status:

Application packet mailed on 8/5/14.

Mailing to:

Red Lobster Hospitality, L.L.C.
dba Red Lobster #6288
Attn: Licensing
P.O. Box 695016
Orlando, FL 32869-5016



FIRE PREVENTION DIVISION
14250 W. Statler Plaza Ste.101
Surprise, AZ. 85374
Phone: (623) 222-5000
Fax: (623) 222-5002



Date: August 11, 2014
TO: Sherry Ann Aguilar, City Clerk
CC: Fire Marshal's Office
FROM: Doug Helbig

Subject: Fire Safety Compliance Inspection

RED LOBSTER HOSPITALITY, LLC
Series #12 – (12079985) – Interim/New License/LLC
13709 West Bell Road
Surprise, Arizona 85374

The above mentioned location was inspected on August 8, 2014, to ensure compliance with the City Fire Code. Pending a few minor corrections the building is in substantial compliance the Fire Code.

Thank you,

R. Douglas Helbig,
Fire Marshal



**SURPRISE POLICE DEPARTMENT
LIQUOR LICENSE APPLICATION REVIEW**

REFERENCE:

DATE: August 12, 2014

LICENSE NUMBER 12079985
INTERIM/NEW LICENSE/LLC - Series 12

APPLICANT:

Red Lobster
13709 W. Bell Rd.
Surprise, Arizona 85374

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Red Lobster is a full service family sea-food restaurant serving lunch and dinner. The restaurant seating capacity is listed at 206 persons, with an additional 44 persons in the designated bar area. The market is people of all ages, from the greater Surprise area and surrounding communities.
- 2) ***Effect of vehicular traffic in close proximity.***
Red Lobster is an existing restaurant which has been in its current location since opening approximately ten years ago. There should be no altering affect on traffic due to this license change. There are multiple entry/exits for vehicle traffic onto Grand Avenue and 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.***
Only three criminal incidents found directly related to the Red Lobster in the last five years and none of them were alcohol related. There was a disorderly conduct call, where a customer was rude and kicking at staff. He may have also had a medical condition. An employee working overnight had his vehicle window broken by an unknown person, there was a "walk out" where a customer left the restaurant without paying his bill and there was an incident of fraud involving a counterfeit bill.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
Red Lobster is a family restaurant, which should have little effect on surrounding businesses in the shopping plaza where it exists. There are various other restaurants in the same Surprise Marketplace retail plaza, which are open typically around the same time, including an Olive Garden next door. In addition, there are several businesses in the Surprise Marketplace retail plaza, which is anchored by Lowe's home improvement store and Target.
- 5) ***Appropriateness of requested license.***
The series 12 license is approved for restaurants per Arizona State law.



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	September 2, 2014	Contact Person:	Chris Boyd, Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action approving a final plat entitled Surprise Village Marketplace East, dated July 16, 2014, a property generally located at the southwest corner of Bell Road and Sarival Avenue; Resolution #2014-90.

Motion:

I move to approve Resolution 2014-90.

Background:

The subject project is located generally at the southwest corner of Bell Road and Sarival Avenue with a shared access from Bell Road with the Sam's Club facility to the west. A secondary access will be located along Sarival Avenue with a third gated emergency access point from the shopping center.

Financial Impact Statement:

All activity related to the ongoing development of the city of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [Staff Report](#)
 - ☐ [Vicinity Map](#)
 - ☐ [Resolution and Plat](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



COMMUNITY DEVELOPMENT

Date: September 2, 2014

To: Mayor and City Council

From: Chris Boyd, Acting Community Development Director
Lloyd Abrams, Long Range Planning Manager
Hobart Wingard, Planner
hobart.wingard@surpriseaz.gov 623.222.3156

Re: FS14-113 Surprise Village Marketplace East Final Plat

Application Summary

The applicant is requesting an approval for a Final Plat entitled the Surprise Village Marketplace East. The proposed plat consists of 6 parcels. Parcel number 5 and 6 will have a corresponding site plan, FS14-214, for a 300-unit senior housing complex known as Fellowship Square Sopressa.

Location

The subject project is located generally at the southwest corner of Bell Road and Sarival Avenue with a shared access from Bell Road with the Sam's Club facility to the west. A secondary access will be located along Sarival Avenue with a third gated emergency access point adjacent to the Sam's Club shopping center.

History

- On June 20, 1984, the subject parcel was annexed into the City of Surprise.
- On January 27, 2000, the Mayor and City Council approved a rezone of the subject Property from R1-43 (Single Family Residential) to R-3 (Multi-Family Residential).
- On September 28, 2006, the Mayor and City Council approved a Planned Area Development (PAD) known as Surprise Village Marketplace (Sam's Club). The PAD included the subject parcel with a land use of Multi-Family Residential.
- On April 15, 2008, a site plan for an apartment complex was approved by the Planning and Zoning Commission. The site plan has since expired.
- August 7, 2014, Planning & Zoning Commission conditionally approved a Site Plan FS14-214 - Fellowship Square Sopressa, a 300 unit senior living community.

Project Summary

The Surprise Village Marketplace East Final Plat will facilitate a major site plan for a multi-phased, approximately 24-acre senior living community. FS14-214 - Fellowship Square Sopressa is the corresponding site plan for this final plat. Within the application the applicant

is proposing to build a 250 Independent Senior Living Residence with 38 Assisted Living and 16 Double Memory Care Units.

The final plat will subdivide the property into 6 parcels. The major site plan is to be located on parcels 5 and 6. Access to the site will be from a shared driveway with Surprise Village Market Place, to the west, from Bell Road and from Sarival Ave to the east. Lots 1 and 4 will also have access from the shared driveway with Surprise Village Market Place, while parcels 2 and 3 will utilize an existing shared driveway located along Bell Road.

Findings of Fact

1. Staff finds that the proposed final plat complies with Section 122-117 of the Surprise Municipal Code.
2. Staff finds that the proposed final plat complies with the Surprise General Plan.
 - *Recognizing that Surprise's future population count may grow rapidly, it is important not only to preserve rural and single-family housing choices but to secure higher density land uses.*
3. Staff finds that the proposed final plat complies with the Surprise General Plan.
 - *This project provides the required open space, high quality built environment, promotes infill development, and conforms to the land use density.*

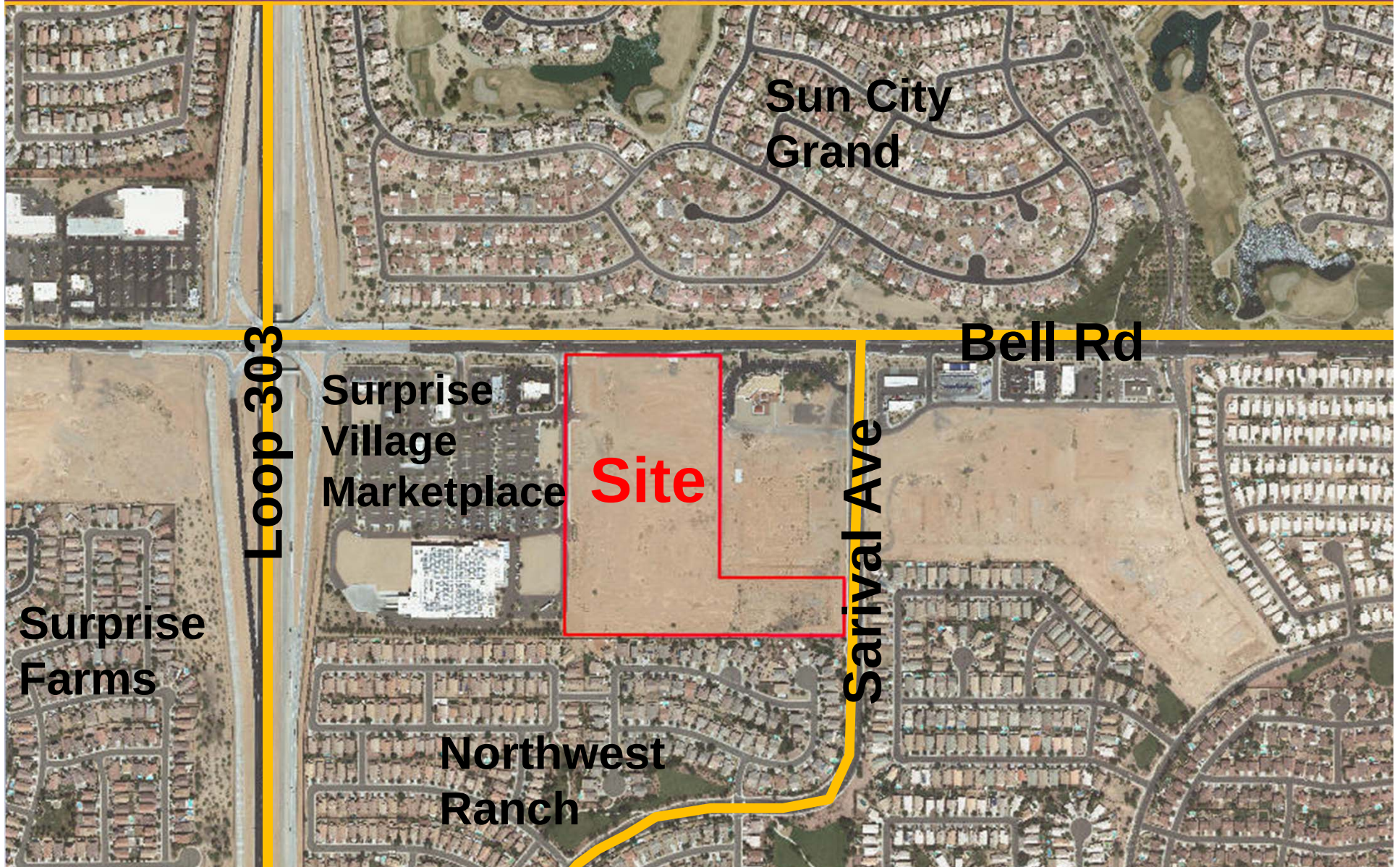
Recommendation

Staff recommends approval of the project, subject to the findings of fact.

Attachment

Vicinity map, resolution, and final plat.

Vicinity Map



Vicinity Map



RESOLUTION #2014-90

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED "SURPRISE VILLAGE MARKETPLACE EAST," GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND SARIVAL AVENUE.

WHEREAS, on September 28, 2006, the Mayor and City Council approved the Surprise Village Marketplace Planned Area Development;

WHEREAS, on August 7, 2014, the Planning and Zoning Commission approved the Site Plan for the Fellowship Square Sopressa for lots 5 and 6;

WHEREAS, the proposed Final Plat conforms with the site plan approved by Planning and Zoning Commission, on August 7, 2014;

WHEREAS, the proposed final plat does not create any substandard or nonconforming lot; and

WHEREAS, the proposed final plat complies with the Surprise Municipal Code and the zoning classifications applicable to this property.

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

Section 1. The Final Plat entitled "the Surprise Village Marketplace East," dated July 16, 2014 is approved.

APPROVED AND ADOPTED this _____ day of _____ 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE NORTH 89°23'35" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, 617.60 FEET; THENCE SOUTH 00°36'25" WEST, 65.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°32'27" WEST, 996.39 FEET; THENCE SOUTH 89°31'33" EAST, 562.87 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID SARIVAL AVENUE, SAID POINT BEING ON THE WEST LINE OF THE EAST 55.00 FEET OF SAID SECTION 1; THENCE SOUTH 00°31'50" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 263.12 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 89°31'15" WEST, ALONG SAID SOUTH LINE, 1,261.61 FEET TO A POINT ON THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 00°33'00" EAST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, 1261.01 FEET; THENCE SOUTH 89°23'35" EAST, PARALLEL WITH AND 65 FEET SOUTH OF AFOREMENTIONED NORTH LINE OF SAID SECTION 1, A DISTANCE OF 698.49 FEET TO THE POINT OF BEGINNING; EXCEPT ALL MINERALS AS RESERVED BY THE CALIFORNIA, ARIZONA AND SANTA FE RAILWAY COMPANY IN QUIT-CLAIM DEED RECORDED IN DOCKET 3353, PAGE 116, MARICOPA COUNTY RECORDS, IN THAT PORTION OF SAID LAND LYING WITHIN THAT CERTAIN 50-FOOT STRIP OF LAND DESCRIBED AS PARCEL NO. 1 IN DEED RECORDED IN BOOK 215 OF DEEDS, PAGE 113, MARICOPA COUNTY RECORDS.

BASIS OF BEARINGS

N89°23'35"W (RECORD) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA PER BOOK 1118 OF MAPS, PAGE 15, MCR

OWNER/DEVELOPER

BELL ROAD & 303, LLC
7575 N. 16TH STREET #1
PHOENIX, ARIZONA 85020

SURVEYOR

KEOGH ENGINEERING INC.
14150 W. MCDOWELL ROAD
GOODYEAR, ARIZONA 85395
PHONE: (623) 535-7260
FAX: (623) 535-7262
EMAIL: KEOGH@KEOGHENGINEERING.COM
CONTACT: DENNIS KEOGH

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA)SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT BELL ROAD & 303, LLC, A DELAWARE LLC, AS OWNER HAVE SUBDIVIDED UNDER THE NAME "SURPRISE VILLAGE MARKETPLACE EAST", A SUBDIVISION LOCATED IN PORTIONS OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND SUBDIVIDED HEREON, AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE FINAL PLAT OF "SURPRISE VILLAGE MARKETPLACE EAST" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND DIMENSIONS OF EACH LOT, AND STREET CONSTITUTING SAME, AND THAT EACH LOT, AND STREET SHALL BE KNOWN BY THE NUMBER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT, AND HEREBY DEDICATES TO THE CITY OF SURPRISE FOR USE AS SUCH PUBLIC UTILITY EASEMENTS AS SHOWN ON SAID FINAL PLAT AND INCLUDED IN THE ABOVE PREMISES.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION 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 FINAL 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 RIGHT-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 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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A CROSS ACCESS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES.

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

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHT-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS COMPANY NAME TO BE SIGNED THIS _____ DAY OF _____, 2014

BY _____

ACKNOWLEDGEMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA)SS

ON THIS, THE _____ DAY OF _____, 2014, BEFORE ME, _____, PERSONALLY APPEARED WHO ACKNOWLEDGED TO BE OWNER OF SAID PROPERTY, AND BEING FULLY AUTHORIZED EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF:

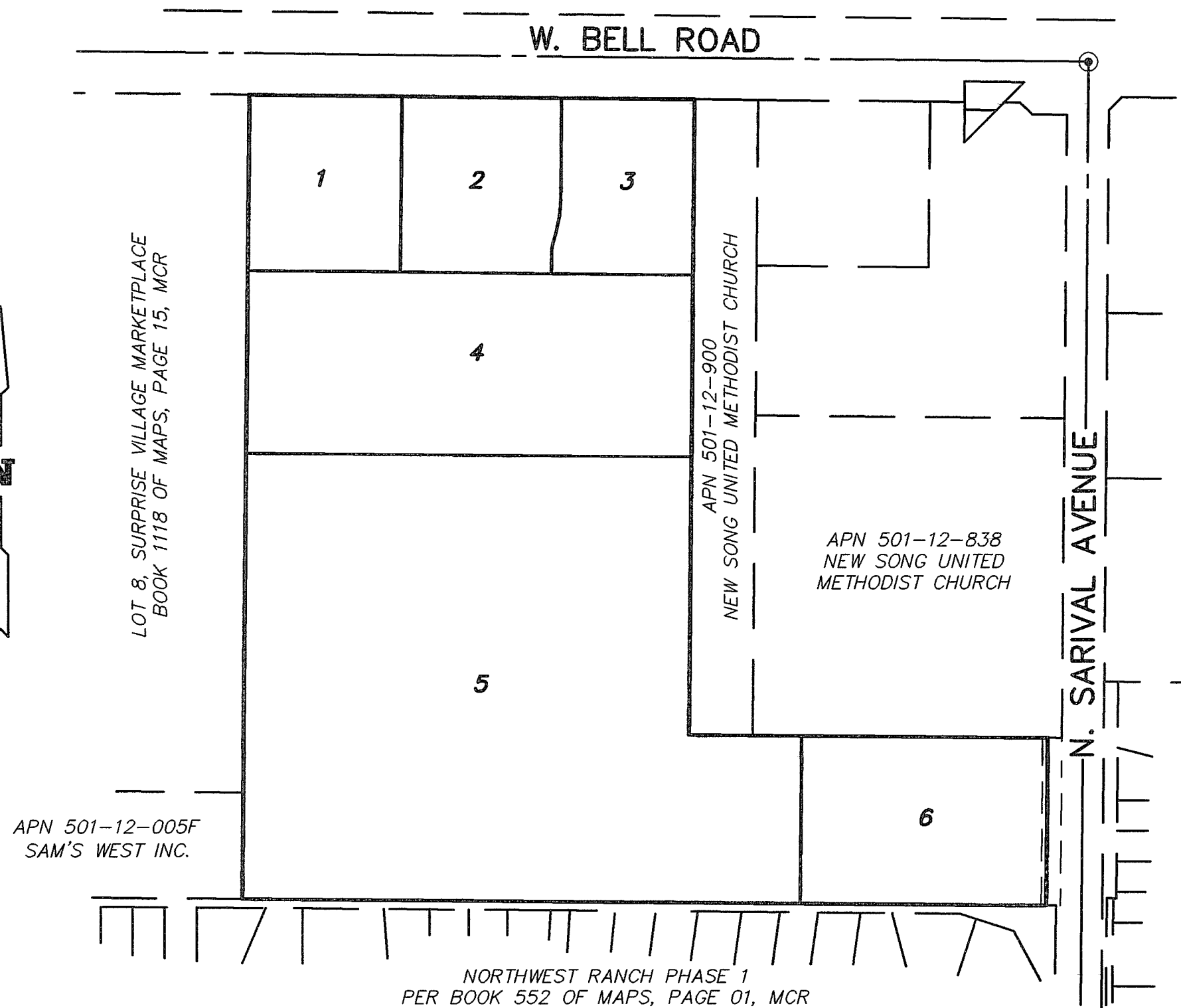
I HEREUNTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____

NOTARY

FINAL PLAT
FOR
"SURPRISE VILLAGE MARKETPLACE EAST"

A PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



UTILITIES

WATER: EPCOR
SEWER: CITY OF SURPRISE
TELEPHONE: CENTURY LINK
ELECTRIC: ARIZONA PUBLIC SERVICE
GAS: SOUTHWEST GAS
CABLE TV: COX COMMUNICATIONS

KEY MAP

Scale: 1"=200'

NOTICE OF SURPRISE VILLAGE MARKETPLACE
DEVELOPMENT AGREEMENT

LANDOWNER HAS ENTERED INTO A SURPRISE VILLAGE MARKETPLACE DEVELOPMENT AGREEMENT DATED JANUARY 4, 2008 ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON FEBRUARY 11, 2008, AT THE MARICOPA COUNTY RECORDERS' OFFICE AT DOCKET NO. 2008-0118321. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT, THE AGREEMENT AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENT, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENT IS ON FILE AT THE OFFICES OF LANDOWNER AT BELL ROAD & 303, L.L.C., C/O W.M. GRACE DEVELOPMENT CO., 7575 N. 16TH STREET, SUITE 1, PHOENIX, AZ 85020, AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 7 AND SECTION 9, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____, 2014.

MARICOPA COUNTY MUNICIPAL ATTEST:
WATER CONSERVATION DISTRICT
NUMBER ONE, A POLITICAL SUBDIVISION OF THE
STATE OF ARIZONA ("MWD")

BY: _____
CHRISTINE CAIN

ITS: PROPERTY & CONTRACTS SUPERVISOR

BELL ROAD & 303, L.L.C., A DELAWARE
LIMITED LIABILITY COMPANY

BY: GRACE INVESTMENT COMPANY, AN
ARIZONA CORPORATION
ITS: MANAGER

BY: _____

ITS: _____

BY: _____
GLEN VORTHERMS

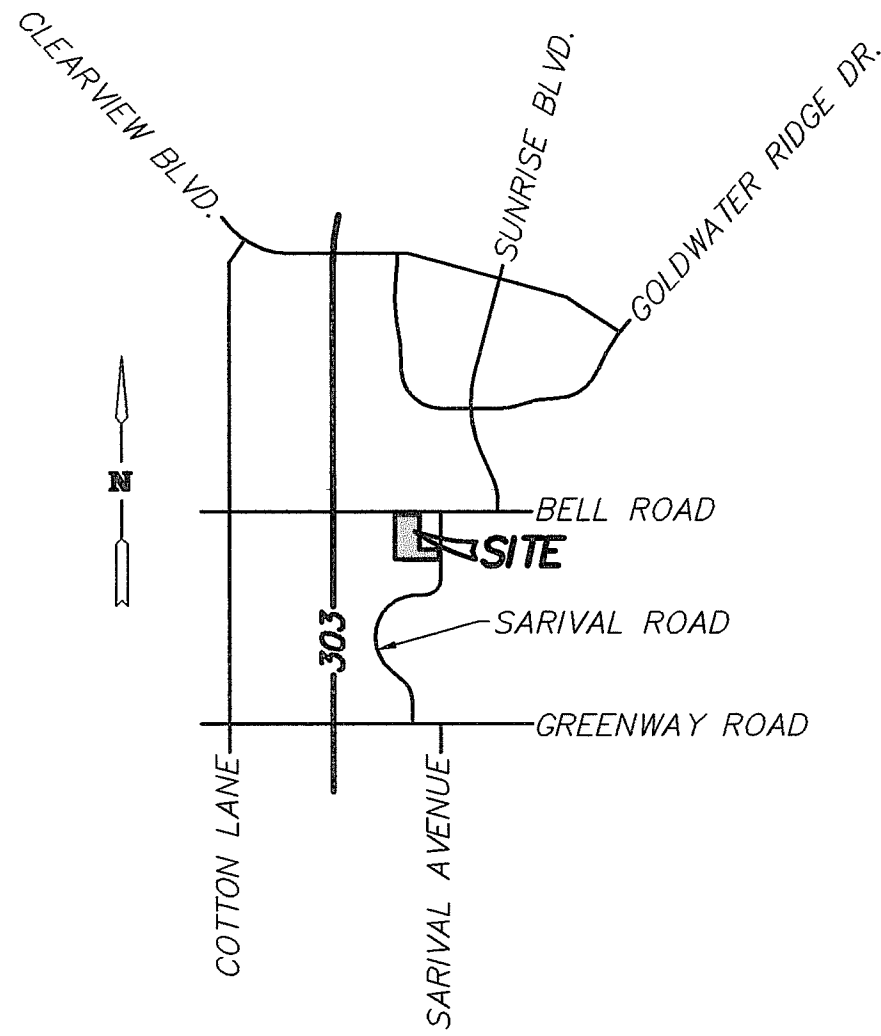
ITS: ASSISTANT SECRETARY

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 1988 MAG NOISE CONTOUR LINES 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 PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1220L 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.
2. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS FINAL PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
3. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICT #14751 AND 14710, WHEN APPLICABLE.
4. MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PRESENT OWNERS AND/OR OWNER'S ASSOCIATION.
5. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
6. EPCOR IS THE WATER PROVIDER FOR THIS PROJECT AND IS DESIGNATED AS HAVING A 100 YEAR ASSURED WATER SUPPLY.
7. SHARED ACCESS AND CROSS ACCESS IS STATED IN THE EC AND R'S SECTIONS 5 AND 5.1 OF DOC. NO. 2006-1658065, MCR.



VICINITY MAP

NOT TO SCALE

RELEASE OF LIABILITY

BELL ROAD & 303, LLC, A DELAWARE LLC, DOES HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (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 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. 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 OTHER 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, DUST, FUMES, 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.

APPROVAL

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY
OF _____, 2014 BY THE 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 _____, 2014

APPROVED: _____
MAYOR DATE

ATTEST: _____
CITY CLERK DATE

CERTIFICATE FOR RECORDING
BY THE COUNTY RECORDER

THIS COMMERCIAL SUBDIVISION WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER AT _____ O'CLOCK _____ M., _____, _____, AND IS FULLY RECORDED IN BOOK _____, PAGE NO. _____.

COUNTY RECORDER

CERTIFICATION

I, DENNIS F. KEOGH, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS MAP, CONSISTING OF 2 SHEETS, CORRECTLY REPRESENTS A SURVEY DONE UNDER MY SUPERVISION DURING THE MONTH OF JANUARY 2014; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN; THAT THEIR POSITIONS ARE CORRECT AND ACCURATE AS SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

D.F. Keogh
REGISTERED LAND SURVEYOR
DENNIS F. KEOGH
14150 WEST MCDOWELL ROAD
GOODYEAR, ARIZONA 85338
REG. NO. 10846

7/16/14
DATE



FINAL PLAT
"SURPRISE VILLAGE
MARKETPLACE EAST"

Keogh Engineering, Inc.
14150 W. MCDOWELL ROAD GOODYEAR, ARIZONA 85395
PHONE: (623) 535-7260 FAX: (623) 535-7262
EMAIL: keogh@keoghengineering.com
JOB NO. 19954 MAP NO. E-19954

SHEET 1 OF 2
NUMBER OF LOTS: 6
NET AREA: 23.61 ACRES

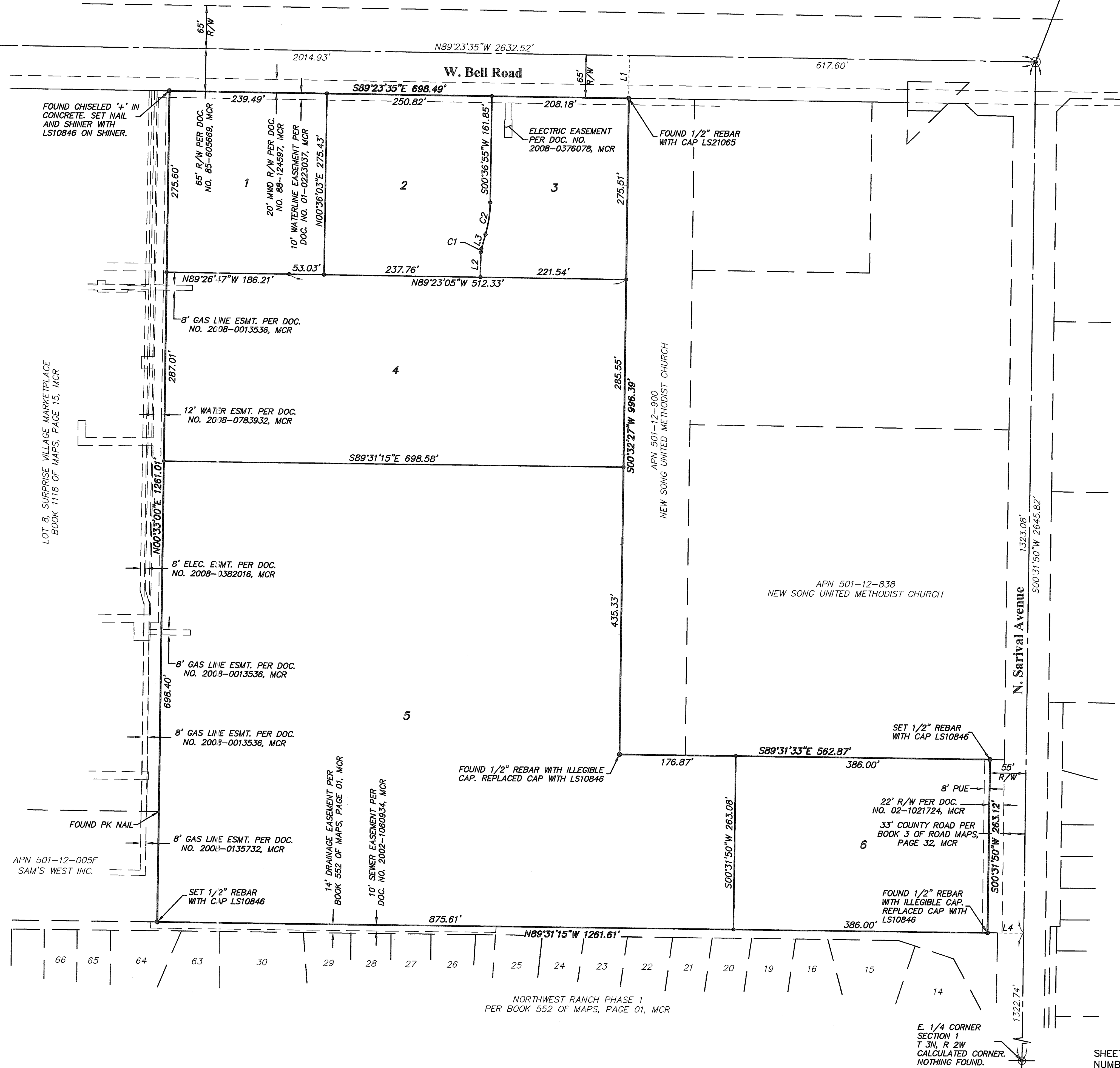
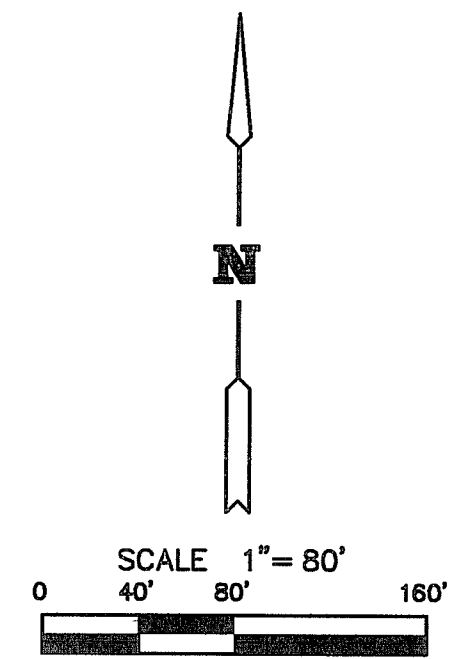
FINAL PLAT
FOR
"SURPRISE VILLAGE MARKETPLACE EAST"

A PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH,
RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SUN CITY GRAND-MOUNTAIN VIEW 1
PER BOOK 472 OF MAPS, PAGE 45, MCR

NE COR. SEC. 1
T. 3N, R. 2W
FOUND BRASS CAP IN HANDHOLE
STATE PLANE COORDS:
960306.709 N
550040.879 E

N. 1/4 COR. SEC. 1
T. 3N, R. 2W
FOUND ADOT BRASS
CAP FLUSH
STATE PLANE
COORDS:
960334.578 N
547408.497 E



LINE TABLE

LINE	BEARING	LENGTH
L1	S00°36'25"W	65.00'
L2	S00°36'55"W	37.75'
L3	S15°36'55"W	22.82'
L4	S89°31'15"E	55.10'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	20.00'	5.24'	15°00'00"
C2	188.00'	49.22'	15°00'00"

LEGEND

APN	ASSESSOR'S PARCEL NUMBER
R/W	RIGHT OF WAY
MCR	MARICOPA COUNTY RECORDER
MWD	MARICOPA WATER DISTRICT
PUE	PUBLIC UTILITY EASEMENT
⊙	BRASS CAP
•	SET 1/2" REBAR WITH CAP LS10846
---	SUBDIVISION BOUNDARY LINE
---	PROPERTY LINE
---	ADJACENT LOT OR R/W
---	STREET CENTERLINE
---	EASEMENT LINE



FINAL PLAT
"SURPRISE VILLAGE
MARKETPLACE EAST"

Keogh Engineering, Inc.
14150 W. McDOWELL ROAD • GROUNDWATER, ARIZONA 85395
PHONE: (602) 535-7280 FAX: (602) 535-7282
EMAIL: keogh@keogheengineering.com

SHEET 2 OF 2
NUMBER OF LOTS: 6
NET AREA: 23.61 ACRES

JOB NO. 19954

MAP NO. E-19954



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Mike Gent, Public Works Department
Submitting Department:	Public Works	District:	4
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
---------	---	---------	----------------	-------------------

Agenda Wording:

Consideration and action on a resolution accepting maintenance of the sidewalk improvements at Orangewood RV, generally located near the intersection of Bell Road and 114th Ave.; Resolution No 2014-62.

Motion:

I move to approve Resolution No. 2014-62

Background:

The Public Works Department conducted the final inspection of the sidewalk improvements at Orangewood RV on or about February 3, 2014, totaling 3,290SF (approx. 605LF).

Financial Impact Statement:

Acceptance of roadway infrastructure increases the city's asset base and adds to future maintenance commitments. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future street preservation and maintenance budgets.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2014-62](#)
 - ☐ [Warranty Bond](#)
 - ☐ [Memo](#)
 - ☐ [MAP](#)
 - ☐ [Inspector Sign Off](#)
 - ☐ [Notice of completion Letter](#)
 - ☐ [RFLS 4099](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint Video White Board Other

Presentation Speaker Names (spelling and titles for TV captions):

RESOLUTION # 2014-62

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO ACCEPT MAINTENANCE OF STREET AND PUBLIC UTILITY IMPROVEMENTS AT ORANGEWOOD RV, GENERALLY LOCATED NEAR THE INTERSECTION OF BELL ROAD AND 114TH AVENUE.

WHEREAS, the Orangewood RV property is in Maricopa County and the adjacent sidewalk right-of-way is within the City of Surprise boundaries;

WHEREAS, the Orangewood RV property owner elected to complete the sidewalk improvements prior to the City of Surprise CIP project;

WHEREAS, JEC Contracting Corporation, dedicated to the City the public utility improvements, specifically the sidewalk improvements located along Bell Road adjacent to the Orangewood RV;

WHEREAS, the City of Surprise Public Works Department Engineering Division notes that the two-year warranty period will commence upon the acceptance of maintenance by the City; and

WHEREAS, the City of Surprise Public Works Department Engineering Division conducted the final inspection of the sidewalk right-of-way improvements located at Bell Road and 114th Avenue on or about February 3, 2014.

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

Section 1. The City of Surprise accepts the maintenance of the street and public utility improvements located as generally depicted on the map attached as Exhibit "A," commencing the two-year warranty period.

APPROVED AND ADOPTED this _____ day of _____, 2014.

SIGNATURES ON THE FOLLOWING PAGE

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

Exhibit A

[Map of Infrastructure]

BELL RD SIDEWALK PROJECT – ORANGEWOOD RV





**Financial Assurance
Warranty Assurance**

FA13-0003

Date: 5/15/2014 4:52:48 PM **Case #:** FS13-195

Project Name: BELL RD SIDEWALK PROJECT – ORANGEWOOD RV

JEC CONTRACTING CORP

CATHERINE LIVERETT 623 842 1141

6863 W FRIER DR GLENDALE, AZ 85303

Permit Information:

Permit #	Type	Cost	Bond Amount
E13P-0289	CONCRETE	\$7,725.61	\$772.56

Total Bond Amount: \$772.561

The Total Bond Amount represents the Bond Amount that is required for your project at the time of this document's generation. If there are any questions or if there are any changes to the estimated costs for the permits covered by this bond, contact the City of Surprise Engineering Department at 623-222-6141.



Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 5/15/14
Re: Bell Rd Sidewalk Project – Orangewood RV Public Improvements and City Acceptance

The public improvements for the above project have been completed and are on the March 4, 2014 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 Concrete - \$7,725.61

BELL RD SIDEWALK PROJECT – ORANGEWOOD RV





PROJECT SIGN OFF FORM
PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 1/21/2014 ☐ Commercial ☒ Commercial w/Offsite ☐ Residential

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

10/17/2013 Date of Punch-List Walk 10/21/2013 Date Punch-List Completed

Permit Number: E13P-0289
Project Name: BELL ROAD SIDEWALK Project Description (Phase/Parcel): _____
Project Developer/Builder: (Name, Address, and Phone #)
JEC CONTRACTING CORP. 6863 W. FRIER DR.
GLENDALE, AZ 85303. 623-842-1141

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features

MATERIALS:

Asphalt: _____ Supplier _____ Total Lane Miles _____ Total Square Yards
Water: _____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet
 _____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet
Sewer: _____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet
 _____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet
Fire Ln: _____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet

Additional Comments:

Placed Concrete Sidewalk Total of 605' LF, by 5' X 4" MAG-A at 3000 PSI.

SUPPORTING DOCUMENTATION REQUIRED:

N/A Copy of Punch List
N/A Engineer of Record Reports to Include but not limited to:
 _____ ATC, _____ AOC, _____ Material Submittals, _____ Water Test Results, _____ Daily Reports
N/A Final Certification Letter from Engineer of Record N/A Asphalt Concrete Emulsion Fog Seal Cert. (SS1H)
X Complete Geotechnical Testing Packet N/A Asphalt Concrete Ticket w/ Name of Contractor
N/A Sewer Pressure Testing Results N/A Streetlight Energize Letter
N/A Sewer Manhole Vacuum Testing Certification X As built Documents (X 2 Bond and X 1 Mylar)
N/A Sewer Manhole Insecticide Certification X CD with As Built Documents in .pdf format
N/A Sewer Videos with Operators Notes (inc. re-videos)
N/A Other _____ (Specify)

APPROVAL:

Civil Inspector: Dennis R. Martinez CCI,

Date: 1/21/2014

Civil Engineering Supervisor: Jason Mahkovtz, P.E.

Date: 2-4-14



Public Works Department
Engineering Development Services
16000 North Civic Center Plaza
Surprise, Arizona 85374
Phone 623-222-6141
Fax 623-222-6006

February 03, 2014

JEC Contracting Corp.
6863 W. Frier Dr.
Glendale, AZ 85303

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR
BELL RD SIDEWALK PROJECT – FS13-195**

The City of Surprise Public Works Department has completed the inspection of the street and public utility improvements for the above referenced subdivision. 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:

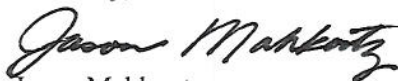
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

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 623-222-6141.

Sincerely,


Jason Mahkovtz,
Interim City Engineer

jm/jg

c: Dennis Martinez, Civil Inspector
Cindy Coen, Legal
David Kohlbeck, Public Works
File

Andrea Davis, Finance
Antonio DeLaCruz, Public Works
Terry Lowe, Public Works

RFLS NO:	4099
SUBMIT DATE:	5/15/2014

**SURPRISE CITY ATTORNEY
REQUEST FOR LEGAL SERVICES**

Please retain form with document throughout the entire process.

Requestor: JOE GARZA

Department & Extension: PW - Engineering, Ext. 26141

Contract Title: Res 2014-62 Acceptance of Bell Rd Sidewalk-Orangewood RV

Date of Contract, Event/Performance: 5/29/2014

Description of Legal Services Requested: ACCEPTANCE FOR THE BELL RD SIDEWALK PROJECT - ORANGEWOOD RV

Vendor Name, Address & Phone:

To Council? Yes, with Resolution

If Yes, Council Meeting Date: 08/05/2014

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

RFLS Status: Approved

Attorney Comment:

CINDY.COEN

City Attorney's Office

6/12/2014

Date

6/12/2014 9:53:05 AM



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date: September 2, 2014

Contact Person: Sherry Ann Aguilar, City Clerk

Submitting Department:

District: Citywide

Staff Recommendations: Approve

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the minutes of August 18, 2014 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Financial Impact Statement:

ATTACHMENTS:

Click to download

- ☐ [Minutes](#)
 - ☐ [Minutes](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

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

Monday, August 18, 2014 @ 04:00 PM

A. Call to Order

B. Roll Call

Vice Mayor Hall called the **Regular City Council Work Session** to order at 04:00 PM Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Monday, August 18, 2014**. Also in attendance with Vice Mayor Hall were Council Member Winters, Council Member Biundo, Council Member Williams, 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. Regular City Council Work Session Agenda

Regular City Council Meeting Agenda:

Mayor Wolcott arrived at 4:05 PM.

1. Discussion of a proposed Council Policy & Procedure Manual, addressing Council rules of conduct and demeanor, parliamentary rules, use of city resources, reimbursements, and implementation/enforcement - NO ACTION

City Attorney, Misty Leslie reviewed the proposed 16 page document with the Council and asked for comments.

No questions or comments on Rules 1 - 8 & 11.

Regular City Council Work Session Minutes – August 18, 2014 – Page 2

Vice Mayor Hall: Rule 9 - Council/Manager structure of City Government. Council should not interfere with staff carrying out policy.

Vice Mayor Hall: Rule 10 - Council needs to set an example on how to conduct ourselves, interact with residents and staff.

Council Member Villanueva: Rule 10 - More specific and to add what the Council's job is, we represent the Community and bring issues to the floor and for Council not to micromanage employees. This goes for all of us including the Mayor. She asked for clarification regarding Rule 12 - Celebrity Access. A recommended change proposed was read by the City Attorney.

Council Member Biundo - Seemed pleased with some of the proposed change, but is not sure if this clearly defines the issue.

Vice Mayor Hall: Inquired about MAG, GPEC, Conferences, etc.

Council Member Tande commented that he tweeted photos of the event with Russell Wilson and it reached a lot of people to market Surprise.

Attorney Leslie: Value of \$50.00.

Council Member Williams asked if there is a state statute that outlines a dollar amount.

Ms. Leslie stated that there is not.

Mayor Wolcott commented that every place that she has been has different set of rules regarding gifting. In Minnesota, anything over \$5.00 was considered a gift and had to be disclosed.

Council Member Williams asked if they should put a dollar amount, or just report gifts.

Council Member Villanueva commented on reporting gifts.

Council Member Villanueva stated that they don't need an amount, that Council knows what their responsibilities are.

Mayor Wolcott - "Personally, I am not comfortable having no disclosure because if you have a disclosure you are telling the people, that if something happens we are going to disclose it, if you don't have a disclosure, then they don't know".

Council Member Winters agreed that \$50.00 is reasonable.

Regular City Council Work Session Minutes – August 18, 2014 – Page 3

Council Member Tande prefers having a limit and disclosing.

Council Member Biundo agreed with disclosure, \$50.00 is reasonable.

Disclosure timeline - 5 days or 10 days.

Parliamentary Procedure - General guide to simplify the rules. Ms. Leslie will create a cheat sheet to have at the dais for reference.

Vice Mayor Hall commented on ratification.

Ms. Leslie clarified a complex motion.

Council Member Biundo inquired about use of discretionary funds.

Council Member Winters: Discretionary funds comment. He commented that 1 & 3 are in conflict with each other.

Council Member Biundo recommended eliminating the Rotary creed.

2. City Council discussion on Fiscal Year 2016 budget process - NO ACTION

City Manager Wingenroth opened discussion regarding Fiscal Year 2016 budget process. Introduced Interim Finance Director, Lindsey Duncan to conduct the powerpoint presentation.

Vice Mayor Hall stated that at the planning retreat he would like a list of what has been done, and what still needs to be done. He spoke of the following: funding options; public outreach; recreation for kids and getting our residents excited about what we are doing in our communities.

Council Member Villanueva spoke of compensating employees who did not get a raise this year.

Council Member Williams spoke of CIP Plan concerns, and un-met community needs.

Council Member Winters spoke of Dial-A-Ride/Valley Metro, extending rides.

Council Member Tande spoke of engaging the residents.

Mayor Wolcott spoke of the need for getting out to our residents.

Regular City Council Work Session Minutes – August 18, 2014 – Page 4

Siera Petry spoke of more opportunities in Surprise for the youth groups, including a skate park and other activities that would be helpful to our community.

3. Community Development Planning Update - NO ACTION

Lloyd Abrams, Planning Manager gave an overview of the planning process including General Plan, Village Plans, etc.

Vice Mayor Hall inquired about high profile corner update.

Mr. Abrams stated they are being addressed.

Joint Meeting will be held on September 16, 2014

Proposed Council Meeting - November 8, 2014

Council Member Villanueva inquired about Village 1.

Mr. Abrams - OTS Stakeholder's group report.

Council Member Williams inquired about CC&R's.

Vice Mayor Hall inquired about page 9 - implementation program.

E. Call to the Public

F. Executive Session

G. Adjournment

Council Member Villanueva made the motion to adjourn the Regular City Council Work Session of August 18, 2014 at 5:54 p.m. Council Member Tande seconded the motion. Seven yes votes. Motion carried.

Regular City Council Work Session Minutes – August 18, 2014 – Page 5

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 **Monday, August 18, 2014.**

Sherry Ann Aguilar, City Clerk

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

Monday, August 18, 2014 @ 06:04 PM

A. Call to Order

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:04 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Monday, August 18, 2014**. Also in attendance with Mayor Wolcott were Vice Mayor Hall, Council Member Winters, Council Member Biundo, Council Member Williams, 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

E. City Manager Report

#1 Recipients Rosalio Hernandez Garcia (13 yrs) and Esparansa Hernandez Garcia (12 yrs) are being recognized for their actions on May 24th that culminated in the apprehension and arrest of a burglary suspect.

Chief Frazier and Mayor Wolcott presented plaques to Rosalio and Esperansa Hernandez.

F. City Attorney Report

G. Regular City Council Meeting Agenda:

Consent Agenda

Council Member Williams made the motion to approve the consent agenda. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

2. **Consideration and action authorizing the City Manager to execute an intergovernmental agreement with the City of Peoria to provide the Surprise Police Department with an alternate/emergency temporary radio dispatch location and equipment; Resolution #2014-86 - APPROVED**
3. **Consideration and action authorizing the City Manager to accept a grant in the amount of \$7,900 from the Edward Byrne Memorial Justice Assistance Grant (JAG) for Police Department training and equipment, and amending the FY2014-15 budget for unforeseen grants in the same amount; Resolution 2014-83 - APPROVED**
4. **Consideration and action approving a final plat entitled Quick N Clean Car Wash, dated April 2, 2014, a property generally located at the northwest corner of Bell Road and 115th Avenue; Resolution #2014-87 - APPROVED**
5. **Consideration and action authorizing the Mayor to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for the improvements necessary to construct Jomax Road from 147th Avenue to East City limits (133rd Avenue); Resolution 2014-60 - APPROVED**
6. **Consideration and action authorizing the Mayor to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for the enhancements associated with State Route 303L (SR303L) from Mountain View Boulevard to Grand Avenue (US60); Resolution No. 2014-68 - APPROVED**
7. **Consideration and action on the meeting minutes of August 5, 2014 Regular Work Session and Regular Council Meeting - APPROVED**

Regular Agenda Item - Non Public Hearing

8. Presentation and discussion regarding the FY2014 Budget Status Report through May 2014 - NO ACTION

Interim Finance Director, Lindsey Duncan gave a powerpoint presentation regarding the FY 2014 Budget Status Report through May 2014.

Vice Mayor Hall commented for staff to keep an eye on charges for service.

9. Discussion and action commissioning a small monument in memoriam of Medal of Honor Recipient, Staff Sergeant Nick Bacon, a former Surprise Town Manager, at a cost not to exceed \$7,000; Resolution No. 2014-88 - APPROVED

Bill Lipscomb - thanked Council for doing this and stated that Mr. Brown personally served with Nick Bacon in Vietnam. Mr. Lipscomb read the Citation for the record.

Mr. Brown met Nick Bacon in 1986, became really close friends for many years until his passing.

Vice Mayor Hall made the motion to approve commissioning a small monument in memoriam of Medal of Honor Recipient, Staff Sergeant Nick Bacon, a former Surprise Town Manager, at a cost not to exceed \$7,000; Resolution No. 2014-88. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Public Hearing

10. Consideration and action on the Sierra Montana Phase 1 North Lot G preliminary plat, dated February 21, 2014, a property generally located on the Northwest Corner of Cotton Lane and Acoma Drive, with conditions and stipulations; Resolution# 2014-57 - APPROVED

City Planner, Martin Lucero reported on the preliminary plat.

Council Member Tande inquired about the property North of the development on Cotton Ln.

Mr. Lucero explained that the landscaping buffer will be brought in conformance with the right of way.

Regular City Council Meeting Minutes – August 18, 2014 – Page 4

Council Member Tande stated that he would like for us to move in the direction of 3/4 street requirements.

Council Member Williams inquired about Woodrow, median restrictions and left hand turn.

No public comments were made.

Council Member Williams made the motion to approve Sierra Montana Phase 1 North Lot G preliminary plat, dated February 21, 2014, a property generally located on the Northwest Corner of Cotton Lane and Acoma Drive, with conditions and stipulations; Resolution# 2014-57. Council Member Winters seconded the motion. Seven yes votes. Motion carried.

11. Consideration and action approving the Mariposa Acres plat, dated January 16, 2014, a property located at 15851 West Tierra Buena Lane, Resolution #2014-45 - APPROVED

City Planner, Bart Wingard reported on the Mariposa Acres, items 10 and 11.

Council Member Tande asked for the purpose of the rezone.

Mr. Wingard stated that it is the density.

Public Comments:

Jean Poe - Resident of Paradise Lane, has live there for over 15 years. She does not oppose the project itself, would be a beautiful facility in the neighborhood. Opposed to the location of the facility and would like to propose moving to the west side for the entrance. PUD overlay, only used for Assisted living Facility.

Robert Spexarth - Property owner and intends to subdivide and build home.

Mayor Wolcott inquired about the overlay.

Mr. Wingard stated that yes, to preserve properties along Reems Road to not become commercial.

Council Member Winters stated he is concerned that this could become a trend for high density.

Regular City Council Meeting Minutes – August 18, 2014 – Page 5

Mr. Wingard explained that the overlay could prevent any high density and limit it to certain uses and density along Reems Road.

Council Member Tande asked how the applicant feels about the possibility of an overlay.

Vice Mayor Hall commented that he agrees with proceeding at looking at overlay and thinks this is a great development.

Mayor Wolcott stated that the overlay is a separate issue, and will be addressed and come back to us at a different time.

Vice Mayor Hall made the motion to approve the Mariposa Acres plat, dated January 16, 2014, a property located at 15851 West Tierra Buena Lane, Resolution #2014-45. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

12. Consideration and action rezoning a property known as Mariposa Acres, located at 15851 West Tierra Buena Lane from Rural Residential (RR) to a medium density zoning district; Ordinance #2014-06 - APPROVED

Council Member Biundo made the motion to approve rezoning a property known as Mariposa Acres, located at 15851 West Tierra Buena Lane from Rural Residential (RR) to a medium density zoning district; Ordinance #2014-06. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

H. Call to the Public

I. Other Business

J. Mayor/Council Reports

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

Council Member Winters: Mayor's 3rd Annual Bowling event and L303 opening.

Vice Mayor Hall: Dysart breakfast

Council Member Villanueva: Thanked staff for addressing the bridge.

Regular City Council Meeting Minutes – August 18, 2014 – Page 6

Council Member Tande: Bowling event; looking forward to League conference.

Siera Petry: thankful for being there and thanked Council for their help.

Mayor Wolcott: Bowling event; Transportation; Bell/Grand interchange;

Council Member Tande made the motion to recess into executive session at 7:30 PM.
Council Member Williams seconded the motion. Seven yes votes.

K. Executive Session

- 13. Discussion/consultation with the City Attorney to receive legal advice; and to consider its position, and to provide instruction/direction regarding contract terms regarding the employment contracts between the City and its appointed officials pursuant to A.R.S. §38-431.03(A)(1), (3) &(4).**

L. Adjournment

Mayor Wolcott adjourned the Regular City Council Meeting of August 18, 2014 at 7:44 PM

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

Regular City Council Meeting Minutes – August 18, 2014 – Page 7

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 **Monday, August 18, 2014.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Michael T. Frazier, Chief of Police
Submitting Department:	Police	District:	Internal
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action authorizing the city to renew an Intergovernmental Agreement between the City of Surprise and the Department of Justice Drug Enforcement Administration for two (2) experienced officers to be assigned to the DEA Task Force for a period of not less than two years; Resolution No. 2014-89.

Motion:

I move to approve Resolution No. 2014-89.

Background:

This is a renewal of an agreement with the Department of Justice, which Surprise originally entered into in 2003. Evidence shows that trafficking in narcotics and dangerous drugs exists in the area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona. The DEA Phoenix Task Force will (a) disrupt the illicit drug traffic in the State of Arizona by immobilizing targeted violators and trafficking organizations (b) gather and report intelligence data relating to trafficking in narcotics and dangerous drugs and (c) conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution. The Surprise Police Department (SPD) agrees to assign two (2) experienced officers to the DEA Phoenix Task Force for a period of not less than two years. DEA agrees to reimburse the City of Surprise for up to \$17,374.25 per officer (no more than \$34,748.50 total) for overtime expenses each year in addition to all investigative expenses related to travel and per diem.

Financial Impact Statement:

This item has been approved by the Mayor and Council as part of the FY2015 budget. The Drug Enforcement Administration will, subject to availability of funds, reimburse the department for overtime payments to the two (2) Surprise Police Department Officers assigned to the DEA Task Force up to a sum of \$17,374.25 per officer. DEA will pay for all investigative expenses related to travel and per diem.

ATTACHMENTS:

Click to download

- ☐ [2014-2015 DEA Task Force IGA](#)
- ☐ [2014-2015 DEA Task Force IGA Resolution 2014-89](#)
- ☐ [2014-2015 DEA Task Force IGA Ltr Explanation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

Michael T. Frazier
Chief of Police

**PROGRAM-FUNDED STATE AND LOCAL TASK FORCE AGREEMENT
BETWEEN
DRUG ENFORCEMENT ADMINISTRATION
AND
THE CITY OF SURPRISE**

This agreement is made this 30th day of September 2014, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and The City of Surprise, Arizona Municipal Corporation (hereinafter "City"), acting through the Surprise Police Department (hereinafter "SPD"). DEA, City and SPD are referred to herein individually as "Party" and collectively as "Parties." The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists throughout Arizona, and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona, the parties hereto agree to the following:

1. The DEA Phoenix Task Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the State of Arizona by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and,
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Arizona.
2. To accomplish the objectives of the DEA Phoenix Task Force, the SPD agrees to detail two (2) experienced Officers to the Task Force for a period of not less than two years. During this period of assignment, the SPD Officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The SPD Officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The SPD Officers assigned to the Task Force shall be deputized as Task Force Officers of DEA pursuant to 21 U.S.C. §878.

5. To accomplish the objectives of the DEA Phoenix Task Force DEA will assign three (3) Special Agents to the Task Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and SPD Officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.
6. During the period of assignment to the DEA Phoenix Task Force, the SPD will remain responsible for establishing the salary and benefits, including overtime, of the Officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the SPD for overtime payments made by it to the SPD Officers assigned to the DEA Phoenix Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, Step 1, law enforcement officer general schedule locality pay tables, rest of the United States table (currently \$17,374.25), per officer.
Note: Task Force Officer's Overtime" shall not include any costs for benefits, such as retirement, FICA, and other expenses."
7. In no event will the SPD charge any indirect cost rate to DEA for the administration or implementation of this agreement.
8. The SPD shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.
9. The SPD shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The SPD shall maintain all such reports and records until all litigation, claim, audits and examinations are completed and resolved, or for a period of three (3) after termination of this agreement, whichever is later.
10. The SPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H, and I.
11. The SPD agrees that an authorized Officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The SPD acknowledges that this agreement will not take effect and no Federal funds will be awarded to the SPD by DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, the SPD shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money; and, (2) the dollar amount of Federal funds for the project or program.
13. The term of this agreement shall be effective from the date in paragraph number one (1) until September 29, 2015. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by SPD during the term of this agreement.

For the Drug Enforcement Administration:

Douglas W. Coleman
Special Agent in Charge

Date _____

For the City of Surprise, an Arizona Municipal Corporation, acting through the Surprise Police Department:

For the Surprise Police Department:

Michael T. Frazier
Chief of Police

Date _____

Attachment

RESOLUTION # 2014-89

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, DRUG ENFORCEMENT ADMINISTRATION, TO CONTINUE PARTICIPATION IN THE LOCAL TASK FORCE

WHEREAS, there is evidence that trafficking in narcotics and dangerous drugs exists throughout the state and in the Phoenix area;

WHEREAS, such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona and the City of Surprise;

WHEREAS, the Drug Enforcement Administration and Surprise Police Department desire to partner together to combat these issues;

WHEREAS, the Drug Enforcement Administration, as part of their commitment to this partnership desires to reimburse overtime incurred as a result of this partnership for the two Surprise assigned officers up to the amount of \$17,374.25 per officer and the City of Surprise desires to accept such funding reimbursement; and

WHEREAS, budget for the overtime was included as part of the grants and contingency fund in the FY2015 budget, which was adopted by Resolution 2014-53 on June 3, 2014.

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

Section 1. The City is hereby authorized to enter into an Intergovernmental Agreement with the Department of Justice, Drug Enforcement Administration to participate in the Local Task Force by assigning two officers to the task force and to receive overtime reimbursement up to the amount of \$17,400.00 per officer (no more than \$34,800 total) from the Drug Enforcement Administration.

Section 2. The City Manager, or his designees, are authorized to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney



U. S. Department of Justice
Drug Enforcement Administration
3010 N. 2nd Street, Suite 100
Phoenix, Arizona 85012

www.dea.gov

August 11, 2014

Karen Cich
Administrative Specialist
Surprise Police Department
14250 W. Statler Plaza Suite 103
Surprise, AZ 85374

Ref: 2015 DEA/Surprise Police Department (SPD) Intergovernmental
Task Force Agreement

Dear Karen:

I've provided you with an electronic copy of the 2015 DEA/SPD Program-Funded Task Force Agreement, and an OJP 4061 – Drug-Free Workplace Requirement Form to be signed. This agreement provides that the SPD will continue its participation in a DEA Task Force from September 30, 2014 through September 29, 2015. The overtime reimbursement for the 2015 agreement was increased by 1% to \$17,374.25, the first time in 3 years.

Please print out two originals of each of the Task Force Agreement, and the OJP-4061 for original signatures and return them to my attention, via mail, by Monday September 15, 2014, so that I can ensure they are processed and to Washington, D.C. prior to their deadline to guarantee allocation of funding. As always please keep me informed of when you can get this on the September City Council Agenda and any delays on the review or signing of this paperwork, and I'll work with you to process these documents.

Once Special Agent Douglas W. Coleman signs the original documents I will send you an electronic copy and one original in the mail for your records.

Please don't hesitate to contact me at 602-664-5613 or Deborah.A.Clancy@usdoj.gov if you have any questions during the year. It's a pleasure working with you.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Clancy".

Deborah Clancy
Program Analyst

Enclosures



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Mike Gent, Public Works Department
Submitting Department:	Public Works	District:	3
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on a resolution to accept maintenance of streets and public utility improvements at the McDonalds, generally located at the southwest corner of the Reems Road and Greenway Road Intersection; Resolution No 2014-42.

Motion:

I move to approve Resolution No. 2014-42

Background:

The Public Works Department conducted the final inspection of the streets and public utility improvements for McDonalds located at the southwest corner of Reems and Greenway on or about September 19, 2012. Paving and concrete improvements total 333 SY (approx. 0.06 Ln miles)

Financial Impact Statement:

Acceptance of streets, water, and sewer infrastructure increases the city's asset base and adds to future maintenance commitments. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future street preservation and maintenance and water and sewer operational budget.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2014-42](#)
 - ☐ [Memo](#)
 - ☐ [Notice of completion Letter](#)
 - ☐ [Inspector Sign Off](#)
 - ☐ [Final Plat](#)
 - ☐ [Resolution of Final Plat](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint Video White Board Other

Presentation Speaker Names (spelling and titles for TV captions):

RESOLUTION # 2014-42

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO ACCEPT MAINTENANCE OF STREETS AND PUBLIC UTILITY IMPROVEMENTS AT THE McDONALDS, GENERALLY LOCATED NEAR THE INTERSECTION OF SOUTHWEST CORNER OF REEMS AND GREENWAY ROADS.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Greenway Parc at Surprise One and Greenway Parc at Surprise Two" on, February 25, 1999;

WHEREAS, McDonalds USA, LLC the developer of the McDonalds, dedicated to the City the street and offsite street and public utility improvements, specifically those streets and utilities located at the southwest corner of Reems and Greenway Roads;

WHEREAS, the City of Surprise Public Works Department Engineering Division certifies that the two-year warranty period has expired; and

WHEREAS, the City of Surprise Public Works Department Engineering Division conducted the final inspection of the streets and water and sewer improvements located at the southwest corner of Reems and Greenway Roads on or about September 19, 2012.

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

Section 1. The City of Surprise accepts the maintenance of the streets and public utility improvements located as generally depicted on the map attached as Exhibit "A."

APPROVED AND ADOPTED this ____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

McDonalds





Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 3/26/14
Re: McDonalds Improvements and City Acceptance

The public improvements for the above project have been completed and are on the May 6, 2014 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 - \$15,464.00
- City Concrete - \$14,290.00



Public Works Department
Engineering Development Services
16000 North Civic Center Plaza
Surprise, Arizona 85374
Phone 623-222-6141
Fax 623-222-6006

September 27, 2012

MCDONALDS USA LLC
17550 N PERIMETER DR, SUITE 400
SCOTTSDALE, AZ 85255

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR
MCDONALDS - FS12-030**

The City of Surprise Public Works Department has completed the inspection of the street and public utility improvements for the above referenced subdivision. 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:

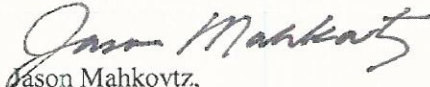
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

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 623-222-6141.

Sincerely,


Jason Mahkovtz,
Civil Engineer Supervisor

jm/jg

c: David Mobley, Civil Inspector
Cindy Coen, Legal
David Kohlbeck, Public Works
File

Andrea Scarla, Finance
Antonio DeLaCruz, Public Works
Dan Blackson, Public Works

CONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

(Pursuant to A.R.S. 33-1008)

Project: McDonalds Restaurant

Job No: _____

On receipt by the undersigned of a check from McDonald's Corporation
(Maker of Check)
in the sum of \$ 121,130.26 payable to Damitio Construction, Inc
(Amount of Check) (Payee or Payees of Check)

and when the check has been properly endorsed and has been paid by the bank of which it is drawn, this document becomes effective to release any Mechanic's lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule of statute relating to claim or payment rights for persons in the undersigned's position, the undersigned has on the job of McDonald's Corporation
(Owner)
located at 15525 W. Greenway Road, Surprise, AZ 85379
(Job Description)

This released covers the final payment to the undersigned for all labor, services, equipment or materials furnished to the jobsite or to Damitio Construction, Inc
(Person with whom Undersigned Contracted)
except for disputed claims in the amount of \$ -0-. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

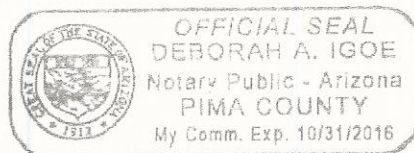
The undersigned warrants that he either had already paid or will use the monies he receives from this final payment to promptly pay in full all his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

Date: 3/28/13

ARIZONA

PIHA
03.29.13

Deborah A. Igoe



Damitio Construction, Inc
(Company Name)

By: *Laura M. Harnett*
(Signature)

Secretary/ Treasurer
(Title)

Bid Date: _____
 Location: Greenway & Reems
 City/State: Surprise, Arizona
 Building Type: _____
 Project Manager: Reggie Anderson

Version: 2000.00

G.C. Name: Damitio Construction, Inc.

G.C. Phone: 602-725-9389

	DESCRIPTION	(M&L)	C.S.I.#	Unit of Measure	Quantity	Unit Cost	TOTAL
1							
170							
171	Site Costs						
222	MISC.:						
223	Painting/Pavement Marking	(M&L)	02.580		1	\$4,988.00	\$4,988
247	OFF-SITE IMPROVEMENTS:						
249	Demolition	(M&L)	02.990		1	\$4,560.00	\$4,560
250	Grading	(M&L)	02.990		1	\$1,900.00	\$1,900
251	Curb & gutter	(M&L)	02.990		283	\$15.13	\$4,282
252	Sidewalk	(M&L)	02.990		2042	\$4.00	\$8,168
253	Asphalt patch	(M&L)	02.990		1	\$2,746.00	\$2,746
255	Hand rail	(M&L)	02.990		1	\$6,125.00	\$6,125
257	Water line extension	(M&L)	02.990		0		\$0
258	Approach/decel lane	(M&L)	02.990		1	\$12,718.00	\$12,718
260	Modify north entrance	(M&L)	02.990		1	\$1,840.00	\$1,840
270	ELECTRICAL:						
271	Street light relocate & modify traffic signal	(M)	16.500		1	\$3,350.00	\$3,350
302							
303	SUBTOTAL COMMON SITE COSTS						\$50,677
	GC OH&P						\$3,041
	AZ TAX						\$3,492
	Total						\$57,210

ALTERNATIVE BID ITEMS:

	Exclusions; Permits, fees, extension of utilities beyond length on bid documents, hard dig, engineering, testing, landscape, barricades or additional work not covered in this quote					

Contractor: Damitio
 Name: _____
 Title: _____
 Signature: _____
 Date: _____



PROJECT SIGN OFF FORM

ENGINEERING DEVELOPMENT SERVICES DIVISION, INSPECTIONS

Date Submitted: 9/19/2012 ☐ Commercial ☒ Commercial w/Offsite ☐ Residential

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

9/17/2012 Date of Punch-List Walk 9/18/2012 Date Punch-List Completed

Permit Number: E12P-0069

Project Name: McDonalds Project Description (Phase/Parcel): _____

Project Developer/Builder: (Name, Address, and Phone #)

Damitio Construction

3119 N. Jackson, Tucson AZ 85719

MAG TIP Reporting:

Parkways/Arterials:

____ (See Next Page for Additional Roadways)

Reems Road Street Name 1 # of Lanes 1/4 Length (nearest ¼ mile)

From: _____ to _____ Features: ☐ Bike Lane ☒ Median ☒ Turn Lane ☐ Landscaping

____ Street Name _____ # of Lanes _____ Length (nearest ¼ mile)

From: _____ to _____ Features: ☐ Bike Lane ☐ Median ☐ Turn Lane ☐ Landscaping

____ Street Name _____ # of Lanes _____ Length (nearest ¼ mile)

From: _____ to _____ Features: ☐ Bike Lane ☐ Median ☐ Turn Lane ☐ Landscaping

Major Collectors:

____ (See Next Page for Additional Roadways)

____ Street Name _____ # of Lanes _____ Length (nearest ¼ mile)

From: _____ to _____ Features: ☐ Bike Lane ☐ Median ☐ Turn Lane ☐ Landscaping

____ Street Name _____ # of Lanes _____ Length (nearest ¼ mile)

From: _____ to _____ Features: ☐ Bike Lane ☐ Median ☐ Turn Lane ☐ Landscaping

MATERIALS:

Asphalt: N/A Supplier _____ Total Lane Miles _____ Total Square Yards _____

Water: N/A Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet _____

____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet _____

Sewer: N/A Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet _____

____ Size/Type _____ Total Linear Feet _____ Size/Type _____ Total Linear Feet _____

Fire Ln: 6" Size/Type 287" Total Linear Feet 4" Size/Type 127" Total Linear Feet

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Completed Punch List

N/A Engineer of Record Reports to Include but not limited to:

☐ ATC, ☐ AOC, ☐ Material Submittal, ☐ Geotechnical Reports, ☐ Water Report, ☐ Water Test Results,

☐ Sewer Report, or ☐ Daily Reports

N/A Final Certification Letter from Engineer of Record

N/A Asphalt Concrete Emulsion Fog Seal Cert. (SS1H)

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

N/A Sewer Pressure Testing Results

N/A Streetlight Energize Letter

N/A Sewer Manhole Vacuum Testing Certification

☒ As built Documents (☒ 1 Bond and ☒ 1 Mylar)

N/A Sewer Manhole Insecticide Certification

☒ CD with As Built Documents in .pdf format

N/A Sewer Videos with Operators Notes (inc. re-videos)

____ Other _____ (Specify)

APPROVAL:

Civil Inspector: *Debra M. Mabley*

Date: 9/19/2012

Development Engineer: *Jan M. Mabley*

Date: 9-19-12

FINAL PLAT FOR GREENWAY PARC AT SURPRISE ONE

BOOK 506 PAGE 29
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
99-0616965
06/29/99 01:25
VERDE

DEDICATION

STATE OF ARIZONA) S.S.
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS: THAT SURPRISE 152 L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF GREENWAY PARC AT SURPRISE ONE, A SUBDIVISION OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER SECTION 7, T. 3 N., R. 1 W., G. & S. R. B. & M., MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF SAID GREENWAY PARC AT SURPRISE ONE, AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING SAME AND THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER, OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT, AND HEREBY DEDICATES TO THE PUBLIC FOR USE AS SUCH THE STREETS AS SHOWN ON SAID PLAT AND INCLUDED WITHIN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSE SHOWN. TRACTS "A" THRU "I" ARE NOT TO BE CONSTRUED TO BE DEDICATED FOR THE USE OF THE GENERAL PUBLIC, BUT ARE DECLARED FOR THE USE AND ENJOYMENT OF THE HOMEOWNERS IN GREENWAY PARC AT SURPRISE ONE AS MORE FULLY SET FORTH IN THE DECLARATION OF CONVENANTS, CONDITIONS AND RESTRICTIONS. MAINTENANCE OF THE ABOVE REFERENCED TRACTS WILL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION. TRACTS "A" THRU "K" ARE HEREBY DECLARED FOR USES NOTED IN THE TRACT TABLE.

IN WITNESS WHEREOF: SURPRISE 152 L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREONTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURES THEREUNTO DULY AUTHORIZED.

SURPRISE 152 L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY

BY: LKY REAL ESTATE, L.L.C.

BY: LEGACY LAND DEVELOPMENT, L.L.C.

ITS: *William D. Ring*
MEMBER

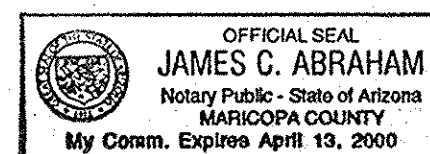
ITS: *Th. Eggert*
MEMBER

ACKNOWLEDGEMENT

STATE OF ARIZONA) S.S.
COUNTY OF MARICOPA)

ON THIS THE 18TH DAY OF MAY, 1999, BEFORE ME, THE UNDERSIGNED OFFICERS, PERSONALLY APPEARED WILLIAM D. RING, and THOMAS W. EGGERT, who acknowledged themselves to be MEMBERS, OF SURPRISE 152 L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT THEY, AS SUCH OFFICERS, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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



BY: *James C. Abraham* MY COMMISSION EXPIRES: 4-13-2000
NOTARY PUBLIC

APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS THE 14TH DAY OF JUNE, 1999, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

BY: *Chris D. Seal*
CITY ENGINEER

THIS PLAT APPROVED BY THE CITY OF SURPRISE PLANNING AND ZONING COMMISSION THIS THE 16th DAY OF February, 1999.

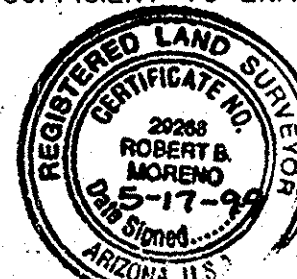
BY: *Donald D. Jones* ATTEST: *Shirley Bray*
CHAIRPERSON SECRETARY

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS THE 25TH DAY OF FEBRUARY, 1999.

BY: *Joan H. Shaffer* ATTEST: *Sherry Ann Ogden*
MAYOR CITY CLERK

CERTIFICATION

THIS IS TO CERTIFY THAT THIS SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY, 1999, AND THAT THE PLAT IS CORRECT AND ACCURATE, AND THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN. THAT THEIR POSITIONS ARE CORRECT, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY AND SUBDIVISION TO BE RETRACED.



Robert B. Moreno
REGISTERED LAND SURVEYOR #29268 5-17-99 DATE

NOTICE OF GREENWAY PARC AT SURPRISE ONE DEVELOPMENT AGREEMENT

LANDOWNER HAS ENTERED INTO A GREENWAY PARC AT SURPRISE ONE DEVELOPMENT AGREEMENT DATED ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD"). THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT. THE AGREEMENT AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENT, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENT IS ON FILE AT THE OFFICES OF LANDOWNER AT 500 EAST SHEA BLVD. S-A-215 SCOTTSDALE, AZ 85254 AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 9, UPON REASONABLE REQUEST.

DATED THIS DAY OF 1999

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

BY: *James F. Luvell*
ITS: *James F. Luvell*
MEMBER

ATTEST:

BY: *Karen C. Ryette*
ITS: *Karen C. Ryette*
MEMBER

SURPRISE 152 L.L.C.

BY: LKY REAL ESTATE, L.L.C.

ITS: *William D. Ring*
MEMBER

BY: LEGACY LAND DEVELOPMENT, L.L.C.

ITS: *Th. Eggert*
MEMBER

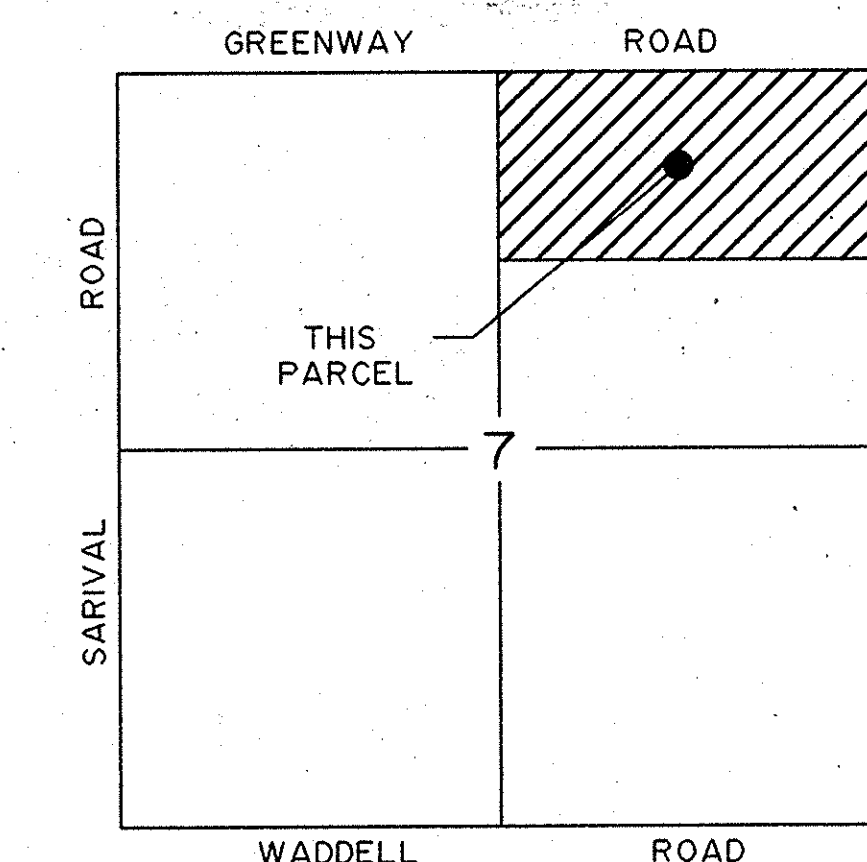
LEGEND

INDICATES A CORNER OF THIS SUBDIVISION.
(SET 1/2" REBAR UNLESS NOTED OTHERWISE)

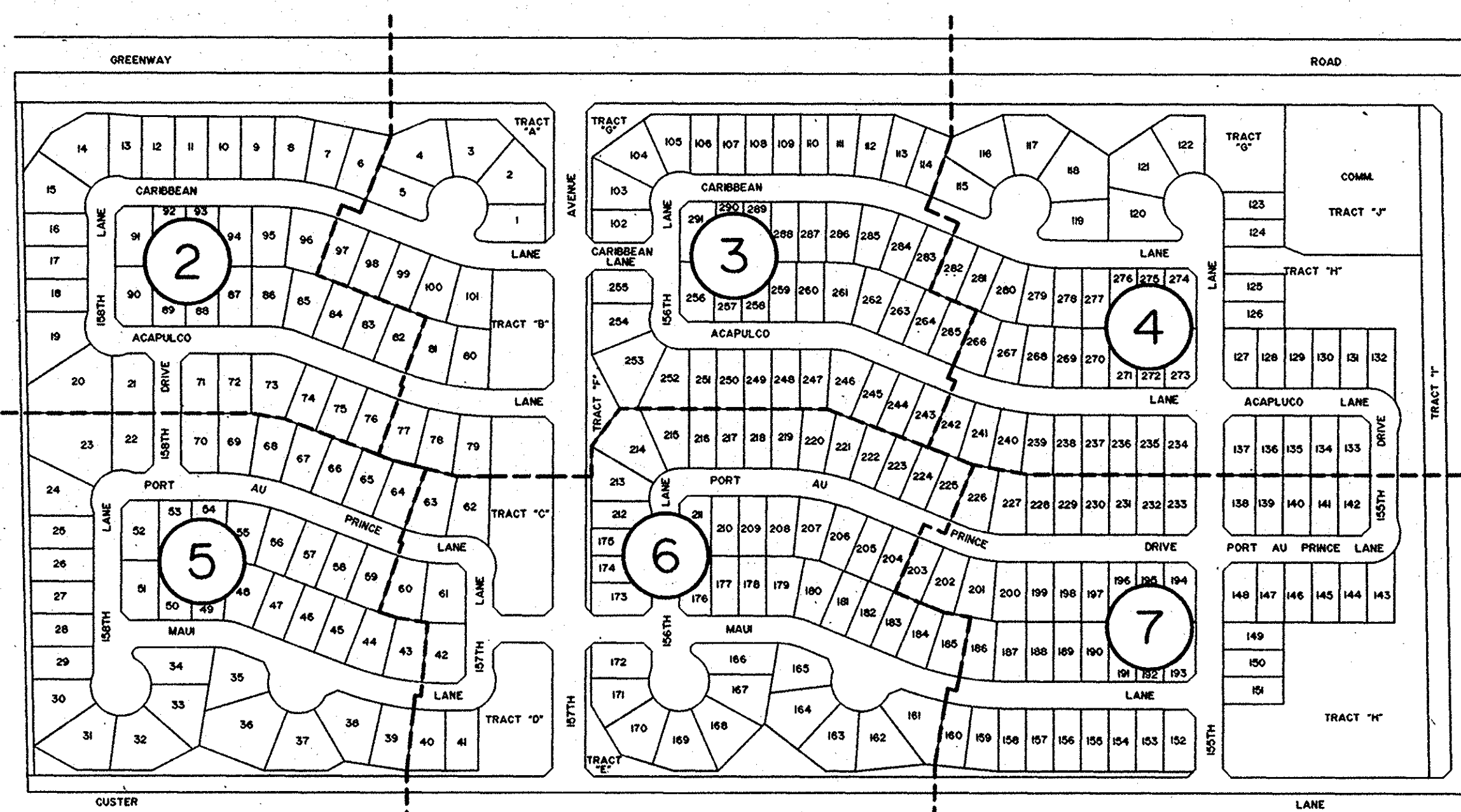
INDICATES PUBLIC UTILITY EASEMENT

INDICATES VEHICULAR NON-ACCESS EASEMENT

INDICATES SITE VISIBILITY TRAINLINE



VICINITY MAP



TYPICAL LOT SETBACKS

S.V.L. DENOTES SITE VISIBILITY LINE.

TRACT TABLE

TRACT	DESCRIPTION	AREA
"A"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	0.936 A.C.
"B"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	0.571 A.C.
"C"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	0.930 A.C.
"D"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	1.040 A.C.
"E"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	0.663 A.C.
"F"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	0.239 A.C.
"G"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	1.459 A.C.
"H"	LANDSCAPING, PEDESTRIAN ACCESS, PUBLIC UTILITIES, DRAINAGE & RETENTION	3.593 A.C.
"I"	LANDSCAPING, PUBLIC UTILITIES, AND DRAINAGE	1.129 A.C.
"J"	COMMERCIAL - FUTURE DEVELOPMENT	1.551 A.C.
"K"	M.W.D. EASEMENT	0.340 A.C.

LOT 32 - 12' WATER LINE EASEMENT FOR CITIZENS WATER RESOURCES.

NOTICE:

LOTS DEPICTED ON THIS PLAT MAY BE SUBJECT TO OVERFLIGHT BY JET AIRCRAFT FROM LUKE AIR FORCE BASE. HOMES CONSTRUCTED ON THESE LOTS MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF SURPRISE SOUND ATTENUATION ORDINANCE SMC 15.32.010. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

LEGAL DESCRIPTION

THE NORTH-ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SAID SECTION 7, THENCE SOUTH 00 DEGREES 33 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, A DISTANCE OF 1320.27 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, THENCE NORTH 89 DEGREES 36 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, A DISTANCE OF 2652.52 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, THENCE NORTH 00 DEGREES 45 MINUTES 33 SECONDS WEST ALONG THE WEST LINE OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, A DISTANCE OF 1320.67 FEET TO THE NORTHWEST CORNER (NORTH ONE-QUARTER CORNER) OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, THENCE SOUTH 89 DEGREES 35 MINUTES 3 SECONDS EAST ALONG THE NORTH LINE OF THE SAID NORTH ONE-HALF NORTHEAST ONE-QUARTER SECTION 7, A DISTANCE OF 2657.32 FEET TO THE POINT OF BEGINNING.

CERTIFICATE OF OCCUPANCY

THE LOTS AND PARCELS CREATED, DEFINED, OR DEPICTED ON THIS PLAT ARE SUBJECT TO A LIMITATION ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AS SET FORTH IN THE SUBDIVISION ORDINANCE OF THE CITY OF SURPRISE. NO PERSON MAY OCCUPY A BUILDING OR STRUCTURE ERECTED ON ANY LOT OR PARCEL CREATED, DEFINED, OR DEPICTED ON THIS PLAT UNTIL THE CITY OF SURPRISE HAS ISSUED A CERTIFICATE OF OCCUPANCY. THE CITY WILL NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL STREET, UTILITY, DRAINAGE, AND OTHER IMPROVEMENTS RELATING TO THIS PLAT AS REQUIRED BY THE CITY SUBDIVISION ORDINANCE ARE COMPLETED TO CITY OF SURPRISE STANDARDS. THIS LIMITATION MAY BE RELEASED IN PHASES. A PROSPECTIVE BUYER OF A LOT OR PARCEL CREATED, DEFINED, OR DEPICTED ON THIS PLAT SHOULD REQUIRE THE SELLER TO PRODUCE A RECORDED RELEASE OF THIS LIMITATION ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY SIGNED BY THE CITY OF SURPRISE BEFORE PURCHASING AND/OR CLOSING ESCROW ON THAT LOT OR PARCEL. FAILURE TO OBTAIN SUCH A RELEASE OF THIS LIMITATION MAY RESULT IN THE BUYER BEING PROHIBITED FROM OCCUPYING A HOUSE OR OTHER STRUCTURE BUILT ON THE LOT OR PARCEL.

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997 UNDER DOCKET # 97-231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA. IN LOCATIONS WHERE APPLICABLE, INCLUDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND PROPERTY INTERESTS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA. CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL THE UTILITY SERVICE PROVIDER'S USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THIS IGA PRIOR TO THE USE OR OCCUPANCY OF THE EASEMENTS GRANTED UNDER THE IGA. SUCH USE OR OCCUPANCY OF THE EASEMENTS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THIS IGA.

NOTES

THIS DEVELOPMENT IS LOCATED WITHIN THE CITIZENS UTILITY WATER SERVICE AREA.

EXCEPT FOR CONSTRUCTION AND IMPROVEMENTS BY GOVERNMENTAL ENTITIES AND CERTIFIED PUBLIC UTILITIES, CONSTRUCTION AND IMPROVEMENTS WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO ONLY THE FOLLOWING:

- WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
- CONSTRUCTION, STRUCTURES OR BUILDING EXPRESSLY APPROVED IN WRITING BY ALL PUBLIC UTILITIES AND THE CITY OF SURPRISE WHICH USE OR SHALL USE THE UTILITY EASEMENT

ALL UTILITIES ARE TO BE INSTALLED UNDERGROUND.

NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION PLANTED NOR BE ALLOWED TO GROW WITHIN DRAINAGE EASEMENT, WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE DRAINAGE EASEMENT. THE CITY OF SURPRISE MAY, IF IT SO DESIRES, CONSTRUCT AND/OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND IN THE EASEMENTS.

A HOMEOWNERS ASSOCIATION, INCLUDING ALL LOT OWNERS IN THE GREENWAY PARC AT SURPRISE ONE WILL BE FORMED AND HAVE THE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE NOTED AS TRACTS, LANDSCAPED AREAS AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.

100 YEAR ASSURED WATER SUPPLY

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

FLOOD ZONE

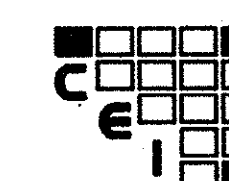
THIS PLAT IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION "A" & "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 0403C1585-F, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 30, 1995, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PLAT IS SITUATED.

DEVELOPER

SURPRISE 152 L.L.C./OWNER
5010 EAST SHEA BLVD. S-A-215
SCOTTSDALE, ARIZONA 85254
PHONE: (602) 443-4070

ENGINEER

CLOUSE ENGINEERING, INC.
1642 EAST ORANGEWOOD AVE.
PHOENIX, ARIZONA 85020
PHONE: (602) 395-9300



Clouse Engineering, Inc.
ENGINEERS • SURVEYORS

1642 E. Orangewood Ave. • Phoenix, Arizona 85020 • TEL 395-9300 • FAX 395-9310

GROSS AREA: 80.467

LOTS: 291

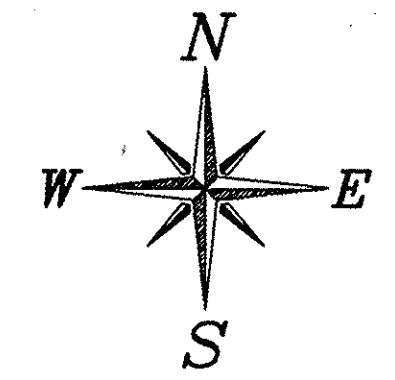
TRACTS: 11

Job No.
971209

SH. 1
OF 7

FP00V.DWG

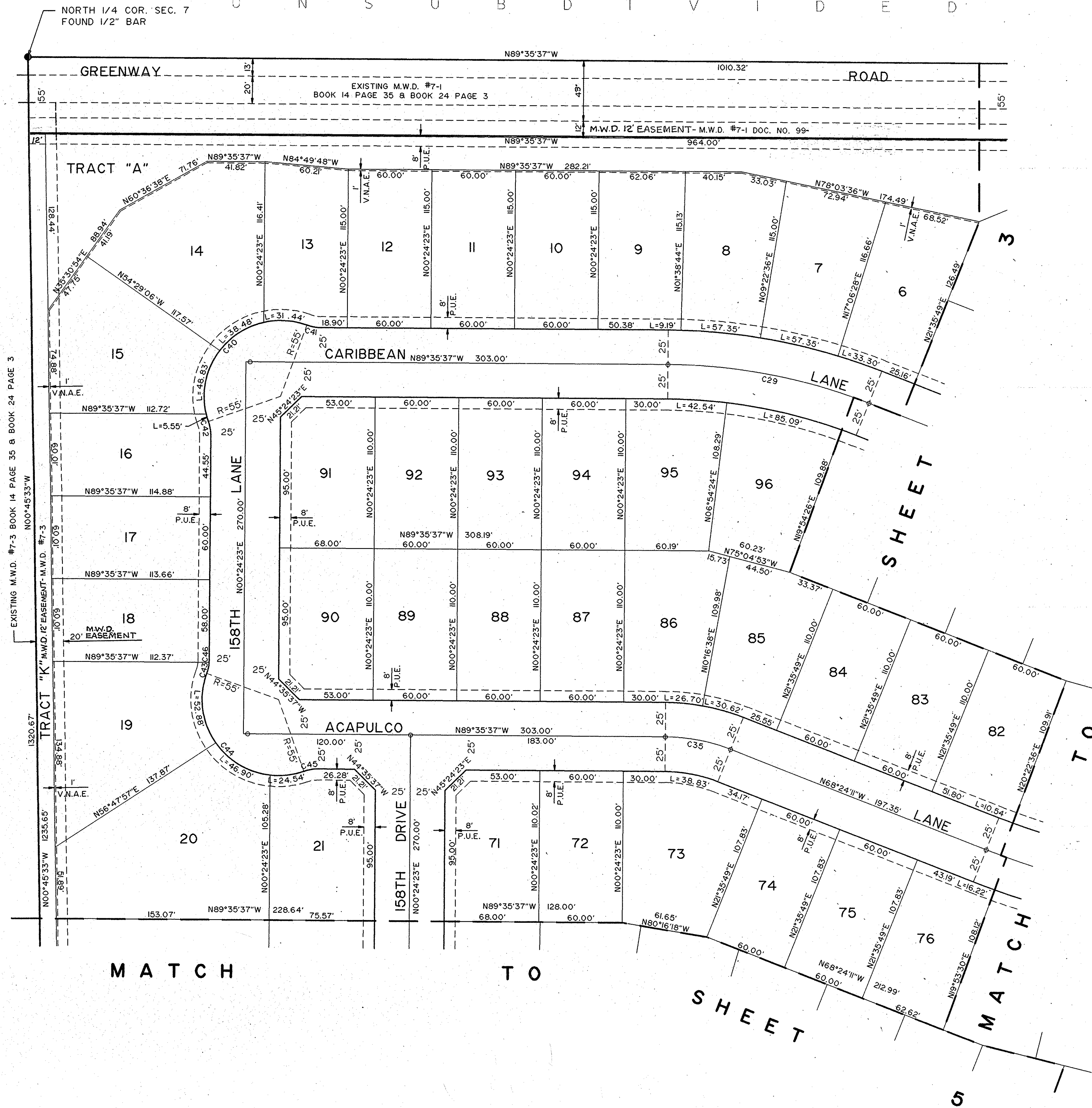
GREENWAY PARC AT SURPRISE ONE



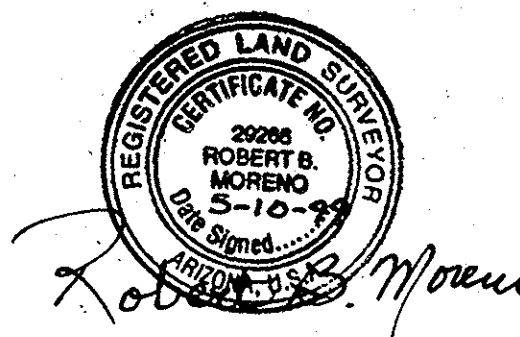
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BOOK 506 PAGE 29
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
99-0616965
06/29/99 01:25
VERBENA



CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	DELTA
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C35	130.00	48.08	24.32	21°11'26"
C40	55.00	124.31	116.62	129°29'59"
C41	30.00	10.34	5.22	19°45'00"
C42	30.00	10.34	5.22	19°45'00"
C43	30.00	8.34	4.20	15°56'07"
C44	55.00	124.31	116.62	129°29'59"
C45	30.00	10.34	5.22	19°45'00"
C46	30.00	2.00	1.00	03°48'53"



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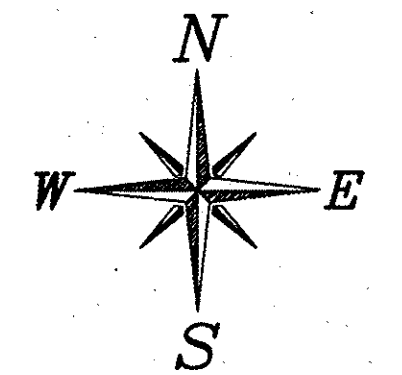
Job No.
971209
SH. 2
OF 7

FP2DW6

GREENWAY PARC AT SURPRISE ONE

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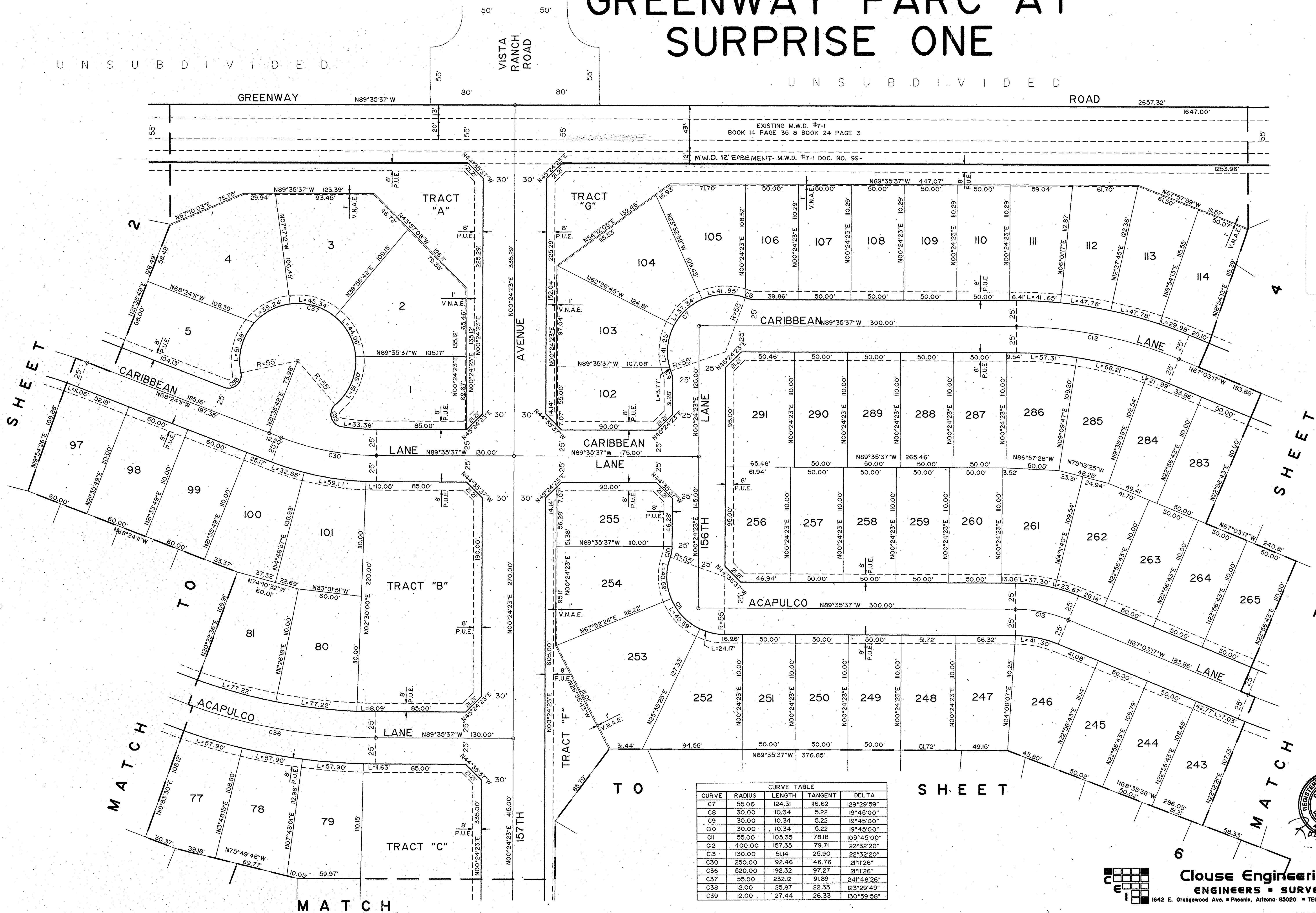
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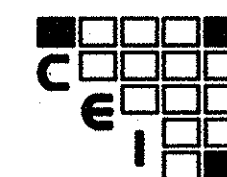
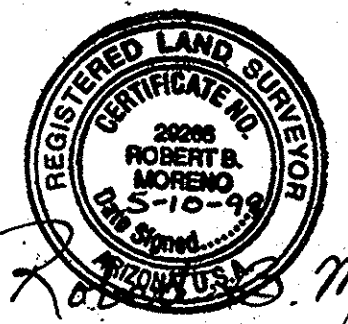
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OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
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CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	DELTA
C7	55.00	124.31	116.62	129°29'59"
C8	30.00	10.34	5.22	19°45'00"
C9	30.00	10.34	5.22	19°45'00"
C10	30.00	10.34	5.22	19°45'00"
C11	55.00	105.35	78.18	109°45'00"
C12	400.00	157.35	79.71	22°32'20"
C13	130.00	51.14	25.90	22°32'20"
C30	250.00	92.46	46.76	21°11'26"
C36	520.00	192.32	97.27	21°11'26"
C37	55.00	232.12	91.89	241°48'26"
C38	12.00	25.87	22.33	123°29'49"
C39	12.00	27.44	26.33	130°59'58"



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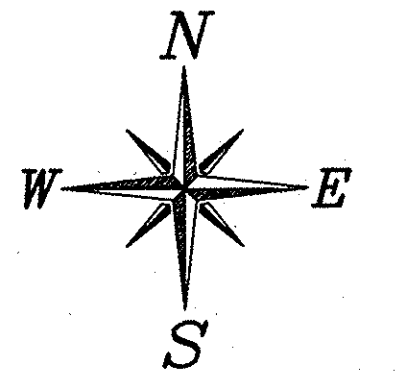
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971209
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FP3.DWG

GREENWAY PARC AT SURPRISE ONE

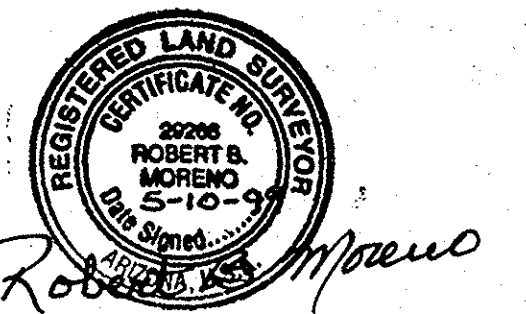
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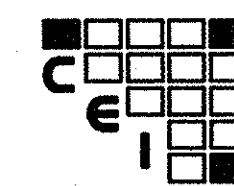
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BOOK 506 PAGE 29
OFFICIAL RECORDS OF
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CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	DELTA
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C2	55.00	230.59	94.85	240°12'53"
C3	12.00	27.44	26.33	130°59'58"
C4	250.00	98.34	49.82	22°32'20"
C5	55.00	231.02	94.00	240°39'55"
C6	12.00	31.56	45.85	150°39'55"
C14	520.00	204.56	103.62	22°32'20"
C19	55.00	105.35	78.18	109°45'00"
C20	30.00	10.34	5.22	19°45'00"



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971209
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FP4.DWG

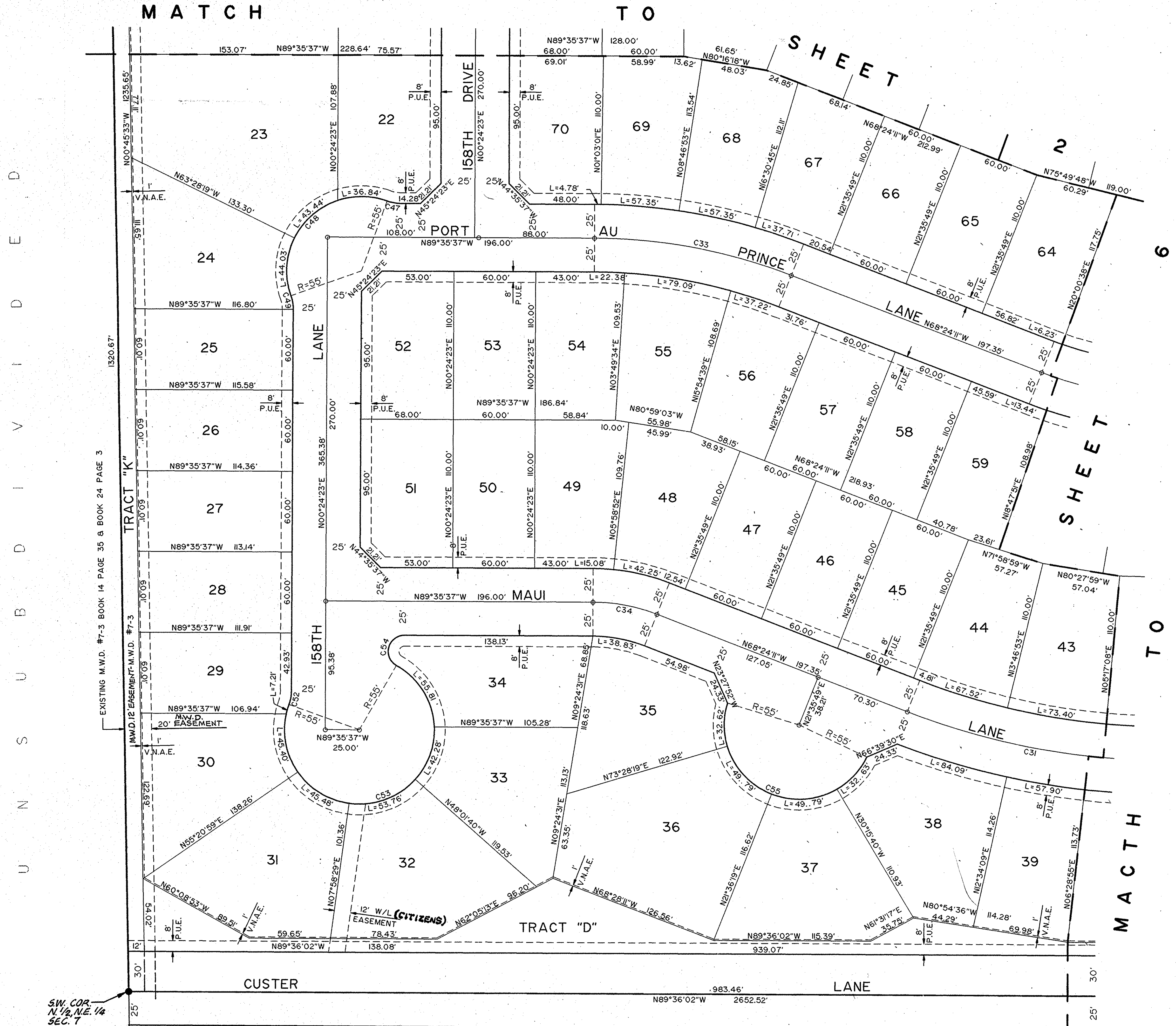
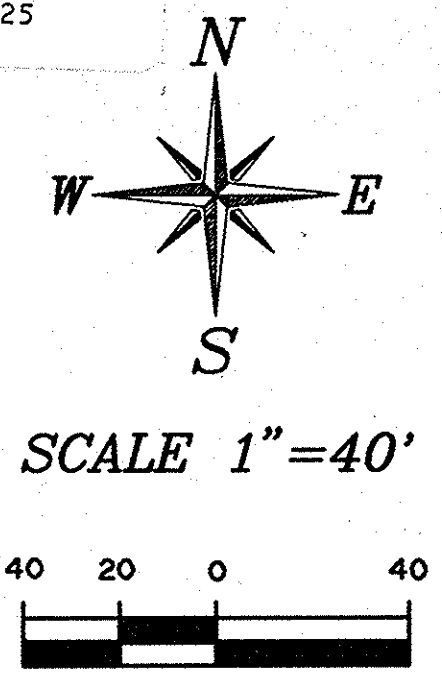


T O S H E E T

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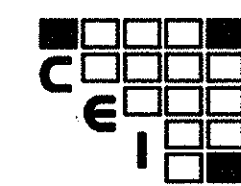
GREENWAY PARC AT SURPRISE ONE

BOOK 506 PAGE 29
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
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CURVE TABLE				
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C34	130.00	48.08	24.32	21°11'26"
C47	30.00	10.34	5.22	19°45'00"
C48	55.00	124.31	116.62	129°29'59"
C49	30.00	10.34	5.22	19°45'00"
C52	30.00	10.34	5.22	19°45'00"
C53	55.00	249.93	65.12	260°21'56"
C54	12.00	31.54	45.77	150°36'56"
C55	55.00	164.82	758.37	171°42'14"

REGISTERED LAND SURVEYOR
20200
ROBERT B. MORENO
15-10-99
Robert B. Moreno



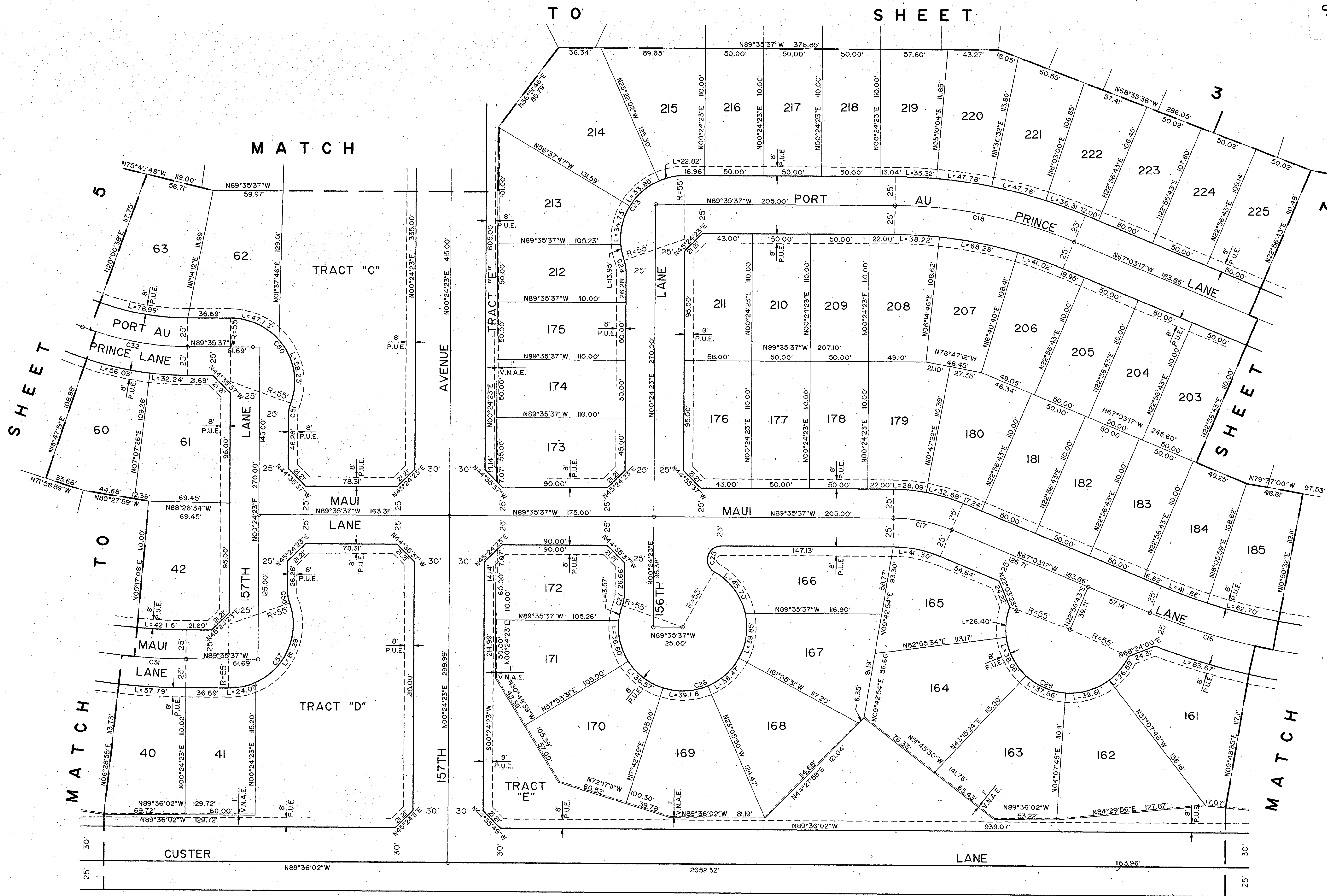
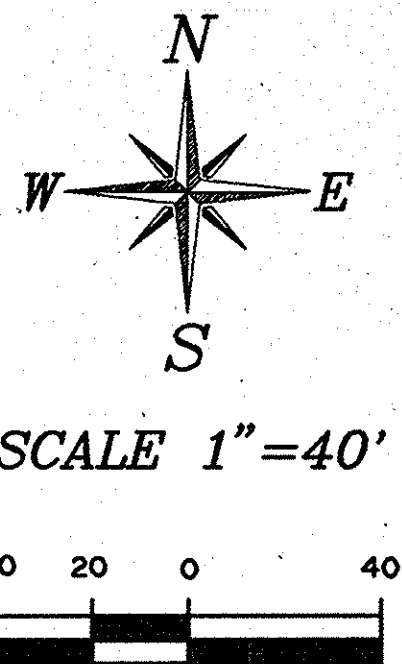
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Job No.
971209
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FP5.DWG

GREENWAY PARC AT SURPRISE ONE

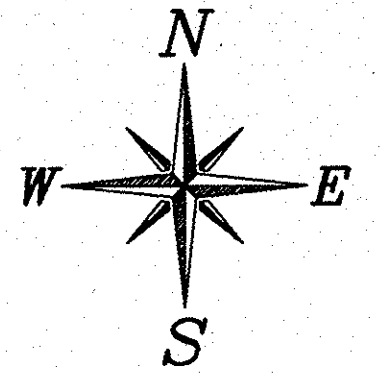
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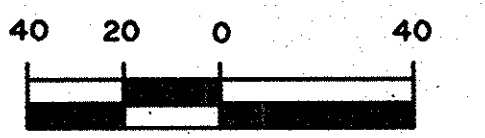
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C18	400.00	157.35	79.71	22°32'20"
C23	55.00	105.35	78.18	109°45'00"
C24	30.00	10.34	5.22	19°45'00"
C25	12.00	31.54	45.77	150°36'56"
C26	55.00	249.93	65.12	260°21'56"
C27	30.00	10.34	5.22	19°45'00"
C28	55.00	168.23	1328.09	175°15'26"
C31	520.00	192.32	97.27	21°11'26"
C32	250.00	92.46	46.76	21°11'26"
C50	55.00	105.35	78.18	109°45'00"
C51	30.00	10.34	5.22	19°45'00"
C56	30.00	10.34	5.22	19°45'00"
C57	55.00	105.35	78.18	109°45'00"

GREENWAY PARC AT SURPRISE ONE

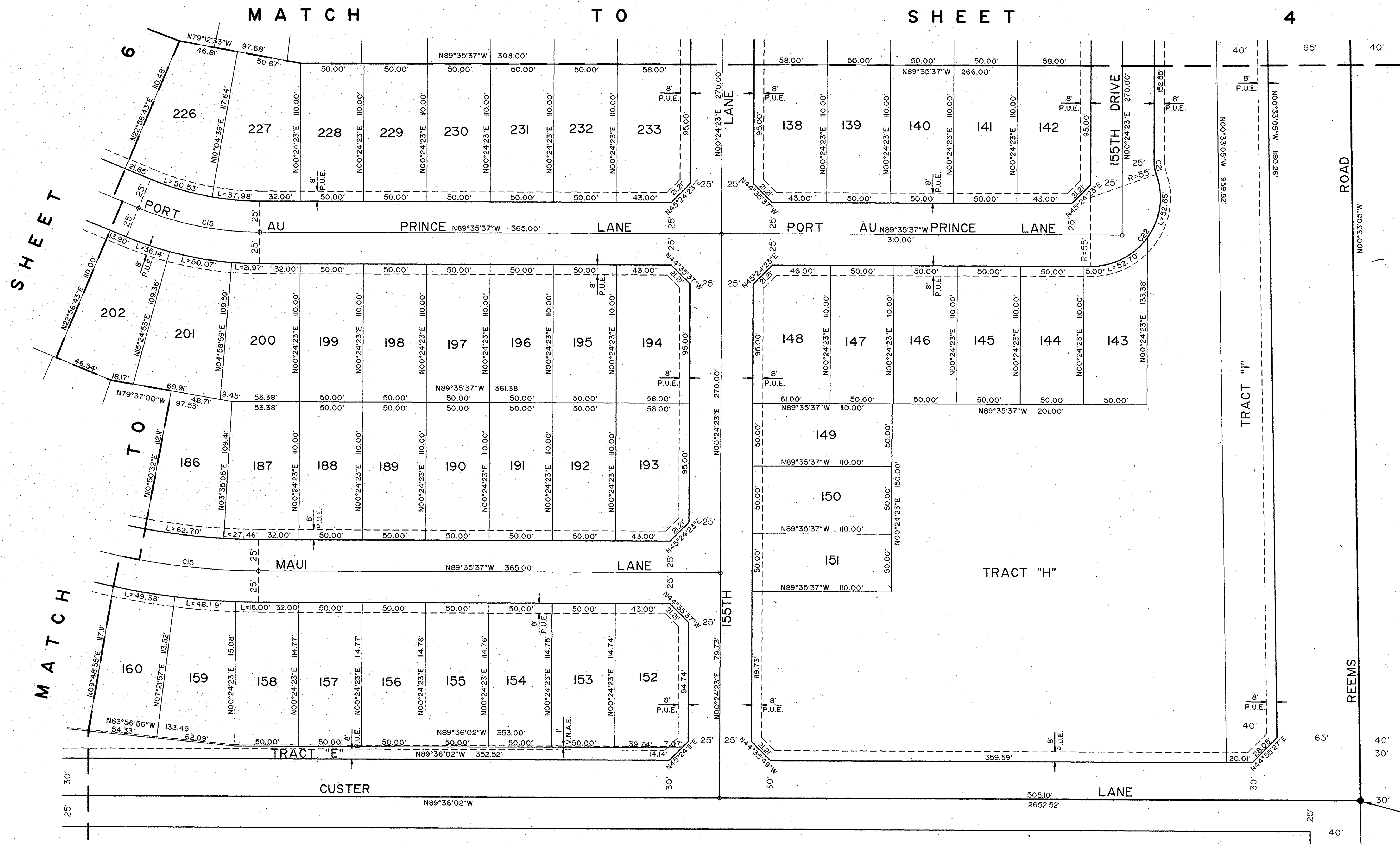
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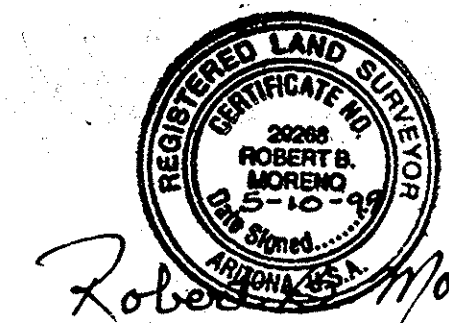
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UNSUBDIVIDED



CURVE TABLE				
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C14	520.00	204.56	103.62	22°32'20"
C15	250.00	98.34	49.82	22°32'20"
C21	30.00	10.34	5.22	19°45'00"
C22	55.00	105.35	78.18	109°45'00"



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Job No.
971209
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FP7.DWG

RESOLUTION NO. 99-21

A RESOLUTION APPROVING THE FINAL PLAT FP98-137 OF A SUBDIVISION TO BE KNOWN AS GREENWAY PARC AT SURPRISE ONE AND GREENWAY PARC AT SURPRISE TWO, WHICH CONSISTS OF 565 SINGLE FAMILY RESIDENTIAL LOTS ON 152.3 GROSS ACRES, FOR THE PROPERTY GENERALLY BOUNDED BY GREENWAY ROAD, REEMS ROAD, WADDELL ROAD AND SARIVAL ROAD. SUBJECT SITE IS LOCATED IN SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

WHEREAS, the owner of a parcel of land generally bounded by Greenway Road, Reems Road, Waddell Road and Sarival Road within Section 7, Township 3 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona., desires to subdivide the parcel; and

WHEREAS, the City Council has previously approved the Preliminary Plat of Greenway Parc at Surprise One and Two; and

WHEREAS, the Planning and Zoning Commission has recommended that the Final Plat of Greenway Parc at Surprise One and Two be approved; and

WHEREAS, the property owner has complied with all of the Stipulations attached to the approval of the Preliminary Plat; and

WHEREAS, the proposed subdivision complies with the requirements of the Subdivision and Zoning Ordinances; and

WHEREAS, the proposed subdivision will enhance the public health, safety, and welfare;

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

Section 1. That certain Final Plat entitled "Final Plat of Greenway Parc at Surprise One," and the Final Plat entitled, "Greenway Parc at Surprise Two," dated

January 28, 1999, as application No. FP98-137, a copy of which is on file in the Community Development Department, is approved.

Section 2. The City of Surprise does hereby accept the dedication to the City of Surprise of all public streets and other land designated on said Final Plat for public ownership. The City of Surprise will not accept maintenance responsibility for such streets and other land until all street, utility, drainage, and other improvements as required by the City Subdivision Ordinance are completed to City standards. Such acceptance of maintenance responsibility must be manifested by a separate action of the City Council.

Section 3. The City Council hereby approves the property owner's request to utilize the Certificate of Occupancy Freeze Procedure in lieu of posting a financial guarantee that required infrastructure improvements will be completed. Accordingly, pursuant to Section 16.24.040 of the City Subdivision Ordinance, the City of Surprise shall not issue Certificates of Occupancy for any building or structure located on a lot or parcel created, defined or depicted on said Final Plat until the requirements of Section 16.24.020 (B) (3) and Section 16.24.040 B of the City Subdivision Ordinance have been satisfied.

Section 4. Prior to recording said Final Plat, the City Manager shall cause to be placed upon the face of said Final Plat a notice in substantially the following form.

"Limitation on the Issuance of Certificates of Occupancy"

The lots and parcels created, defined, or depicted on this plat are subject to a limitation on the issuance of Certificates of Occupancy as set forth in the Subdivision Ordinance of the City of Surprise. No person may occupy a building or structure erected on any lot or parcel created, defined, or depicted on this plat until the City of Surprise has issued a Certificate of Occupancy. The City will not issue a Certificate of Occupancy until street, utility, drainage, and other improvements relating to this plat as required by the City Subdivision Ordinance are completed to City of Surprise standards. This limitation may be released in phases. A prospective buyer of a lot or parcel created, defined, or depicted on this plat should require the seller to produce a recorded release of this limitation on the issuance of Certificates of Occupancy, signed by the City of Surprise, before purchasing and/or closing escrow on that lot or parcel. Failure to

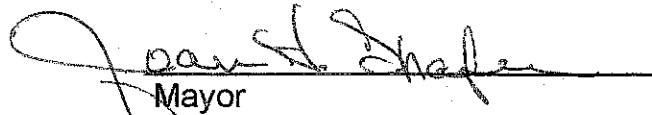
before purchasing and/or closing escrow on that lot or parcel. Failure to obtain such a release of this limitation may result in the buyer being prohibited from occupying a house or other structure built on the lot or parcel."

Section 5. As required by Section 16.24.040 B of the Subdivision Ordinance, prior to selling a lot or parcel to which the Certificate of Occupancy Freeze Procedure applies, the Seller shall give the Buyer written notice that such procedure applies. The notice shall be substantially in the form set forth in Section 4 above.

Section 6. Prior to recording said Final Plat, the property owner shall provide a Certificate of Assured Water Supply issued by the Arizona Department of Water Resources, covering all lots and parcels created, defined, or depicted on said plat. The Certificate must be satisfactory to the City Attorney in both form and content.

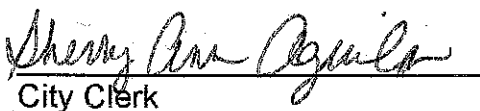
Section 7. Approval of this plat is contingent on the Owner of the property complying with all stipulations contained on Exhibit A.

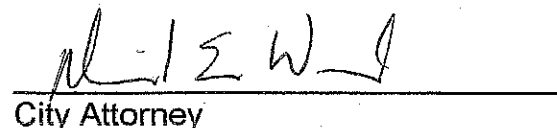
PASSED AND ADOPTED this 25th day of February, 1999.


Mayor

ATTEST:

APPROVED AS TO FORM:


City Clerk


City Attorney

YEAS: Mayor Shafer, Vice-Mayor Broich, Councilmembers Montoya, Villanueva, Anderson & Johnson.

NAYS: 1 vacant Council seat.

RECOMMENDATIONS:

(FP98-137)

Subject request is consistent with the proposed Surprise Comprehensive Development Guide. Furthermore, approval of this request would allow for efficient and orderly development. The Planning and Zoning Commission recommends that the City Council approve this Final Plat request for Greenway Parc subdivision consisting of 565 single family residential lots on 152.7 gross acres (FP98-137), as modified herein:

SPECIAL STIPULATIONS:

- a) The applicant will be required to provide a form of financial assurance pursuant to Title 16.24.040. The applicant will be required to submit all necessary financial documents to the Finance Director and Community Development Director prior to recordation of this Final Plat;
- b) The applicant shall provide an Emergency/Construction Access Plan to the City. Said Plan shall be reviewed and approved by the Community Development Director and the City Fire Chief prior to the recordation of this Final Plat;
- c) Prior to delivery of any combustible material to the site, the fire protection system shall be completely operational in accordance with the approved plans by the Fire Chief and the City Engineer and submit such approval letter to the Community Development Director;
- d) The applicant shall provide for the development and maintenance of street lights, through either the Homeowners Association or through the creation of a Street Light Improvement District;
- e) The applicant shall provide a letter of approval from Maricopa County Flood Control District prior to the recordation of this Final Plat;
- f) All home products including front, side and rear elevations, floor plans, colors and materials shall be submitted in one three-ring binder for review and approval of the Community Development Director;
- g) Landscaping and perimeter wall(s) details to be reviewed and approved by the Community Development Director prior to release of any building permit;
- h) Applicant or property owner must provide the City with approved earth moving permit by Maricopa County Environmental Services Department prior to release of any permits.
- i) All lots depicted on the Final Plat of Greenway Parc Phases I and II are subject to a Reems Road Sewer Extension fee of the amount of 410 dollars to be collected by the City for the Sewer tie-in;

STANDARD STIPULATIONS:

- j) The applicant shall submit two (2) 8-1/2" x 11" plain paper copies of the revised Preliminary Plat;
- k) Major changes to this Final Plat with regard to use and intensity, must be processed as a revised application with approval by the City Council upon recommendation of the Planning and Zoning Commission. Minor changes to the Final Plat may be administratively approved by the City Manager and the Community Development Director;
- l) The applicant shall submit a Written Response to Stipulations, two (2) copies of the Preliminary Plat, two (2) copies of the Narrative Report revised as necessary to comply with these approved stipulations. Said submission must be under one (1) transmittal package;
- m) The applicant shall submit an emergency map and electronic disk (in accordance with the emergency mapping system criteria) of the subdivision to be approved by the fire chief, prior to the issuance of any building permits; and
- n) The applicant shall include the appropriate language on the Final Plat title page pertaining to the Intergovernmental Agreement between the City of Surprise and the Maricopa Water District and provide to the Community Development Director a notice of development agreement to be signed by the developer and Maricopa Water District prior to recordation of the Final Plat.

REPORT TO THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

CASE NO.: FP98-137

(Final Plat for Greenway Parc One and Two)

Planning & Zoning Commission Hearing Date:

February 16, 1999

City Council Hearing Date:

February 25, 1999

REQUEST:

Tom Eggert, representing Surprise 152 L.L.C. is requesting approval of a Final Plat for Greenway Parc subdivision consisting of 565 single family residential lots.

SITE LOCATION:

Generally located at the southwest corner of Greenway Road and Reems Road, the subject site is located within a portion of the northeast quarter, and a portion of the southeast corner of Section 7, Township 3 North, Range 1 West, Gila and Salt River Base and Meridian, Maricopa County, Arizona.

SITE SIZE:

152.3 gross acres, 107.7 net acres

CONFORMANCE TO ADOPTED LAND USE PLANS:

GENERAL PLAN:

If approved, this request would comply with the Surprise Comprehensive Development Guide and the corresponding General Plan Land Use Map.

DEVELOPMENT PLAN:

Not applicable

COMMENTING JURISDICTIONS:

Town of Buckeye:

No comments were received.

City of El Mirage:

No comments were received.

City of Peoria:

No comments were received.

Maricopa County:

Comments Received (Attachment 1).

Dysart Unified School District:

No comments were received.

Maricopa Water District:

No comments were received

Luke Air Force Base:

No comments were received.

DEPARTMENTAL REVIEW:

The **Engineering Department** has reviewed this application and is recommending approval.

The **Fire Department** has reviewed this application and is recommending approval.

The **Public Works Department** has reviewed this application and is recommending approval.

STAFF RECOMMENDATION:

The Planning and Zoning Commission recommends that the City Council approval of a Final Plat request for Greenway Parc subdivision consisting of 565 single family residential lots (FP98-137), subject to the stipulations listed under "Recommendations."

EXISTING AND SURROUNDING ZONING:

1. ON-SITE: R1-5
NORTH: Planned Area Development R1-5 (Mountain Vista Ranch)
SOUTH: R1-43
EAST: R1-43
WEST: R1-43
BETWEEN PROPERTIES: R1-43

EXISTING AND SURROUNDING LAND USE

2. ON-SITE: Vacant Land/Agricultural Use
NORTH: Vacant Land/Agricultural use, Single Family Residential construction
SOUTH: Vacant Land/Agricultural Use
EAST: Vacant Land/Agricultural Use
WEST: Vacant Land/Agricultural Use
BETWEEN PROPERTIES: Vacant Land/Agricultural Use. Also, single family residences, agricultural processing, horse property

ADJACENT ROAD STATUS

3. **GREENWAY ROAD** Currently exists as a dirt road west of Reems Road, but is planned as a minor arterial in the Comprehensive Development Guide. Half street improvements will consists of 32.5 feet of asphalt and an 8 foot meandering sidewalk.
4. **REEMS ROAD** Currently exists as a two lane road with approximately 24 feet of pavement, but is planned as a major arterial. Half street improvements will consist of 44.5 feet of pavement and an 8 foot meandering sidewalk.

EXISTING UTILITIES AND SERVICES STATUS:

5. **WATER** Citizen's Utilities
6. **SEWER** City of Surprise
7. **FIRE
PROTECTION** The Surprise Fire Department currently has a fire station located at 15616 North Hollyhock Street. The second fire station is in operation at 18600 Reems Road near the intersection of Reems and Mountain View Boulevard.
8. **POLICE
PROTECTION** The Surprise Police Department currently has a station located at 12425 W. Bell Road and a substation located at 18600 Reems Road.

100 YEAR ASSURED WATER SUPPLY CERTIFICATION:

9. The applicant must obtain a 100 Year Assured Water Supply Certificate for the property as defined on this final plat prior to recordation of this plat.

FINANCIAL ASSURANCE FOR COMPLETION OF INFRASTRUCTURE:

10. The applicant is choosing to utilize the Certificate of Occupancy Freeze for the assurance of completion of the required infrastructure improvements, according to Title 16.24.040 (Subdivision Ordinance). The applicant will be required to submit all necessary financial documents to the Finance Director and Community Development Director prior to recordation of this Final Plat (Stipulation a).

STREET LIGHT IMPROVEMENT DISTRICT:

11. Provisions must be made for the development and maintenance of street lights, through either the Homeowners Association or through the creation of a Street Light Improvement District. (Stipulation d).

PLAN ANALYSIS:

12. This request is for the approval of a Final Plat application for the Greenway Parc subdivision located in two separate areas in the subject square mile at the southwest corner of Greenway Road and Reems Road. The 152 acres are split by a parcel of land into two separate pieces of land. The northern piece of land consists of 80.47 acres and the southern portion is approximately 71.87 acres. The request is for a single family residential development in an R1-5 zone, which is compliant with the

City of Surprise Comprehensive Development Guide land use designation for this area.

13. The northernmost part of the subdivision consists of 80.47 acres of property with 291 single family lots proposed. Included in this part of the subdivision are 10.5 acres of open space used for landscaping, pedestrian access and retention. In addition, 2 acres are designated for commercial use on the northeast corner of the subject site. This project complies with the Preliminary Plat as approved by the City Council on October 8, 1998.
14. The southern piece of property, Phase II, consists of 71.87 acres of land with 274 single family lots proposed. Included in this phase are also 8.3 acres of landscaping, retention and pedestrian access. All landscaped tracts, open space, and retention will be maintained by the Homeowners Association to be formed.
15. The northeastern corner of the property includes a two acre commercial zone which is proposed as C-2(Community Commercial). This property may consist of any use which is permitted in a C-2 zone, provided that all development standards are met. Such uses include a convenience store, gas station, retail shops or any uses defined in the C-2 section of Title 17 (Zoning Code). A trail will be added in the open space immediately adjacent to the commercial area in order to facilitate pedestrian access to the commercial site from the subdivision.
16. Because the proposed zoning (Case No. 98-79) is R1-5, the lots range in size from a general size of 50 feet in width by 110 feet in depth to 60 feet in width by 110 feet in depth. Phase I will consist of 102 lots that are 60 feet wide and 190 lots that are 50 feet wide. Phase II will consist of 102 lots that are 60 feet wide and 177 lots that are 50 feet wide. The minimum width of a lot in this subdivision is 32 feet, and the minimum depth is 105 feet. The 32 foot dimension is on a cul-de-sac and is addressed in item no. 17. 105 foot depth is above the minimum required by code of 100 feet of depth.
17. The proposed setbacks as set forth on the cover sheet of this plat comply with the City of Surprise standards in Title 17 (Zoning Ordinance) for R1-5 zones as shown below.

<u>Development Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>Compliance</u>
Minimum Lot Width:	50 ft.	50-60 ft.	Yes
Minimum Lot Depth:	100 ft.	105-130	Yes
Minimum Lot Area:	5500 s.f.	5400+ **	Yes
Maximum Cul-de-sac length	600	95 ft.	Yes

**This may be calculated as an average lot size for lots within a given subdivision, provided that no lot is less than five thousand two hundred square feet and not more than ten percent of the lots are less than five thousand five hundred square feet in size.

18. All lots comply with the minimum required lot size. The lots vary in general shape due to the use of seven cul-de-sacs in the first phase, a slight curvature in the street,

the use of nine cul-de-sacs in the second phase, as well as the general curvilinear design. For those lots which are located on cul-de-sacs, and that do not have a street frontage of 50 feet, the required 50 foot lot width is obtained at the setback line for the lot, which is the standard policy in the City of Surprise.

19. Along roadways, the subdivision has been designed in such a way as to make efforts at avoiding the "picket fence" look of many subdivisions. This look consists of rows of houses with the same or similar roof lines and little variation in the orientation of the houses. The change in the appearance has been accomplished by adding landscaped tracts along roadways which vary in width from 20 feet to approximately 90 feet. In addition to the landscaped tracts, curves and cul-de-sacs placed in strategic positions have helped to orient lots in different directions, which will in turn orient the homes in different directions and create a more diverse roof line, which is the desired affect.
20. Several recreational opportunities are available within the proposed subdivision. A tot lot is proposed within each phase, as well as a proposed half court basketball court within the active recreational areas. In phase one, there are 2.5 acres of active recreation area on the main collector road which include turf area, a half court basketball court and a tot lot. Additional open space with turf area, approximately 3.5 acres in size, is located on the southeast corner of phase I. In Phase II, there are approximately 2.7 acres of active open space with turf area, a tot lot and a half court basketball court.
21. In addition, a trail system has been proposed along Acoma Road within the landscaped tract as has been designated for this area in the Surprise Comprehensive Development Guide. This trail system will consist of a six (6) foot wide meandering sidewalk along the south side of Acoma Road within the landscaped area, which consists of landscaping between a minimum width of 26 feet and up to a maximum of approximately 90 feet. The sidewalk which runs along 157th Drive connects the open space areas within the subdivision. A pathway will also be added to provide pedestrian access to the commercial area on the northeast corner of the property.
22. Full improvements will be made to connect with the City sewer system and with Citizen's Utilities water lines. The City will require that a Reems Road sewer extension fee be paid to tie in with the Reems Road sewer line.
23. All off-site drainage requirement, which consists of a 40 foot drainage path easement, has been provided. Generally, the drainage on site flows to the southeast, towards the Agua Fria River. The tracts and open space areas have been designed to retain the required amount of water on-site.
24. Phase I access is from Reems to the east of the subdivision, Greenway Road to the north, and Custer Lane to the south. 157th Drive runs through the subdivision connecting Greenway Road and Custer Lane. Phase II access is from Acoma Road to the north, Reems Road from the east and Hearn Road to the south. Acoma Road intersects with Reems Road on the east side of Phase II.

25. Road improvements will consist of half road right-of-way improvements to the major arterial Reems Road, the minor arterial Greenway Road, the major collector Acoma Road, Hearn Road and Custer Lane. Full right-of-way width improvements will be provided for all local streets and the minor collectors 157th Avenue and 157th Drive. The roadway improvements have been reviewed and accepted by the City Engineering Department.
26. The phasing of the improvements will occur at the development stages of each phase. Phase I of the project will consist of improvements to the adjacent section of Reems Road, Greenway Road and Custer Lane, as well as all interior streets. Phase II of the project will consist of improvements to the adjacent section of Reems Road, Acoma Road, Hearn Road and 159th Avenue, as well as all interior streets.
27. All home products will be required to go through the review of the Community Development Director (Stipulation f).
28. It has been determined that the Final Plat for the Greenway Parc subdivision will not adversely impact the surrounding properties and provides acceptable land use types and densities. Furthermore, this request will not be detrimental to the health, safety or welfare of the community.

Attachments:

1. Comments from Maricopa County
2. Applicant's Project Narrative
3. Set of Plans

ATTACHMENT 1

MARICOPA
COUNTY



2020

Eye to the Future

RECEIVED
FEB 4 1999
Planning and
Development
Department

CITY OF SURPRISE

February 3, 1999

Shirley Berg
Deputy City Manager, City of Surprise
12425 West Bell Road, #D-100
Surprise, AZ 85374

RE: FP 99-02, FP 98-137, FP 98-138, PP 98-148

Dear Shirley:

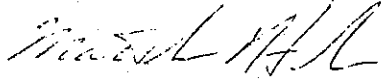
Thank you for the opportunity to review the above referenced Preliminary Plat. We have examined the information you provided and offer the following comments and recommendations:

1. Policy L4.3 of *Eye to the Future 2020*, the Maricopa County Comprehensive Plan, encourages development patterns and standards that are compatible with the continuing operation of military airports. Although the subject areas are not within the 1988 JLUS noise contours, they are within the recognized territory in the vicinity of a military airport. As such, ARS §28-8484A states that "any transfer of residential real property, and any transfer of residential real property requiring a public report pursuant to section 32-2181 or 32-2195, that is located within territory in the vicinity of a military airport shall include a statement that the property is located within territory in the vicinity of a military airport."
2. To help mitigate the noise impact of military aircraft operations, we encourage consideration of sound attenuation standards for all residential construction.
3. We also encourage a Fair Disclosure Statement to be filed by the property owner whereby the owner and his or her agents agree fully to disclose to prospective buyers of the property the potential military airport noise impacts to which the property may be subject. This agreement could be written and recorded as a covenant running with the land, binding all succeeding owners of the property. Moreover, this agreement could be recorded concurrently with final plats and before the issuance of a certificate of zoning compliance for a new use.

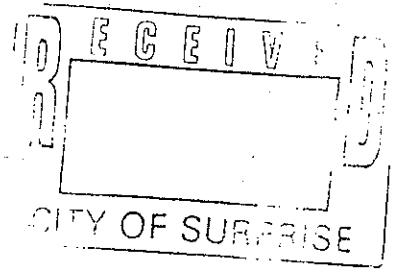
- 4 We would also suggest that in order to ensure full disclosure, information noting that the sites are located in the legally defined territory in the vicinity of a military airbase should be posted at the sites, as well as included in any promotional material.

If you have any questions, please feel free to contact our office.

Sincerely,



Matthew Holm
Planner, Maricopa County Planning and Development Department

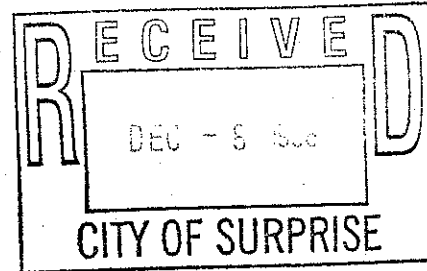


ATTACHMENT 2

SURPRISE 152, L.L.C.
c/o LEGACY LAND DEVELOPMENT, L.L.C.
5010 E. Shea Blvd. A-215
Scottsdale, Arizona 85254
(602) 443-4070

July 10, 1998
Revised on August 11, 1998
Revised on December 1, 1998

City of Surprise, Arizona
Planning and Zoning
12425 West Bell Road
Suite D-100
Surprise, Arizona 85374



Re: Narrative for Final Plat
Greenway Parc at Surprise One and Two
152 Acres at the Southwest Corner of Greenway and Reems Rd.

Surprise 152, L.L.C. ("152") is a company formed by Legacy Land Development and LKY Real Estate to zone and plat 152 acres at the southwest corner of Greenway and Reems roads. The legal description is contained on the "Public Notice" form included in this filing. This development will be named "Greenway Parc at Surprise". We are requesting R1-5 zoning for 150 acres of the site for the development of single family residential lots that are typically 50' x 110' and 60' x 110' in size. We are providing for approximately eight percent of the site for on-site retention, open space and active recreational areas. Greenway Parc will have a homeowner's association that will own and maintain these areas. The over-all density will be less than 3.9 units per acre. The Development Guide Plan currently provides for a Typical Neighborhood density of 6-7 units per acre. Greenway Parc is being planned for four separate communities totaling 565 lots. Phase I will consist of 101 lots that are 60' wide and 190 lots that are 50' wide. Phase II will consist of 101 lots that are 60' wide and 173 lots that are 50' wide. The "exception" parcel on the southeast corner is owned by the Catholic Church and is being held for future development.

We are also proposing a two-acre commercial pad at the corner for a future Convenience Commercial/Service Node use; such as a gas station/convenience store, restaurant, day care, carwash, etc. The commercial development will be connected to the residential area via a pedestrian trail through the open-space/retention basin for easy access and to prevent people from having to go out on the main arterials. Commercial development at this location is also consistent with the Development Guide Plan.

This development is consistent with the land uses on all four sides. Mountain Vista Ranch is to the north of our proposed development and consists of primarily single-family residences. The property to the east is currently being planned for commercial

development on the corner and the balance as single-family residential uses. To the south of this property are several single-family houses on five to ten acre parcels. The property to the west is the Kenly Farms parcel, which is being planned for single-family development.

Children living in Greenway Parc at Surprise will attend the following schools:

Kingswood Elementary School: Approximately 1 $\frac{3}{4}$ miles

Dysart Middle School: Approximately 4 $\frac{3}{4}$ miles

Dysart High School: Approximately 4 $\frac{3}{4}$ miles

The Development Guide Plan provides for a new school site on the property to the south of Phase I and on the Kenly Farms parcel.

Landscaping for the open space areas as well as the rights of way will be in conformance to the City's requirements and will be designed to minimize water use. Turf areas will only be utilized in the active recreation areas. An "Active Recreational Use" will be provided in both Phase I and Phase II. In both cases, a "Sport Court" consisting of a half-court basketball court will be installed. The courts will be "lined" with paint for additional recreational games.

Water service will be provided by Citizens Utilities. We will construct a 12" main water line that will connect to an existing line at the intersection of Bell and Reems roads, and run south on the west side of Reems Road right-of-way to Greenway Road. We have obtained a 100-year physical water availability assurance from the Arizona Department of Water Resources.

Sewer service will be provided by connecting into the existing City trunk sewer line in Reems Road. We will pay the standard City sewer fees plus an additional tie-in fee for the oversizing of this line to the City with each building permit (\$410 per house).

An off-site drainage requirement for the City will be provided along the west side of Reems Road. We will establish a forty-foot wide drainage tract and grant a drainage easement to the City for a future drainage facility.

Phase I is being planned to develop first. Development is expected to begin during the first quarter of 1999. Phase II is being planned for development approximately one year later. Half-street road improvements will be made to Greenway and Reems Roads at the time the adjacent property is being developed.

Traffic generation from the development of Greenway Parc will have a minimal impact on the surrounding area. First, the proposed development is substantially less dense than the Development Plan and second, Reems Road is designated as a Major Arterial while

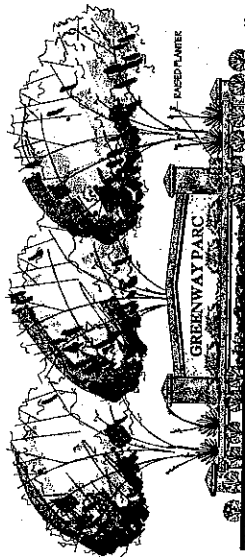
Greenway is designated as a Minor Arterial. Both roads are designed and will be built to carry the anticipated traffic flows.

The Surprise Comprehensive Development Plan for Open Space provides for a "Local Neighborhood Trail System" located approximately mid-way between Greenway and Waddell Roads. We have provided a 6' wide sidewalk trail in a landscaped right-of-way and tracts along the south side of Acoma for this trail system. The width of landscaping will meander and vary from a minimum of 28' to approximately 90'.

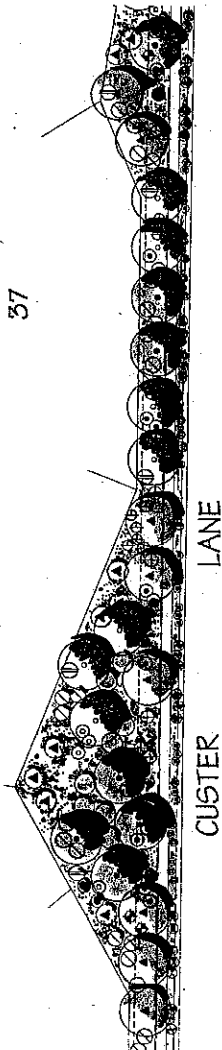
ATTACHMENT 3

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**TOT LOT AND
SPORT COURT LAYOUT**



A ENTRY SIGNAGE ELEVATION SCALE: 1/4"=1'-0"



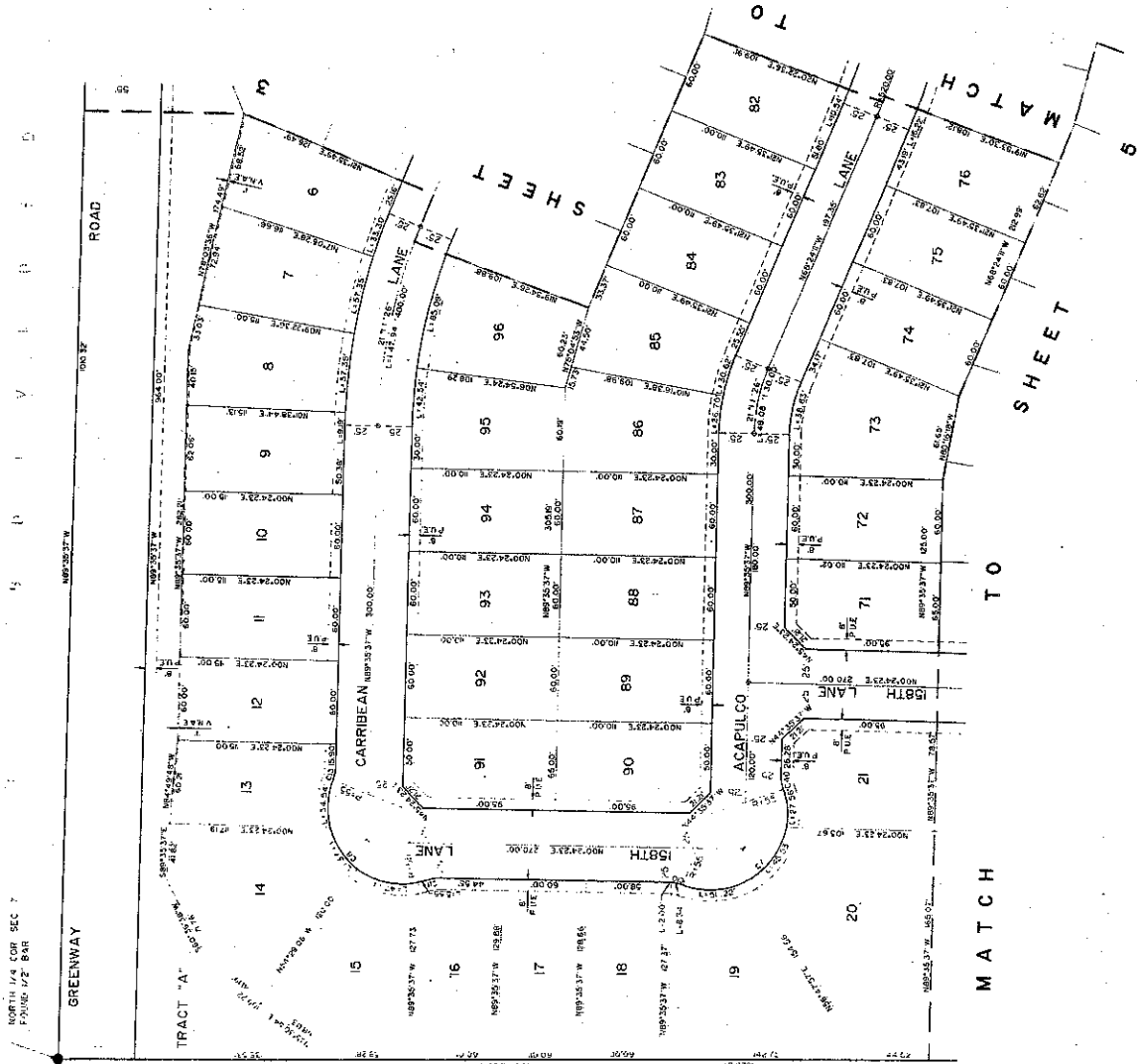
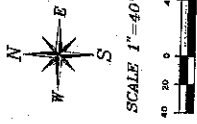
B TYPICAL STREETSCAPE THEME

GREENWAY PARC AT SURPRISE 1

GILMORE GRAVES, INC.

JANUARY 5, 1999

GREENWAY PARC AT SURPRISE ONE



Roberto M. Delgado

DATE	DESCRIPTION	BY	CHKD
10/1/00	PREPARED	RD	RD
10/1/00	CHECKED	RD	RD
10/1/00	APPROVED	RD	RD
10/1/00	REVIEWED	RD	RD
10/1/00	FINAL	RD	RD

971209
SR. 2
OF 7

Clouse Engineering, Inc.
ENGINEERS - SURVEYORS
1415 E. Douglas Ave., Phoenix, Arizona 85004 • TEL. 252-1000 • FAX 252-3000

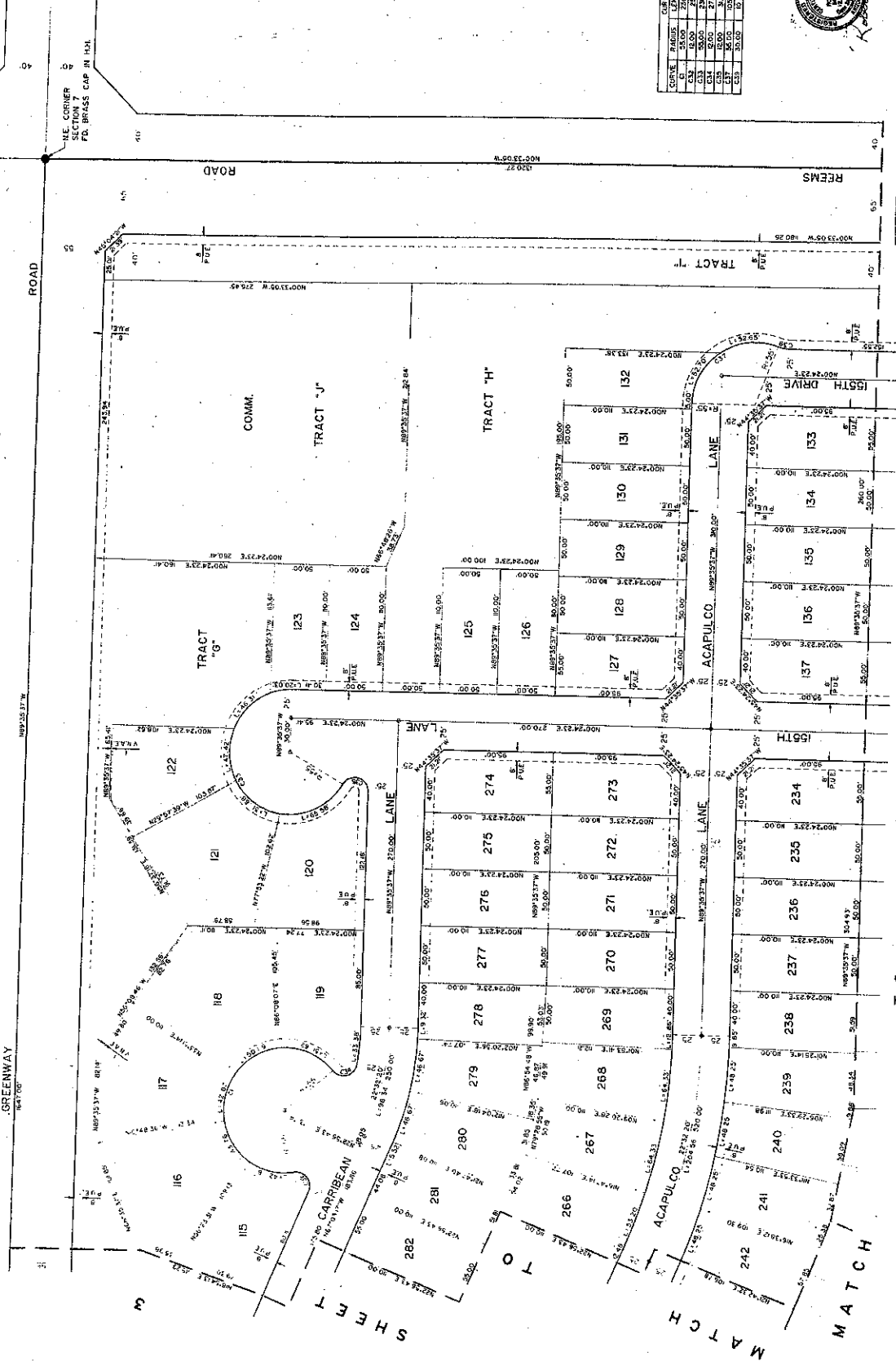
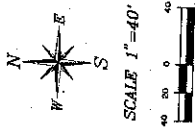




Clouse Engineering, Inc.
ENGINEERS • SURVEYORS
1842 E. Congress Ave. • Phoenix, Arizona 80020 • TEL 388-3500 • FAX 385-8300
Job No. 971208 SH. 3 OF 7

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C6	95.00	125.35	76.67	109°45'00"
C7	55.00	125.35	86.67	129°59'59"
C8	50.00	231.02	9.69	241°48'25"
C9	12.00	25.87	22.33	123°29'48"
C10	12.00	27.44	26.33	130°58'38"
C11	30.00	10.34	5.22	69°45'00"
C12	30.00	10.34	5.22	119°45'00"

GREENWAY PARC AT SURPRISE ONE



CURVE	RADIUS	CHORD	ANGLE	DELTA
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C2	25.00	25.00	90.00	90.00
C3	25.00	25.00	90.00	90.00
C4	25.00	25.00	90.00	90.00
C5	25.00	25.00	90.00	90.00
C6	25.00	25.00	90.00	90.00
C7	25.00	25.00	90.00	90.00
C8	25.00	25.00	90.00	90.00
C9	25.00	25.00	90.00	90.00
C10	25.00	25.00	90.00	90.00
C11	25.00	25.00	90.00	90.00
C12	25.00	25.00	90.00	90.00
C13	25.00	25.00	90.00	90.00
C14	25.00	25.00	90.00	90.00
C15	25.00	25.00	90.00	90.00
C16	25.00	25.00	90.00	90.00
C17	25.00	25.00	90.00	90.00
C18	25.00	25.00	90.00	90.00
C19	25.00	25.00	90.00	90.00
C20	25.00	25.00	90.00	90.00



Clouse Engineering, Inc.
ENGINEERS & SURVEYORS
1405 E. Campbell Ave., Phoenix, Arizona 85026 • TEL. 252-9200 • FAX 252-9400
Job No. 971209
SH. 4
OF 7



7

SHEET

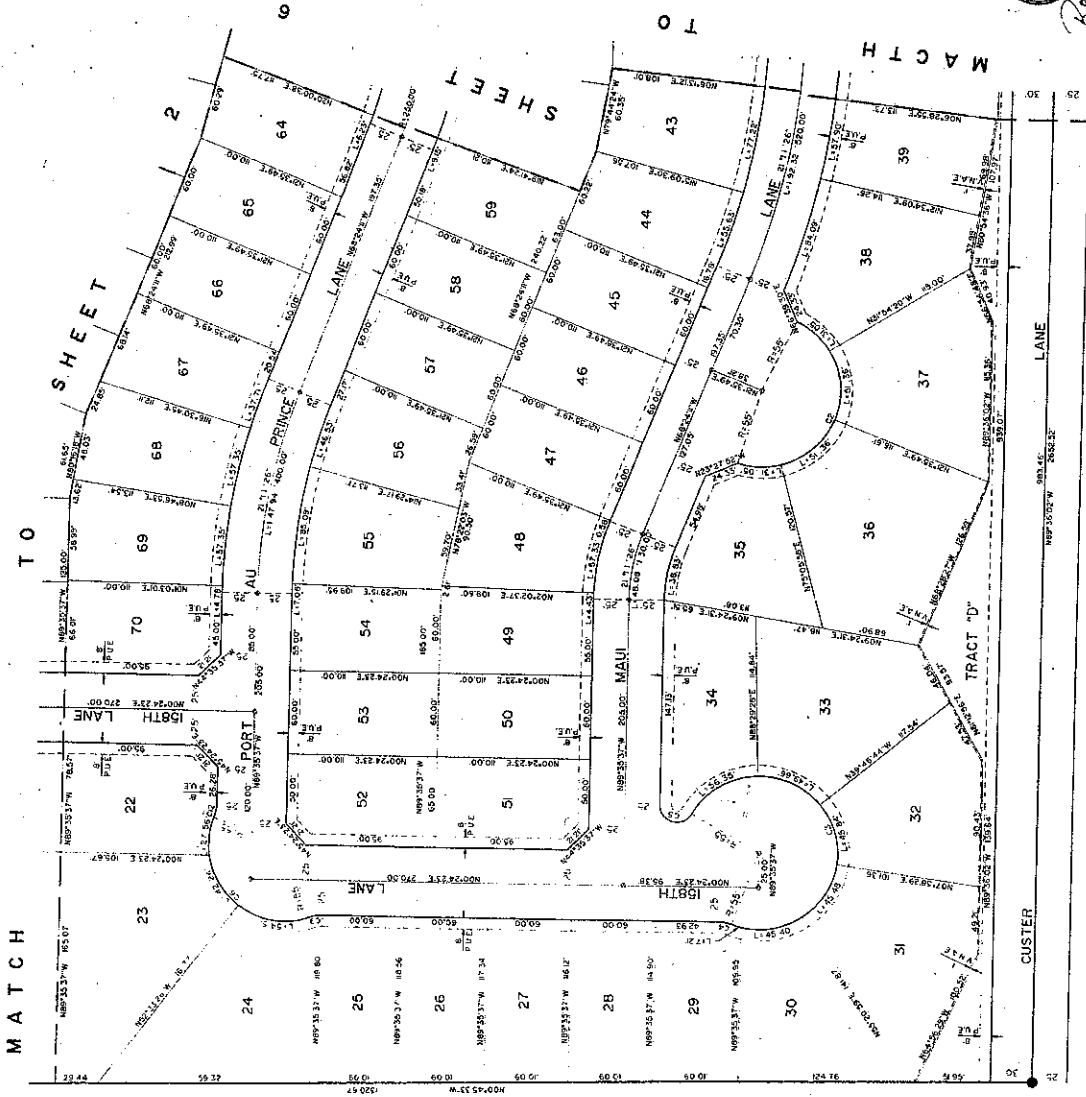
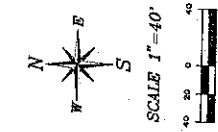
TO

MATCH

MATCH

SHEET

GREENWAY PARC AT SUPRISE ONE



CURVE	RADIUS	CHORD	AREA	PERIMETER	ANGLE
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C3	100.00	100.00	15.71	100.00	180.00
C4	100.00	100.00	15.71	100.00	180.00
C5	100.00	100.00	15.71	100.00	180.00
C6	100.00	100.00	15.71	100.00	180.00
C7	100.00	100.00	15.71	100.00	180.00
C8	100.00	100.00	15.71	100.00	180.00
C9	100.00	100.00	15.71	100.00	180.00
C10	100.00	100.00	15.71	100.00	180.00

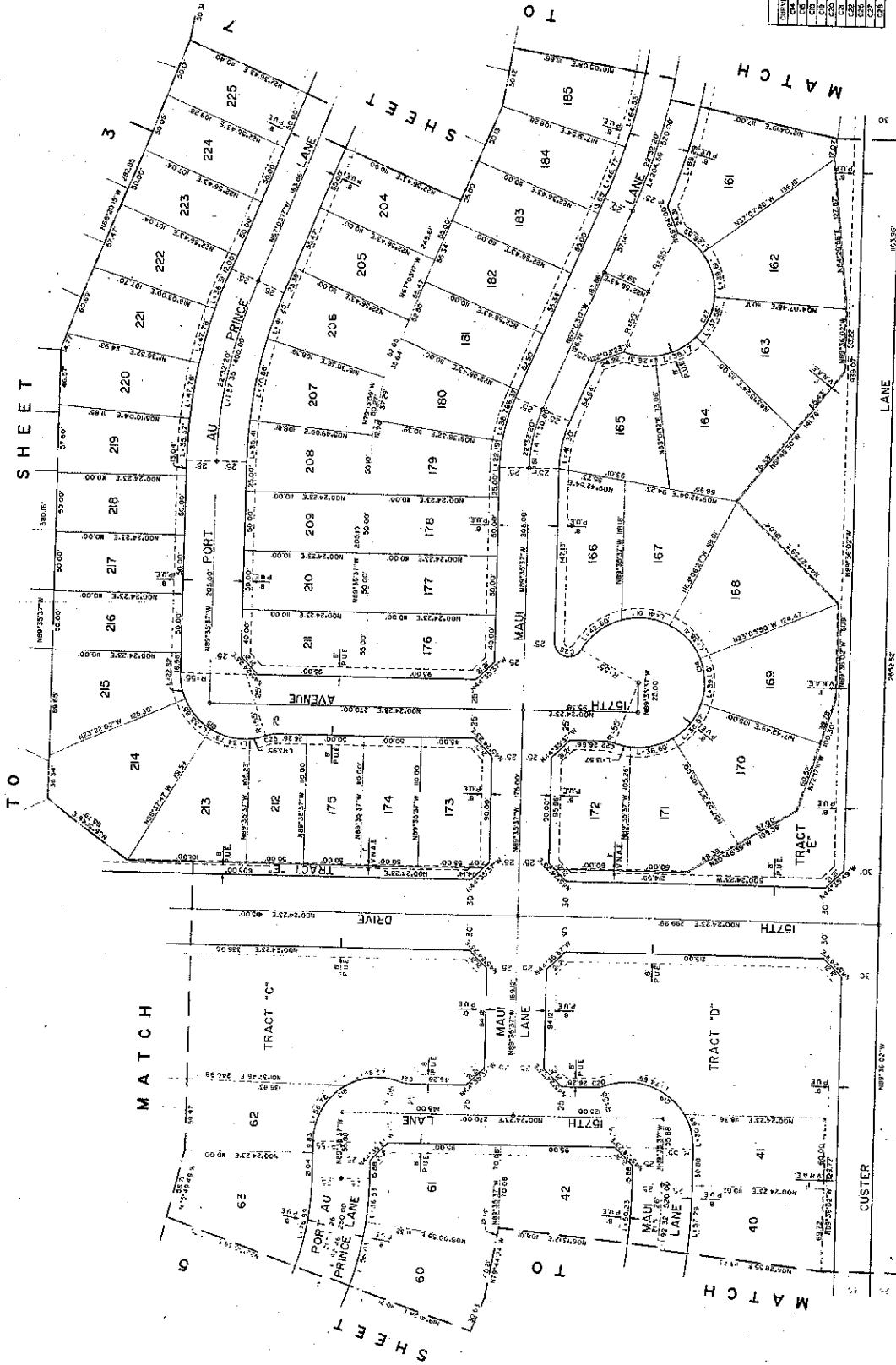


Clouse Engineering, Inc.
ENGINEERS - SURVEYORS

27/209
SH. 5
OF 7

444 E. Dyer Avenue, Suite 100, San Jose, CA 95128 • TEL: 408-933-1300 • FAX: 408-933-1301

GREENWAY PARC AT SUPRISE ONE



Job No. 971209
SH. 6
OF 7



Clouse Engineering, Inc.
ENGINEERS & SURVEYORS
1445 E. Grandview Ave., Phoenix, Arizona 85022 • TEL. 252-0000 • FAX 252-0000

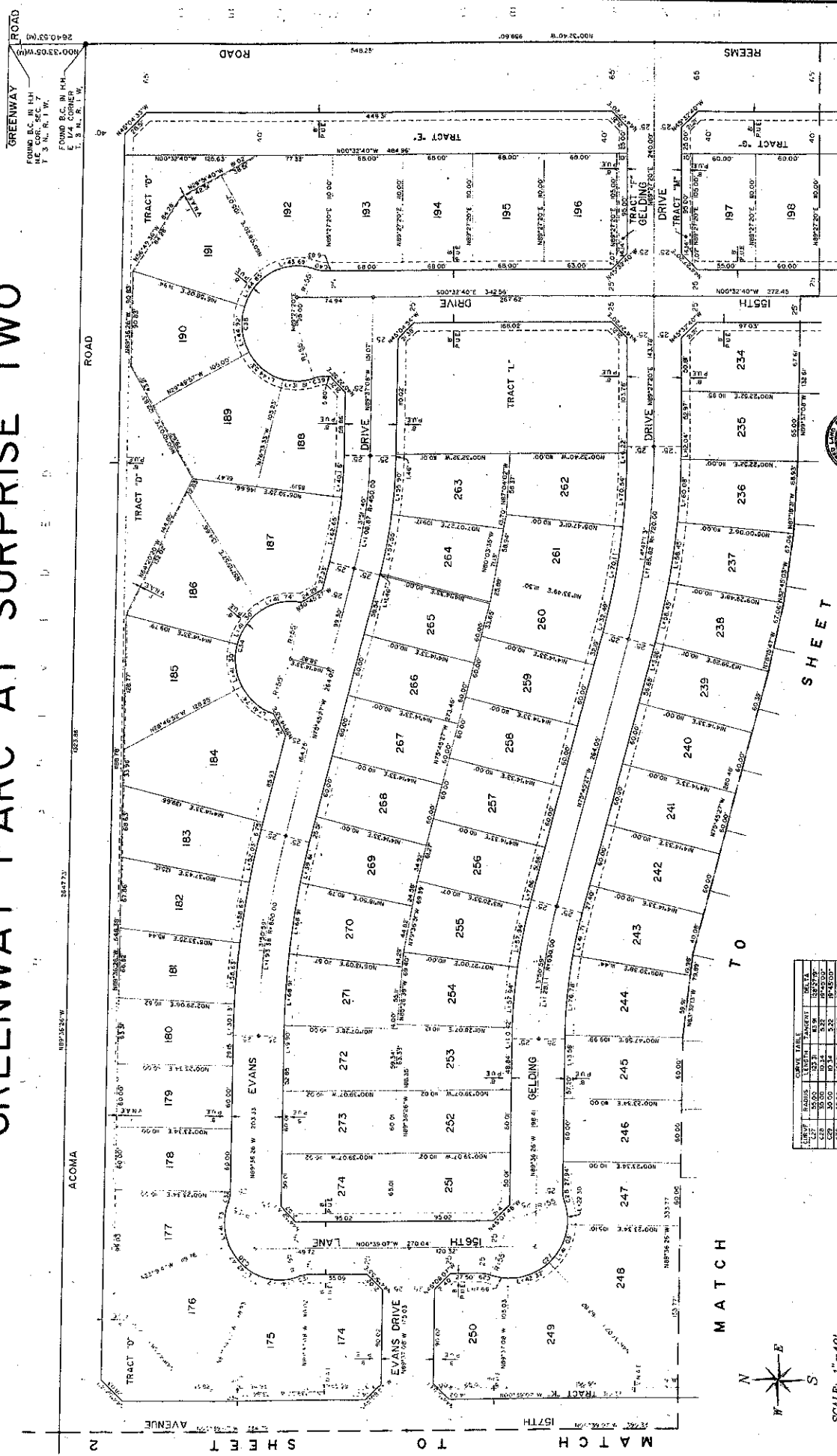


Clouse Engineering, Inc.
ENGINEERS - SURVEYORS
12500 Ave. 24th St., A-1000 80070 • TEL. 385-8300
Job No. 971209 SH. 7 OF 7

3

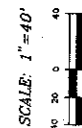
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GREENWAY PARC AT SURPRISE TWO



CURVE TABLE				
CHORD LENGTH	RADIUS	LENGTH	TANGENT	DELTA
1	55.000	13.311	83.96	133°27'48"
2	55.000	10.34	5.22	9°45'00"
3	55.000	10.34	5.22	9°45'00"
4	55.000	10.34	5.22	9°45'00"
5	55.000	10.34	5.22	9°45'00"
6	55.000	10.34	5.22	9°45'00"
7	55.000	10.34	5.22	9°45'00"
8	55.000	10.34	5.22	9°45'00"
9	55.000	10.34	5.22	9°45'00"
10	55.000	10.34	5.22	9°45'00"
11	55.000	10.34	5.22	9°45'00"
12	55.000	10.34	5.22	9°45'00"
13	55.000	10.34	5.22	9°45'00"
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17	55.000	10.34	5.22	9°45'00"
18	55.000	10.34	5.22	9°45'00"
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23	55.000	10.34	5.22	9°45'00"
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37	55.000	10.34	5.22	9°45'00"
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41	55.000	10.34	5.22	9°45'00"
42	55.000	10.34	5.22	9°45'00"
43	55.000	10.34	5.22	9°45'00"
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45	55.000	10.34	5.22	9°45'00"
46	55.000	10.34	5.22	9°45'00"
47	55.000	10.34	5.22	9°45'00"
48	55.000	10.34	5.22	9°45'00"
49	55.000	10.34	5.22	9°45'00"
50	55.000	10.34	5.22	9°45'00"
51	55.000	10.34	5.22	9°45'00"
52	55.000	10.34	5.22	9°45'00"
53	55.000	10.34	5.22	9°45'00"
54	55.000	10.34	5.22	9°45'00"
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57	55.000	10.34	5.22	9°45'00"
58	55.000	10.34	5.22	9°45'00"
59	55.000	10.34	5.22	9°45'00"
60	55.000	10.34	5.22	9°45'00"
61	55.000	10.34	5.22	9°45'00"
62	55.000	10.34	5.22	9°45'00"
63	55.000	10.34	5.22	9°45'00"
64	55.000	10.34	5.22	9°45'00"
65	55.000	10.34	5.22	9°45'00"
66	55.000	10.34	5.22	9°45'00

SCALE: 1"=40'



Clouse Engineering, Inc.
ENGINEERS • SURVEYORS
10000 Highway 100 • P.O. Box 10000 • Dallas, TX 75220 • TEL. 390-1200 • FAX 390-1200

Robert M. Brown

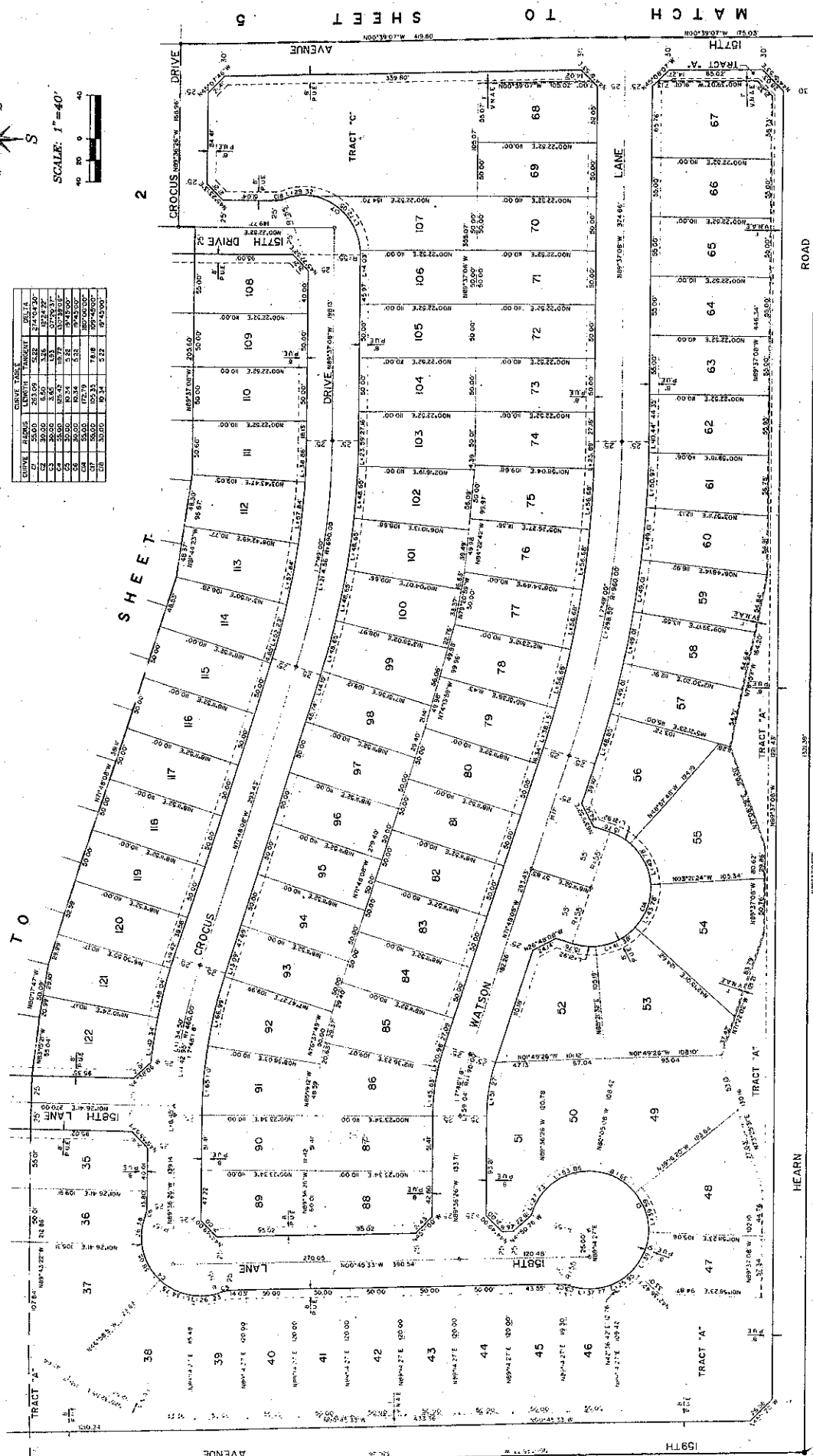
3:00
3:27
4:00
4:50

C34	55.00	166.09	906.75
C39	55.00	209.62	157.17
C39	30.00	10.34	5.22
C40	30.00	10.34	5.22

GREENWAY PARC AT SURPRISE TWO



CHAIN	BEARS	LENGTH	PERCENT	DELTA
1	30.00	23.09	5.42	3.74 0.10
2	30.00	23.09	5.42	3.74 0.10
3	30.00	23.09	5.42	3.74 0.10
4	30.00	23.09	5.42	3.74 0.10
5	30.00	23.09	5.42	3.74 0.10
6	30.00	23.09	5.42	3.74 0.10
7	30.00	23.09	5.42	3.74 0.10
8	30.00	23.09	5.42	3.74 0.10
9	30.00	23.09	5.42	3.74 0.10
10	30.00	23.09	5.42	3.74 0.10
11	30.00	23.09	5.42	3.74 0.10
12	30.00	23.09	5.42	3.74 0.10
13	30.00	23.09	5.42	3.74 0.10
14	30.00	23.09	5.42	3.74 0.10
15	30.00	23.09	5.42	3.74 0.10
16	30.00	23.09	5.42	3.74 0.10
17	30.00	23.09	5.42	3.74 0.10
18	30.00	23.09	5.42	3.74 0.10
19	30.00	23.09	5.42	3.74 0.10
20	30.00	23.09	5.42	3.74 0.10



Robert M. Moore

Clouse Engineering, Inc.
ENGINEERS & SURVEYORS

1001 N. 10th St., Suite 100
Phoenix, Arizona 85004 • TEL: 980-1000 • FAX: 980-3000

NO. 1001 N. 10th St., Suite 100
Phoenix, Arizona 85004 • TEL: 980-1000 • FAX: 980-3000

NO. 1001 N. 10th St., Suite 100
Phoenix, Arizona 85004 • TEL: 980-1000 • FAX: 980-3000

GREENWAY PARC AT SURPRISE TWO

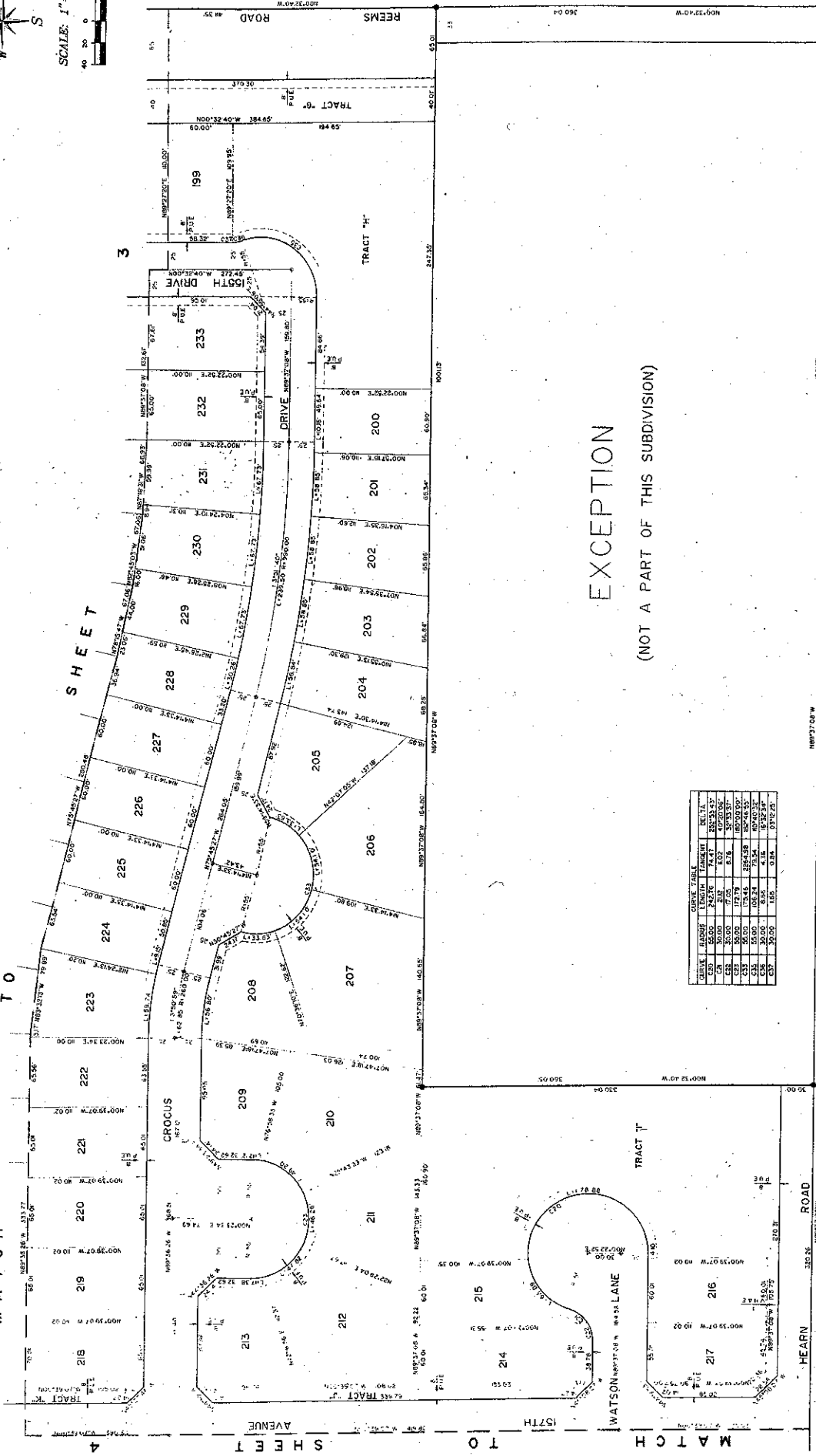
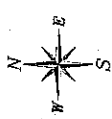
MATCH

TO

SHEET

3

SCALE: 1"=40'



Clause Engineering, Inc.
ENGINEERS & SURVEYORS



Robert M. Manno
REGISTERED PROFESSIONAL ENGINEER
No. 11,111 - State of Arizona

NO. 10
971209
SH. 5
OF 5

CITY OF SURPRISE COUNCIL AGENDA ACTION FORM

☒ Regular Meeting
☐ Special Meeting
☐ Workshop

MEETING SCHEDULE

Time: 7:00 P. M.

Date: February 25, 1999

Agenda Item # NEW BUSINESS Consent Agenda
PUBLIC HEARING
RESOLUTION NO. _____

XX Regular Agenda

Title: Consideration & Action To Approve Resolution No. 99-21, a Resolution Approving The Final Plat FP98-137 of a subdivision to be known As Greenway Parc At Surprise One and Greenway Parc At Surprise Two, which consists of 565 Single Family Residential Lots on 152.3 gross acres, for the property generally bounded by Greenway Road, Reems Road, Waddell Road And Sarival Road. Subject site Is located In Section 7, Township 3 North, Range 1 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.
(Tom Eggert on Behalf of Surprise 152 L.L.C.)

Name of Department/Individual: COMMUNITY DEVELOPMENT DEPARTMENT, Shirley Berg

Action Requested: Action to Approve with Stipulations

Attached: Resolution No. 99-21, Staff Report, Project Narrative, Applicable Plans

Fiscal Impact: _____ Budgeted _____ Not Budgeted

Comments: _____

City Manager's Recommendation: _____ Approve _____ Disapprove _____ None

Council Action: _____

Motion/ Second *****	Councilor's Name *****	Vote *****
----------------------------	------------------------------	---------------

_____ Shafer	_____	
_____ Villanueva	_____	
_____ Broich	_____	
<u>2nd</u> Johnson	_____	
_____ Montoya	_____	
<u>M</u> Anderson	_____	
_____ Gutierrez	_____	

Results:

Votes: For 6

Against 0

Abstained _____

Passed X

Failed _____

Approve Pass w/ Stipulations

Legend: Motion-M, Second-S, Yes-Y, No-N, Abstain-A, Absent-X

*CC- Shelley Johnson
 CC- Clerk Tagliola-Jule
 MR- Resolution Bender*



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Sherry Ann Aguilar, City Clerk MMC
Submitting Department:		District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to appoint members to the following Board/Commissions: Richard Jessen to the Judicial Selection Advisory Commission, term expiration, July 1, 2018; Mary Melby to the Arts & Cultural Advisory Commission, term expiration July 1, 2015 and Kenneth Broadfoot to the Public Safety Retirement Board, term expiration December 1, 2016. The City Clerk will perform the Oath of Office after approval.

Motion:

I move to appoint members to the following Board/Commissions: Richard Jessen to the Judicial Selection Advisory Commission, term expiration, July 1, 2018; Mary Melby to the Arts & Cultural Advisory Commission, term expiration July 1, 2015 and Kenneth Broadfoot to the Public Safety Retirement Board, term expiration December 1, 2016. The City Clerk will perform the Oath of Office after approval.

Background:

The above requested action follows the Boards/Commission guidelines listed below:

Sec. 2-296. Member selection and replacement process.☐

The following process shall apply to all openings or vacancies in existing city boards, committees and commissions, as well as the initial appointment of members to all new city boards, committees and commissions, unless otherwise indicated in the codified ordinance or resolution creating the board, committee or commission:

The city clerk shall maintain and distribute applications to all persons interested in being a member of a city board, committee or commission.

All persons, including current members seeking re-appointment, interested in becoming a member of a city board, committee or commission shall submit their applications to the city clerk's office. Only applications received by the clerk's office shall be considered for openings. Members with expiring terms shall not automatically be re-appointed and shall be required to have submitted an application for

consideration.

The city clerk shall advertise all board, commission and committee [vacancies] as directed to do so by the nominations committee. The advertisement shall run no less than two weeks. The city clerk shall post all openings on the city website, as well as all designated posting locations.

The city clerk shall accept and maintain all applications received during the fiscal year in which it was received by the city clerk. All applications shall be accepted on an open rolling basis and shall be maintained as an active application for four years.

Upon request by the nominations committee the city clerk shall forward all active applications to the chair of the nominations committee all applications and letters of intent.

The mayor shall designate one council member to serve as the chair of the nominations committee, with the chair selecting two additional council members to serve on the nominations committee. The mayor may make this designation for each board, commission or committee opening, or the mayor may appoint a chair on an ongoing basis, during which all openings would be addressed until such time as the mayor makes a new designation. at the discretion of the council nominations committee, the chair or designee of the respective board or commission may also serve on the nominations committee.

In the event the nominations committee feels that there are not enough qualified applicants (i.e., applicants that meet the prerequisites) for the opening, the nominations committee shall direct the city clerk to re-advertise the opening.

The nominations committee shall interview all qualified applicants. Current board, commission or committee members and staff members shall not actively participate in the interview process unless so authorized by the nominations committee in accordance with section (6). However, the staff liaison will act in an advisory capacity to the nominations committee in developing questions and providing input regarding the needs of the board, committee or commission. The nominations committee may solicit questions from other city staff or the current board, commission or committee members prior to the interview process. All applicants shall be asked the same questions in order to ensure that a fair assessment can be made of each applicant; however, additional questions may be asked for purposes of clarification after the standard questions have been asked. The nominations committee shall select the persons they recommend for the vacancy appointments and submit the names to the city clerk on an agenda action form.

The city clerk shall provide the finalists with the date, time, location and any other appropriate information regarding the council meeting at which their possible appointment will be discussed.

The finalists shall be presented to the city council at a regularly scheduled meeting.

The city council shall review the finalists recommended by the nominations committee and fill the openings by a majority vote of the city council.

The city clerk shall swear in all newly appointed members. Any newly appointed member not available to participate in the formal swearing in process at that first meeting shall make arrangements to be sworn in by the city clerk prior to acting in the capacity as a board, commission or committee member.

(Code 2007, § 2.04.250; Ord. No. 09-21, § 1, 5-14-2009; Ord. No. 2011-07, § 2, 2-22-2011; Ord. No. 2012-10, § 1, 9-25-2012)

Financial Impact Statement:

ATTACHMENTS:

Click to download

☐ [Board Applications Redacted](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



City Clerk's Office
Sherry Ann Aguilar, City Clerk
16000 N. Civic Center Plaza
Surprise, AZ 85374
clerk@surpriseaz.gov
Ph: 623-222-1220
Fax: 623-222-1001

August 14, 2014

Kenneth Broadfoot
[REDACTED]

Dear Mr. Broadfoot:

I am pleased to advise you that the **Selection Committee** consisting of Council members Roland Winters (Chair); Jim Biundo and Rachel Villanueva have selected you to serve on the **City of Surprise Public Safety Retirement System Board** pending City Council approval.

You are invited to attend the Regular Council Meeting scheduled for **Tuesday, September 2, 2014 @ – 6:00 p.m.** for Mayor and Council acceptance and to also give you an opportunity to be introduced to the entire Council. The official Oath of Office will also take place at this meeting directly following appointment.

Your term will be: Term to expire December 1, 2016. This process follows the City Code regarding Boards and Commission Vacancies and term expirations.

Please confirm whether or not you will be able to attend either by e-mail or direct line 623-222-1220 or by e-mail: clerk@surpriseaz.gov.

Thank you and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Ann Aguilar".

Sherry Ann Aguilar, City Clerk – MMC

PSPRS
5:30

Date/Time/Initials Received by Clerk's Office: 9:43am 7/7/14 umo



City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

Name: KENNETH J. BROADFOOT Date Submitted: JULY 7, 2014

Address: [REDACTED] Zip Code: 85387

Phone (Home): [REDACTED] _____

E: Mail Address: [REDACTED] _____

Resident of Surprise: ____ Yes ☒ No Number of Years: 11 YRS

Board/Commission(s) you are applying for? PUBLIC SAFETY RETIREMENT SYS FIRE/POLICE

Education: HIGH SCHOOL GRADUATE - SOME COLLEGE ☒

TRADE SCHOOLS.

EMPLOYMENT BACKGROUND:

Present Employer/Position: RETIRED

Previous Employer(s)/Position (Last 5 Years): RETIRED - 15 YRS

- ① NATIONAL INSURANCE CRIME BUREAU - INS. FRAUD + VEH. THEFT
- ② CALIF. DEPT. OF CORPORATIONS - FRAUD INVESTIGATOR

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

- ③ CALIF. DEPT. OF CORRECTIONS - CORRECTIONAL OFFICER
- ④ INTERNATIONAL AIR TRANSPORT ASSOC. - MANAGER FRAUD PREVENTION

(Continued on Reverse Side)

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

NO.

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

- ⑤ INTERNATIONAL AIR TRANSPORT ASSOC - COMPLIANCE OFFICER
- ⑥ POMONA POLICE DEPT. - NARCOTIC + VICE DETECTIVE
- ⑦ L.A. COUNTY SHERIFF DEPT. - DEP. SHERIFF - NARCOTICS

FEEL THAT MY VARIED BACKGROUND, TOGETHER WITH WORK + BENEFIT EXPERIENCE, I CAN CONTRIBUTE

Additional Information/Comments:

HAVE CONDUCTED FRAUD PREVENTION SEMINARS FOR 125 AIRLINE FRAUD + SECURITY INVESTIGATORS WAS A MEMBER OF INTERNATIONAL CHIEFS OF POLICE ASSOC. + HAD MANY CONTACTS WITH MEMBERS OF "INTERPOL"

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


Applicant's Signature

Please return to:

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

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



City Clerk's Office
Sherry Ann Aguilar, City Clerk
16000 N. Civic Center Plaza
Surprise, AZ 85374
clerk@surpriseaz.gov
Ph: 623-222-1220
Fax: 623-222-1001

August 14, 2014

Mary Melby
[REDACTED]

Dear Ms. Melby:

I am pleased to advise you that the **Selection Committee** consisting of Council members Roland Winters (Chair); Jim Biundo and Rachel Villanueva have selected you to serve on the **City of Surprise Arts & Cultural Advisory Commission** pending City Council approval.

You are invited to attend the Regular Council Meeting scheduled for **Tuesday, September 2, 2014 @ – 6:00 p.m.** for Mayor and Council acceptance and to also give you an opportunity to be introduced to the entire Council. The official Oath of Office will also take place at this meeting directly following appointment.

Your term will be: Term to expire July 1, 2015. This process follows the City Code regarding Boards and Commission Vacancies and term expirations.

Please confirm whether or not you will be able to attend either by e-mail or direct line 623-222-1220 or by e-mail: clerk@surpriseaz.gov.

Thank you and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Ann Aguilar".

Sherry Ann Aguilar, City Clerk – MMC

Arts
5:00



City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE BOARDS & COMMISSIONS

Name: MARY MELBY

Date Submitted: 7/24/13

Address:

Phone (H)

E: Mail A

Resident of Surprise: ☒ Yes ☐ No Number of Years: 10+

Education: MLIS, DOMINICAN UNIVERSITY, RIVER FOREST, IL
BA, KENDALL COLLEGE, EVANSTON, IL

EMPLOYMENT BACKGROUND:

Present Employer/Position: MARICOPA COUNTY LIBRARY DISTRICT,
REGIONAL BRANCH MANAGER, NORTHWEST REGIONAL LIBRARY 2009-PRESENT

Previous Employer(s)/Position (Last 5 Years): BRANCH MANAGER, LITCHFIELD
PARK BRANCH LIBRARY, 2005-2009

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

TOOK CLASSES AT WEST VALLEY ART MUSEUM; REPRESENTED THE
LIBRARY AT VARIOUS SURPRISE PARTIES; FACILITATED MEMOIR
WRITING WORKSHOPS AT LIBRARY & HAPPY TRAILS

(Continued on Reverse Side)

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

NO

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

I HAVE LIVED HERE FOR OVER 10 YEARS ; I ALSO WORK IN SURPRISE.

AS I NEAR RETIREMENT I AM INTERESTED IN BROADENING MY INTERESTS
AND WOULD WELCOME A CHANCE TO BE OF SERVICE TO MY COMMUNITY.

I WAS AN ART MAJOR IN COLLEGE, AM A PAINTER, LOVE THEATER (IN CHICAGO

I SUBSCRIBED TO 5 THEATER COMPANIES) HAVE TRAVELED WIDELY - SE ASIA

FOUR TIMES, EUROPE + THE CARIBBEAN - THE ARTS & CULTURE ADVISORY
COMMISSION WOULD BE A GOOD FIT FOR ME.

Additional Information/Comments:

AS THE MANAGER OF THE SURPRISE LIBRARY, I HAVE A DETAILED
KNOWLEDGE OF AND EXPERIENCE WITH THE PEOPLE OF SURPRISE.

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

Mary Melby
Applicant's Signature

Date & Time Received by City Clerk's Office:



7:05 am



City Clerk's Office
Sherry Ann Aguilar, City Clerk
16000 N. Civic Center Plaza
Surprise, AZ 85374
clerk@surpriseaz.gov
Ph: 623-222-1220
Fax: 623-222-1001

August 14, 2014

Mr. Richard Jessen
[REDACTED]

Dear Mr. Jessen:

I am pleased to advise you that the **Selection Committee** consisting of Council members Roland Winters (Chair); Jim Biundo and Rachel Villanueva have selected you to serve on the **City of Surprise Judicial Selection Advisory Commission (JSAC)** pending City Council approval.

You are invited to attend the Regular Council Meeting scheduled for **Tuesday, September 2, 2014 @ – 6:00 p.m.** for Mayor and Council acceptance and to also give you an opportunity to be introduced to the entire Council. The official Oath of Office will also take place at this meeting directly following appointment.

Your term will be: Term to expire July 1, 2018. This process follows the City Code regarding Boards and Commission Vacancies and term expirations.

Please confirm whether or not you will be able to attend either by e-mail or direct line 623-222-1220 or by e-mail: clerk@surpriseaz.gov.

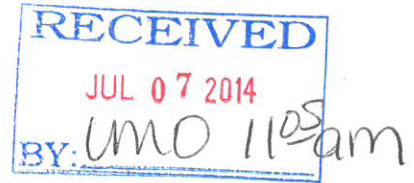
Thank you and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Ann Aguilar".

Sherry Ann Aguilar, City Clerk – MMC

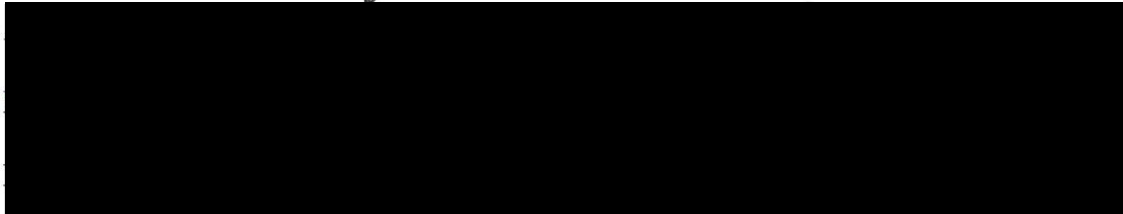
JSAC
6:00 PM



City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

Name: Richard T. Jassen Date Submitted: 7/7/14



Resident of Surprise: ☒ Yes ☐ No Number of Years: Since 1/1/14

Board/Commission(s) you are applying for? Judicial Selection Committee

Education: (See attached resume)

EMPLOYMENT BACKGROUND:

Present Employer/Position: (see attached resume)

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

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

(retired MN district court judge)

(Continued on Reverse Side)

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

No

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

My judicial experience may
be helpful.

Additional Information/Comments:

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

Richard T. Jassen
Applicant's Signature

Date & Time Received by City Clerk's Office: _____

Please return to:

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



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Misty Leslie, City Attorney
Submitting Department:	City Clerk	District:	Internal
Staff Recommendations:	No Action		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action adopting proposed Council policies & procedure, addressing Council rules of conduct and demeanor, parliamentary rules, use of city resources, reimbursements, and implementation/enforcement.

Motion:

I move to approve the Surprise City Council Policies & Procedures as presented, repealing and replacing the Council Policy Manual previously approved by Council on January 28, 2010.

Background:

The Rules Subcommittee has met and reviewed proposed changes to the City Council Policy and Procedures Manual. The proposed manual was reviewed by Council at the August 18th work session. The recommended language is intended to be streamlined, easily understood and applied, and is designed to foster cooperation between council members. The proposed manual will replace the current council policy manual that was approved by council on January 28, 2010.

Financial Impact Statement:

There are no financial implications of this project.

ATTACHMENTS:

Click to download

☐ [Proposed Manual](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

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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.

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.

Rule 4. Respect for Process

Members must perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

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 6. Decisions Based on Merit

Members must base all decisions on the merits and substance of the matter at hand.

Rule 7. Transparent Governance

Members must publicly share 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.

Rule 8. Advocacy

Members must represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members must explicitly state that the member does not represent the City of Surprise or its Council, and may not allow the inference of such 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.

Rule 9. 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 the City Manager in the performance of his/her job responsibilities.

Rule 10. 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 creating the perception of inappropriate direction to staff.

Rule 11. 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 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 12. 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 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 will 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, benefit, or favor must

be made to the City Clerk within 10 business days after receipt and must include a description of the gift, benefit, or favor, the estimated 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 serves 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.
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) 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.

(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 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.

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 Council 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 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 at the 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 meeting.

Comment: *To avoid placing a measure in limbo, these rules restrict the availability of the motion to the same meeting as the original vote, including any continuation of that meeting if it is recessed, or adjourned to a time and place certain.*

USE OF CITY RESOURCES

Discretionary Funds:

Each member will be allotted discretionary funds not to exceed \$2,500 each fiscal year, \$5,000 to the Mayor, that may be used to reimburse a not-for-profit organization for a specific or

onetime purchase or for event costs when the event is held or conducted in whole or in part within the member's district, and when such expenditure is for a public purpose and the betterment of the community. Use of discretionary funds may not be used when:

- 1) The recipient is a beneficiary of any other city program (Council Grants, Tourism Grants, etc);
- 2) The expenditure would create a requirement for on-going funding;
- 3) The expenditure was rejected by the City Manager for inclusion in a departmental budget or capital improvement;
- 4) The expenditure replaces/supplants regular on-going maintenance and/or operations that are a part of a department's normal responsibility; or
- 5) The use conflicts with state law.

Use of discretionary funds requires the member wishing to utilize such funds to provide a Disbursement Request to the Finance Department. 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.

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 will be reviewed by the City Council to consider recommendations and update it as necessary in August of odd-numbered years.

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.

COMPLAINTS

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. Any violation of law or policy should be reported to the City Attorney who will place the matter on the next regular Council agenda for consideration and action consistent with this Section, or submit the complaint to the appropriate body or entity, such as the Attorney General or County Attorney.

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
- C.

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.



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Mark A. Coronado, Director - Community & Recreation Services
Submitting Department:	CRS	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action reallocating \$50,000 from Tourism Fund Contingency to Tourism Fund Services for the 2015 NFL Super Bowl Flag Football Event; Resolution No. 2014-73.

Motion:

I move to approve Resolution No. 2014-73.

Background:

The Celebrity Flag Football event is proposed to be held January 31; the weekend before the 2015 Super bowl in Glendale Arizona. The event will take place in the Surprise Stadium where a temporary football field and bleachers are set-up in right field. The first Celebrity Flag Football event took place in 2008 when the Super bowl was last held in Arizona. With the Super bowl returning again in 2015, the event is returning to Arizona as well. The event will include National celebrities and will be broadcast on FOX sports the weekend of the super bowl. Other promotion includes Yahoo Sports Radio, full page advertisement in Sports Illustrated, and highlight show to be aired on Fox Sports and Comcast Sport Net. On February 11, 2014 the Tourism Advisory Commission approved to recommended to council \$50,000 in Tourism funds for the 2015 NFL Super Bowl Flag Football Event.

Financial Impact Statement:

Funding for this budget amendment utilizes Tourism fund contingency in the amount of \$50,000. The contingency is part of the FY2015 Tourism fund budget of \$475,000.

ATTACHMENTS:

Click to download

- ☐ [Proposed Budget](#)
 - ☐ [Picture](#)
 - ☐ [Picture 2](#)
 - ☐ [Resolution 24-73](#)
-

External Attachment Links:

Proposed Budget

Pictures

Resolution

Meeting Requirements:

Powerpoint

Video

White Board

Other

Presentation Speaker Names (spelling and titles for TV captions):

Mark A. Coronado, Community and Recreation Services Director

**FY 2015 Supplemental Request Coversheet
Complete All Areas**

Division: Sport Tourism & Special Events

Program: _Celebrity Flag Football **Division Priority:** _____

STEP 1: Please check the appropriate box

- ☐ Base Adjustment Request - Maintain the existing or expected level of services
- ☒ New Budget Requests - Establish new programs or services, or significantly change existing service levels
- ☐ Ongoing Funding
- ☐ One Time Funding for FY15 Only

Step 2: Narrative (add additional lines if needed)

- a) Describe the request:
The Celebrity Flag Football event is held the Saturday before the 2015 Superbowl in Glendale Arizona. The event will take place in the Surprise Stadium where a temporary football field and bleachers are set-up in right field.
- b) Provide justification for the request:
The first Celebrity Flag Football event took place in 2008 when the Superbowl was held in Glendale. With the Superbowl returning again in 2015, the event is returning to Arizona as well.
- c) Identify any performance measures for current services and programs that can demonstrate a need for an increase in resources based on expected levels of service:
- d) Identify any efficiencies or enhancements that this request will accommodate:
- e) Detail the line items and associated dollars for this request:

Accounting String	Amount Requested	Comment / Description / Justification	If Base Request – What is total amount of increase over FY13 actual expense	If there is Offsetting Revenue – List amount of revenue projected
36112	\$4219.70	Part Time Staff		
36999	\$4800	Fire and Police		
37161	\$3220	Paint, stencil, football		
38126	\$58,230	Bleachers and flooring, band, referees		
38371	\$6900	Porter, stadium pre and post clean		
38521	\$8500	Power, tables, tents, stage		
38931	\$5000	Newspaper ads		

STEP 3: Attach Completed Program Worksheet





RESOLUTION # 2014-73

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2015 BUDGET BY REALLOCATING APPROPRIATIONS OF \$50,000 FROM CONTINGENCY TO SERVICES IN THE TOURISM FUND FOR A 2015 NFL CELEBRITY FLAG FOOTBALL SUPER BOWL EVENT.

WHEREAS, on January 28, 2010, Ordinance 2010-04 increased the tax on any hotel within the city in the business of charging for lodging and/or lodging space furnished to any transient to 2.52% of gross income;

WHEREAS, the Mayor and Council restricted the use of 1.52% of that tax to the promotion of tourism in the city of Surprise;

WHEREAS, on February 11, 2014, the Tourism Advisory Commission voted to recommend that Council approve of the allocation of tourism funds in an amount not to exceed \$50,000 for expenses for the 2015 NFL Celebrity Flag Football Super Bowl Event;

WHEREAS, the City of Surprise wishes to authorize the use of \$50,000 of the tourism funds for the 2015 NFL Celebrity Flag Football Super Bowl Event;

WHEREAS, the FY2015 budget was adopted by Council Resolution #2014-53 on June 3, 2014;

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, 2014 through June 30, 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

RESOLUTION # 2014-73**Exhibit A**

The FY2015 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.

Tourism Fund	Current Appropriation	Increase (Decrease)	Amended Appropriation
Services	0	50,000	50,000
Contingency	475,400	-50,000	425,400
	<u>\$475,400</u>	<u>\$0</u>	<u>\$475,000</u>

The fund changes are as follows:

- The amendment utilizes contingency fund in the amount of \$50,000 for 2015 NFL Celebrity Flag Football Super Bowl Event without exceeding the approved total annual budget for FY2015.



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	Misty Leslie, City Attorney
Submitting Department:	Attorney's Office	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and approval of the Employment Contract for the City Manager.

Motion:

I move to approve the Employment Contract for the City Manager and authorize the Mayor to execute the agreement on the Council's behalf.

Background:

The City Manager was initially appointed by Resolution 2014-69 pending the adoption of an Employment Agreement for City Manager. The negotiated contract provides for a base salary of \$179,500 without use of any secondary compensation mechanisms such as deferred compensation or vehicle allowance, nor does it include any severance pay at the request of the City Manager. The Agreement also treats the City Manager on the same basis as all other employees relative to the bi-weekly accrual of PTO, and salary adjustments.

Financial Impact Statement:

The proposed agreement will result in a salary savings of \$5,500 annually. Resolution 2014-69 appointed the City Manager with a salary of \$185,000 annually.

ATTACHMENTS:

Click to download

☐ [City Manager Employment Agreement](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

City Manager Employment Agreement

THIS AGREEMENT, between the Mayor and Council of the City of Surprise Arizona ("City") and Bob Wingenroth ("Employee"), is authorized by Ariz. Rev. Stat. §9-271 and entered into pursuant to Surprise Municipal Code §§ 2-120 and 2-121. The following sets forth the duties and responsibilities of the Parties:

1. Employee will perform all duties of the position of City Manager for the City as set forth in the Surprise Municipal Code, using reasonable care, diligence, skill, and expertise to fulfill Employee's role as City Manager.
2. Employee agrees to devote such time as is necessary for the full and proper performance of the Employee's duties, including work outside normal business hours, and to perform such duties exclusively for the City of Surprise.
3. The City will formally evaluate the performance of Employee on an annual basis, defining such goals and performance objectives as deemed necessary.
4. The City supports Employee's desire to implement a Servant Leadership Model throughout the organization, the primary principles of which are set forth in the attached Ten Principles of Servant Leadership by Robert Greenleaf. City agrees to make resources Employee needs to implement such change reasonably available.
5. Beginning the first pay period after the execution of this Agreement, City will pay Employee a biweekly salary of \$6,903.84 (\$179,500 per year) in accordance with the normal and usual procedure for payment of employees by the City. Salary will be adjusted annually on the same basis as non-represented employees, consistent with City's compensation policies (e.g. performance pay, market adjustments, cost of living adjustments, etc.) as approved by the City Council as part of the annual budget process. This Agreement will be automatically amended to reflect any such salary adjustments.
6. Employee will receive all benefits, including stipends and reimbursable expenses, on the same basis as non-represented City employees in accordance with the City's ordinances, policies and procedures. Notwithstanding the above, Employee will accrue paid time off (PTO) at a rate of 10.77 hours per pay period (280 hours per year).
7. The Parties understand and agree that Employee serves at the pleasure of the Mayor and Council and that either party may terminate this Agreement at any time and for any reason upon 30 day written notice delivered in person or by mail to:

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

Bob Wingenroth,
16000 N. Civic Center Plaza
Surprise, Arizona 85374

Notice under this section is for the benefit of the City and can be waived, in whole or in part, by the City. Upon notice of termination under this section, the Parties will agree upon an appropriate plan to transition to new organizational leadership.

8. To the extent permitted by law, City agrees to defend, hold harmless and indemnify Employee from all demands, claims, suits, acts, errors or other omissions in legal proceedings

brought against Employee in the Employee's official capacity; or individually as long as the action is determined to be within the scope of employment. Should any acts, errors, or other alleged omissions be determined to be outside the scope of employment, the City may elect not to defend, hold harmless or indemnify.

9. This Agreement constitutes the entire agreement between parties, and both parties acknowledge that there are no other agreements, oral or otherwise. This Agreement cannot be amended or modified without the written concurrence of both parties, except as specifically set forth herein.

10. This Agreement will be interpreted in accordance with the law of the State of Arizona. If any provision or portion of this Agreement is held to be unconstitutional, invalid or unenforceable, the remaining portion will remain unaffected, and City and Employee will enter into negotiations to correct the Agreement's defect in order to assure the intent of the Agreement is carried out to the fullest extent possible.

11. Each Party has had opportunity to consult legal counsel for advice regarding the drafting of this Agreement and the provisions of this Agreement may not be construed against or in favor of either party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed as of this ____ day of _____.

City of Surprise

Employee

Mayor Sharon Wolcott

Bob Wingenroth

Approved as to Form:

City Attorney

Ten Principles of Servant Leadership

By Robert Greenleaf

Listening - Traditionally, leaders have been valued for their communication and decision making skills. Servant-leaders must reinforce these important skills by making a deep commitment to listening intently to others. Servant-leaders seek to identify and clarify the will of a group. They seek to listen receptively to what is being said (and not said). Listening also encompasses getting in touch with one's inner voice, and seeking to understand what one's body, spirit, and mind are communicating.

Empathy - Servant-leaders strive to understand and empathize with others. People need to be accepted and recognized for their special and unique spirit. One must assume the good intentions of coworkers and not reject them as people, even when forced to reject their behavior or performance.

Healing - Learning to heal is a powerful force for transformation and integration. One of the great strengths of servant-leadership is the potential for healing one's self and others. In "The Servant as Leader", Greenleaf writes, "There is something subtle communicated to one who is being served and led if, implicit in the compact between the servant-leader and led is the understanding that the search for wholeness is something that they have."

Awareness - General awareness, and especially self-awareness, strengthens the servant-leader. Making a commitment to foster awareness can be scary—one never knows that one may discover! As Greenleaf observed, "Awareness is not a giver of solace – it's just the opposite. It disturbs. They are not seekers of solace. They have their own inner security."

Persuasion - Servant-leaders rely on persuasion, rather than positional authority in making decisions. Servant-leaders seek to convince others, rather than coerce compliance. This particular element offers one of the clearest distinctions between the traditional authoritarian model and that of servant-leadership. The servant-leader is effective at building consensus within groups.

Conceptualization - Servant-leaders seek to nurture their abilities to "dream great dreams." The ability to look at a problem (or an organization) from a conceptualizing perspective means that one must think beyond day-to-day realities. Servant-leaders must seek a delicate balance between conceptualization and day-to-day focus.

Foresight - Foresight is a characteristic that enables servant-leaders to understand lessons from the past, the realities of the present, and the likely consequence of a decision in the future. It is deeply rooted in the intuitive mind.

Stewardship - Robert Greenleaf's view of all institutions was one in which CEO's, staff, directors, and trustees all play significance roles in holding their institutions in trust for the great good of society.

Commitment to the Growth of People - Servant-leaders believe that people have an intrinsic value beyond their tangible contributions as workers. As such, servant-leaders are deeply committed to a personal, professional, and spiritual growth of each and every individual within the organization.

Building Community - Servant-leaders are aware that the shift from local communities to large institutions as the primary shaper of human lives has changed our perceptions and has caused a feeling of loss. Servant-leaders seek to identify a means for building community among those who work within a given institution.



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	PEL Subcommittee Chair Todd Tande
Submitting Department:	Attorney's Office	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and Action on the First Amendment to the Employment Agreement for City Clerk dated March 26, 2013.

Motion:

I move to approve the First Amendment to the Employment Agreement for City Clerk and authorize the Mayor to execute the agreement on the Council's behalf.

Background:

The Employment Agreement for City Clerk was approved and entered into on March 26, 2013. The agreement utilized a PTO "dump" resulting in an entire year's PTO accruing on July 1 of each year. The original Agreement also allows for automatic salary adjustment for cost of living, but does not allow for other increases without formal amendment. The recommendation of the PEL Subcommittee is to amend the existing agreement to allow treatment of appointed officials on the same basis as all other employees relative to the bi-weekly accrual of PTO, and salary adjustments.

Financial Impact Statement:

There is no financial impact to the First Amendment to the Employment Agreement for City Clerk. The salary reflected in the amendment is the Clerk's current salary which was automatically amended to reflect cost of living adjustments since the execution of the original agreement, as per the terms of the original agreement.

ATTACHMENTS:

Click to download

☐ [First Amendment - City Clerk](#)

External Attachment Links:

Meeting Requirements:

Powerpoint

Video

White Board

Other

Presentation Speaker Names (spelling and titles for TV captions):

**FIRST AMENDMENT
EMPLOYMENT AGREEMENT FOR CITY CLERK**

This First Amendment amends the Employment Agreement for City Clerk between City of Surprise, Arizona ("City") and Sherry Ann Aguilar ("Employee") dated March 26, 2013 as follows:

A. Paragraph 3, Salary, is hereby amended to read:

For services rendered by Employee under the Agreement, City will pay Employee a biweekly salary of \$5,004.23 in accordance with the normal and usual procedure for payment of employees by the City. Salary will be adjusted annually on the same basis as non-represented employees, consistent with City's compensation policies (e.g. performance pay, market adjustments, cost of living adjustments, etc.) as approved by the City Council as part of the annual budget process. This Agreement will be automatically amended to reflect any such salary adjustments.

B. Paragraph 4, Benefits, is hereby amended to read:

Employee will receive all benefits, including stipends and reimbursable expenses, on the same basis as non-represented City employees in accordance with the City's ordinances, policies, and procedures. Notwithstanding the above, Employee will accrue paid time off (PTO) at a rate of 10.77 hours per pay period (280 hours per year).

C. The salary reflected in Paragraph 3, as amended above, is inclusive of all Cost of Living Adjustments made through the execution date of this First Amendment.

D. Employee's PTO balance should be amended to reflect the accrual rate set forth in Paragraph 4, as amended above, beginning July 1, 2014.

E. Except as provided in this First Amendment, all provisions, terms, and conditions of the Agreement remain unmodified and in effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed as of this ____ day of _____.

City of Surprise

Employee

Mayor Sharon Wolcott

Sherry Ann Aguilar

Approved as to Form:

City Attorney



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 2, 2014	Contact Person:	PEL Subcommittee Chair Todd Tande
Submitting Department:	Attorney's Office	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the First Amendment to the Employment Agreement for City Attorney dated March 25, 2013.

Motion:

I move to approve the First Amendment to the Employment Agreement for City Attorney and authorize the Mayor to execute the agreement on council's behalf.

Background:

The Employment Agreement for City Attorney was approved and entered into on June 25, 2013. The agreement utilized a PTO "dump" resulting in an entire year's PTO accruing on July 1 of each year. The original Agreement also allows for automatic salary adjustment for cost of living or other discretionary pay increases approved by the City Council. The recommendation of the PEL Subcommittee is to amend the existing agreement to a salary more reflective of the cost of living and other discretionary pay increases approved by the City Council as part of the FY2014-2015 budget, and to allow treatment of appointed officials on the same basis as all other employees relative to the bi-weekly accrual of PTO, and salary adjustments.

Financial Impact Statement:

The proposed amendment will result in an increase in salary of approximately \$10,900.

ATTACHMENTS:

Click to download

☐ [First Amendment - City Attorney](#)

External Attachment Links:

Meeting Requirements:

Powerpoint

Video

White Board

Other

Presentation Speaker Names (spelling and titles for TV captions):

**FIRST AMENDMENT
EMPLOYMENT AGREEMENT FOR CITY ATTORNEY**

This First Amendment amends the Employment Agreement for City Attorney between City of Surprise, Arizona ("City") and Misty Leslie ("Employee") dated March 25, 2013 as follows:

1. Paragraph 3, Salary, is hereby amended to read:

For services rendered by Employee under the Agreement, City will pay Employee a biweekly salary of \$6,730.77 (\$175,000 per year) in accordance with the normal and usual procedure for payment of employees by the City. Salary will be adjusted annually on the same basis as non-represented employees, consistent with City's compensation policies (e.g. performance pay, market adjustments, cost of living adjustments, etc.) as approved by the City Council as part of the annual budget process. This Agreement will be automatically amended to reflect any such salary adjustments.

2. Paragraph 4, Benefits, is hereby amended to read:

Employee will receive all benefits, including stipends and reimbursable expenses, on the same basis as non-represented City employees in accordance with the City's ordinances, policies, and procedures. Notwithstanding the above, Employee will accrue paid time off (PTO) at a rate of 10.77 hours per pay period (280 hours per year).

3. Employee's Salary set forth in Paragraph 3, as amended above, will begin upon Council approval of this First Amendment.
4. Employee's PTO balance should be amended to reflect the accrual rate set forth in Paragraph 4, as amended above, beginning July 1, 2014.
5. Except as provided in this First Amendment, all provisions, terms, and conditions of the Agreement shall remain unmodified and in effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed as of this ____ day of _____.

City of Surprise

Employee

Mayor Sharon Wolcott

Misty Leslie

Approved as to Form:



Outside Counsel for City



CITY OF SURPRISE
Regular City Council Meeting

September 2, 2014 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	September 2, 2014	Contact Person:	Bob Wingenroth, City Manager
Submitting Department:	Finance Dept	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on citywide organizational changes adding three new positions and moving budgeted positions between departments by amending the FY2015 budget; Resolution 2014-92.

Motion:

Move to approve Resolution 2014-92

Background:

Over the last two months, we have been implementing a plan to build a city team that focuses on the Mayor and City Council vision; foremost in economic development and job creation. These organizational changes were not included in the FY2015 adopted budget and this action will necessitate a budget amendment.

Financial Impact Statement:

These organizational changes were not included in the FY2015 budget. The FY2015 Annual Budget is amended by this action, reallocating appropriations among lawfully available appropriations and do not represent an actual transfer of funds, but only spending authority. These reallocations do not increase or decrease the total budget.

ATTACHMENTS:

Click to download

- ☐ [Presentation](#)
- ☐ [Resolution 2014-92](#)

External Attachment Links:

Meeting Requirements:

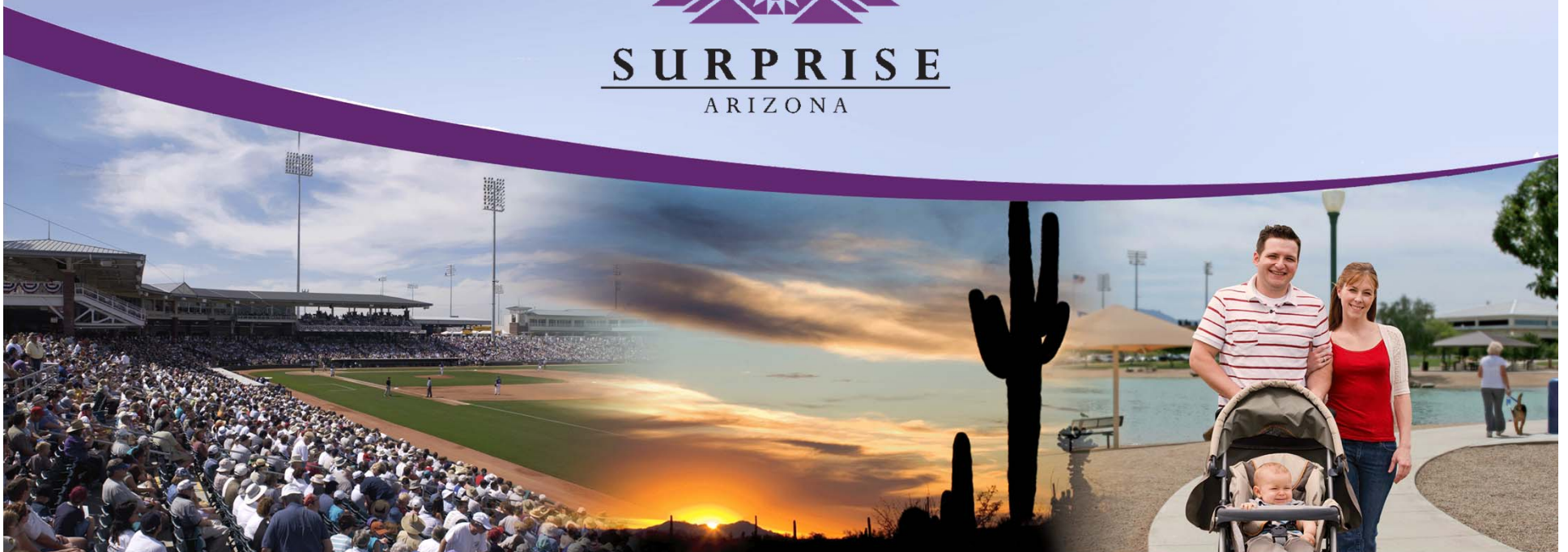
Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

Bob Wingenroth, City Manager

Building a Team

September 2, 2014



Building a Team



- City Manager Staffing
- Focus on Economic and Development
- Process Improvement

Economic Development



- Economic development contingency for 3 new positions
 - economic impact: creating jobs, retaining businesses, etc.

From	To
New	Community Development Director
New	Economic Development Coordinator (x2)

Using Existing Positions



- Use existing budgeted positions and move people to where they are needed
 - Long Range Planning Manager
 - Current Planning Manager
 - Replace Lost Position in Finance Department

Council Action



- Resolution #2014-92
 - Adding 3 new positions
 - Amending various department budgets and position counts

Questions or Comments?



Division Transfers



From	To
IT/Survey	Public Works
	Chief Land Surveyor
	Land Survey Party Chief
IT/Real Estate and GIS Manager	Community Development
	Long Range Planning Manager
	Real Property Manager
	Real Estate Specialist
Finance/Payroll	Human Resources
	Payroll Supervisor
	Payroll Specialist (x2)

Assistant City Managers



➤ Providing additional support and leadership to staff in support of Council goals

From		To	
Position	Department	Position	Department
Assistant City Manager (ACM)/ Chief Financial Officer	Finance	Internal Services ACM	City Manager's Office
ACM/ Community Development Director	Community Development	CD/ED/Public Works ACM	City Manager's Office

Additional Personnel Changes



From		To	
Position	Department	Position	Department
Senior Services Supervisor	Community and Recreation Services	Current Planning Manager	Community Development
Public Information Officer	City Manager	Resident Service Specialist	City Manager
Assistant Chief	Fire – Medical Services	Budget Manager	Finance
Sr. Maintenance & Operations Technician	Public Works	HR Specialist	Human Resources

RESOLUTION # 2014-92

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2015 BUDGET BY REALLOCATING APPROPRIATIONS OF \$1,983,100 FROM VARIOUS DEPARTMENTS WITHIN THE GENERAL FUND

WHEREAS, City management has been implementing a plan to build a city team that focuses on implementing the vision of the Mayor and City Council, foremost in the area of economic development and job creation;

WHEREAS, the FY2015 budget was adopted by Council Resolution #2014-53 on June 3, 2014;

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, 2014 through June 30, 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

RESOLUTION # 2014-92
Exhibit A

The FY2015 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.

Table 1

General Fund	Current Appropriation	Increase (Decrease)	Amended Appropriation
Personnel / City Manager's Office	\$2,384,900	\$188,100	\$2,573,000
Personnel / Community Development	3,757,900	189,700	3,947,600
Economic Development Contingency	1,000,000	(377,800)	622,200
	<u>\$7,142,800</u>	<u>\$0</u>	<u>\$7,142,800</u>

Table 2

General Fund Departments	Current Appropriation	Increase (Decrease)	Amended Appropriation
City Manager	\$8,114,400	\$409,600	\$8,524,000
Finance	3,974,500	(259,600)	3,714,900
Human Resources	1,751,900	294,400	2,046,300
Information Technology	4,620,900	(572,400)	4,048,500
Community Development	4,094,900	276,400	4,371,300
Fire-Medical	17,221,700	(168,300)	17,053,400
Community Recreation Services	15,934,700	(104,000)	15,830,700
Engineering	1,619,900	252,200	1,872,100
Facilities Management	2,770,800	(71,600)	2,699,200
	<u>\$60,103,700</u>	<u>\$0</u>	<u>\$60,103,700</u>

Table 3

General Fund Departments	Current Positions	Increase (Decrease)	Amended Positions
City Manager	21	4	25
Finance	30	(3)	27
Human Resources	11	4	15
Information Technology	25	(5)	20
Community Development	43	3	46
Fire-Medical	120	(1)	119
Community Recreation Services	122	(1)	121
Public	41	2	43
	414	3	417

The general fund changes are as follows:

- The total amendment amount of \$1,938,100 is for organizational changes to build a team in support of the Mayor and City Council vision. This amendment does not increase the total annual budget for FY2015.
 - Table 1 three new positions are funded using economic development contingency, two in the City Manager's Office and one in Community Development.
 - Table 2 illustrates the amended budget for positions moved between departments, excluding budgets for the new positions in the table above.
 - Table 3 details the positions by department as amended including all new and transferred positions.