



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

Tuesday, June 3, 2014 @ 6:15 PM
COUNCIL CHAMBERS

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- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS
- 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:

- | | | |
|-----------------------|--|---|
| *#1 District Citywide | <u>Consideration and action authorizing the Mayor to execute an Intergovernmental Agreement with the Arizona Game and Fish Commission to continue the Urban Fishing Program at Surprise Lake located within the Surprise Community Park; Resolution No. 2014-56.</u> | Approve
Mark A.
Coronado,
Director -
Community
&
Recreation
Services |
| *#2 District 6 | <u>Consideration and action on a Series 12 liquor license request by Rich Kim for Uni Sushi & Steak located at 17191 N. Litchfield Rd., Suite 40, Surprise, Arizona 85374.</u> | Approve
Sherry Ann
Aguilar, City
Clerk MMC |
| *#3 District Citywide | <u>Consideration and action authorizing the Mayor to execute an amended Intergovernmental Agreement with Maricopa County Library District to operate the Hollyhock Library, term ending June 30, 2016; Resolution 2014-58.</u> | Approve
Mark A.
Coronado,
Director -
Community
&
Recreation
Services |

- | | | |
|-----------------------|--|---|
| *#4 District 5 | <u>Consideration and action declaring the City's intention to create the "City of Surprise, Arizona, Mariposa Acres #135 Lighting Improvement District" pursuant to A.R.S. § 48-616; Resolution No. 2014-40.</u> | Approve
Dick
McKinley,
Public
Works
Department |
| *#5 District Citywide | <u>Consideration and action on the minutes of May 20, 2014 Regular City Council Work Session and Regular City Council Meeting.</u> | Approve
Sherry Ann
Aguilar,
City Clerk |

Regular Agenda Item - Non-Public Hearing:

- | | | |
|----------------------|--|--|
| #6 District Internal | <u>Discussion and presentation regarding the NLC trips by Surprise Youth Delegates</u> | No Action
CM
Williams &
Mayor
Wolcott |
| #7 District 1 | <u>Consideration and action approving the "Surprise Farms Gateway" plat, dated April 28, 2014, a property generally located at the southwest corner of Bell Road and State Route 303; Resolution 2014-43</u> | Approve
Chris Boyd,
Community
& Economic
Development |
| #8 District Citywide | <u>Consideration and action on Ordinance 2014-08, deleting Surprise Municipal Code, Chapter 3, Section 3-62(d).</u> | None
Misty
Leslie, City
Attorney |

Regular Agenda Item - Public Hearing:

- | | | |
|----------------------|--|--|
| #9 District Citywide | <u>Conduct a public hearing on intention to levy Street Light Improvement District (SLID) property tax.</u>

<u>Consideration and action pertaining to the approval of Resolution 2014-55 to set forth the intention to adopt Street Light Improvement District (SLID) property tax levies up to the maximum rate of \$1.20 for each One Hundred Dollars (\$100) of assessed valuation as shown in Resolution 2014-55. The SLID property tax levies are set for adoption on June 17, 2014.</u> | Approve
Bob
Wingenroth,
Assistant
City
Manager /
Chief
Financial
Officer |
|----------------------|--|--|

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:

#10 District Internal	<u>Discussion/consultation with the City Attorney to receive legal advice; and to consider its position on contract negotiations and pending/contemplated litigation regarding development on property bounded by Bell, Litchfield, Greenway and Bullard Roads. (A.R.S. §38-431.03(A))</u>	None Misty Leslie, City Attorney
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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: May 29, 2014 at 8:15 AM

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



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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Council Meeting Date:	June 3, 2014	Contact Person:	Mark A. Coronado, Director - Community & Recreation Services
Submitting Department:	CRS	District:	Citywide
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action authorizing the Mayor to execute an Intergovernmental Agreement with the Arizona Game and Fish Commission to continue the Urban Fishing Program at Surprise Lake located within the Surprise Community Park; Resolution No. 2014-56.

Motion:

I move to approve Resolution No. 2014-56; an IGA with Arizona Game and Fish to continue the Urban Fishing Program.

Background:

The City of Surprise and the Arizona Game and Fish Department agreed to implement an urban fishing program at the Surprise Lake on December 12, 2002. Funds paid by the City of Surprise to the Arizona Game and Fish Department help to defray the costs of operating the program and stocking fish at the lake. Intergovernmental Agreement (IGA) between the City of Surprise and the Arizona Game and Fish Commission to continue the Urban Fishing Program at Surprise Lake located within the Surprise Community Park. This agreement may be extended an additional four years for a total of eight.

Financial Impact Statement:

These funds are budgeted annually under the Parks Maintenance budget in an amount not to exceed \$20,450 over the 4 year term of the agreement [FY2015 -\$5,075, FY2016 - \$5,075, FY2017 - \$5,150 and FY2018 - \$5,150]. (21111-444-431-2999-29999-37223)

ATTACHMENTS:

Click to download

- ☐ [AZ Game & Fish IGA](#)
- ☐ [AZ Game & Fish - Resolution 2014-56](#)

External Attachment Links:

Resolution and Intergovernmental Agreement

Meeting Requirements:

Powerpoint x Video White Board Other x

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

Mark A. Coronado, Director - Community & Recreation Services

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE
ARIZONA GAME AND FISH COMMISSION
AND
THE CITY OF SURPRISE, AZ**

Pursuant to A.R.S. § 11-952 *et. seq.*, this Intergovernmental Agreement is made this _____ day of _____, 2014, by and through the Arizona Game and Fish Commission ("Commission"), and the City of Surprise ("City"). The terms "Department" and "Director" in this Agreement hereinafter refer to the Arizona Game and Fish Department and its Director, acting as administrative agent for the Commission.

WHEREAS, the Commission has statewide responsibility for the management of wildlife, including fish, and the City owns certain park lands, including artificial lakes which it maintains for public use as recreation areas;

WHEREAS, both entities desire to provide urban sport fishing recreational opportunity to the extent such a program is found practical;

WHEREAS, the Commission has authority under A.R.S. § 17-231(B)(7) to make agreements with other entities for the operation of wildlife facilities and the conduct of related management studies, and the City has authority under A.R.S. § 11-931, *et seq.* to provide recreation through a Community Services Department; and,

WHEREAS, the Department acts under the authority of the Commission.

NOW THEREFORE, the Parties agree to conduct a Community Fishing Program, as follows:

AGREEMENT:

The Commission agrees that the Department Shall:

1. Inform the public of the purpose and intent of the Community Fishing Program. This will include coverage in Department publications, website, and other outlets as well as the media (radio, television, newspapers) to ensure broad coverage. This may include conducting Sport Fishing Education programs (fishing clinics) for the general public and requesting groups in cooperation with the City. Specific scheduling information about Department sanctioned programs will be provided to the City as soon as possible.
2. Set regulations pertaining to license requirements and bag and possession limits specific to the designated Community Fishing waters herein.
3. Print and issue Community Fishing Licenses and other applicable licenses to

Department-authorized license dealers in the local area and statewide. Licenses will also be available from Department offices and online.

4. Stock Surprise Lake with catchable rainbow trout approximately every two weeks from November through March and channel catfish from March through November. Catfish stocking will cease from approximately June 14 through September 15 due to heat stress factors. Adjustments to these stocking schedules may be required due to climatic conditions, fish availability and condition, or lake water quality conditions.

Stock sunfish at least once annually into Surprise Lake. Other approved fish species will be stocked as necessary to: 1) establish a resident fish population, 2) augment existing fish populations, 3) maintain a balanced fishery, or 4) improve angler success rates.

5. Monitor basic water quality and biological indicators as needed to determine if lake conditions are suitable for fish stockings. Provide periodic lake assessment reports to the park manager. Notify the City by a phone call to the appropriate park management staff of any public health or safety concerns found by the Department.
6. For each participating water, design and provide one or more Fishing Information Stations (kiosks with bulletin board) so that current Community Fishing Program information may be posted for the public. Design and provide Community Fishing Program information and regulation signs, and replacements as needed, for all primary access points around each participating lake.
7. Conduct periodic angler surveys to ascertain angler effort and harvest, angler satisfaction, and performance success of the program.
8. Enforce Commission rules and regulations and Arizona Revised Statutes, Title 17 (Game and Fish laws). Cooperate and coordinate with local law enforcement officials, justice courts, and park staff to ensure angler compliance.
9. Provide advice, technical assistance, and guidelines on lake and fishery management to the City.
10. Work with the City to design and install suitable fish habitats as needed to provide adequate cover from predators and spawning habitats.
11. Establish an account to utilize funds paid to the Department by the City for operation of this program.

The City of Shall:

1. Inform park users of the Community Fishing Program and allow “Open to the Public” Sport Fishing Education programs at Surprise Lake. Install and maintain a Department-provided Fishing Information Station (kiosk with bulletin board) at each lake to post current Community Fishing Program information for the public.
2. Install the arch support frame(s) for the kiosk(s) and bulletin board(s) at mutually agreed-upon locations, and maintain as needed by removing graffiti, and notifying the Department of damage to the frame, and attached signage and/or kiosk.
3. Make information on the Community Fishing Program available to the public at park facilities, on the City website, and other outlets.
4. Provide the Department any necessary keys to locks and/or gates to gain access for stocking, monitoring water quality, or conducting creel surveys.
5. Pay to the Department the sum of \$1,015 per surface acre of the lakes for FY15-16 budget cycle (Surprise is calculated at 5.0 surface acres), and thereafter \$1,030 per surface acre for FY17-18 in accordance with the following schedule:

Water	Area (Acres)	Stocking Strategy	FY15-16 Cost/acre	FY15 Cost	FY15 Due Date	FY16 Cost	FY16 Due Date	FY17-18 Cost/acre	FY17 Cost	FY17 Due Date	FY18 Cost	FY18 Due Date
Surprise	5	Traditional - biweekly Sep-Jun	\$1,015	\$5,075	7/31/2014	\$5,075	7/31/2015	\$1,030	\$5,150	7/31/2016	\$5,150	7/31/2017

These funds shall be used to defray the cost of program operations, including costs for fish required hereunder; Payments made to the Department may be leveraged to obtain federal grant funding or other grant funding opportunities. If this opportunity arises, the City will be notified in writing by the Department, and it will be necessary to verify that all or a portion of the municipal fees do not originate from federal sources.

6. Promptly notify the Department of anticipated and emergency management measures that may affect the management and operations of the Community Fishing Program. This may include lake and landscape construction or repairs, water supply or aeration disruptions, and other activities or occurrences that may affect public health, safety, and access to fishing and stocking activities.

7. With assistance from the Department, develop and/or implement lake management plans for each water that include operation and maintenance of the lake, the sport fishery, and facilities and accommodations for anglers.
8. Monitor and maintain the lakes and water quality in a manner consistent with all other requirements and regulations upon the City. Regularly remove trash and debris from the lakes. Remove and dispose of dead fish in a timely manner and notify the Department CFP Manager if there is an unusual amount of dead or dying fish. Actively control nuisance aquatic vegetation, excessive or harmful algae blooms, and any aquatic invasive species.
9. Discourage excessive populations of domestic waterfowl and remove as necessary. Discourage populations of cormorants, a fish eating aquatic bird, through park landscape management and other permissible techniques. Allow the Department to conduct Migratory bird depredation activities as needed, and as permitted by the U.S. Fish and Wildlife Service.
10. For lakes with aeration systems, maintain a fully operational system to support good water quality. Ensure that aeration systems or other lake management systems are not limiting angler access or use, unless necessary to conduct maintenance or repairs. Manage and integrate landscape activities to be compatible with the maintenance of good lake water quality.
11. Assist in the enforcement of State, City and Park codes, rules, regulations and laws (including ARS Title 12 and Title 17 Game and Fish Laws), as applicable. Assist the Department in the enforcement of fishing laws by reporting violations or suspected violations to the Department Operation Game Thief hotline (1-800-352-0700), by verbal warnings, and by citations as necessary to achieve compliance goals.
12. Provide and maintain angler access to shoreline areas at each lake and provide suitable shoreline accommodations for angler use year round.
13. Provide access to the waters so that Sport Fishing Education contractors, Department personnel, and volunteer instructors may conduct Sport Fishing Education programs at no charge.
14. Provide suitable park and lake access to allow for the yearlong stocking of fish using large, heavy vehicles by the Department and their fish contractors at Surprise Lake.

The Parties Mutually Agree To:

1. Work in harmony for the common purpose of managing a Community Fishing Program. Encourage a united and professional approach by personnel of both Parties in seeking solutions to problems and challenges that may arise in fish and angler management programs.
2. Meet annually at the supervisory level to discuss issues, operations and maintenance, planning, budgeting, and other activities relating to park management and the Community Fishing Program. To review accomplishments and to develop and prioritize activities for the coming year, joint meetings will be held as necessary to foster close cooperation on Agreement implementation and Community Fishing Program operations.
3. Cooperate and exchange biological, management and other information useful in the effective operation of a Community Fishing Program.
4. Seek to obtain funding opportunities for projects that: 1) create, enhance, or restore fish habitat, water quality, or angler access; or 2) increase or enhance recreational angling opportunity. These funds may be transferred directly, or through reimbursement, to the City. Funding availability through the Department is uncertain, but may include support through the Sport Fish Restoration Federal Assistance Program, State Wildlife Grant Program, Arizona Heritage Fund, or other sources. To provide for the future transfer of special funds, the Parties agree to enter into mutually acceptable collection agreements. Future agreements will be developed within the framework of this Intergovernmental Agreement, and applicable grant and agreement requirements are to be approved by agency directors.

General Provisions:

1. Effective Date and Duration. This Agreement shall not be in effect until signed by all Parties hereto. Unless terminated earlier by operation of the terms of this Agreement, or by agreement of the Parties in writing, this four (4) year Agreement will terminate on June 30, 2018. This Agreement may be extended four (4) additional years by writing executed by both parties during the final year of the first four (4) year period.
2. Termination Generally. Either Party may terminate this Agreement upon sixty (60) days' written notice to the other Party. Upon termination, all work performed pursuant to this Agreement will cease, and all unencumbered monies deposited for use by the Department will be returned to the City.
3. Notices. All written notices concerning this Agreement shall be delivered in

person or sent by certified mail, return receipt requested, or first class mail, postage prepaid, to the Parties as follows:

- A. To the City of Surprise:
Mr. Mark Coronado, Director
Surprise Community and Recreation Services Department
15960 North Bullard Ave
Surprise, AZ 85374
 - B. To the Department:
Mr. Chris Cantrell
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086
- 4. Non-discrimination. In carrying out the terms of this Agreement, the Parties agree to comply with Executive Order 99-4 prohibiting discrimination in employment, the provisions of which are incorporated herein by reference.
 - 5. Audit. Pursuant to A.R.S. § 35-214 all books, accounts, reports, files, electronic data, and other records relating to this Agreement shall be subject at all reasonable times to inspection and audit by the State of Arizona for five (5) years after completion of this Agreement.
 - 6. Arbitration. To the extent required pursuant to A.R.S. § 12-1518, and any successor statutes, the Parties agree to use arbitration, after exhausting all applicable administrative remedies, to resolve any dispute arising under this Agreement, where not in conflict with Federal Law, with each Party to bear its own attorney's fees and costs.
 - 7. Termination for Conflict of Interest. This Agreement is subject to termination pursuant to A.R.S. § 38-511.
 - 8. Termination for Non-Availability of Funds. Every obligation of the Parties under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds for the continuance of this Agreement are not allocated or are not available, this Agreement shall terminate automatically on the date of expiration of funding. In the event of such termination, the Parties shall incur no further obligation or liability under this Agreement other than for payment of services rendered prior to the expiration of funding.

9. Other Agreements. This Agreement in no way restricts either Party from participating in similar activities with other public or private agencies, organizations, or individuals.
10. Compliance with Applicable Law. All work performed pursuant to this Agreement shall be in compliance with all applicable state and federal laws and regulations.
11. Severability. In the event that any provision of this Agreement or portion thereof is held invalid, illegal, or unenforceable, such provision or portion thereof shall be severed from this Agreement and shall have no effect on the remaining provisions of this Agreement, which shall remain in full force and effect.
12. Illegal Immigration. The Parties agree to comply with Executive Order 2005-30, "Ensuring Compliance with Federal Immigration Laws by State Employers and Contractors," the provisions of which are hereby incorporated by reference.
13. Employer-Employee Relationship. It is not intended by this Agreement to, and nothing contained in this Agreement shall be construed to, create any partnership, joint venture or employment relationship between the Parties or create any employer-employee relationship between City and any State employee, or between State and any City employee. Neither Party shall be liable for any debts, accounts, obligations or other liabilities whatsoever of the other, including (without limitation) the other Party's obligation to withhold Social Security and income taxes for any of its employees.
14. Indemnity. Each Party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other Party (as "indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees, hereinafter collectively referred to as 'claims') arising out of bodily injury of any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.
15. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof and correctly sets forth the rights, duties and obligations of each to the other as of its date. All prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. The provisions hereof may be abrogated, modified, rescinded, or amended in whole or in part only by mutual written consent executed by the Parties.

CITY OF SURPRISE

By: _____
City Mayor Date

ATTEST: _____
City Clerk

APPROVAL OF THE CITY ATTORNEY:

I have reviewed the above-referenced Intergovernmental Agreement between the City and the Arizona Game and Fish Commission and declare this Agreement to be in proper form and within the power and authority granted to the City of Surprise under the laws of the State of Arizona.

Dated this _____ day of _____, 2014 _____
City Attorney

ARIZONA GAME AND FISH COMMISSION

By: _____
Larry D. Voyles
Secretary to the Commission and
Director, Arizona Game and Fish Department Date

APPROVAL OF THE ARIZONA GAME AND FISH COMMISSION ATTORNEY:

I have reviewed the above-referenced Intergovernmental Agreement between the City of Surprise, Arizona and the Arizona Game and Fish Commission and declare this Agreement to be in proper form and within the power and authority granted to the Arizona Game and Fish Commission under the laws of the State of Arizona.

Dated this _____ day of _____ 2014

Jim Odenkirk, Attorney

Arizona Game and Fish Commission

RESOLUTION # 2014-56

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE ARIZONA GAME AND FISH COMMISSION AND THE CITY OF SURPRISE ESTABLISHING A COMMUNITY FISHING PROGRAM.

WHEREAS, pursuant to Arizona Revised Statutes § 11-951, *et seq.*, the City of Surprise has the authority to enter into intergovernmental agreements with other governmental entities;

WHEREAS, the City wishes to enter into an intergovernmental agreement with the Arizona Game and Fish Commission in order to establish a Community Fishing Program at Surprise Lake in the City of Surprise to maximize recreation opportunities; and

WHEREAS, funds for a Community Fishing Program are currently budgeted in the Community and Recreation Services Operational Budget.

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

Section 1. The Intergovernmental Agreement between the Arizona Game and Fish Commission and the City of Surprise for the Community Fishing Program, which is attached hereto as Exhibit A, is approved.

Section 2. The Mayor is hereby authorized and directed to sign the Intergovernmental Agreement.

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 # 2014-56
Exhibit A



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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Council Meeting Date:	June 3, 2014	Contact Person:	Sherry Ann Aguilar, City Clerk MMC
Submitting Department:		District:	6
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 by Rich Kim for Uni Sushi & Steak located at 17191 N. Litchfield Rd., Suite 40, Surprise, Arizona 85374.

Motion:

I move to approve a Series 12 liquor license request by Rich Kim for Uni Sushi & Steak located at 17191 N. Litchfield Rd., Suite 40, Surprise, Arizona 85374.

Background:

Financial Impact Statement:

ATTACHMENTS:

Click to download

☐ [DEPARTMENTAL REPORTS](#)

External Attachment Links:

Meeting Requirements:

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



MEMO

Date: 05/14/2014

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

RE: Liquor License Application – J Brothers LLC dba Uni Sushi & Steak

Business License Status:

Application packet mailed on 5/14/14.

Mailing to:

J Brothers, L.L.C.
dba Uni Sushi & Steak
Attn: Mr. Rich Jinhyun Kim
17191 N. Litchfield Rd., Ste. 40
Surprise, AZ 85374



Surprise Fire Department

14250 W. Statler Plaza Ste.101

Surprise, AZ 85374-7479

Phone: 623-222-5100

Fax: 623-222-5002



Date: May 14, 2014
TO: Sherry Ann Aguilar, City Clerk
CC: Fire Marshal's Office
FROM: Inspector's Name

Subject: Fire and Life Safety Inspection

UNI SUSHI & STEAK – JBROTHERS, LLC
Series #12 – (12079910) – New License/LLC
17191 N. Litchfield Road, Suite 40
Surprise, Arizona 85374

The above mentioned location was inspected on May 13, 2014, to ensure the building and tenant space was in compliance with applicable Fire and Life Safety Codes. The outcome of the inspection is the building and tenant space is not in compliance with City Fire and Life Safety Codes at the time of inspection.

Inspection details:

This is stand-a-one building that was designed and utilized as a restaurant. The former business, "The Music Maker" has been out of business for 4 to 5 years leaving the fire sprinkler system, fire alarm system, and kitchen hood system out of service. Typically tenants lease only the interior of the building and therefore, are not responsible for the maintenance or upkeep on the shell building. The sprinklers, alarms, and alarm monitoring are part of the shell building and the responsibility of the Landlord; the tenant is responsible for the kitchen hood system, fire extinguishers, Co2 system, exits and exit lighting.

With assurance I can say the proposed business will not open to the public until all Fire and Life Safety Systems are serviced, tested and approved.

Sincerely,

R. Douglas Helbig,
Fire Marshal



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

REFERENCE:

DATE: May 27, 2014

LICENSE NUMBER - 12079910
Series #12 – New License / LLC

APPLICANT:

UNI Sushi & Steak

17191 N. Litchfield Road, Ste. #40
Surprise, Arizona 85379

FINDINGS:

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

Uni Sushi & Steak is looking to open as a new full service restaurant specializing in Japanese cuisine. The previous tenant at this location was Mike's Greek and Italian Cuisine, which closed approximately two years ago. Their market should be a family atmosphere, open to all demographics. There plans to be seating for 198 persons overall, with 36 of those in a designated bar area. No live entertainment is planned; however there will be seven televisions inside the restaurant, presumably in the bar.

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

Uni Sushi & Steak is in the east end of a shopping plaza, which has easy access off of Litchfield and Bell Roads. There should be no negative effect on vehicular traffic in the immediate proximity with the opening of this particular restaurant.

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

There has been no report of any liquor violations in any of the previous multiple restaurants at this location in the last five years, nor report of any other crime. The current location has been closed for some time.

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

There are a variety of other family stores and small restaurants that hold liquor licenses as well, in fairly close proximity. They include Caramba's Mexican Food, which closes usually by 10 PM; China Buffet, which also closes no later than 10 PM and Buffalo Wild Wings, which closes at 1 AM at the latest during the weekends. Uni Sushi and Steak is planning to be open between the hours of 11 AM to 11 PM.

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

A series 12 license is appropriate and applicable for Uni Sushi and Steak, per state guidelines for restaurants.

Submitted by Officer Chris Tovar #2059



COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 14, 2014
To: Sherry Aguilar, City Clerk
From: Vamshee Kovuru, AICP, Planner II
Re: Liquor License Application for:

**Uni Sushi & Steak- JBrothers, LLC
Series 12 – New License/LLC - 12079910
17191 N. Litchfield Rd. # 40
Surprise, Arizona 85374**

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

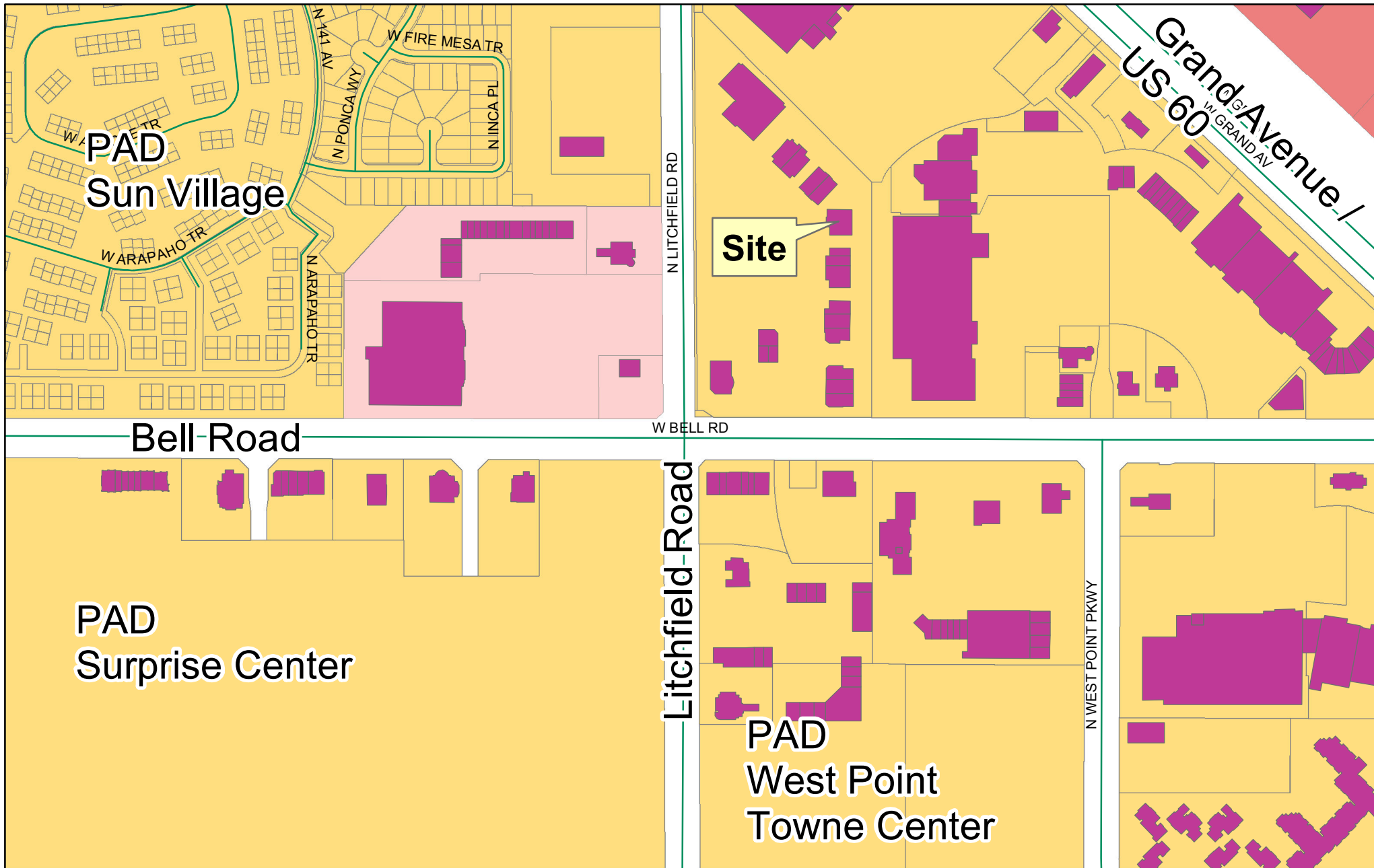
1. Buffalo Wild Wings (Series 12) – 13882 W. Bell Rd.
2. Saigon Kitchen (Series 12) – 14071 W. Bell Rd.
3. Peiwei (Series 12) – 14127 W. Bell Rd.
4. Red Robin (Series 12) – 14015 W. Bell Rd.
5. Carrabba's (Series 12) – 14043 W. Bell Rd.
6. Target (Series 10) – 13731 W. Bell Rd.
7. Streets of New York (Series 12) – 13736 W. Bell Rd. #4
8. Applebee's (Series 12) – 13756 W. Bell Rd.
9. Wal-Mart (Series 9) – 13770 W. Bell Rd.
10. Uncle Bear's (Series 12) – 13752 W Bell Rd
11. Sprout's (Series 10) – 13759 W. Bell Rd.
12. Chili's (Series 12) – 13765 W. Bell Rd.
13. Cobblestone Auto Spa (Series 10) – 13811 W. Bell Rd.
14. Hayashi (Series 12) – 13823 W. Bell Rd.
15. Chipotle (Series 12) – 13869 W. Bell Rd. #107
16. Rio Mirage (Series 12) – 13863 W. Bell Rd.
17. New York Pizza Dept. (Series 12) – 13980 W. Bell Rd.
18. Diamond Shamrock (Series 10) – 13908 W. Bell Rd.
19. Caramba's (Series 12) – 17239 N. Litchfield Rd.
20. China Buffet (Series 12) – 17119 N. Litchfield Rd. #20
21. Quik Trip (Series 10) – 14007 W. Grand Ave.
22. Irish Wolfhound (Series 12) – 16811 N. Litchfield Rd.
23. Sun Village Community Association (Series 14) – 17300 N. Sun Village Pkwy. #A
24. Zen's at the Village (Series 12) – 17300 N. Sun Village Parkway
25. Olive Garden (Series 12) - 13379 W Grand Ave
26. Red Lobster (Series 12) – 13709 W Bell Rd

The immediate area is composed of commercial establishments. The property is zoned PAD West Point Towne Center which is consistent with the proposed use. Commercial growth is expected to increase with the development of surrounding commercial properties.

Residential growth is expected to remain static.

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

Surrounding Zoning - Uni Sushi & Steak





CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date:	June 3, 2014	Contact Person:	Mark A. Coronado, Director - Community & Recreation Services
Submitting Department:	CRS	District:	Citywide
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action authorizing the Mayor to execute an amended Intergovernmental Agreement with Maricopa County Library District to operate the Hollyhock Library, term ending June 30, 2016; Resolution 2014-58.

Motion:

I move to approve Resolution 2014-58.

Background:

This 12th amendment extends the original agreement dated November 6, 2002. The current extension expires on June 30, 2014. Approval of the extension will allow / extend the IGA with the Maricopa County Library District to continue operation the Hollyhock Branch Library under identical terms for two fiscal years. The estimated annual cost maintains the current service levels and hours of operation on Tuesday and Thursday from 1-6pm. This item is being brought to Council for approval under ARS 11-951 et. seq.

Financial Impact Statement:

For FY2015, the budget authority of \$42,800 is being requested in the Community and Recreations Services operational budget (21111-444-433-2999-29999-38126).

ATTACHMENTS:

Click to download

- ☐ [HH Library Resolution 2014 -58](#)
 - ☐ [12th amendment to IGA Hollyhock Library](#)
-

External Attachment Links:

Resolution
IGA

Meeting Requirements:

Powerpoint x Video White Board Other x

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

Mark A. Coronado, Director - Community & Recreation Services

RESOLUTION # 2014-58

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE TWELFTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE MARICOPA COUNTY LIBRARY DISTRICT AND THE CITY OF SURPRISE FOR OPERATION OF THE HOLLYHOCK BRANCH LIBRARY.

WHEREAS, pursuant to Arizona Revised Statutes § 11-951, *et seq.*, the City of Surprise has the authority to enter into intergovernmental agreements with other governmental entities;

WHEREAS, this Amendment will allow extend the intergovernmental agreement with the Maricopa County Library District to continue operating the Hollyhock Branch Library under identical terms for two fiscal years; and

WHEREAS, both parties are willing to continue this partnership as set forth in the original Intergovernmental Agreement;

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

Section 1. The Twelfth Amendment to the Intergovernmental Agreement between the Maricopa County Library District and the City of Surprise for the Operation of the Hollyhock Branch Library, which is attached hereto as Exhibit A, is approved.

Section 2. The Mayor is hereby authorized and directed to sign the Intergovernmental Agreement.

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 # 2014-58
Exhibit A

TWELFTH AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN THE
MARICOPA COUNTY LIBRARY DISTRICT
AND CITY OF SURPRISE
FOR
OPERATION OF THE HOLLYHOCK BRANCH LIBRARY

AGENDA # C-65-03-016-2-12

THIS TWELFTH AMENDMENT ("Amendment") TO INTERGOVERNMENTAL AGREEMENT C-65-03-016-2 ("IGA") dated November 6, 2002 by and between the City of Surprise ("City") and the Maricopa County Library District ("Library District"), with reference to the following facts:

RECITALS

WHEREAS, the Library District has operated the Hollyhock Branch Library under an IGA which expires on June 30, 2014;

WHEREAS the City wishes to continue this IGA; and

WHEREAS the Library District is willing to continue to operate the Hollyhock Branch Library under the identical terms and conditions.

NOW THEREFORE the City and the Library District agree that the IGA dated November 6, 2002 shall continue with the following amendments:

AMENDMENTS

- 1.1 The effective date for services under this Amendment shall be July 1, 2014 to June 30, 2016.
- 1.2 City of Surprise shall reimburse the Library District monthly for operating expenses upon presentation of an invoice by the Library District. The reimbursement for operating expenses shall be subject to the limits of the approved budget developed by City of Surprise and Library District.
- 1.3 The IGA, as amended by the Amendment, is hereby confirmed. All other terms and conditions of the IGA shall remain in full force and effect.

IN WITNESS WHEREOF, the CITY OF SURPRISE and the MARICOPA COUNTY LIBRARY DISTRICT have executed this Agreement, effective upon complete execution by both parties.

CITY OF SURPRISE

MARICOPA COUNTY LIBRARY
DISTRICT

By: _____
Mayor
City of Surprise

By: _____
Chairman, Board of Directors
Maricopa County Library District

ATTEST:

ATTEST:

By: _____
City Clerk Date

By: _____
Clerk of the Board Date

The foregoing Agreement has been reviewed by the undersigned counsel who has determined that it is in proper form and within the power and authority granted under the laws of the State of Arizona.

By: _____
Attorney Date
City of Surprise

By: _____
Attorney Date
Maricopa County Library District



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date:	June 3, 2014	Contact Person:	Dick McKinley, Public Works Department
Submitting Department:	Public Works	District:	5
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action declaring the City's intention to create the "City of Surprise, Arizona, Mariposa Acres #135 Lighting Improvement District" pursuant to A.R.S. § 48-616; Resolution No. 2014-40.

Motion:

I move to approve Resolution No. 2014 - 40

Background:

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

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

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes upon the assessed valuation within the district.

Financial Impact Statement:

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

ATTACHMENTS:

Click to download

- ☐ [Resolution 2014-40 & Legal Description](#)
 - ☐ [Petition](#)
-

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

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

RESOLUTION # 2014-40

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF EQUAL APPORTIONMENT OF TAXES BASED ON THE NUMBER AND CLASSIFICATION OF PROPERTIES WITHIN THE DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, MARIPOSA ACRES #135 LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

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

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

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without

the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes.

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

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

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, MARIPOSA ACRES #135 LIGHTING IMPROVEMENT DISTRICT."

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

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

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of an equal apportionment of taxes based on the number and classification of properties within the District to be known and designated as "City of Surprise, Arizona Mariposa Acres #135 Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

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

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District; shall publish notice

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

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

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

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

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

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

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

APPROVED AND ADOPTED this ____ day of _____, 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

RECEIVED
JUL 18 2013
BY: _____

**LEGAL DESCRIPTION
S.L.I.D. LEGAL FOR MARIPOSA ACRES**

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 5, BEING MARKED BY A BRASS CAP FLUSH WITH PAVEMENT LYING SOUTH 00°36'13" EAST (BASIS OF BEARINGS) 2637.98 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 5, BEING MARKED BY A BRASS CAP FLUSH WITH PAVEMENT;

THENCE NORTH 00°36'13" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 5, A DISTANCE OF 1318.99 FEET TO THE INTERSECTION OF REEMS ROAD AND TIERRA BUENA LANE;

THENCE SOUTH 88°52'04" EAST 33.02 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°36'14" WEST PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, 329.76 FEET TO A ½" REBAR WITH CAP #31020;

THENCE SOUTH 88°53'58" EAST 625.40 FEET;

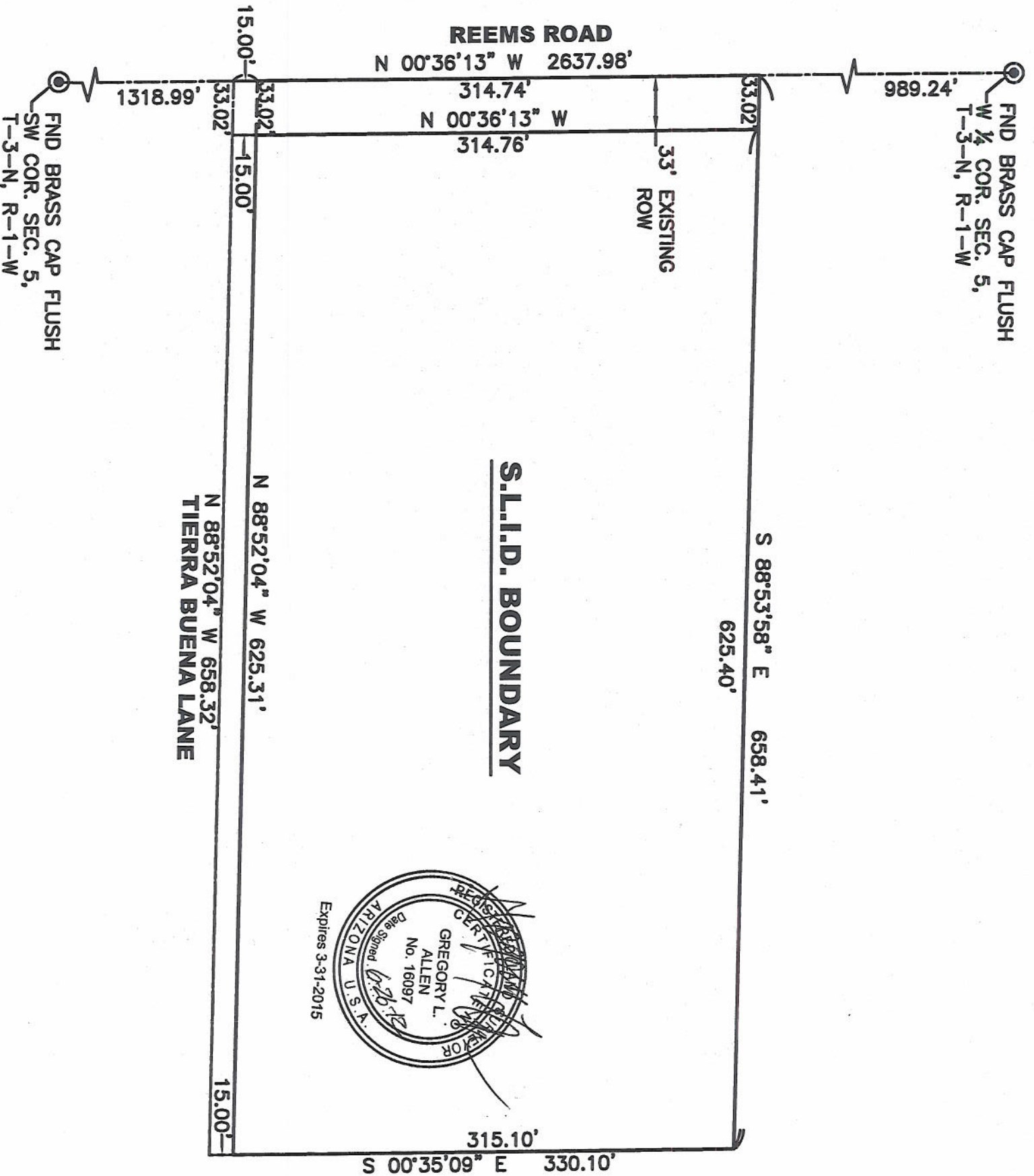
THENCE SOUTH 00°35'09" EAST 330.10 FEET TO A POINT ON THE CENTERLINE OF TIERRA BUENA LANE;

THENCE NORTH 88°52'04" WEST ALONG THE CENTERLINE OF SAID TIERRA BUENA LANE, 625.31 FEET TO THE POINT OF BEGINNING.



Expires 3-31-2015

EXHIBIT B



STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

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

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

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

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

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

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

#135 Mariposa Acres

PETITIONERS: Please print and sign your name

[illegible]



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date: June 3, 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 May 20, 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](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	x	Video	White Board	Other	x
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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

Tuesday, May 20, 2014 @ 04:00 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 04:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, May 20, 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 Present: Assistant City Manager, Bob Wingenroth, City Attorney, Misty Leslie and Deputy City Clerk, Linda Stevens.

C. Pledge of Allegiance

Regular City Council Work Session Agenda:

Regular Agenda Item - Non-Public Hearing:

#1 Presentation and update on the Surprise Transportation Plan - NO ACTION

Transportation Manager, Martin Lucero gave a powerpoint presentation regarding the Surprise Transportation Plan. He discussed the following topics with Council: Plans and Policies; Why develop Plans and Policies for Surprise; Impacts and Benefits and Timing.

Mayor Wolcott spoke of working with the Planning Commission more closely.

Vice Mayor Hall spoke of golf carts; better signing and speed limit. He also spoke of concerns about driveway coming out of Irish Wolfhound.

Mr. Lucero stated that the plan talks about driveway spacing and that it will address issues like that.

Regular City Council Work Session Minutes – May 20, 2014 – Page 2

Council Member Tande spoke of horse trails and having a fast access to town

Mayor Wolcott stated that it has already been addressed.

Council Member Villanueva spoke of her concerns about Coyote Lakes, Rose Garden and the bridge.

Council Member Biundo inquired about areas that need retrofitting.

Council Member Winters inquired about Bell Road west of the 303.

Mayor Wolcott spoke of Map 21.

#2 Presentation and discussion on the 2014 League Resolutions Process - NO ACTION

Government Relations Director, Michael Celaya gave a power point presentation regarding the 2014 League Resolutions Process.

Mr. Celaya spoke of changes in the process including developing 5 Subcommittees.

Vice Mayor Hall inquired about the Fire District issue.

Council Member Williams spoke of SLIDS.

#3 Discussion Regarding Impact Fee Ordinance - NO ACTION

City Attorney, Misty Leslie reported on the Impact Fee Ordinance. Ms. Leslie reported on the following: create Chapter 106 for the impact fee ordinance only; incorporate state law and definitions.

Ms. Leslie requested direction on the following:

Applicability Section 106-2 accept from impact fees city capital facilities

Vice Mayor Hall stated no because we are building city facilities for our residents.

Ms. Leslie explained the advantages.

Mayor Wolcott explained that impact fees are a way of helping to facilitate the new growth needs.

Council Member Biundo stated that his inclination is not for the city to act as a user.

Regular City Council Work Session Minutes – May 20, 2014 – Page 3

Council Member Tande spoke of accounting.

ACM, Wingenroth stated that the accounting treatment is very straight forward but feels it's a policy issue. He further explained that most of the facilities would be in response to growth and that we would be building a project that in some cases would be paid by impact fees.

Council Member Villanueva stated that we should not be paying impact fees.

Ms. Leslie stated that it sounds like we will go with model city language.

She asked Council to pay particular note to 106-4 - grandfathered facilities. Section 106-5 - Appeal, she recommended shortening it up with the following: 15 days of the assessment to file with the City Clerk. 1) one level of appeal to the City Manager - yes; 2) 15 day window - yes; 3) Clerk as the repository of the appeals - yes and 4) cash now and refund if necessary - yes.

Vice Mayor Hall acknowledged Ms. Leslie for a job well done.

Ms. Leslie will provide a redline version at next meeting - June 3, 2014.

E. Call to the Public - None

F. Adjournment:

Council Member Williams made the motion to adjourn the Regular City Council Meeting of May 20, 2014 at 5:18 PM. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

Sharon R. Wolcott, Mayor

Regular City Council Work Session Minutes – May 20, 2014 – Page 4

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, May 20, 2014.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, May 20, 2014 @ 06:00 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, May 20, 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 Present: Assistant City Manager, Bob Wingenroth, City Attorney, Misty Leslie and Deputy City Clerk, Linda Stevens.

C. Pledge of Allegiance

E. City Manager Report - None

F. City Attorney Report

City Attorney, Leslie and staff will be attending a conference.

D. Proclamation and Community Acknowledgements

Mayor Wolcott acknowledged Public Works Week.

Public Works Director, Dick McKinley thanked Mayor and Council.

Mayor Wolcott removed item #1 from the consent agenda for discussion.

G. Regular City Council Meeting Agenda

Consent Agenda:

***#2. Consideration and action on the minutes of April 26, 2014 Special City Council Meeting (Budget Retreat); April 29, 2014 Special City Council Meeting (Budget Retreat) and May 6, 2014 Regular Work Session and Regular Council Meeting - APPROVED**

***#3. Consideration and action authorizing the Mayor execute an amendment the existing intergovernmental agreement with Arizona Department of Transportation (ADOT) increasing the construction funding of the Bell Road sidewalk project; Resolution No. 2014-38 - APPROVED**

***#4. Consideration and action authorizing the City Manger to accept a Maricopa Association of Governments (MAG) grant award not to exceed \$382,400 (\$191,200 dollars per sweeper) for the purchase of two PM10 Certified Street Sweeper replacements; Resolution No. 2014-50 - APPROVED**

***#5. Consideration and action authorizing the Mayor to execute an amendment to the Intergovernmental Agreement with the Arizona Department of Transportation for the improvements related to Dove Valley Road from 203rd Avenue to 187th Avenue; Resolution 2014-13 - APPROVED**

***#6. Consideration and action authorizing the Mayor to execute an Intergovernmental Agreement with Nadaburg Unified School District to provide bus transportation to Summer Camp program participants; Resolution #2014-47 - APPROVED**

Council Member Villanueva made the motion to approve items 2-6 of the consent agenda. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

***#1. Consideration and action approving "Surprise Farms Gateway," final plat dated April 28, 2014, a property generally located at the southwest corner of Bell Road and State Route 303; Resolution 2014-43 - TABLED TO A FUTURE COUNCIL MEETING**

Mayor Wolcott explained the reason for removing item 1 from the consent agenda.

City Planner, Vamshee Kovuru reported on the final plat including the location, access points and lot lines.

Mayor Wolcott spoke of concerns and referred to the Access Management Plan and the walnut/sand analogy. She also spoke of drive ways and access points.

Regular City Council Meeting Minutes – May 20, 2014 – Page 3

Vice Mayor Hall commented that the stacking room is not very accommodating.

Public Works Director, Dick McKinley stated that it does go all the way out to the Beardsley Canal. He referred to the site and stated that the primary layout of the sight is to access the signalized intersection at Eastham. He then referred to a right-in right-out only drive.

Mayor Wolcott inquired about left hand turns into the 168th access driveway.

Mr. McKinley explained the traffic flow.

Mayor Wolcott stated that she would like to see that we comply with the original PAD and its original intent.

Vice Mayor Hall stated that fire access needs to be taken into consideration.

Mr. Kovuru stated that this has 3 access points.

Council Member Winters inquired about an entrance and exit by Dunkin Donuts.

Mr. Kovuru stated that there will be a cross-access.

City Attorney, Leslie explained that the item is a subdivision and cutting up the property not a PAD.

Vice Mayor Hall spoke of a stipulation that there is a traffic study implementation that accommodates only right hand turns coming out of that one access and that the light is removed.

Mayor Wolcott referred to 8 lots, backs of buildings facing Bell Road and traffic conflicts.

Vice Mayor Hall stated he would like to see the result of the study before proceeding.

Mayor Wolcott stated she would like to table the item to a future meeting.

Council Member Williams stated he would like to see the traffic numbers before voting.

Council Member Biundo also agreed with comments and referenced a major gateway point.

Council Member Winters spoke of backs to Bell Road and inquired about lot 7.

Regular City Council Meeting Minutes – May 20, 2014 – Page 4

Mr. Boyd spoke of lot 7.

Public comments:

Jason Morris on behalf of Winco spoke of Council's questions; traffic; the orientation of building; Board of Adjustment Hearings; Bell Road and amending the plat.

Mayor Wolcott made the motion to table "Surprise Farms Gateway," final plat dated April 28, 2014, a property generally located at the southwest corner of Bell Road and State Route 303; Resolution 2014-43 to a future Council Meeting. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Items - Non-Public Hearing:

#7. Presentation and discussion regarding the FY2014 Budget Status Report through March 2014 - NO ACTION

Budget Manager, Lindsey Duncan briefed Council on the FY2014 Budget Status Report through March 2014.

#8. Consideration and adoption of the revised Development Impact Fee Study Resolution #2014-59 - APPROVED

ACM Wingenroth introduced Andrea Davis who presented the final step in the development fee process.

Council Member Tande likes the study and process and commented on assumptions.

H. Call To The Public:

Tom Reade: represents Cover Arizona and spoke of the Affordable Care Act.

I. Other Business and Future Agenda Items:

Council Member Williams: clarification regarding detail on expenditures and the use of a specific FTE.

J. Mayor/Council Reports:

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

Regular City Council Meeting Minutes – May 20, 2014 – Page 5

Council Member Villanueva: Mustard Seed; OTS Meetings and graduation of her daughter.

Ewoma Ogbaudu spoke of work with Channel 11; graduated today; going to Colombia University; Biology Major and Cardio-thoracic Surgeon.

Council Member Williams: he is a product of our internship program

Council Member Tande: Congratulated all Seniors in the Dysart School District; daughter graduated from Butler University.

Council Member Winters: Northwest Ranch HOA meeting; Well and WHAM Art Center.

Council Member Biundo: invited to speak at the Colonnade

Vice Mayor Hall: Caliber Academy, Lori Nadels class; spoke of class project and Chamber Breakfast

Mayor Wolcott: pickle ball tournament and key to the city

Council Member Williams made the motion to adjourn the Regular City Council Meeting and enter into executive session at 7:06 PM. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

K. Executive Session:

#9. Discussion/consultation with the City Attorney to receive legal advice; and to consider its position on contract negotiations and pending/contemplated litigation regarding development on property bounded by Bell, Litchfield, Greenway and Bullard Roads. (A.R.S. §38-431.03(A)(3) &(4).

L. Adjournment

Council Member Williams made the motion to adjourn the Regular City Council Meeting of May 20, 2014 at 7:41 PM. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

Sharon R. Wolcott, Mayor

Regular City Council Meeting Minutes – May 20, 2014 – Page 6

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, May 20, 2014.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date: June 3, 2014

Contact Person: CM Williams & Mayor Wolcott

Submitting Department:

District: Internal

Staff Recommendations: No Action

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Discussion and presentation regarding the NLC trips by Surprise Youth Delegates

Motion:

No action to be taken.

Background:

Financial Impact Statement:

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint x

Video

White Board

Other x

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



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

Back Print

Council Meeting Date:	June 3, 2014	Contact Person:	Chris Boyd, Community & Economic Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

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

Agenda Wording:

Consideration and action approving the "Surprise Farms Gateway" plat, dated April 28, 2014, a property generally located at the southwest corner of Bell Road and State Route 303; Resolution 2014-43

Motion:

I move to approve Resolution 2014-43.

Background:

The applicant is requesting a final plat approval that will establish the property boundaries, necessary easements, and right-of-way dedications to create eight (8) commercial parcels for development, including an 85,000 square foot building currently identified as a grocery store and the primary anchor.

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.

ATTACHMENTS:

Click to download

- ☐ [STAFF REPORT](#)
 - ☐ [Resolution and Plat](#)
 - ☐ [Vicinity Map](#)
-

External Attachment Links:

Meeting Requirements:

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

Vamshee Kovuru, Planner



COMMUNITY AND ECONOMIC DEVELOPMENT

Date: June 03, 2014
To: Mayor and City Council
From: Chris Boyd, Interim Director
Vamshee Kovuru, Planner
Re: FS14-098, Surprise Farms Gateway - Final Plat

Application Summary

The applicant is requesting approval of a final plat entitled "Surprise Farms Gateway."

Location

The project is generally located on the southwest corner of Bell Road and Loop 303. The project is part of the Surprise Farms PAD. The total land area of the property is 22.8 acres and the property is zoned Community Commercial (CC) or C2.

History

- The subject project area was annexed into the city on April 26, 1984.
- On March 27, 1995, the Mayor and City Council approved the Surprise Farms PAD.
- On October 3, 2013, the Planning and Zoning Commission approved a Major Site Plan for an 85,000 square-foot Winco grocery store to be located on this site.
- On January 22, 2014, the Board of Adjustment affirmed the Zoning Administrator's October 3, 2013 determination that Winco Foods is a permitted use at this location.
- On January 29, 2014, the Board of Adjustment finalized, in writing, its findings and decision affirming the Zoning Administrator's October 3, 2013 determination that Winco Foods is a permitted use at this location.

Project Summary

The applicant is proposing to subdivide the commercial parcel on the southwest corner of Bell Road and Loop 303 from a single parcel into eight (8) lots. These parcels will be developed in multiple phases as the market permits, with ten (10) proposed commercial/retail building pads.

The proposed configuration will accommodate the approved development on lot number eight (8), which is approximately 9.9 acres of the 22.8 acre property. The additional lots (numbers 1-7) will account for the remaining 12.9 acres.

The proposed parcels, once developed, will be accessible from two (2) points on Bell Road. The properties will also have a vehicle and pedestrian connection to the existing commercial properties to the west. Onsite improvements will include vehicle and pedestrian access, water, sewer, utilities, landscaping, retention, parking, and site lighting. Offsite improvements include half street improvements on a portion of Bell Road with curb and gutter, deceleration lanes, landscaping, retention, and street lights. Included with the proposed final plat are water, sewer, no-build, traffic signal/sidewalk, and public utility easements.

Standards for Final Plat Approval

As per City of Surprise Unified Development Code SUDC § 122-117, all Final Plats shall adhere to the following approval criteria:

- Conformance with approved preliminary plat and or site plan or conditional use permit.
- No creation of substandard or non-conforming lot without council action.
- City Engineer approval of all engineering and improvement plans.
- Applicant filing of financial guarantees that necessary public facilities will be installed OR execution of a contract approved by council to delay recording of the plat until improvements are installed and approved.

Staff has reviewed the final plat for conformance with the above standards and for completion of other applicable SUDC requirements, including the previous zoning approval and have determined that this plat complies with the applicable regulations.

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.
3. Staff finds that the proposed Final Plat complies with the Surprise Farms PAD.

Recommendations

Staff recommends approval of the Final Plat for Surprise Farms Gateway dated April 28, 2014, subject to the findings of fact.

Attachments

Vicinity map, and Final Plat and Resolution.

RESOLUTION #2014-43

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED "SURPRISE FARMS GATEWAY," GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND THE LOOP 303.

WHEREAS, on April 26, 1984, the Mayor and City Council approved the annexation of this property into the City of Surprise;

WHEREAS, on March 27, 1995 the Mayor and City Council approved the Surprise Farms Planned Area Development;

WHEREAS, the proposed Final Plat conforms to the Site Plan approved by the Planning and Zoning Commission on October 3, 2013;

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

WHEREAS, the proposed Final Plat is in compliance with the Surprise Municipal Code and Surprise General Plan.

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

Section 1. The Final Plat entitled "Surprise Farms Gateway" dated April 28, 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

FINAL PLAT OF "SURPRISE FARMS GATEWAY"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT BELL ROAD AND LOOP 303 LLP AND WINCO FOODS, LLC, ("OWNER"), HAVE SUBDIVIDED UNDER THE NAME "SURPRISE FARMS GATEWAY", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "SURPRISE FARMS GATEWAY" 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 SEWER LINES 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 SEWER LINES FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES.

OWNER HEREBY GRANTS TO THE PUBLIC 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 AND PARKING 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.

ANY PARTY WITH RIGHTS TO ANY WATER OR SEWER EASEMENT THAT OVERLAPS ANOTHER WATER OR SEWER EASEMENT SHALL HAVE THE RIGHT TO INSTALL, CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND UTILIZE THE WATER/SEWER LINES/WATER METERS IN SUCH EASEMENTS THAT OVERLAP IN AN EMERGENCY SITUATION WITHOUT THE CONSENT OF ALL PARTIES WITH RIGHTS TO SUCH EASEMENTS. IN SUCH AREAS THAT OVERLAP IN A NON-EMERGENCY SITUATION ALL PARTIES SHALL CONSENT PRIOR TO ALLOWING ANY OTHER PARTY TO PERFORM ANY INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT WORK WITHIN THE EASEMENT.

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.

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

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

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 ____ DAY OF _____, 2014.

BELL ROAD AND LOOP 303 LLP

BY: _____

ITS: _____

WINCO FOODS, LLC

BY: _____

ITS: _____

RELEASE OF LIABILITY

BELL ROAD AND LOOP 303 LLP AND WINCO FOODS, LLC, ("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 THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

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

SURVEYOR

SUPERIOR SURVEYING SERVICES INC.
21415 N. 23RD AVENUE
PHOENIX, AZ 85027
PHONE: (623)869-0223
FAX: (623)869-0726
CONTACT: DAVID S. KLEIN

SURVEYORS NOTES

1. THE BASIS OF BEARING IS THE MONUMENT LINE OF BELL ROAD, ALSO BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 1, USING A BEARING OF SOUTH 89 DEGREES 24 MINUTES 56 SECONDS EAST PER THE RECORD OF SURVEY FOR "LOOP 303 AND BELL ROAD" BOOK 1122 OF MAPS, PAGE 12, RECORDS OF MARICOPA COUNTY, ARIZONA.

2. ALL TITLE INFORMATION AND THE DESCRIPTION SHOWN IS BASED ON A THIRD AMENDED COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCS-585179-WA1, DATED FEBRUARY 13, 2014.

REFERENCES

GENERAL LAND OFFICE RECORDS ON FILE WITH THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FINAL PLAT OF "SURPRISE FARMS PHASE 1-A NORTH, PARCEL 2" RECORDED IN BOOK 544 OF MAPS, PAGE 10, MARICOPA COUNTY RECORDS

FINAL PLAT OF "SURPRISE FARMS PHASE 1-A NORTH, PARCEL 4" RECORDED IN BOOK 544 OF MAPS, PAGE 13, MARICOPA COUNTY RECORDS

FINAL PLAT OF "SAFeway STORE #1997 BELL ROAD & COTTON LANE" RECORDED IN BOOK 795 OF MAPS, PAGE 21, MARICOPA COUNTY RECORDS

RECORD OF SURVEY OF "LOOP 303 AND BELL ROAD" RECORDED IN BOOK 1122 OF MAPS, PAGE 12, MARICOPA COUNTY RECORDS

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.

ACKNOWLEDGMENT

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2014 BY _____ IN THEIR AFOREMENTIONED CAPACITIES ON BEHALF OF BELL ROAD AND LOOP 303 LLP.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2014 BY _____ IN THEIR AFOREMENTIONED CAPACITIES ON BEHALF OF WINCO FOODS, LLC.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

NOTICE OF
SURPRISE FARMS
DEVELOPMENT AGREEMENT

SURPRISE VILLAGE COMPANY L.L.C., HEREINAFTER ("LANDOWNER") HAS ENTERED INTO A SURPRISE FARMS DEVELOPMENT AGREEMENT DATED DECEMBER 1, 1999 ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON DECEMBER 3, 1999, AT THE MARICOPA COUNTY RECORDERS' OFFICE AT DOCKET NO. 99-1092981. THE LANDS WITHIN SURPRISE FARMS ("PROJECT AREA") AND DESCRIBED AND DELINEATED IN THIS SUBDIVISION PLAT ARE SUBJECT TO THE AGREEMENT.

THE AGREEMENT AND THIS SUBDIVISION 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.

IN ADDITION, THE AGREEMENT PROVIDES, INTER ALIA, THAT ALL RIGHTS AND OBLIGATIONS OF AN URBANIZED AREA, AS DEFINED IN THE AGREEMENT, COVERED BY THIS, SUBDIVISION PLAT WITH RESPECT TO ALL USES OF MWD WATER AND FINANCIAL OBLIGATIONS FOR TAXES AND ASSESSMENTS OF MWD, ARE CONSOLIDATED IN THE LAND WITHIN THE PROJECT AREA COMPRISING THE GOLF COURSES AND PROPERTY OWNER ASSOCIATION COMMON AREAS, EXCLUSIVE OF DEDICATED ROADS AND OTHER DEDICATED RIGHT-OF-WAY, DEFINED AS "TURF LANDS", WITHIN THE LAND THAT IS SUBJECT TO THE AGREEMENT. LANDOWNER AND ITS SUCCESSORS IN INTEREST IN THE TURF LANDS ARE TO MAKE PAYMENTS IN LIEU OF TAXES AND ASSESSMENTS ("IN LIEU PAYMENTS") TO MWD AS PARTIAL CONSIDERATION FOR THE CONSOLIDATION OF THE RIGHTS AND OBLIGATIONS PROVIDED FOR IN THE AGREEMENT, IN AN AMOUNT EQUAL TO THE TAXES AND ASSESSMENTS OF MWD THAT WOULD OTHERWISE BE APPLICABLE TO ALL LANDS WITHIN EACH URBANIZED AREA, WITHIN THE PROJECT AREA, SUBJECT TO A SUBDIVISION PLAT OR DECLARATION OF URBANIZED AREA, HAD THE LANDS NOT BEEN CONVERTED FROM AGRICULTURAL IRRIGATION. MWD HAS THE RIGHT TO LIEN THE TURF LANDS AND, AFTER NOTICE AND FAILURE TO CURE, FORECLOSE THE LIEN IN ACCORDANCE WITH THE AGREEMENT AND ARIZONA LAW IF THE IN LIEU PAYMENTS ARE NOT MADE WHEN DUE. THE AGREEMENT PROVIDES THAT NO TAXES OR ASSESSMENTS MAY BE LEVIED BY MWD UPON ANY URBANIZED AREA, OTHER THAN THE TURF LANDS, AND THAT THE OWNER OF THE TURF LANDS MAY EXERCISE THE RIGHT TO VOTE IN MWD ELECTIONS LIMITED TO THE TOTAL ACREAGE COMPRISING THE TURF LANDS. NO OTHER OWNER OF AN URBANIZED AREA MAY EXERCISE ANY RIGHTS EXISTING BY VIRTUE OF OWNERSHIP OF LAND WITHIN AN URBANIZED AREA TO VOTE IN MWD ELECTIONS.

LANDOWNER HAS THE RIGHT, UPON AGREEMENT WITH MWD, TO ALTER OR AMEND THE AGREEMENT SO LONG AS LANDOWNER CONTINUES TO OWN ANY PORTION OF THE PROJECT AREA THAT IS DEFINED WITHIN AND SUBJECT TO THE AGREEMENT. ANY SUCH ALTERATIONS OR AMENDMENTS SHALL BE BINDING UPON ALL OF THE LAND AND OWNERS THEREOF, REGARDLESS OF WHETHER SUCH ALTERATION OR AMENDMENT IS EXECUTED BEFORE OR AFTER THE LAND HAS BEEN CONVEYED FROM LANDOWNER TO ANOTHER OWNER.

THE AGREEMENT AND ANY AMENDMENTS THERETO ARE ON FILE AT THE OFFICES OF LANDOWNER AT BELL ROAD AND LOOP 303 LLP, 11219 100TH AVENUE, EDMONTON, ALBERTA, CANADA, T5K 0J1, AND AT WINCO FOODS, LLC, 650 N. ARMSTRONG PLACE, BOISE, IDAHO, 83704 AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTIONS 10, 12 AND 22 UPON REASONABLE REQUEST.

DATED THIS ____ DAY OF _____, 2014.

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

ATTEST:

BY: _____
CHRISTINE CAIN

BY: _____
GLEN VORTHERMS

ITS: PROPERTY & CONTRACTS SUPERVISOR

ITS: ASSISTANT SECRETARY

BELL ROAD AND LOOP 303, LLP, an Arizona limited liability company

BY: _____
BRAD CLOUGH

ITS: PARTNER

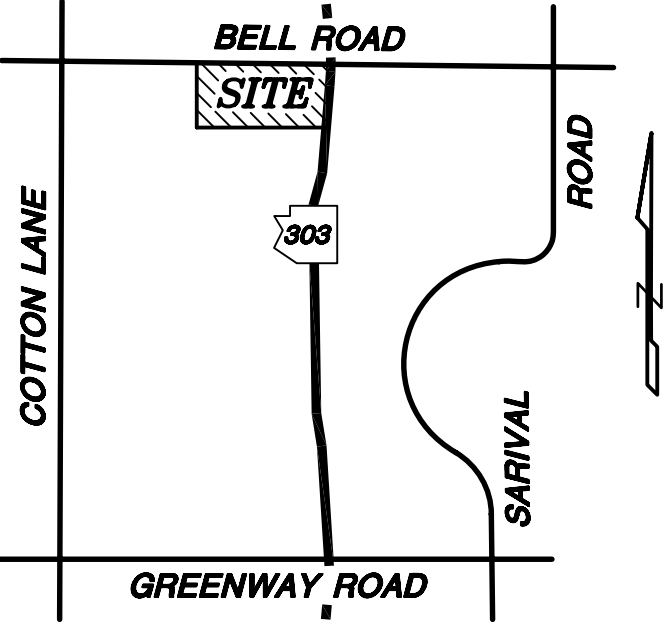
WINCO FOODS, LLC, a Delaware limited liability company

BY: _____
DAVID BUTLER

ITS: CHIEF FINANCIAL OFFICER

WATER SUPPLY

THE LOTS DEPICTED ON THIS PLAT HAVE AN ASSURED WATER SUPPLY VIA MEMBERSHIP IN THE CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT, PER DOCUMENT NO. 2000-0322589, MARICOPA COUNTY RECORDS.



VICINITY MAP

NOT TO SCALE

AREA

LOT NO.	AREA
LOT 1	50,257 SQ. FT. 1.154 ACRES
LOT 2	48,471 SQ. FT. 1.113 ACRES
LOT 3	41,704 SQ. FT. 0.957 ACRES
LOT 4	37,847 SQ. FT. 0.869 ACRES

LOT NO.	AREA
LOT 5	48,583 SQ. FT. 1.115 ACRES
LOT 6	40,597 SQ. FT. 0.932 ACRES
LOT 7	293,951 SQ. FT. 6.748 ACRES
LOT 8	430,429 SQ. FT. 9.881 ACRES

TOTAL	991,839 SQ. FT. 22.769 ACRES
-------	---------------------------------

APPROVALS

EPCOR WATER ARIZONA INC. APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2014, BY EPCOR WATER ARIZONA INC.

APPROVED _____ DATE _____
EPCOR WATER ARIZONA INC.

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2014, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ DATE _____
CITY ENGINEER

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS ____ DAY OF _____, 2014.

MAYOR

ATTEST: _____ DATE _____
CITY CLERK

CERTIFICATION

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APRIL 28, 2014
DAVID S. KLEIN
R.L.S. 42137
21415 N. 23RD AVENUE
PHOENIX, AZ 85027



EXPIRES 3/31/17

"SURPRISE FARMS GATEWAY"
FINAL PLAT
SURPRISE, ARIZONA

21415 N. 23rd Avenue, Phoenix, AZ 85027
623-869-0223 (office) 623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

SUPERIOR
SURVEYING SERVICES, INC.

DWN: JW CHK: DK

SHEET 1 OF 4

DATE: 4/28/14

JOB NO.: 131026

FINAL PLAT OF "SURPRISE FARMS GATEWAY"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DESCRIPTION

PARCEL NO. 1:
THAT PORTION OF THE NORTHWEST 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 A BRASS CAP FLUSH ACCEPTED AS THE NORTH QUARTER CORNER OF SAID SECTION 1, FROM WHICH A BRASS CAP IN HAND HOLE ACCEPTED AS THE NORTHWEST CORNER THEREOF BEARS NORTH 89 DEGREES 01 MINUTES 37 SECONDS WEST A DISTANCE OF 2642.13 FEET;
THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, NORTH 89 DEGREES 01 MINUTES 37 SECONDS WEST A DISTANCE OF 299.98 FEET;
THENCE SOUTH 00 DEGREES 58 MINUTES 23 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BELL ROAD AND THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE 303 ACCORDING TO DOCUMENT 90-049678 OF OFFICIAL RECORDS, RECORDS OF SAID MARICOPA COUNTY; AND THE POINT OF BEGINNING;
THENCE ALONG SAID WESTERLY LINE, SOUTH 00 DEGREES 57 MINUTES 38 SECONDS WEST A DISTANCE OF 335.00 FEET TO AN ANGLE POINT THEREIN;
THENCE ALONG SAID WESTERLY LINE, SOUTH 05 DEGREES 23 MINUTES 26 SECONDS EAST A DISTANCE OF 347.73 FEET TO THE NORTH LINE OF SURPRISE FARMS PHASE 1-A NORTH PARCEL 2 AS RECORDED IN BOOK 544 OF MAPS, PAGE 10, RECORDS OF SAID MARICOPA COUNTY;
THENCE ALONG SAID NORTH LINE AND THE NORTH LINE OF SURPRISE FARMS PHASE 1-A NORTH PARCEL 4 AS RECORDED IN BOOK 544 OF MAPS, PAGE 13, RECORDS OF SAID MARICOPA COUNTY, NORTH 89 DEGREES 01 MINUTES 33 SECONDS WEST A DISTANCE OF 1550.30 FEET;
THENCE LEAVING SAID NORTH LINE, NORTH 00 DEGREES 58 MINUTES 23 SECONDS EAST A DISTANCE OF 680.56 FEET TO SAID SOUTH RIGHT OF WAY LINE OF BELL ROAD;
THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 01 MINUTES 37 SECONDS EAST A DISTANCE OF 1511.68 FEET TO THE POINT OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH LIES SOUTH OF THE EXISTING SOUTH RIGHT-OF-WAY LINE OF BELL ROAD, BETWEEN THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 303 (BOB STUMP MEMORIAL PARKWAY) AND THE FOLLOWING DESCRIBED RIGHT OF WAY LINE:

RIGHT OF WAY LINE DESCRIPTION:

COMMENCING AT ARIZONA DEPARTMENT OF TRANSPORTATION HIGHWAY DEPARTMENT (ADOT HD) ALUMINUM CAP MARKING THE NORTH QUARTER CORNER OF SAID SECTION 1, BEING SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST 2642.25 FEET FROM A MARICOPA COUNTY BRASS CAP IN HAND HOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 1;
THENCE ALONG THE NORTH LINE OF SAID SECTION 1, SOUTH 89 DEGREES 23 MINUTES 36 SECONDS EAST 20.00 FEET TO THE SURVEY CENTERLINE OF SAID STATE ROUTE 303L;
THENCE ALONG SAID SURVEY CENTERLINE, SOUTH 0 DEGREES 28 MINUTES 50 SECONDS WEST 1487.65 FEET;
THENCE NORTH 89 DEGREES 31 MINUTES 10 SECONDS WEST 256.85 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 5 DEGREES 29 MINUTES 45 SECONDS WEST 1098.42 FEET;
THENCE NORTH 0 DEGREES 35 MINUTES 12 SECONDS EAST 290.60 FEET;
THENCE NORTH 83 DEGREES 13 MINUTES 48 SECONDS WEST 241.40 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";
THENCE NORTH 87 DEGREES 44 MINUTES 52 SECONDS WEST 206.45 FEET;
THENCE NORTH 80 DEGREES 49 MINUTES 53 SECONDS WEST 55.02 FEET TO SAID EXISTING SOUTH RIGHT OF WAY LINE OF BELL ROAD;
THENCE NORTH 0 DEGREES 34 MINUTES 51 SECONDS EAST 65.00 FEET TO THE POINT OF ENDING ON THE NORTH LINE OF SAID SECTION 1, BEING NORTH 89 DEGREES 25 MINUTES 09 SECONDS WEST 851.26 FEET FROM SAID NORTH QUARTER CORNER OF SECTION 1.

EXCEPT ANY PORTION LYING WITHIN TRACT A OF SURPRISE FARMS PHASE 1-A NORTH, PARCEL 2, ACCORDING TO BOOK 544 OF MAPS, PAGE 10, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:
EASEMENTS SET FORTH IN CROSS ACCESS AGREEMENT RECORDED MAY 16, 2002 AS 2002-504305 OF OFFICIAL RECORDS; SECOND AMENDMENT RECORDED JULY 13, 2006 AS 2006-937967 OF OFFICIAL RECORDS AND RE-RECORDED JULY 14, 2006 AS 2006-946471 OF OFFICIAL RECORDS.

NOTES

- ALL UTILITY LINES SHALL BE CONSTRUCTED UNDERGROUND.
- ELECTRIC LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CORPORATION COMMISSION.
- ALL COMMUNICATION LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CORPORATION COMMISSION.
- A PROPERTY OWNERS ASSOCIATION SHALL MAINTAIN PRIVATE UTILITIES, PRIVATE FACILITIES, COMMON AREA LANDSCAPING AND LANDSCAPING IN THE RIGHT-OF-WAY ADJACENT TO THE PROJECT. THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE FOR SUCH AREAS.
- 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 RETENTION BASINS MUST DRAIN ANY STORM EVENT UP TO AND INCLUDING THE 100 YEAR - 2 HOUR STORM EVENT. OWNER(S) OF ANY EXISTING BASIN FAILING TO MEET THIS REQUIREMENT MUST TAKE CORRECTIVE ACTION TO BRING THE BASIN INTO COMPLIANCE.
- ALL DRYWELLS SHOWN 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 36 HOUR PERIOD. REGULAR MAINTENANCE OF THE DRYWELL SILTING CHAMBER IS REQUIRED TO ACHIEVE THE BEST OPERATION OF THE DRYWELL.
- A VEHICULAR AND PEDESTRIAN CROSS ACCESS EASEMENT IS HEREBY CREATED AMONGST LOTS 1-8, AND ANY FUTURE SUBDIVISIONS THEREOF.
- 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.
- 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 PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" (SHADED) 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.
- 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.
- THE MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PRESENT OWNERS AND/OR OWNER'S ASSOCIATION.

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 NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TURF LANDS OR DECLARATIONS OF URBANIZED AREA, THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS, AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

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

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

OWNER

BELL ROAD AND LOOP 303 LLP
11219 100TH AVENUE
EDMONTON, ALBERTA, CANADA T5K 0J1

WINCO FOODS, LLC
650 N. ARMSTRONG PLACE
BOISE, IDAHO 83704



EXPIRES 3/31/17

"SURPRISE FARMS GATEWAY"
FINAL PLAT
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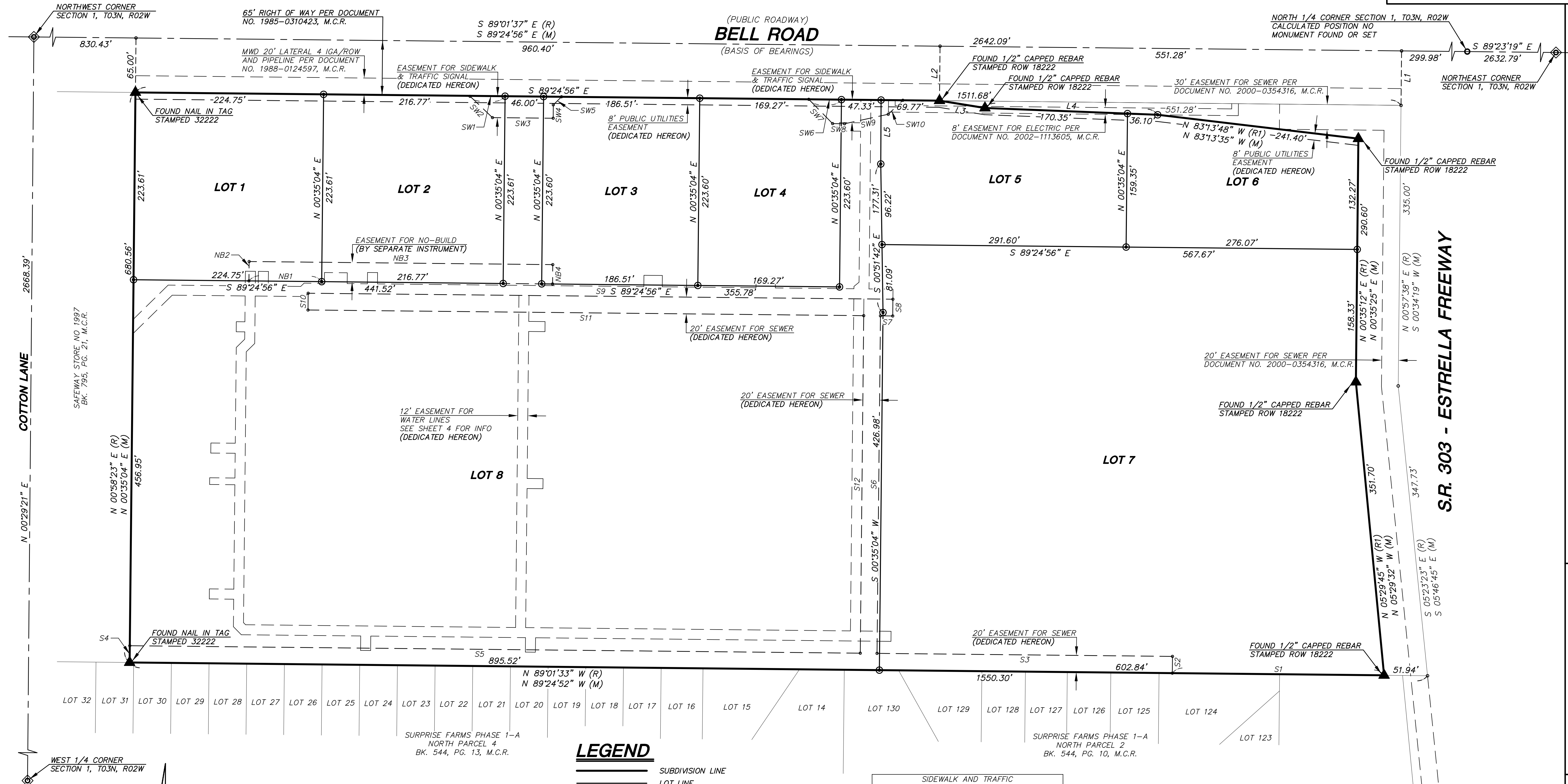
DWN: JW CHK: DK

SHEET 2 OF 4

DATE: 4/28/14

JOB NO.: 131026

FINAL PLAT OF "SURPRISE FARMS GATEWAY"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



LEGEND

- SUBDIVISION LINE
— LOT LINE
— MONUMENT LINE
— EXISTING EASEMENT LINE
▲ SUBDIVISION CORNER
⊙ SET TYPE "B" MONUMENT MAG 120-1 (UNLESS OTHERWISE NOTED)
⊗ SET TYPE "C" MONUMENT MAG 120-1 (UNLESS OTHERWISE NOTED)
⬢ FOUND NAIL IN TAG STAMPED 32222
⬢ FOUND CITY OF SURPRISE BRASS CAP IN HANDHOLE
A.P.N.
M.C.R.
BK.
PG.
(R)
(R1)
(M)
- ASSESSORS PARCEL NUMBER
MARICOPA COUNTY RECORDS
BOOK
PAGE
RECORD PER PARCEL NO. 1
RECORD PER EXCEPTION OF PARCEL NO. 1
MEASURED

SIDEWALK AND TRAFFIC SIGNAL EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
SW1	S 89°24'56" E	42.33'
SW2	S 46°20'55" E	37.65'
SW3	S 89°24'56" E	72.53'
SW4	N 00°36'19" E	16.00'
SW5	N 45°35'04" E	13.74'
SW6	S 89°24'56" E	39.06'
SW7	S 44°28'11" E	40.63'
SW8	S 89°11'31" E	14.31'
SW9	N 77°44'15" E	53.40'
SW10	N 46°12'47" E	24.14'

NO BUILD EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
NB1	S 89°24'56" E	86.90'
NB2	S 00°35'04" W	23.14'
NB3	N 89°24'56" W	362.67'
NB4	N 00°35'04" E	23.12'

SEWER EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
S1	N 89°24'52" W	252.92'
S2	N 00°35'08" E	20.00'
S3	N 89°24'52" W	352.92'
S4	S 00°35'04" W	20.00'
S5	N 89°24'52" W	872.52'
S6	N 00°35'04" E	402.97'
S7	S 89°24'56" E	14.66'
S8	N 00°35'04" E	20.00'
S9	N 89°24'56" W	698.45'
S10	S 00°35'04" W	20.00'
S11	S 89°24'56" E	663.79'
S12	S 00°35'04" W	402.97'



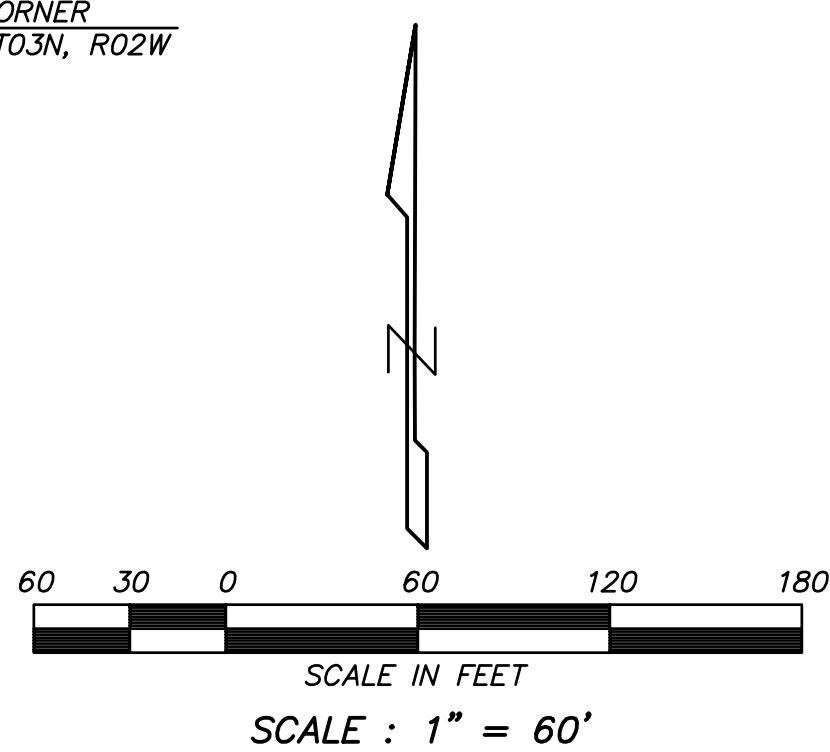
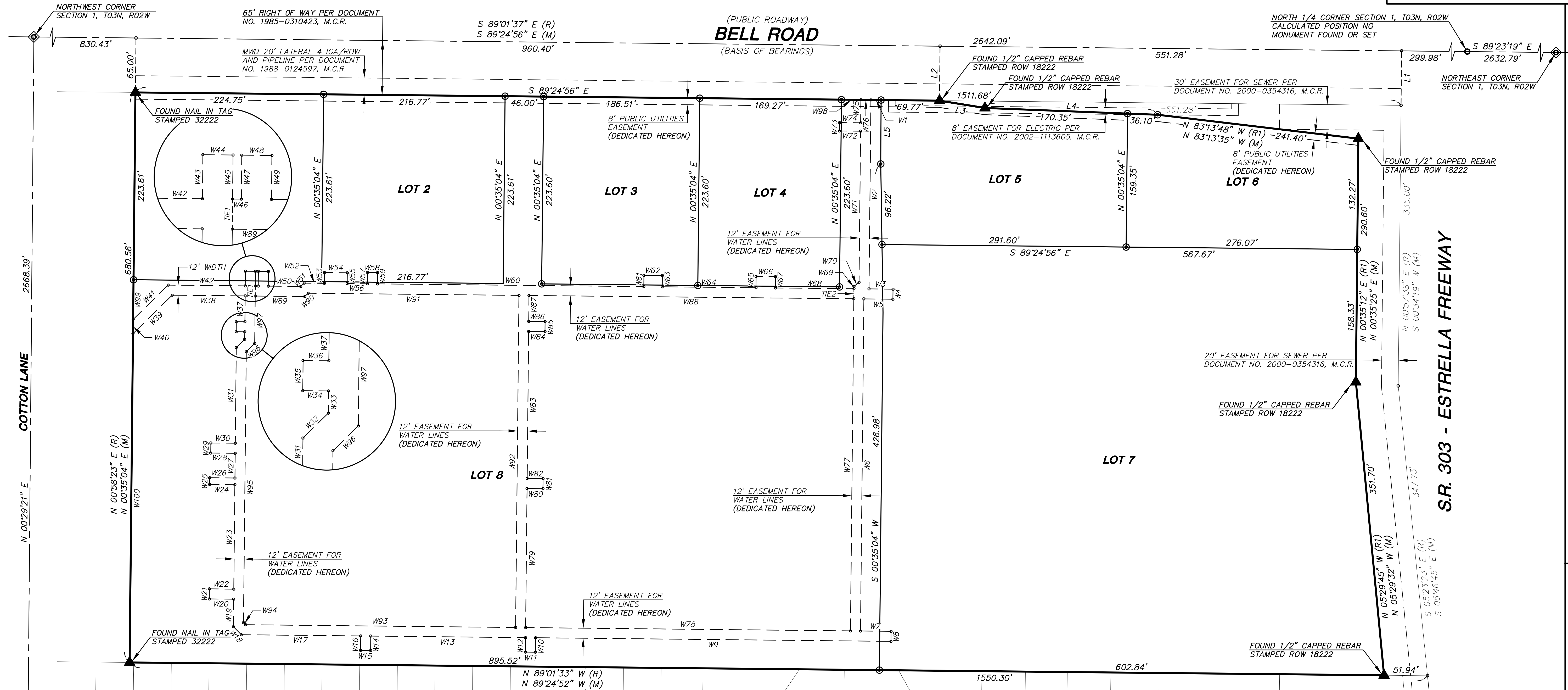
"SURPRISE FARMS GATEWAY"
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SUPERIOR
SURVEYING SERVICES, INC.

DWN: JW CHK: DK
SHEET 3 OF 4
DATE: 4/28/14
JOB NO.: 131026

FINAL PLAT OF "SURPRISE FARMS GATEWAY"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



WATER EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
W1	S 89°24'56" E	12.11'
W2	N 00°35'04" E	225.61'
W3	S 89°24'56" E	28.66'
W4	S 00°35'04" W	12.00'
W5	S 89°24'56" E	34.66'
W6	N 00°35'04" E	396.49'
W7	S 89°24'56" E	36.50'
W8	S 00°35'04" W	12.00'
W9	S 89°24'56" E	424.52'
W10	N 00°35'04" E	17.25'
W11	S 89°24'56" E	12.00'
W12	N 00°35'04" E	17.25'
W13	S 89°24'56" E	184.83'
W14	N 00°35'04" E	17.25'
W15	S 89°24'56" E	12.00'
W16	N 00°35'04" E	17.25'
W17	S 89°24'56" E	142.64'
W18	N 44°24'56" W	13.46'
W19	S 00°35'04" W	32.84'
W20	N 89°24'56" W	29.17'
W21	S 00°35'04" W	12.00'
W22	N 89°24'56" W	29.17'
W23	S 00°35'04" W	124.65'
W24	S 89°24'56" E	30.17'
W25	N 00°35'04" E	8.00'
W26	S 89°24'56" E	30.17'

WATER EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
W27	S 00°35'04" W	29.54'
W28	N 89°24'56" W	29.17'
W29	S 00°35'04" W	12.00'
W30	N 89°24'56" W	29.17'
W31	S 00°35'04" W	114.26'
W32	S 45°35'04" W	14.14'
W33	S 00°35'04" W	8.83'
W34	N 89°24'56" W	10.26'
W35	N 00°35'04" E	12.00'
W36	S 89°24'56" E	10.26'
W37	S 00°35'04" W	30.87'
W38	S 89°24'56" E	87.14'
W39	N 45°35'05" E	65.59'
W40	S 00°35'04" W	16.97'
W41	N 45°35'05" E	58.56'
W42	S 89°24'56" E	92.11'
W43	S 00°35'04" W	17.50'
W44	S 89°24'56" E	12.00'
W45	S 00°35'04" W	17.50'
W46	S 89°24'56" E	3.49'
W47	S 00°35'04" W	17.49'
W48	N 89°24'56" W	12.00'
W49	S 00°35'04" W	17.49'
W50	S 89°24'56" E	38.77'
W51	N 45°35'04" E	5.64'
W52	S 89°24'56" E	24.22'

WATER EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
W53	S 00°35'04" W	12.90'
W54	S 89°24'56" E	27.25'
W55	S 00°35'04" W	12.90'
W56	S 89°24'56" E	24.12'
W57	S 00°35'04" W	13.50'
W58	N 89°24'56" W	12.00'
W59	S 00°35'04" W	13.50'
W60	S 89°24'56" E	318.17'
W61	S 00°35'04" W	13.51'
W62	N 89°24'56" W	22.04'
W63	N 00°35'04" E	13.51'
W64	S 89°24'56" E	111.96'
W65	S 00°35'04" W	13.51'
W66	S 89°24'56" E	23.12'
W67	S 00°35'04" W	13.51'
W68	S 89°24'56" E	93.88'
W69	N 00°35'04" E	2.82'
W70	N 50°46'44" E	7.81'
W71	N 00°35'04" E	180.36'
W72	N 89°24'56" W	25.22'
W73	N 00°35'04" E	10.00'
W74	N 89°24'56" W	25.22'
W75	N 00°35'04" E	27.43'
W76	S 89°24'56" E	12.00'
W77	N 00°35'04" E	396.49'

WATER EASEMENT LINE TABLE		
LINE	BEARINGS	LENGTH
W78	S 89°24'56" E	387.97'
W79	N 00°34'50" E	166.04'
W80	N 89°25'13" W	18.99'
W81	S 00°34'47" W	12.00'
W82	N 89°25'13" W	18.99'
W83	N 00°34'49" E	175.49'
W84	N 89°25'13" W	19.50'
W85	N 00°34'47" E	12.00'
W86	N 89°25'13" W	19.50'
W87	N 00°34'22" E	30.96'
W88	S 89°24'56" E	388.00'
W89	S 89°24'56" E	59.22'
W90	S 45°35'04" W	5.64'
W91	S 89°24'56" E	251.78'
W92	N 00°34'47" E	396.49'
W93	S 89°24'56" E	322.54'
W94	N 44°24'56" W	3.51'
W95	S 00°35'04" W	323.34'
W96	S 45°35'04" W	14.14'
W97	S 00°35'04" W	56.67'
W98	S 89°24'56" E	23.22'
W99	S 00°35'04" W	47.40'
W100	S 00°35'04" W	392.58'
TIE1	N 00°35'04" E	12.00'
TIE2	N 00°35'04" E	12.00'



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DW: JW CHK: DK
SHEET 4 OF 4
DATE: 4/28/14
JOB NO.: 131026

Vicinity Map





CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

Back Print

Council Meeting Date:	June 3, 2014	Contact Person:	Misty Leslie, City Attorney
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on Ordinance 2014-08, deleting Surprise Municipal Code, Chapter 3, Section 3-62(d).

Motion:

Move to approve Ordinance 2014-08

Background:

A.R.S. §38-766.01, adopted in 2011 by Senate Bill 1609, requires that the City make alternative contributions to the applicable state retirement system on behalf of individuals who retired from a state retirement system but who have since become employed by the City of Surprise. Current Code Section 3-62(d) requires that employees ineligible to enroll in either state retirement system will receive as a supplemental retirement an amount equal to the amount the City would have contributed to the state retirement system had the employee been eligible to participate. This results in the City paying two separate retirement contributions, one to the employee and one to the State.

Financial Impact Statement:

Approval eliminates the financial obligations under Code §3-62(d). The City would still be required to make the alternative contribution to the state retirement system required by state law.

ATTACHMENTS:

Click to download

☐ [Ord. 2014-08](#)

External Attachment Links:

Meeting Requirements:

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

ORDINANCE #2014-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING SURPRISE MUNICIPAL CODE CHAPTER 3, ARTICLE VI, BENEFITS BY DELETING SECTION 3-62(d).

WHEREAS, Surprise Municipal Code ("Code") Section 1-5 authorizes the City Council to amend the Code;

WHEREAS, the City is required by A.R.S. §38-766.01 to make an alternate contribution to the applicable state retirement system even if the employee on whose behalf the contributions are made is no longer eligible for membership under the system;

WHEREAS, current Code Section 3-62 subsection (d) mandates the City provide to the employee an amount equal to the retirement contribution the City would normally make for the employee to the state retirement system, which has the effect of increasing the City financial obligations relative to retirement contributions for each employee ineligible to participate in a state retirement system; and

WHEREAS, the City desires to delete Chapter 3, Article VI, Section 62, subpart (d).

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

Section 1: Chapter 3, Article IV - Benefits, Section 3-62 - Retirement, subpart (d) of the Surprise Municipal Code is hereby deleted as follows:

Sec. 3-62. Retirement.

(a) Eligible employees are enrolled in the Arizona State Retirement System or Arizona Public Safety Personnel Retirement System.

(b) The city will contribute to the applicable retirement plan in accordance with law and the provisions of applicable agreements.

(c) The city will withhold a percentage of each eligible employee's compensation and contribute it to the appropriate retirement system, in accordance with state law.

~~(d) Employees in retirement eligible positions who are ineligible to participate in the applicable Arizona retirement plan shall be paid in compensation or in a contribution to a supplemental retirement savings plan an amount equal to the retirement contribution the city would normally make for the employee.~~

Section 2: All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or the Code adopted herein are repealed.

Section 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof.

PASSED AND ADOPTED this _____ day of _____, 2014.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date:	June 3, 2014	Contact Person:	Bob Wingenroth, Assistant City Manager / Chief Financial Officer
Submitting Department:	Finance Dept	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Conduct a public hearing on intention to levy Street Light Improvement District (SLID) property tax.

Consideration and action pertaining to the approval of Resolution 2014-55 to set forth the intention to adopt Street Light Improvement District (SLID) property tax levies up to the maximum rate of \$1.20 for each One Hundred Dollars (\$100) of assessed valuation as shown in Resolution 2014-55. The SLID property tax levies are set for adoption on June 17, 2014.

Motion:

I move to approve Resolution 2014-55. (In accordance with state statute, a roll call vote on this motion is required.)

Background:

Per Arizona Revised Statute §42-17103, this public hearing is being held to receive public comment on the proposed SLID tax levies for fiscal year 2015. After the public hearing, a roll call vote to direct staff to prepare the enacting resolution is requested. The resolution to set all FY2015 SLID tax levies is scheduled for adoption at the June 17, 2014 City Council meeting.

Financial Impact Statement:

The proposed SLID tax levies are included as a part of the FY2015 Final Budget that is set for consideration at the June 3, 2014 City Council meeting

ATTACHMENTS:

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☐ [Resolution 2014-55](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

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

Bob Wingenroth, ACM / CFO

RESOLUTION 2014-55

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA, BY ROLL CALL VOTE SETTING FORTH
THE INTENTION TO LEVY PROPERTY TAXES FOR STREET
LIGHTING IMPROVEMENT DISTRICTS.**

WHEREAS, the provisions of Arizona Revised Statute Section 48-616 require the governing body to levy taxes upon all property in municipal street lighting improvement districts necessary to pay the annual expenses of said districts on or before the third Monday in August of each year;

WHEREAS, the City Council is, in accordance with Arizona Revised Statutes Section 42-17103 et seq., required to hold a public hearing on or before the fourteenth day before the day on which it levies taxes; and

WHEREAS, the City has computed tax rates for Street Lighting Improvement Districts up to the maximum rate of \$1.20 for each One Hundred Dollars (\$100) of assessed valuation, as set forth on *Exhibit A* attached hereto.

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

Section 1. By roll call vote set forth the intention to levy property taxes for Street Lighting Improvement Districts as set forth on Exhibit A attached hereto, to be collected as provided by law and for the purpose provided by law.

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"

Fiscal Year 2015

Street Light Improvement Districts – (SLIDS)

Property Tax Levy Requirements



**Street Light Improvement Districts
Expense Estimates and Levy Rates
Fiscal Year 2015**

County Number \ City District Name By Assessment Type	Net Assessed Value ¹	Estimated Expenses	Levy Amount	Levy Rate ²
Ad Valorem				
23667 Asante Parcel 1.16	35,744	1,100	400	1.1191
23641 Asante Phase 1	2,732,544	46,600	32,700	1.1967
23183 Ashton Ranch I	2,541,979	12,600	12,400	0.4878
23238 Ashton Ranch II	2,941,891	14,100	13,700	0.4657
23355 Ashton Ranch III	2,679,596	15,700	15,200	0.5672
23358 Ashton Ranch IV	2,665,665	11,400	11,100	0.4164
Autoshow East 1 #126 (Coulter Nissan)	0	0	0	0.0000
Autoshow East 3 #132 (Toyota)	0	0	0	0.0000
23682 Autoshow NW #114 SLID	2,736,975	500	0	0.0000
23468 Bell Pointe I	4,375,604	21,700	20,800	0.4754
23193 Bell West Ranch	1,683,806	7,400	7,600	0.4514
23323 Bell West Ranch 1A	2,307,652	10,400	10,300	0.4463
23351 Bell West Ranch 1B	1,404,980	7,100	7,300	0.5196
23424 Bell West Ranch II	2,489,259	9,700	9,500	0.3816
23461 Bell West Ranch III	2,317,377	9,800	9,900	0.4272
23660 Cactus Ward LDS NONTAX	0	0	0	0.0000
23194 Canyon Ridge West	8,923,695	12,200	11,700	0.1311
23537 City @ Surprise Ph 1	2,218,753	7,700	7,600	0.3425
23125 Continental at Kingswood Parke	3,971,558	11,700	11,400	0.2870
23456 Cotton Gin	2,964,847	14,600	21,600	0.7285
23330 Countryside	7,737,816	29,000	32,700	0.4226
23590 Desert Oasis Lancer 5 A5B14A	2,335,860	28,000	27,100	1.1602
23450 Desert Oasis No. 1	4,566,562	19,100	19,000	0.4161
23700 Desert Oasis Pcl 13A	321,842	7,000	3,800	1.1807
23706 Desert Oasis Pcl 14C	120,500	7,000	1,400	1.1618
23258 Greenway Parc #1	3,120,079	18,200	17,600	0.5641
23329 Greenway Parc #2	2,795,140	15,300	15,000	0.5366
23268 Greenway Parc #3	726,116	5,700	5,700	0.7850
23525 Greer Ranch North Ph1	3,877,190	24,600	23,200	0.5984
23555 Greer Ranch North PH2	1,446,355	6,700	6,600	0.4563
23460 Greer Ranch South	9,987,916	41,700	39,200	0.3925
23644 Johnson Townhomes	402,620	1,200	1,600	0.3974
23469 Kenly Farms	2,956,199	11,200	10,900	0.3687
13980 Kingswood Parke	9,402,787	34,800	33,200	0.3531
23319 Legacy Parc	5,842,764	23,800	22,600	0.3868
23356 Legacy Parc G,H,I	2,493,226	14,200	13,800	0.5535
23419 Legacy Parc Parcels e, f, & j	2,932,262	10,000	9,900	0.3376
23449 Litchfield Manor	13,445,142	50,700	48,400	0.3600
23457 Marley Park I, p 1-4	5,972,050	26,900	25,800	0.4320
23521 Marley Park Ph 1, P 5, 6	3,317,349	16,500	15,900	0.4793
23512 Marley Park Ph 1, P 7, 8	2,717,425	10,400	10,200	0.3754
23566 Marley Park Ph 2, 9,11,12	2,373,872	13,800	15,200	0.6403
23135 Mountain Vista	7,201,000	18,500	17,700	0.2458
23191 Mountain Vista II	6,828,283	11,400	11,200	0.1640
23239 Mountain Vista III	4,872,611	17,100	16,500	0.3386
23267 Northwest Ranch #1	3,871,322	8,300	8,200	0.2118



**Street Light Improvement Districts
Expense Estimates and Levy Rates
Fiscal Year 2015**

County Number \ City District Name By Assessment Type	Net Assessed Value ¹	Estimated Expenses	Levy Amount	Levy Rate ²
Ad Valorem				
23335 Northwest Ranch II	5,021,527	24,300	23,300	0.4640
23409 Orchards 1,2,3,4,5	7,421,308	28,200	26,700	0.3598
23686 Paradise #117 NONTAX	437	0	0	0.0000
23417 Parke Row	718,346	2,900	3,100	0.4315
23661 Quick Trip # 410	275,443	800	0	0.0000
23390 Rancho Gabriella - Phase I	7,847,548	27,300	26,300	0.3351
23401 Rancho Gabriella 2,3,4A-B	16,865,791	56,900	53,900	0.3196
23487 Rancho Gabriella Ph 2 pcl 11	946,580	3,500	3,700	0.3909
23536 Rancho Gabriella PH 3 pcl 17	1,027,780	3,500	3,500	0.3405
23336 Roseview Units 1-6	8,003,651	35,200	33,500	0.4186
23333 Roseview Units 5, 5a, 7, 8	4,946,426	18,800	18,000	0.3639
23542 Royal Ranch Unit 2, P7	1,854,630	6,400	0	0.0000
23524 Royal Ranch Unit 2, pcl 8	1,216,440	5,500	13,300	1.0934
23506 Royal Ranch Unit II, pcl 5,6,9	6,126,941	19,100	35,100	0.5729
23673 Santa Fe Ave #111	634,888	1,300	1,600	0.2520
23591 Sarah Ann Ranch	13,015,555	57,400	53,700	0.4126
23455 Sierra Montana Parcel 12	1,220,950	8,000	8,000	0.6552
23668 Sierra Montana Parcel 14	1,998,010	10,000	9,600	0.4805
23581 Sierra Montana Parcel 7	677,000	3,500	3,200	0.4727
23448 Sierra Montana Phase II	11,417,965	37,400	35,600	0.3118
23510 Sierra Verde Parcel 4	1,336,850	3,300	3,600	0.2693
23467 Sierra Verde Ph I	8,036,085	36,100	33,900	0.4218
23458 Summerfield @ Litchfields	1,089,442	5,000	5,200	0.4773
23110 Sun City Grand (DW)	37,220,429	268,400	244,500	0.6569
23174 Sun City Grand II	103,387,128	464,000	421,300	0.4075
23184 Sun City Grand III	5,013,100	30,800	28,000	0.5585
23338 Sun City Grand IV	71,336,249	152,300	138,800	0.1946
23414 Surprise Farms 1A	10,973,596	39,400	37,400	0.3408
23444 Surprise Farms 1B	12,402,276	58,100	54,700	0.4410
23498 Surprise Farms Ph 2	9,925,150	42,700	40,300	0.4060
23517 Surprise Farms Ph 3	6,246,576	35,800	34,100	0.5459
23582 Surprise Farms PH 4, Par 1-6	8,217,592	30,500	28,900	0.3517
23654 Surprise Farms Phase 5	4,335,986	13,900	13,300	0.3067
23683 Surprise Medical Plaza SLID	613,552	3,200	2,000	0.3260
23645 Surprise Pointe Comm1 Subdivision	9,876,500	12,300	12,900	0.1306
23653 Surprise Valley Station (Trader Joe's)	493,388	1,100	800	0.1621
23563 Sycamore Estates Par 13	3,455,948	24,100	23,200	0.6713
23405 Tash/Western Meadows	3,073,310	13,600	13,700	0.4458
23470 Veramonte	4,260,142	24,400	23,200	0.5446
23663 Westfield Commons	1,758,134	500	0	0.0000
23124 WestPoint Towne Center	15,778,432	64,700	57,100	0.3619
Total Ad Valorem	570,723,294	2,359,600	2,224,600	



**Street Light Improvement Districts
Expense Estimates and Levy Rates
Fiscal Year 2015**

County Number \ City District Name By Assessment Type	Net Assessed Value ¹	Estimated Expenses	Levy Amount	Levy Rate ²
Equal Apportionment				
23708 Autoshow East 2 #127 (L Miller Dodge)	869,273	1,300	1,400	1,400.00
23670 Commerce Park East #109 SLID	2,569,670	3,800	0	0.00
23671 Coyote Lakes #95 SLID	11,240,921	34,100	31,600	41.41
23662 Crescent Crown #82	3,029,334	2,100	2,500	1,250.00
23676 Kingswood Parke #105 SLID	390,042	1,700	2,100	44.68
23666 Marley Park Parcel 12	1,191,890	12,400	14,300	91.08
23665 Marley Park Plaza #91	2,007,875	1,300	0	0.00
23702 OTS Commercial B #123	696,465	2,100	6,300	1,575.00
23693 OTS Market Street #121	0	600	0	0.00
23674 Parkview Place #112	842,420	2,300	2,800	466.66
23434 Royal Ranch Unit I	6,312,908	20,000	19,100	37.01
23418 Sierra Montana Phase 1a	15,878,218	59,100	50,400	36.07
23692 Skyway Business Park #92	13,200,952	15,800	15,000	217.39
23669 Stadium Village Small A #107	5,407,194	7,100	4,900	700.00
23672 Stonebrook #103	1,486,770	4,700	3,900	23.77
23659 Surprse Farm Chrch 84 NONTAX	0	0	0	0.00
23694 Westgate #122	164,521	700	800	800.00
Total Equal Apportionment	65,288,453	169,100	155,100	
Grand Total	636,011,747	2,528,700	2,379,700	

¹ Net Assessed Value based on Maricopa County Assessor's Office 2014 February State Abstract report.

² Levy rate per \$100 of assessed value for Ad Valorem assessments. Dollar levy per parcel for Equal Apportionment assessments.



CITY OF SURPRISE
Regular City Council Meeting

June 3, 2014 @ 6:15:00 PM

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

Council Meeting Date: June 3, 2014

Contact Person: Misty Leslie, City Attorney

Submitting Department:

District: Internal

Staff Recommendations: None

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Discussion/consultation with the City Attorney to receive legal advice; and to consider its position on contract negotiations and pending/contemplated litigation regarding development on property bounded by Bell, Litchfield, Greenway and Bullard Roads. (A.R.S. §38-431.03(A))

Motion:

N/A

Background:

Financial Impact Statement:

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint x

Video

White Board

Other x

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