



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

Tuesday, October 18, 2016 @ 6:00 PM
COUNCIL CHAMBERS

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A. Call To Order

B. Roll Call

C. National Anthem

D. Pledge of Allegiance

E. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

District Citywide [*A proclamation recognizing October as Disability Employment Awareness Month. Mayor Sharon Wolcott will present the proclamation to representatives from One Step Beyond, Benevilla and the City of Surprise Human Service & Community Vitality Department.*](#) None
Mayor
Sharon
Wolcott

F. City Manager Report:

District Citywide [Presentation and discussion pertaining to an update on the Bell and Grand construction project.](#) None
Michael
Frazier,
Assistant
City
Manager

G. City Attorney Report:

H. City Clerk Report:

District Citywide [Election report](#) None
Sherry Ann
Aguilar,
City Clerk

I. 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.

J. Regular City Council Meeting Agenda:

Consent Agenda:

- | | | | |
|----|-------------------|--|---|
| 1. | District 5 | <u>Consideration and action on the Final Plat entitled, "Replat of Parcel 20-L, Surprise Village At West Point Towne Center", subdividing Parcel 20-L of Surprise Village at West Point Towne Center into two (2) parcels, Parcel 20-P and Parcel 20-Q, a property located north of Bell Road and east of Litchfield Road.</u> | Approve
Sergio
Angulo -
Community
Development |
| 2. | District Citywide | <u>Consideration and action on the minutes of October 4, 2016 Special City Council Meeting; Regular Work Session and Regular City Council Meeting.</u> | None
Sherry Ann
Aguilar,
City Clerk |

Regular Agenda Item - Non-Public Hearing:

- | | | | |
|----|-------------------|--|--|
| 3. | District 2 | <u>Consideration and action to appoint Jim Hayden to serve the remainder of the term for District 2 Councilmember due to resignation with a term expiration of December 31, 2016, and direct the City Clerk to issue the Oath of Office.</u> | None
Sherry Ann
Aguilar, City
Clerk |
| 4. | District Internal | <u>Consideration and action to appoint Dennis Bash and Gisele Norberg to fill two vacancies on the Planning & Zoning Commission with a term expiration of June 30, 2019 for both vacancies and direct City Clerk Aguilar to administer the Oath of Office.</u> | None
CM Winters
and CM Hall |
| 5. | District Citywide | <u>Consideration and action authorizing funding to Thunderbird Artists in an amount not to exceed \$30,000 and amending the budget for FY2017 Surprise Fine Art and Wine Festival as recommended by the Tourism Advisory Commission; Resolution #2016-127.</u> | None
Mark A.
Coronado,
Director -
Community
&
Recreation
Services |
| 6. | District 3 | <u>Presentation and discussion on recording a blank petition to begin the process of annexing lands within a County island generally bound by the Acoma Drive to the north, Cactus Road to the South, 175th Avenue to the East and Cotton Lane to the South</u> | None
Eric Fitzer -
Community
Development |

K. Other Business and Future Agenda Items:

L. Mayor/Council Reports:

M. Executive Session:

- | | | |
|----|---|---|
| 7. | District Internal <u>Consideration and action to enter into executive session for discussions and consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the purchase of real property in the proximate vicinity of the Original Town Site.</u> | None
Robert
Wingo, City
Attorney |
|----|---|---|

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

N. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 13, 2016 at 3:15 PM

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

October 18, 2016 @ 6:00:00 PM

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Council Meeting Date:	October 18, 2016	Contact Person:	Michael Frazier, Assistant City Manager
Submitting Department:	City Mgr	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Presentation and discussion pertaining to an update on the Bell and Grand construction project.

Motion:

N/A

Background:

The Arizona Department of Transportation (ADOT) began construction of the Bell and Grand overpass bridge in calendar year 2016 resulting in a full closure for a temporary period of time. This informational presentation and discussion will address construction and business outreach updates.

Objective Analysis:

This item is for discussion only and part of a regular project update process requested by Council.

Policy Compliant:

This item is part of a regular project update process requested by Council and is consistent with Council Policy.

Financial Impact:

It is anticipated that the Bell and Grand Intersection Improvement Project will reduce General Fund sales tax collections used for operating purposes by approximately \$900,000. This will be offset by construction sales tax collections that are used for one time capital purposes.

Budget Impact:

None at this time as the financial impacts were included in the development of the FY2017 budget. Topics discussed could lead to future actions which may have a budget impact on city operations.

FTE Impact:

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

ATTACHMENTS:

Click to download

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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Council Meeting Date: October 18, 2016 Contact Person: Sergio Angulo - Community Development
Submitting Department: District: 5
Staff Recommendations: Approve

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the Final Plat entitled, "Replat of Parcel 20-L, Surprise Village At West Point Towne Center", subdividing Parcel 20-L of Surprise Village at West Point Towne Center into two (2) parcels, Parcel 20-P and Parcel 20-Q, a property located north of Bell Road and east of Litchfield Road.

Motion:

I move to approve the Final Plat entitled "Replat of Parcel 20-L, Surprise Village At West Point Towne Center"

Background:

Jeff Kamtz with Brissette Architect Inc. submitted a request for a Final Plat to subdivide Parcel 20-L of Surprise Village at West Point Towne Center, a 64,650 sq. ft. (1.484 acres approx.) parcel, into two (2) parcels; Parcel 20-P and Parcel 20-Q.

Objective Analysis:

The applicant proposes a new 667 sq. ft. Salad and Go drive-thru/walk-up restaurant on Parcel 20-Q. At this time there is no development plans for Parcel 20-P. The final plat will not be dedicating any right-of-way.

Policy Compliant:

The proposed project is consistent with City and Council Policy.

Financial Impact:

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

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-304 SALAD AND GO - FINAL PLAT - Staff Report](#)
 - ☐ [01 - FS16-304 SALAD AND GO - FINAL PLAT - Vicinity Map](#)
 - ☐ [02 - FS16-304 SALAD AND GO - FINAL PLAT - Final Plat](#)
 - ☐ [03 - FS16-304 SALAD AND GO - FINAL PLAT - Luke AFB Comments](#)
 - ☐ [04 - FS16-304 SALAD AND GO - FINAL PLAT - ADOT Comments](#)
 - ☐ [05 - FS16-304 SALAD AND GO - FINAL PLAT - MWD Comments](#)
 - ☐ [06 - FS16-304 SALAD AND GO - FINAL PLAT - Presentation](#)
-

Case: **FS16-304**

Project Name: Salad and Go

Council District: 5 - PALM

City Council Date: **October 18, 2016**

Planner: Sergio Angulo

Owner: Litchfield Bell/Grand, LLC

Applicant: Jeff Kamtz with Brissette Architects Inc.

Request: Final Plat to subdivide Parcel 20-L of Surprise Village at West Point Towne Center into two (2) parcels; Parcel 20-P and Parcel 20-Q.

Site Location: Generally north of Bell Road and east of Litchfield

Site Size: 64,650 sq. ft. (1.484 acres approx.)

Findings:

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- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Surprise Municipal Code.
- The proposed Final Plat is consistent with the West Point Towne Center PAD.

Staff

Recommendation: **Approve** [no stipulations on final plats]

History:

- On June 20, 1984 the Mayor and City Council approved the annexation of the subject property.
- On December 2, 2014 the Mayor and City Council approved the Final Plat of Surprise Village at West Point Towne Center.

39 **Additional Information:**

40
41 The applicant is requesting a Final Plat approval that will subdivide Parcel 20-L of Surprise Village at
42 West Point Towne Center, a 64,650 sq. ft. (1.484 acres approx.) parcel, into two (2) parcels; Parcel
43 20-P and Parcel 20-Q. Parcel 20-P will be 32,401 sq. ft. (0.744 acres approx.) and Parcel 20-Q will be
44 32,249 sq. ft. (0.74 acres approx.). The applicant proposes a new 667 sq. ft. Salad and Go drive-
45 thru/walk-up restaurant on Parcel 20-Q. At this time there are no development plans for Parcel 20-
46 P. The final plat will not be dedicating any right-of-way.

47
48 This Final Plat application is in conjunction with a related Conditional Use Permit for a Salad and Go
49 Drive-Thru/Walk-up Restaurant which is being processed under the same case number. The
50 Planning and Zoning Commission will take action on the Conditional Use Permit on October 20,
51 2016.

52
53 **Attachments:**

54
55 01 Vicinity Map
56 02 Final Plat
57 03 Luke AFB Comments
58 04 ADOT Comments
59 05 MWD Comments

60
61 **Enclosure:**

62
63 Sealed mylars

VICINITY MAP



VICINITY MAP



"REPLAT OF PARCEL 20-L, SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" AS RECORDED
IN BOOK 1210, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN A PORTION
OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE
GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } ss

KNOW ALL PERSONS BY THESE PRESENTS: THAT LITCHFIELD BELL/GRAND, LLC, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "REPLAT OF PARCEL 20-L, SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" AS RECORDED IN BOOK 1210, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA" AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "REPLAT OF PARCEL 20-L, SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" AS RECORDED IN BOOK 1210, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

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

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

OWNER HEREBY GRANTS TO THE 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.

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

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

LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

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

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

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 2016.

LITCHFIELD BELL/GRAND, LLC

BY: _____

ITS: _____

RELEASE OF LIABILITY

LITCHFIELD BELL/GRAND, 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.

NOTICE OF INTER-GOVERNMENTAL 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.

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016 BY _____ IN THEIR AFOREMENTIONED CAPACITIES ON BEHALF OF LITCHFIELD BELL/GRAND, LLC.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

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 PARCEL 20-P AND 20-Q, 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. 04013C1240L, 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.

REFERENCES

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

FINAL PLAT OF "SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" RECORDED IN BOOK 1210 OF MAPS, PAGE 1, MARICOPA COUNTY RECORDS

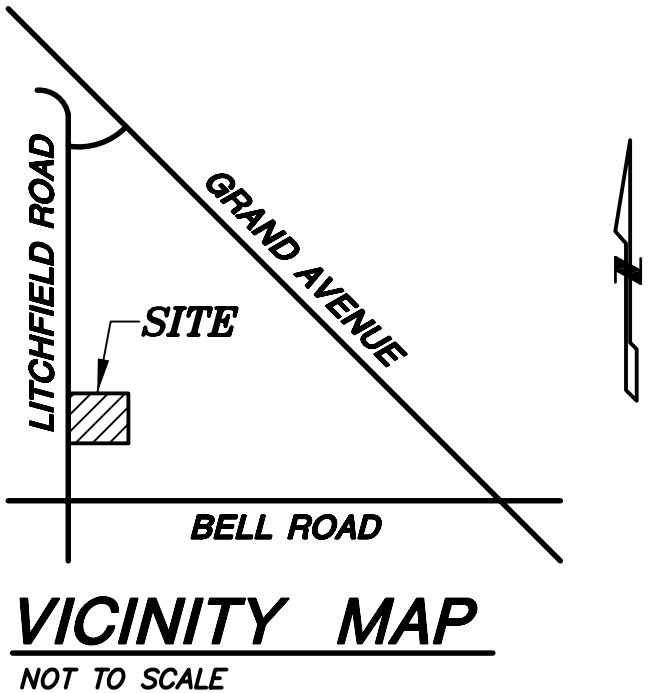
MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY IN BOOK 678 OF MAPS, PAGE 15, MARICOPA COUNTY RECORDS

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.

SURVEYORS NOTES

- THE BASIS OF BEARING IS THE MONUMENT LINE OF LITCHFIELD ROAD, ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, USING A BEARING OF NORTH 00 DEGREES 25 MINUTES 21 SECONDS WEST, PER THE FINAL PLAT OF SURPRISE VILLAGE AT WEST POINT TOWNE CENTER, RECORDED IN BOOK 1210 OF MAPS, PAGE 1, MARICOPA COUNTY RECORDS.
- ALL TITLE INFORMATION AND THE DESCRIPTION SHOWN IS BASED ON A COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE AGENCY, INC., ISSUING AGENT FOR CHICAGO TITLE INSURANCE COMPANY, ORDER NUMBER C1603018-317, DATED APRIL 5, 2016.



DESCRIPTION

PARCEL NO. 20-L, FINAL PLAT OF "SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" ACCORDING TO THE PLAT RECORDED IN BOOK 1210 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA.

AREA

LOT NO.	AREA
PARCEL 20-P	32,401 SQ. FT. 0.744 ACRES
PARCEL 20-Q	32,249 SQ. FT. 0.740 ACRES

TOTAL	64,647 SQ. FT. 1.484 ACRES
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SURVEYOR

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

OWNER

LITCHFIELD BELL/GRAND, LLC
7595 E. McDONALD DRIVE, SUITE 130
SCOTTSDALE, AZ 85250

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2016, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY OF _____, 2016.

MAYOR _____ DATE _____

ATTEST: _____

CITY CLERK _____ DATE _____

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.

AUGUST 26, 2016
DAVID S. KLEIN
R.L.S. 42137
21415 N. 23RD AVENUE
PHOENIX, AZ 85027

-FOR REVIEW-
NOT FOR
CONSTRUCTION
OR RECORDING



EXPIRES 3/31/17

"REPLAT OF PARCEL 20-L, SURPRISE
VILLAGE AT WEST POINT TOWNE CENTER"

SURPRISE, ARIZONA

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



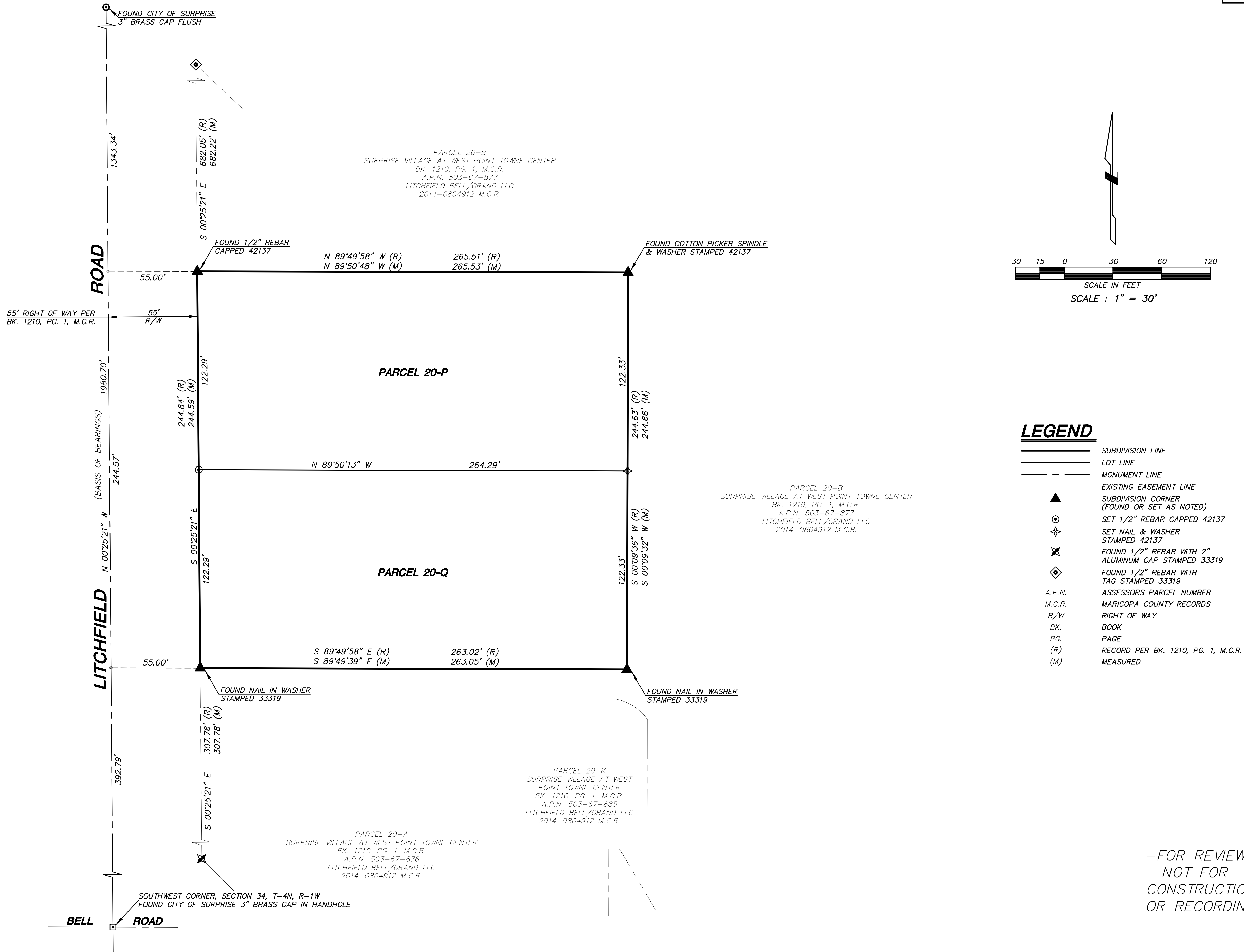
DWN: JW CHK: DK

SHEET 1 OF 2

DATE: 8/26/16

JOB NO.: 160658

"REPLAT OF PARCEL 20-L, SURPRISE VILLAGE AT WEST POINT TOWNE CENTER" AS RECORDED
IN BOOK 1210, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN A PORTION
OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE
GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



"REPLAT OF PARCEL 20-L, SURPRISE
VILLAGE AT WEST POINT TOWNE CENTER"
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 2 OF 2
DATE: 8/26/16
JOB NO.: 160658



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

18 July 2016

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Jamie Sullivan
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS16-304; Salad and Go

Dear Ms. Sullivan

Thank you for the opportunity to comment on the Conditional Use Permit Application for the Salad and Go Restaurant. This project is located on .73 acres north of the northeast corner Litchfield Road and West of Bell Rd. in Surprise AZ. The restaurant will have no dine in public area, however it will have a large covered patio with tables on the exterior for dining and two walk up service windows. Its primary service to customers will be the 206 foot drive-thru. The site is approximately 1.6 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described, this restaurant will not negatively impact Luke AFB's current mission. Since the restaurant will be located inside the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights per day, as low as 1,500 feet above the ground. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential tenants about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

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

JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

Sergio Angulo

From: Bob Patoni <BPatoni@azdot.gov>
Sent: Wednesday, July 13, 2016 10:36 AM
To: Jamie Sullivan
Cc: Vanessa Nunez
Subject: FS16-304

RE: FS16-304
Salad and Go
N. of NEC of N/ Litchfield Rd. & Bell Rd.
503-67-886
Conditional Use Permit

Attn: Jamie Sullivan

Thank you for the notice of request for Conditional Use Permit for the above-referenced development. After review, we have determined that the referenced development will have no impact upon existing highway facilities. We would remind the owner/developer of ADOT's ongoing Bell Road Interchange Improvement project that will not be completed before early 2017. We appreciate the opportunity to review and comment.

Robert A. Patoni, SR/WA

Bob Patoni, SR/WA

Right of Way Project Coordinator

205 S. 17th Ave. MD: 612E

Phoenix, AZ 85007

602-712-6126

WWW.AZDOT.GOV

ADOT
Intermodal Transportation

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Sergio Angulo

From: Heather Donaldson
Sent: Wednesday, September 07, 2016 11:50 AM
To: 'Debbie Trasancos'
Cc: Jamie Sullivan; Sergio Angulo; Chris Cain
Subject: RE: FS16-304 Salad and Go Electronic Submittal

Debbie,

Thank you so much for looking at this so quickly. I really appreciate it.

Have a wonderful day!!!

Heather Donaldson

Planning Project Coordinator
City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise AZ | 85374

www.surpriseaz.gov

623.222.3133 t

623.222.3001 f

From: Debbie Trasancos [<mailto:DebbieT@mwdaz.com>]
Sent: Wednesday, September 07, 2016 11:49 AM
To: Heather Donaldson
Cc: Jamie Sullivan; Sergio Angulo; Chris Cain
Subject: RE: FS16-304 Salad and Go Electronic Submittal

Heather,

Thank you for providing the Amended Final Plat for Salad and Go (FS16-304).

Although this submittal is no impact to MWD, the Notice of Inter-Governmental Agreement does not need to be included on this Plat since there are no MWD facilities in this location and MWD does not have a Development Agreement with the Landowner.

Thank you,

Debbie Trasancos
Property & Contracts Specialist
Maricopa Water District
14825 W. Grand Ave.
Surprise, AZ 85374
623/546-8266
fax 623/584-2536
debbiet@mwdaz.com

From: Heather Donaldson [<mailto:Heather.Donaldson@surpriseaz.gov>]
Sent: Wednesday, September 07, 2016 11:05 AM
To: Debbie Trasancos <DebbieT@mwdaz.com>

Cc: Jamie Sullivan <Jamie.Sullivan@surpriseaz.gov>; Sergio Angulo <Sergio.Angulo@surpriseaz.gov>

Subject: RE: FS16-304 Salad and Go Electronic Submittal

Hi Debbie,

I just realized that I sent you the Amended Final Plat from first review. We received an updated version yesterday with their second submittal. Please disregard the copy that was sent in my last e-mail and review the attached copy. I am so sorry for any inconvenience this has caused and appreciate your help.

Thank you,

Heather Donaldson

Planning Project Coordinator

City of Surprise | Community Development

16000 N. Civic Center Plaza | Surprise AZ | 85374

www.surpriseaz.gov

623.222.3133 t

623.222.3001 f

From: Heather Donaldson

Sent: Wednesday, September 07, 2016 10:55 AM

To: 'Debbie Trasancos - MWD'

Cc: Jamie Sullivan; Sergio Angulo

Subject: FW: FS16-304 Salad and Go Electronic Submittal

Good Morning Debbie,

Unfortunately when Jamie sent over the attached electronic submittal she inadvertently left off the Amended Final Plat. Can you please review the attached Amended Final Plat to see if you have any comments.

Thank you,

Heather Donaldson

Planning Project Coordinator

City of Surprise | Community Development

16000 N. Civic Center Plaza | Surprise AZ | 85374

www.surpriseaz.gov

623.222.3133 t

623.222.3001 f

From: Jamie Sullivan

Sent: Tuesday, July 12, 2016 2:48 PM

To: 'Barbara Plante - Luke'; 'Brad Finke - EPCOR'; 'Chris Cain - MWD'; 'Debbie Trasancos - MWD'; 'Denise Lacey'; 'Donna Miller'; 'Leslie - MWD'; Mark A. Coronado; Mike Ferrara; 'Paul Jackson'; 'Project Coordinator'; 'Theresa Tysiak - USPS'; 'Vern Wolfley - MAG'

Subject: FS16-304 Salad and Go Electronic Submittal

Attached you will find the submittal documents for the above referenced project.

If you have any questions or need clarification, please feel free to contact me.

Thank you,

Jamie Sullivan
Planning Project Coordinator
16000 N Civic Center Plaza
Surprise, AZ 85374
623.222.3099
jamie.sullivan@surpriseaz.gov

City Hall offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

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07 Sep 2016 18:04:40 -0000



SURPRISE
ARIZONA

FS16-304
Salad and Go
Final Plat

City Council
October 18, 2016

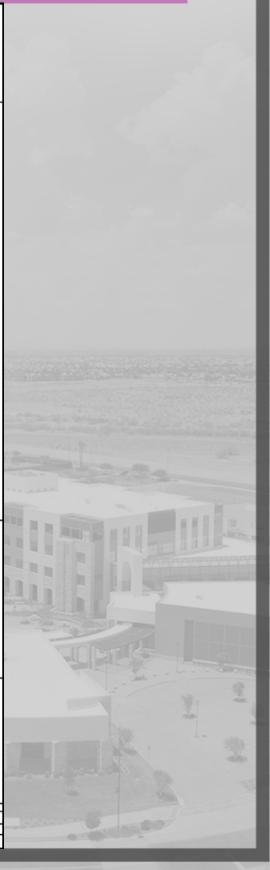
VICINITY MAP



VICINITY MAP



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23rd Avenue, Phoenix, AZ 85027
7223 (office) 623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

SUPERIOR
SURVEYING SERVICES, INC.
DRAWN BY: CHC/D
SHEET 2 OF 2
DATE: 8/26/96
JOB NO.: 15005

—FOR REVIEW—
NOT FOR
CONSTRUCTION
OR RECORDING





SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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

Council Meeting Date:	October 18, 2016	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the minutes of October 4, 2016 Special City Council Meeting; Regular Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

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- ☐ [Special Mtg Minutes](#)
- ☐ [Work Session](#)
- ☐ [Reg Mtg Minutes](#)

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

Tuesday, October 4, 2016 @ 04:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Special City Council Meeting** to order at 04:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 4, 2016**. Also in attendance with Mayor Wolcott were Council Member Williams, Council Member Villanueva, Council Member Hall, Council Member Tande, District 2 - Vacant, and Council Member Winters (excused).

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

Pledge of Allegiance

Call to the Public

Regular Agenda Item - Public Hearing

1 – PUBLIC HEARING - Interviews will take place for the applicants that filed an application for the District 2 Council vacancy. Applicants are as follows: Jim Hayden and Martha Bails - NO ACTION

Martha Bails implored Council to change the municipal code and stated that Mr. Hayden should have been appointed and sworn in already. She further commented that the public has voted and she withdrew her application.

Mayor Wolcott spoke of the policy, elections, prior elections

Council Elect Hayden introduced himself, he stated he has lived in Sun City Grand for 12 years and he's happy with the way things turned out this evening.

Special City Council Meeting Minutes – October 4, 2016 – Page 2

Mayor Wolcott commented that two weeks from now Mr. Hayden would be sworn in.

Other Business

Executive Session

Adjournment

Council Member Tande made the motion to adjourn the Special City Council Meeting of October 4, 2016 at 4:08 PM. Council Member Villanueva seconded the motion. Five yes votes, one absent (Winters) and one vacancy (District 1). Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Special City Council Meeting of **Tuesday, October 4, 2016.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, October 4, 2016 @ 05:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 05:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, October 4, 2016**. Also in attendance with Mayor Wolcott were Council Member Williams, Council Member Villanueva, Council Member Hall, Council Member Tande, Council Member Winters (excused), and District 2 - Vacant.

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

Pledge of Allegiance

Call to the Public

Regular Agenda Item - Non-Public Hearing

1 – Presentation and discussion pertaining to the City of Surprise transitioning public utility billing from a third party to in-house administration - NO ACTION

Finance Director, Lindsey Duncan introduced that Andrea Davis, Asst. Finance Director and Don Rhoden, Utility Billing Manager gave a powerpoint presentation and overview pertaining to the City of Surprise transitioning public utility billing from a third party to in-house administration.

Council Member Hall - Have we already started doing account reconciliation with our customers?

Mr. Rhoden - We start billing process in November 2016.

Regular City Council Work Session Minutes – October 4, 2016 – Page 2

Council Member Tande - Website is very useful and add as new questions come up. A resident is concerned that when they set up their new account, but they are planning to be out of the country, and don't want to get behind of paying their bills. What should they do?

Mr. Rhoden - Please have the customer calls us and we can work with them directly.

Council Member Tande - Could we have a contingency in case if there are accounts that are not sorted out regarding disconnects, etc.

Ms. Duncan - Honoring our promise to work with them, we will be quick to return calls, in a kind fashion, providing superior customer service.

Council Member Villanueva - How many water companies lost their jobs here in Surprise?

Mr. Rhoden - Only the local office for utility billing for American Water.

Council Member Hall - A lot of customers have auto pay, will they be informed of what they need to do to make this transfer? What if they are out of the country?

Mr. Rhoden - The customers will need to re-enroll with the City and update their auto-pay with their new account number.

Mayor Wolcott - Can you explain the leak detection process? What are we doing to resolve large water bills for someone that was not aware of a leak?

Mr. Rhoden - Meter reader will compare the read to the last read and will know right away if the read is extremely high compared to last read and notify the appropriate parties immediately.

Executive Session

Adjournment

Council Member Tande made the motion to adjourn the Regular City Council Work Session of October 4, 2016 at 5:26 PM. Council Member Hall seconded the motion. Five yes votes, one excused (Winters) and District 2 – Vacant. Motion carried.

Regular City Council Work Session Minutes – October 4, 2016 – Page 3

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, October 4, 2016.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, October 4, 2016 @ 06:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 4, 2016**. Also in attendance with Mayor Wolcott were Council Member Williams, Council Member Villanueva, Council Member Hall, Council Member Tande, Council Member Winters (Excused), and District 2 - Vacant.

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

Pledge of Allegiance

Proclamation and Community Acknowledgements

A proclamation recognizing October as Domestic Violence Awareness Month. Mayor Sharon Wolcott will present the proclamation to Laura Horsley, Executive Director, Eve's Place. Recognition of Michelle Dionisio, Benevilla CEO and President.

Mayor Wolcott read the proclamation aloud and presented the proclamation to Sonia Gonzales from the City Prosecutors office on behalf of Laura Horsley from Eve's Place.

Mayor Wolcott gave recognition to Michelle Dionisio, CEO and President of Benevilla and congratulated her on her retirement.

City Manager Report

City Manager Wingenroth introduced Mike Cassidy, the new youth services coordinator for a special presentation from Legacy Traditional School Student Council.

City Attorney Report

City Clerk Report

Election and Passport Report

City Clerk Aguilar reported on passports and the upcoming General Election.

Consent Agenda

1 – Consideration and action pertaining to an amendment of the fiscal year 2017 budget by reallocating appropriations in the amount of \$12,800 within the Grants and Contingency Fund and acceptance of three fiscal year 2017 Governor's Office of Highway Safety Grants; Resolution # 2016-112 - APPROVED

2 – Consideration and action pertaining to acceptance of maintenance of streets and public utility improvements at Marley Park Phase 3 Parcels 17 and 18, generally located on the northwest corner of 143rd Avenue and Cactus Road; Resolution # 2016-123 - APPROVED

3 – Consideration and action pertaining to approval of the Intergovernmental Agreement with Maricopa County for access to, and participation in, AZLink criminal justice information sharing system; Resolution # 2016-118 - APPROVED

4 – Consideration and action on the minutes of September 15, 2016 Special City Council Meeting and September 20, 2016 Regular City Council Work Session and Regular City Council Meeting - APPROVED

Council Member Hall made the motion to approve the consent agenda. Council Member Villanueva seconded the motion. Five yes votes, one excused (Winters) and District 2 - vacant. Motion carried.

Regular Agenda Item - Public Hearing

5 – Consideration and action pertaining to declaring as a public record the amendments to the 2012 international building and fire codes; and adopting the public record as an amendment to said codes; Resolution # 2016-114 and Ordinance #2016-28, respectively - APPROVED

Assistant Director of Building Safety, Chris Boyd reported on the code changes.

Council Member Villanueva - after three years do you update the codes.

Regular City Council Meeting Minutes – October 4, 2016 – Page 3

Mr. Boyd - New codes are published every three years.

No public comments were made.

Council Member Tande made the motion to approve Resolution 2016-114. Council Member Williams seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

Council Member Hall made the motion to approve Ordinance 2016-28. Council Member Williams seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

Regular Agenda Item - Non-Public Hearing

6 – Consideration and action on approving Ordinance 2016-27 amending the Surprise Municipal Code Sections 2-295, 2,301 thru 2-303 and renumbering 2-303 to 2-305 - APPROVED

Community Development Director, Eric Fitzer reported on amendments to the city code.

Council Member Williams made the motion to approve Ordinance 2016-27. Council Member Hall seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

7 – Consideration and action pertaining to a fiscal year 2017 budget amendment reallocating appropriations from various funds which are dependent on fiscal year 2016 expenditure estimates and adjusting budget authority; Resolution # 2016-122 - APPROVED

Budget Manager, Jared Askelson reported on Resolution 2016-22.

Council Member Tande made the motion to approve Resolution 2016-122. Council Member Hall seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

Other Business

Council Member Tande made the motion to recess the Regular Council Meeting and enter into executive session at 6:47 PM. Council Member Williams seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

Regular City Council Meeting Minutes – October 4, 2016 – Page 4

Executive Session

Consideration and action to enter into executive session for discussions and consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the sale or lease of real property in the proximate vicinity of Surprise City Hall and Surprise Stadium pursuant to ARS 38-431.03(A)(7).

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of October 4, 2016 at 7:36 PM. Council Member Tande seconded the motion. Five yes votes, one excused (Winters) and District 2 - Vacant. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, October 4, 2016.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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

Council Meeting Date: October 18, 2016

Contact Person: Sherry Ann Aguilar, City Clerk

Submitting Department:

District: 2

Staff Recommendations: None

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Consideration and action to appoint Jim Hayden to serve the remainder of the term for District 2 Councilmember due to resignation with a term expiration of December 31, 2016, and direct the City Clerk to issue the Oath of Office.

Motion:

I move to appoint Jim Hayden to serve the remainder of the term for District 2 Councilmember due to resignation with a term expiration of December 31, 2016 and direct the City Clerk to issue the Oath of Office.

Background:

Sec. 2-22. - Vacancy in office.

District vacancy.

(1) Vacancies in district office will be advertised beginning no later than 14 days from the date the vacancy is created when caused by death, and seven days from the date the vacancy is created in all other cases. The city clerk will advertise all vacancies in at least one newspaper with local circulation, on the city website, and in all designated posting locations during the application acceptance period.

(2) All eligible persons interested in filling the district vacancy must submit an application to the city clerk's office prior to the close of the acceptance period. The application acceptance period will end at 5:00 p.m. on the 14th day following the placement of the advertisement as required by subsection (1) of this section.

(3) No later than the end of the business day following the close of the application acceptance period, the city clerk will forward to the mayor and council and post on the city website a copy of all applications submitted during the application acceptance period.

(4) The council will interview each applicant at a public hearing held no later than ten days following the close of the application acceptance period, followed by a seven-day period during which public comment may be submitted to the city clerk's office.

(5)No later than the end of the business day following the close of the public comment period, the city clerk will forward to the mayor and council and post on the city website a copy of all comments submitted during the comment period.

(6)A district candidate must be selected no later than the second regularly scheduled council meeting following the public hearing.

Objective Analysis:

Policy Compliant:

Yes, per City of Surprise Municipal Code Section 2-22 Vacancy in Office.

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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

Council Meeting Date:	October 18, 2016	Contact Person:	CM Winters and CM Hall
Submitting Department:		District:	Internal
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action to appoint Dennis Bash and Gisele Norberg to fill two vacancies on the Planning & Zoning Commission with a term expiration of June 30, 2019 for both vacancies and direct City Clerk Aguilar to administer the Oath of Office.

Motion:

I move to approve appointing Dennis Bash and Gisele Norberg to fill two vacancies on the Planning & Zoning Commission with a term expiration of June 30, 2019 for both vacancies and direct City Clerk Aguilar to administer the Oath of Office.

Background:

The 2 vacancies were created by the resignation of two members, Jim Ferguson and Shari Martin.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

☐ [BASH](#)

☐ [NORBERG](#)

5:00 p.m.

Date/Time/Initials Received by Clerk's Office: 9/29/16 @ 19:06 - J.P.



City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

Name: Dennis M Bash Date Submitted: 09-29-16

Resident of Surprise: X Yes No Number of Years: 1 yr. 3 months

Board/Commission(s) you are applying for? Planning and Zoning

Education: MBA

EMPLOYMENT BACKGROUND:

Present Employer/Position: Retired, Part time pro shop
attendant Sun City Grand Granite Falls golf course

Previous Employer(s)/Position (Last 5 Years): Blanchard Valley Health System (BVHS),
Findlay, OH 45840. 35 year career. 15 years as Director of Real
Estate Management. 3 years post-retirement as Real Estate
Administrator.

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

- 18 years as a key member of the BVHS Construction Team
overseeing the expenditure of \$350M as the System reinvented
its physical facilities to remain competitive 1997-2015
(Continued on Reverse Side) (over please)

- BVHS's sole liaison with City and County officials regarding zoning, change of use, appeals and site plan reviews 1997-2015
- Appointed as Steering Committee member by the Hancock Regional Planning Commission land use Plan rewrite 2013
- Appointed as Steering Committee member by the Hancock Regional Planning Commission for the City of Findlay Ohio rewrite of the zoning ordinance 2014
- Member of the Hancock Regional Planning Commission Board 2015

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

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

The simple answer is a strong desire to give back to the community in which I live. I was very active on community boards in Findlay, Ohio prior to relocating to Surprise, AZ in July 2015. I served on the Hancock County Ohio Alcohol Drug and Mental Health Services (ADAMHS) Board on the Finance Committee; Hancock Historical Museum Association Board as Board Development Chair; and, the City of Findlay, Ohio member of the Hancock Regional Planning Commission Board. We had the opportunity to move to many different communities in the Phoenix area, but chose Surprise, AZ because of its safety record, access to recreation and the arts, we also took note of the progressive nature of the City Government and its growth. I would like to be a part of the future growth of my community!

Additional Information/Comments:

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

Dennis M Bash
Applicant's Signature

Please return to:

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

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

Date/Time/Initials Received by Clerk's Office:

8-22-16 *AK*

City of Surprise

APPOINTMENT APPLICATION FOR ALL
SURPRISE COMMISSIONSName: Gisèle NorbergDate Submitted: 8/22/16Resident of Surprise: ☒ Yes ☐ No Number of Years: 3 yrsBoard/Commission(s) you are applying for? Planning & ZoningEducation: BA - WSV Vancouver, WA 1999
magna cum laude

EMPLOYMENT BACKGROUND:

Present Employer/Position: Self-employed
work from homePrevious Employer(s)/Position (Last 5 Years): Direct Connect
Wireless, LLC - Owner

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

Baseball Coach
Office manager Hagan Construction

(Continued on Reverse Side)

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

No

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

I would like to be a Commission Member to help further the vision of the City of Surprise. We moved here knowing that Surprise was exactly what we were looking for in a community. There are many opportunities for growth in Surprise and I feel I would be able to contribute a great deal & be a voice for those in my demographic - families with young children.

Additional Information/Comments:

I've been a business owner and entrepreneur for 17 years. I grew up in the construction industry and watched my parents develop neighborhoods and strip malls. I would be a great addition to the

Planning and Zoning Commission and hope you will give me the opportunity to serve my community.

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

Gisèle Norberg
Applicant's Signature

Please return to:

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

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



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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Council Meeting Date:	October 18, 2016	Contact Person:	Mark A. Coronado, Director - Community & Recreation Services
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action authorizing funding to Thunderbird Artists in an amount not to exceed \$30,000 and amending the budget for FY2017 Surprise Fine Art and Wine Festival as recommended by the Tourism Advisory Commission; Resolution #2016-127.

Motion:

I move to approve Resolution #2016-127.

Background:

The City of Surprise Tourism Advisory Commission has recommended, and Council has approved four prior Thunderbird Artists Surprise Fine Art and Wine Festivals. Previous year Thunderbird artists received tourism funds in an amount not to exceed \$30,000. The funds were utilized to exclusively market the Festival utilizing national publications. The 2013 Surprise Fine Art and Wine Festival took place on February 1-3, the 2014 Festival took place January 24-26, in 2015 the Festival took place on February 6-8 and in 2016, the Festival was held January 22-24. All festivals were held at the Surprise Recreation Campus and has had an annual attendance of approximately 5,000 - 6,000. Approximately 39% of those that attend the event come from outside the Phoenix Metro Area. The 2016 event had 72 artists booths, 14 food/commercial booths, 6 wineries, 1 micro-brew, 1 distillery, 2 musicians. Thunderbird Artists requested Tourism Funds exclusively for marketing the Festival utilizing national publications for a 5th year event. On August 9, 2016 the Tourism Advisory Commission approved to recommend this event to Council in an amount not to exceed \$30,000. The event would be held February 17-19, 2017.

Objective Analysis:

Positive impacts include: 4 million impressions via promoting the event via local, regional and national media outlets. Thunderbird Artists is an award winning producer of events with over 35 year's experience.

Policy Compliant:

This action is compliant with City and Council Policy.

Financial Impact:

The Thunderbird Artists event cost will not exceed \$30,000 for promoting the event and is not expected to generate revenue for the city outside of sales taxes collected at the event. The amount of estimated sales tax will not cause an adjustment in year-end collection estimates. The expenditures are one-time for FY2017.

Budget Impact:

This event was not included as a part of the FY2017 adopted budget. If approved, the FY2017 Annual Budget will be amended by this action, reallocating appropriations among lawfully available appropriations and does not represent an actual transfer of funds, but only spending authority. The reallocation does not increase or decrease the total budget. The budget amendment will move \$30,000 from contingency to the CRS services budget within the Tourism Fund and is a one-time request for FY2017.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [Thunderbird Artists 2017 Proposal](#)
 - ☐ [Recap 2016 event](#)
 - ☐ [Resolution](#)
 - ☐ [Powerpoint](#)
-

RESOLUTION # 2016-127

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2017 BUDGET BY REALLOCATING APPROPRIATIONS OF \$30,000 WITHIN THE TOURISM FUND FROM CONTINGENCY TO SERVICES FOR THE 2017 THUNDERBIRD ARTISTS SURPRISE FINE ART AND WINE FESTIVAL.

WHEREAS, on August 4, 2015, Ordinance 2015-10 increased the tax on any hotel within the city in the business of charging for lodging and/or lodging space furnished to any transient to 4.52% of gross income;

WHEREAS, per the Comprehensive Financial Management Policies approved by the Mayor and Council in August 2016, of the tax collected for the Tourism Fund, 75% is designated for sports tourism facility development and improvement and 25% for marketing, studies, and special events;

WHEREAS, on August 9, 2016, the Tourism Advisory Commission voted to recommend that Council approve of the allocation of tourism funds in an amount not to exceed \$30,000 for expenses for the 2017 Thunderbird Artists Surprise Fine Art and Wine Festival;

WHEREAS, the City of Surprise wishes to authorize the use of \$30,000 of the tourism funds for the 2017 Thunderbird Artists Surprise Fine Art and Wine Festival;

WHEREAS, the FY2017 budget was adopted by Council Resolution #2016-81 on June 21, 2016;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2016 through June 30, 2017.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2016-127
Exhibit A

The FY2017 Annual Budget is amended by reallocating appropriations among lawfully available appropriations to ensure the continued operations of the City of Surprise in the payment of necessary expenditures. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these reallocations do not increase or decrease the total budget.

Tourism Fund	Current	Increase	Amended
Dept, Acct Category	Appropriation	(Decrease)	Appropriation
Community and Rec Svcs., Services	\$0	\$30,000	\$30,000
General Operations, Contingency	446,600	(30,000)	416,600
	<u>\$446,600</u>	<u>\$0</u>	<u>\$446,600</u>

The fund changes are as follows:

- The amendment utilizes contingency within the Tourism fund in the amount of \$30,000 for the 2017 Thunderbird Artists Surprise Fine Art and Wine Festival without exceeding the approved total annual budget for FY2017.



2017 Surprise Fine Art and Wine Festival

Community and Recreation Services Dept

SURPRISE FINE ART & WINE FESTIVAL

EVENT HIGHLIGHTS

- 5th Annual Surprise Fine Art and Wine Festival
February 17-19, 2017
- 2016 event had 72 artists booths, 14 food/commercial booths, 6 wineries, 1 micro-brew, 1 distillery, 2 musicians
- Attendance expected to be approximately 5,000-6,000

SURPRISE FINE ART & WINE FESTIVAL

- Approximately 4 million impressions (Arizona Office of Tourism, Western Art & Architecture, Home & Garden)
- Established for more than 35 years producing over 300 fine art events including festivals in Carefree, Scottsdale, Fountain Hills
- Requesting \$30,000 from Marketing/Studies/Special Events



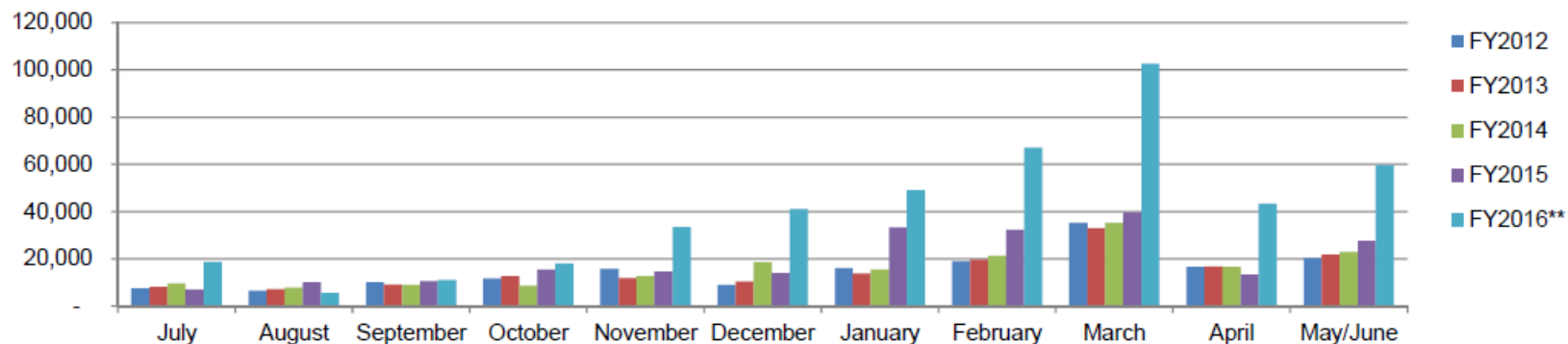
TOURISM FUND – MARKETING/STUDIES/EVENTS

Balance through June 2016

Marketing/Studies/Special Events

\$215,379

Bed Tax Revenue



**Transaction privilege tax for transient lodging increased to 4.52% effective November 1, 2016.

Tourism Fund Event Activity

Special Event Funding since 2012

- WHAM (Spring 2012) - \$28,714
- Surprise Fest 2012 (May 2012) - \$20,000
- CTCA Tennis Championships (May 2012) - \$100,000
- WHAM (April 2012) - \$9,999
- Thunderbird Artists (February 2013) - \$31,000
- Thunderbird Artists (January 2014) - \$31,000
- Celebrity Flag Football Tournament (January 2015) - \$50,000
- Thunderbird Artists (February 2015) - \$31,000
- Big 12 PAC 12 Challenge (January 2015) - \$15,000
- Thunderbird Artists (January 2016) - \$30,000



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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Council Meeting Date:	October 18, 2016	Contact Person:	Eric Fitzer - Community Development
Submitting Department:		District:	3
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Presentation and discussion on recording a blank petition to begin the process of annexing lands within a County island generally bound by the Acoma Drive to the north, Cactus Road to the South, 175th Avenue to the East and Cotton Lane to the South

Motion:

N/A

Background:

The City of Surprise was approached by a developer looking to develop a master planned community in an area not currently within the City of Surprise incorporated limits. The general boundaries of the proposed project are Waddell Road to the north, Cactus Road to the South, 175th Avenue to the West and Cotton Lane to the East. The area is located within a larger unincorporated County island.

Upon staff review of the proposal staff suggested to look at the possibility of attempting to annex additional properties in addition to the proposed master planned community. Staff has reached out to the Maricopa County Assessor's Office and the Arizona Department of Revenue for property owner information as well as assessed real and personal property values for the entire county island to ascertain what additional properties could be incorporated into the annexation. Staff is still waiting on research to determine the size and scale of the annexation.

Per the Arizona Revised Statutes 9-471 A. 1. the City may file a blank petition in the office of the County Clerk a blank petition setting forth the description and map of the proposed area to be annexed.

As such staff is presenting to Council the area in which the City may annex however without the information necessary to determine the valuations to be utilized the size and shape of the annexation is in flux. However staff wishes to brief council on the proposal and file the blank petition with the County at such time the staff has determined how much of the County Island could be annexed at one time.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and sales taxes and potential development fees. Negative impacts could include providing services in an area where the City did not have to previously serve.

Policy Compliant:

No action is being taken at this time. However if the City Council moves forward to annex property into the City limits the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

At this time there are no financial impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be financial impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes.

Budget Impact:

At this time there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits there could be minor budget impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes

FTE Impact:

At this time there would be no additional FTEs associated with this item. If the City Council moves forward to annex property into the City limits staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

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No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

October 18, 2016 @ 6:00:00 PM

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Council Meeting Date:	October 18, 2016	Contact Person:	Robert Wingo, City Attorney
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action to enter into executive session for discussions and consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the purchase of real property in the proximate vicinity of the Original Town Site.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

No Attachments Available
