



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

Tuesday, August 16, 2016 @ 6:00 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. City Clerk Report:
- 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. Regular City Council Meeting Agenda:

Consent Agenda:

- | | | | |
|----|------------|---|---|
| 1. | District 1 | Consideration and action pertaining to acceptance of maintenance of the streets and public utility improvements at Desert Oasis Parcel 14C, generally located northeast of 175th Avenue and Maya Way; Resolution # 2016-104. | None
Karl Zook,
Public
Works
Department |
| 2. | District 6 | Consideration and action pertaining to approval of the final plat | None |

- | | | |
|----|---|--|
| | <u>entitled "A Final Plat of the Spa 1 Water Reclamation Facility", a property generally located at the southeast corner of Cactus Road and Litchfield Road.</u> | Sergio Angulo - Community Development |
| 3. | District 1 <u>Consideration and action pertaining to acceptance of maintenance of the streets and public utility improvements at Desert Oasis Parcel 11, generally located west of 171st Avenue and Hedgehog Place; Resolution # 2016-103.</u> | None
Karl Zook, Public Works Department |
| 4. | District Citywide <u>Consideration and action on the meeting minutes of August 5, 2016 Regular City Council Meeting.</u> | None
Sherry Ann Aguilar, City Clerk |
| 5. | District 1 <u>Consideration and action on a request by Amy Phillips for a series #12 License (1207A710) for Babbo's Italian Eatery located at 16433 W. Bell Road, Surprise, AZ 85374.</u> | None
Sherry Ann Aguilar, City Clerk |

Regular Agenda Item - Public Hearing:

- | | | |
|----|---|--|
| 6. | District 6 <u>Consideration and action pertaining to rezoning approximately 176 acres of City owned property located at the southeast corner of Litchfield Road and Cactus Road from Residential Ranch (RR) to Public Facility (PF); Ordinance # 2016-23.</u> | None
Sergio Angulo - Community Development |
| 7. | District 5 <u>Consideration and action pertaining to approval of a Major Amendment to the Sierra Verde PAD, by modifying development standards and permitting attached and detached rental housing units on Parcel 8, an approximately 14.83 acre property located generally on the Southwest corner of Greenway and Litchfield Roads; Ordinance # 2016-22.</u> | None
Hobart Wingard - Community Development |

Regular Agenda Item - Non-Public Hearing:

- | | | |
|-----|--|---|
| 8. | District Citywide <u>Consideration and action pertaining to a fiscal year 2017 budget amendment reallocating appropriations from various funds for the fiscal year 2017 budget and adjusting budget authority; Resolution # 2016-102.</u> | None
Lindsey Duncan, Finance Director |
| 9. | District Internal <u>Consideration and action pertaining to support of the League of Arizona Cities and Towns 2017 Legislative Resolutions.</u> | None
Nicole Lance, Deputy City Manager |
| 10. | District Internal <u>Consideration and action pertaining to the August 8, 2016 ethics complaint filed by Vice-Mayor, Jim Biundo against Mayor, Sharon Wolcott based on her campaigning and fundraising for candidates for Surprise City Council under the auspices of the official title of "Mayor".</u> | None
VM Biundo & CM Winters |

J. Other Business and Future Agenda Items:

K. Mayor/Council Reports:

L. Executive Session:

- | | | |
|-----------------------|--|---|
| 11. District Internal | <u>Consideration and action to recess into executive session for discussion and consultation for legal advice with the City Attorney pertaining to litigation in Haga v. City of Surprise pursuant to A.R.S. 38-431.03 (A)(3).</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).

M. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED:

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

August 16, 2016 @ 6:00:00 PM

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Council Meeting Date:	August 16, 2016	Contact Person:	Karl Zook, Public Works Department
Submitting Department:	Public Works	District:	1
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action pertaining to acceptance of maintenance of the streets and public utility improvements at Desert Oasis Parcel 14C, generally located northeast of 175th Avenue and Maya Way; Resolution # 2016-104.

Motion:

I move to approve Resolution # 2016-104.

Background:

The Public Works Department conducted the final inspection of the public improvements for Desert Oasis Parcel 14C on or about August 17, 2015 totaling 18,251 SY (approximately 6,500 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, domestic water lines and wastewater lines.

Objective Analysis:

The improvements for this property provide roadways for conveyance through the property, domestic water lines to convey water from the City's public system to the property, and sewer lines to convey wastewater from the property to the City's public system. This action will accept the required infrastructure.

Policy Compliant:

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

Financial Impact:

Acceptance of streets, water, and sewer infrastructure increases the City's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure items included with this item

is \$1,583,203.

Budget Impact:

Funding for infrastructure maintenance is included in street preservation and maintenance, water and sewer operational budgets. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2016-104](#)
 - ☐ [Inspector Sign off](#)
 - ☐ [974-46](#)
 - ☐ [Res 2008-23](#)
 - ☐ [Notice of Completion](#)
 - ☐ [RFLS 5242](#)
-

RESOLUTION # 2016-104

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, CONDITIONALLY ACCEPTING MAINTENANCE OF THE STREET AND PUBLIC UTILITY IMPROVEMENTS AT DESERT OASIS PARCEL L14C GENERALLY LOCATED JOMAX ROAD AND 175TH AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Desert Oasis Parcel L14C on, January 24, 2008;

WHEREAS, Centex Homes, the developer of Desert Oasis Parcel L14C, dedicated to the City the street and public utility improvements, generally located at Jomax Road and 175th Avenue;

WHEREAS, the City of Surprise Public Works Department Engineering Division completed inspection of the improvements describes in this resolution on January 25, 2016;

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

WHEREAS, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements upon final acceptance of the improvements.

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

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

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs that the City to release warranty and begin maintenance of the street and public utility improvements.

APPROVED AND ADOPTED this _____ day of _____, 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT B

List and Cost of Improvements

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 7/8/16
Re: Desert Oasis Parcel 14C Public Improvements and City Acceptance

The public improvements for the above project have been completed and are on the August 16, 2016 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting.

- City Concrete - \$376,508.50
- City Water - \$343,565.50
- City Sewer - \$333,866.00
- City Paving - \$461,306.18
- City Storm Drain - \$67,956.75



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 12/10/15 Commercial ☐ Commercial w/Offsite ☒ Residential ☐

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

8/17/15 Date of Punch-List Walk 11/3/15 Date Punch-List Completed

Permit Number: E14P-0157

Project Name: Desert Oasis Parcel 14C Phase 2.3.4 Project Description (Phase/Parcel):

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

Pulte Development Corporation

16767 N. Perimeter Dr., Suite 100, Scottsdale, Az., 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
Bajada Rd	Local	174th Dr	175th Dr	2	1/4 mile	
175th Dr	Local	Red Bird Rd	Bajada Rd	2	1/4 mile	
Buckhorn Trail	Local	174th Dr	175th Dr	2	1/4 mile	
Fetlock Trail	Local	174th Lane	175th Dr	2	1/4 mile	
175th Dr	Local	Buckhorn Trail	Straight Arrow Lane	2	1/4 mile	

MATERIALS:

Asphalt: South West Asphalt Supplier 2 Total Lane Miles 18,251 Total Square Yards

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

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

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

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

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

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

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

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

N/A Final Certification Letter from Engineer of Record

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

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Sewer Pressure Testing Results

N/A Streetlight Energize Letter

☒ Sewer Manhole Vacuum Testing Certification

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

☒ Sewer Manhole Insecticide Certification

☒ CD with As Built Documents in .pdf format

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

Other (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 12/21/15

Civil Engineering Supervisor: [Signature]

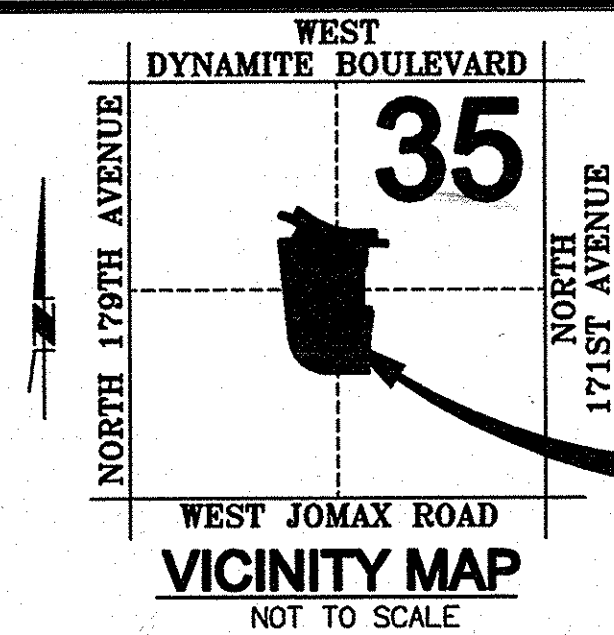
Date: 12/21/15



8/17/15 Date of Punch-List Walk 11/3/15 Date Punch-List Completed

16767 N. Perimeter Dr., Suite 100, Scottsdale, Az., 85260

Date: _____.



DESERT OASIS PARCEL L14C

NOTES

- CONSTRUCTION WITHIN PUBLIC UTILITY AND FACILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
- THAT NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE AREA WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE AREA. THE CITY OF SURPRISE MAY, IF IT SO DESIRES, CONSTRUCT AND/OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND IN THE AREA.
- THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE FACILITIES, LANDSCAPED AREAS, ETC. WITHIN THIS PROJECT.
- IF REQUIRED FIRE FLOW IS NOT AVAILABLE, ALL RESIDENTIAL UNITS SHALL BE EQUIPPED WITH A FIRE SPRINKLING SYSTEM.
- PROPERTIES BEING SERVED BY PRIVATE WELLS OR SEPTIC SYSTEMS SHALL BE CONNECTED TO MUNICIPAL WATER AND/OR SEWER SERVICE WITHIN 90 DAYS FROM THE DATE SUCH SERVICE BECOMES AVAILABLE, AND THE PROPERTY OWNER SHALL PAY ALL APPLICABLE DEVELOPMENT, CONNECTION AND SERVICE FEES. S.M.C. 13.04.230, 13.08.180.
- THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE ENGINEERING DEPARTMENT.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE DESIGNATION "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1135 G, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 30, 2005, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PLAT IS SITUATED.
- DEVELOPMENT OF EACH PARCEL SHALL BE IN ACCORDANCE WITH THE APPROVED MASTER SITE PLAN FOR THE ENTIRE PROPERTY. PLEASE CONTACT THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT TO OBTAIN A COPY OF THE MASTER SITE PLAN.

BOOK 974 PAGE 46

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2008-0169526
02/27/2008 09:52 AM

LOT SIZE SUMMARY

CATEGORY	LOT SIZE	LOT YIELD
D	65' X 115'	115 UNITS
E	70' X 115'	19 UNITS
F	75' X 115'	12 UNITS

TYPICAL LOT DIMENSIONS & BUILDING SETBACK LINES GREATER THAN OR EQUAL TO 75'

* 17' FOR FRONT LOAD GARAGE, 10' FOR FRONT PORCH,
12' FOR 115' DEEP LOTS

DEVELOPMENT STANDARDS

LOT CATEGORY	D	E	F
LOT WIDTH	65'	70'	75'
MAX HOME WIDTH	50'	55'	60'
FRONT SETBACK	12' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT LOAD GARAGE. 10' FOR FRONT PORCH.	12' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT LOAD GARAGE. 10' FOR FRONT PORCH.	12' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT LOAD GARAGE. 10' FOR FRONT PORCH.
SIDE SETBACK*	5'/10'	5'/10'	5'/10'
CORNER SIDE SETBACK	13' FROM RIGHT-OF-WAY	13' FROM RIGHT-OF-WAY	13' FROM RIGHT-OF-WAY
REAR SETBACK**	15'	20'	20'
REAR SETBACK (ARTERIAL STREET)	20'	25'	25'
BUILDING HEIGHT	30'	30'	30'

* ARCHITECTURAL ELEMENTS, POT SHELVES, SHADOW BOXES AROUND WINDOWS AND DOORS, BAY WINDOWS, ENTERTAINMENT UNITS, FIREPLACES, ETC. WILL BE ALLOWED TO ENCRoACH INTO THE SIDE SETBACKS BY A MAXIMUM OF 3 FEET AND INTO THE REAR SETBACK A MAXIMUM OF 2 FEET.
** PATIO COVERS MAY ENCRoACH A DISTANCE UP TO 10' FROM THE REAR PROPERTY LINE.

A FINAL PLAT OF

"DESERT OASIS PARCEL L14C"

LOCATED IN A PORTION OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, CITY OF SURPRISE, ARIZONA.
OWNER: CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP

NOTES (CONTINUED)

- THE ROADS DESIGNATED AS "PRIVATE" ARE PRIVATE ROADS, OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."
- 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 2020.
- 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 #14571 AND #14710, WHEN APPLICABLE.
- VEHICULAR NON ACCESS EASEMENTS (V.N.A.E.) CREATED BY THIS PLAT ARE INTENDED TO BENEFIT THE CITY OF SURPRISE AND BE RESTRICTIVE IN NATURE. THE INTENT OF SAID EASEMENTS IS TO PREVENT ACCESS TO PUBLIC RIGHT-OF-WAY AND PRIVATE H.O.A. MAINTAINED TRACTS. THE RESTRICTIVE NATURE OF V.N.A.E. WOULD PREVENT CONSTRUCTION OF PERMANENT R.V. GATES, DRIVEWAYS, OR RELOCATE POINTS OF ACCESS OVER SAID V.N.A.E. INTO REAR OR SIDE YARDS. THE V.N.A.E. IS NOT INTENDED TO PREVENT TEMPORARY CONSTRUCTION ACCESS AS LONG AS APPROVED BY THE CITY OF SURPRISE AND THE WALLS ARE RECONSTRUCTED TO THEIR ORIGINAL CONDITION.

REFERENCE DOCUMENTS

- ALTA/ACSM LAND TITLE SURVEY OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST PREPARED BY RBF CONSULTING DATED MAY 08, 2006.

ASSURED WATER SUPPLY

CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY NO. 26-002344. PURSUANT TO SECTION 45-576, A.R.S. ISSUED FOR DESERT OASIS BY THE ARIZONA DEPARTMENT OF WATER RESOURCES ON NOVEMBER 11, 1997.

LIMITATIONS ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY

THE LOTS AND PARCELS CREATED, DEFINED OR DEPICTED ON THIS PLAT ARE SUBJECT TO A LIMITATION ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AS SET FORTH WITHIN THE SURPRISE MUNICIPAL CODE. NO PERSON MAY OCCUPY A BUILDING OR STRUCTURE ERECTED ON ANY LOT OR PARCEL ON THIS PLAT UNTIL THE CITY OF SURPRISE HAS ISSUED A CERTIFICATE OF OCCUPANCY. THE CITY WILL NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL ALL ON-SITE IMPROVEMENTS SUBJECT TO A CERTIFICATE OF OCCUPANCY FREEZE HAVE BEEN CONSTRUCTED AND CONDITIONALLY ACCEPTED BY THE CITY OF SURPRISE. THIS LIMITATION MAY BE RELEASED IN PHASES. A PROSPECTIVE BUYER OF A LOT OR PARCEL SHOULD REQUIRE THE SELLER TO PRODUCE A RECORDED RELEASE OF THIS LIMITATION SIGNED BY THE CITY OF SURPRISE PRIOR TO PURCHASING OR CLOSING ESCROW ON ANY LOT OR PARCEL. FAILURE TO OBTAIN SUCH A RELEASE OF THIS LIMITATION MAY RESULT IN THE BUYER BEING PROHIBITED FROM OCCUPYING THE HOUSE OR STRUCTURE BUILT ON THE LOT OR PARCEL.

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF February, 2008, BY Joan Scarbrough
THE VP Land Development OF CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION, THE MANAGING GENERAL PARTNER OF CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP.

IN WITNESS WHEREOF: I HERETO SET MY HAND AND OFFICIAL SEAL,

MY COMMISSION EXPIRES: Sept 30, 2008



NOTARY PUBLIC

CERTIFICATIONS

DATA ON THIS PLAT REVIEWED AND APPROVED THIS 15 DAY OF FEB, 2008 BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

James Tate
CITY ENGINEER

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS 24th DAY OF January, 2008.

LET MITT
MAYOR

ATTEST:
Sherry Ann Ogilvie
CITY CLERK

PUBLIC NOTICE: SOUND ATTENUATION AND OVERFLIGHT LANGUAGE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE 1988 MAG NOISE CONTOUR LINES IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF FEBRUARY 2008, AND THAT THE PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED IN IT HAVE BEEN LOCATED AND OR WILL BE LOCATED AS SHOWN HEREON.

DAVID M. SCHLIEF R.L.S. #31034

OWNER/DEVELOPER

MICHAEL J. PARK
CENTEX HOMES
8665 EAST HARTFORD DRIVE,
SUITE 200
SCOTTSDALE, ARIZONA 85255
PHONE: (480) 889-0900 EXT. 3342
FAX: (480) 889-0948

SURVEYOR

DAVID M. SCHLIEF, R.L.S.
RBF CONSULTING
16605 N. 28TH AVENUE, SUITE 100
PHOENIX, AZ 85053
PHONE: (602) 467-2200
FAX: (602) 467-2201

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS DEDICATION

KNOW ALL BY THESE PRESENTS: THAT CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, HAS SUBDIVIDED UNDER THE NAME DESERT OASIS PARCEL L14C, A SUBDIVISION LOCATED IN A PORTION OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, CITY OF SURPRISE, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF DESERT OASIS PARCEL L14C 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 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 CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

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

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS 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.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS, PARKS, AND 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 OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY THE OWNER AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS.

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 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, CENTEX HAS HERETO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS 14th DAY OF February, 2008.

CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP

BY: CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION,
ITS: MANAGING GENERAL PARTNER

BY: Joan Scarbrough
NAME: Joan Scarbrough
ITS: V.P. Land Development

CERTIFICATE FOR RECORDING

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER AT 0 O'CLOCK PM, 2008, AND FULLY RECORDED IN BOOK 974, PAGE NO. 46

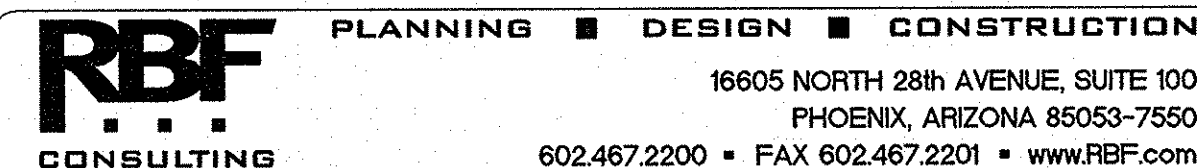
BY: _____
COUNTY RECORDER

RELEASE OF LIABILITY

CENTEX HOMES DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES AIR FORCE 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 UNITED STATES AIR FORCE 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 THIS PLAT, UNTIL SUCH TIME AS THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 02/11/2008
SHEET 1 OF 8



LEGAL DESCRIPTION

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 35, MONUMENTED BY A 2 INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T5N R2W 1/4 S35 S36 2002 RLS 21782", FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 35, MONUMENTED BY A 2 INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T5N R2W S26 S25 S36 S35 2002 R.L.S. 21782", BEARS AS BASIS OF BEARINGS SOUTH 00°03'05" WEST, A DISTANCE OF 2635.74 FEET;

THENCE NORTH 00°03'05" EAST ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 322.86 FEET;

THENCE NORTH 89°56'55" WEST, A DISTANCE OF 2086.21 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 46.00 FEET;

THENCE NORTH 89°43'39" WEST, A DISTANCE OF 256.30 FEET;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 116.00 FEET;

THENCE NORTH 89°43'39" WEST, A DISTANCE OF 11.62 FEET;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 127.12 FEET;

THENCE SOUTH 65°17'43" WEST, A DISTANCE OF 39.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 65°17'43" WEST, A DISTANCE OF 55.00 FEET;

THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 42°19'07", AN ARC DISTANCE OF 40.62 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 72°23'10" EAST, A DISTANCE OF 55.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17°20'29", AN ARC DISTANCE OF 16.65 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 451.21 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 89°43'39" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°43'39" EAST, A DISTANCE OF 75.59 FEET;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 46.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 00°16'21" WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 96°57'15", AN ARC DISTANCE OF 33.84 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 07°13'36" WEST, A DISTANCE OF 191.41 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 82°46'24" WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°02'45", AN ARC DISTANCE OF 28.99 FEET TO A POINT OF NON-TANGENCY;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 23.00 FEET;

THENCE NORTH 89°43'39" WEST, A DISTANCE OF 10.49 FEET;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 23.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 00°16'21" WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 96°57'15", AN ARC DISTANCE OF 33.84 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 07°13'36" WEST, A DISTANCE OF 60.08 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 82°46'24" EAST, A DISTANCE OF 523.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°57'15", AN ARC DISTANCE OF 63.48 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 64.62 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 89°43'39" WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF NON-TANGENCY;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 46.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 00°16'21" WEST, A DISTANCE OF 20.00 FEET;

THENCE EASTERLY, SOUTHEASTERLY AND SOUTHERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 165.51 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 89°43'39" WEST, A DISTANCE OF 20.00 FEET;

LEGAL DESCRIPTION (CONTINUED)

THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE NORTH 89°43'39" WEST, A DISTANCE OF 484.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 00°17'12" EAST, A DISTANCE OF 465.13 FEET;

THENCE WESTERLY AND NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°59'20", AN ARC DISTANCE OF 681.83 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 05°42'37" WEST, A DISTANCE OF 1230.05 FEET;

THENCE NORTH 84°17'23" EAST, A DISTANCE OF 160.00 FEET;

THENCE NORTH 31°13'38" EAST, A DISTANCE OF 190.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 34°33'09" EAST, A DISTANCE OF 1322.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°44'50", AN ARC DISTANCE OF 17.24 FEET TO A POINT OF TANGENCY;

THENCE NORTH 54°42'01" WEST, A DISTANCE OF 92.48 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 35°17'59" WEST, A DISTANCE OF 277.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20°30'18", AN ARC DISTANCE OF 99.13 FEET TO A POINT OF TANGENCY;

THENCE NORTH 75°12'19" WEST, A DISTANCE OF 85.44 FEET;

THENCE NORTH 14°47'41" EAST, A DISTANCE OF 46.00 FEET;

THENCE SOUTH 75°12'19" EAST, A DISTANCE OF 85.44 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 14°47'41" WEST, A DISTANCE OF 323.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 15°50'12", AN ARC DISTANCE OF 89.28 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 30°37'53" EAST, A DISTANCE OF 121.47 FEET;

THENCE SOUTH 55°00'27" EAST, A DISTANCE OF 81.98 FEET;

THENCE SOUTH 55°11'40" EAST, A DISTANCE OF 86.47 FEET;

THENCE SOUTH 58°37'53" EAST, A DISTANCE OF 78.94 FEET;

THENCE SOUTH 62°32'48" EAST, A DISTANCE OF 78.94 FEET;

THENCE SOUTH 66°27'42" EAST, A DISTANCE OF 78.94 FEET;

THENCE SOUTH 70°22'36" EAST, A DISTANCE OF 78.94 FEET;

THENCE SOUTH 74°17'30" EAST, A DISTANCE OF 78.94 FEET;

THENCE SOUTH 78°12'25" EAST, A DISTANCE OF 86.54 FEET;

THENCE NORTH 08°19'07" EAST, A DISTANCE OF 1.27 FEET;

THENCE SOUTH 81°40'53" EAST, A DISTANCE OF 46.00 FEET;

THENCE SOUTH 08°19'07" WEST, A DISTANCE OF 1.24 FEET;

THENCE SOUTH 84°48'24" EAST, A DISTANCE OF 86.56 FEET;

THENCE SOUTH 89°12'53" EAST, A DISTANCE OF 79.31 FEET;

THENCE SOUTH 89°43'39" EAST, A DISTANCE OF 160.00 FEET;

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 120.50 FEET;

THENCE SOUTH 89°43'39" EAST, A DISTANCE OF 139.81 FEET TO THE TRUE POINT OF BEGINNING

DESERT OASIS PARCEL L14C

BASIS OF BEARINGS

THE BEARINGS FOR THIS PLAT ARE BASED ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MONUMENTED BY A DRILL HOLE WITH TAG AT THE SOUTHEAST CORNER OF SAID SECTION 35, AND MONUMENTED BY AN ALUMINUM CAP AND REBAR AT THE EAST QUARTER CORNER OF SAID SECTION 35, SAID LINE BEARS NORTH 00°04'08" EAST, A DISTANCE OF 2475.27 FEET, (NORTH 00°04'08" EAST, A DISTANCE OF 2474.87 (GRID) PER MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY, RECORDED IN BOOK 656, PAGE 21, MARICOPA COUNTY RECORDER'S OFFICE). FIELD MEASURED VALUES WERE LOCATED BY GPS TECHNIQUES AND WERE SCALED HORIZONTALLY BY MULTIPLYING THE GRID COORDINATE VALUES BY A COMBINED SCALE FACTOR OF 1.000140799. ALL DISTANCES SHOWN IN THIS PLAT ARE GROUND VALUES. GPS CONTROL FOR THIS PROJECT UTILIZED GDACS MONUMENT "41C1", WITH COORDINATES BASED ON NORTH AMERICAN DATUM 1983 STATE PLANE ARIZONA CENTRAL ZONE.

TRACT AREA TABLE

TRACT	SQUARE FEET	ACREAGE	USE
A-L14C	889	0.0204	LANDSCAPING
B-L14C	889	0.0204	LANDSCAPING
C-L14C	857	0.0197	LANDSCAPING
D-L14C	790	0.0181	LANDSCAPING
E-L14C	20,686	0.4794	LANDSCAPING
F-L14C	1,070	0.0246	LANDSCAPING
G-L14C	1,715	0.0394	LANDSCAPING
H-L14C	2,807	0.0644	LANDSCAPING
I-L14C	1,679	0.0386	LANDSCAPING
J-L14C	2,005	0.0460	LANDSCAPING
K-L14C	1,900	0.0436	LANDSCAPING
L-L14C	1,733	0.0398	LANDSCAPING
M-L14C	120,304	2.7618	LANDSCAPING/DRAINAGE/RETENTION
N-L14C	789	0.0181	LANDSCAPING
O-L14C	3,258	0.0748	LANDSCAPING
P-L14C	915	0.0210	LANDSCAPING
Q-L14C	1,710	0.0393	LANDSCAPING
R-L14C	71,211	1.6348	LANDSCAPING/POOL SITE
TOTAL	235,207	5.3996	

BOOK 974 PAGE 46

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL

2008 - 0169526

02/27/2008 09:52 AM

SITE SUMMARY TABLE

GROSS AREA	41.2868 ACRES	1,798,452 SQUARE FEET
AREA OF PUBLIC STREETS	7.8690 ACRES	342,773 SQUARE FEET
NET ACREAGE (GROSS AREA MINUS PUBLIC STREETS)	33.4178 ACRES	1,455,679 SQUARE FEET
AREA OF TRACTS (OPEN SPACE, DRAINAGE, WELL SITE, AMENITIES, AND LANDSCAPE)	5.3996 ACRES	235,207 SQUARE FEET
OPEN SPACE PERCENTAGE	16.16%	
AREA OF LOTS	28.0182 ACRES	1,220,472 SQUARE FEET
TOTAL NUMBER OF LOTS	146	
OVERALL GROSS DENSITY	3.5362 DWELLING UNIT / ACRE	
AVERAGE AREA PER LOT (NET ACREAGE DIVIDED BY THE NUMBER OF LOTS)	0.2289 ACRES	9,970 SQUARE FEET
MINIMUM LOT AREA	0.1701 ACRES	7,410 SQUARE FEET
AVERAGE LOT AREA (AREA OF LOTS DIVIDED BY THE TOTAL NUMBER OF LOTS)	0.1919 ACRES	8,359 SQUARE FEET
MAXIMUM LOT AREA	0.2963 ACRES	12,908 SQUARE FEET
MAXIMUM NUMBER OF LOTS PER PLANNED AREA DEVELOPMENT	157	
PROJECTED POPULATION 3.2 PERSONS PER DWELLING UNIT	467	
PROJECTED NUMBER OF FAMILIES	146	

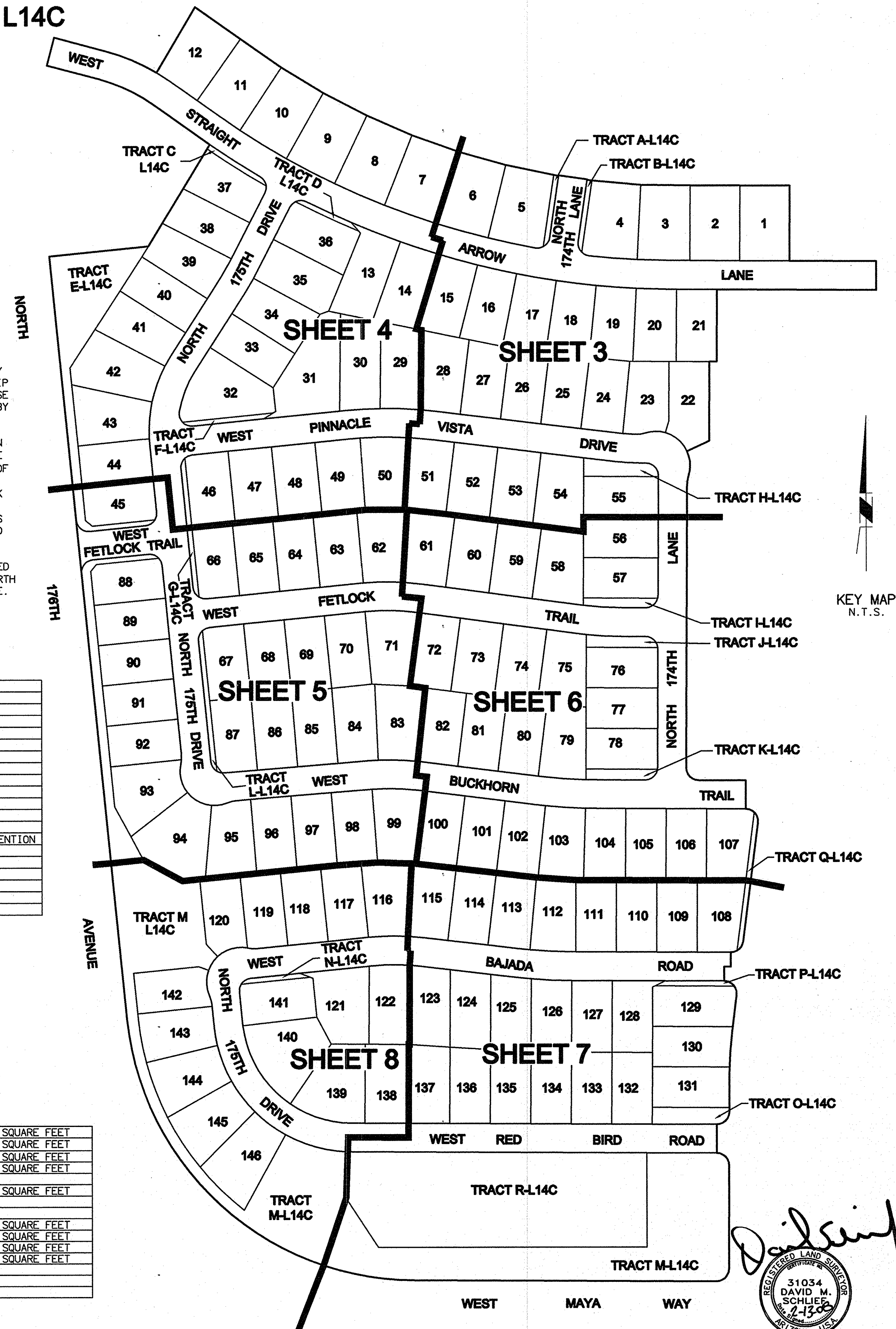


PLANNING ■ DESIGN ■ CONSTRUCTION

16605 NORTH 28th AVENUE, SUITE 100

PHOENIX, ARIZONA 85053-7550

602.467.2200 • FAX 602.467.2201 • www.RBF.com



DESERT OASIS PARCEL L14C
RBF #45-102480, DATE 02/13/2008
SHEET 2 OF 8

DESERT OASIS PARCEL L14C

PROPOSED
DESERT OASIS
PARCEL L13B

NORTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOUND 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED "T5N R2W S26 S25 S36 S35 2002 RLS 21782".

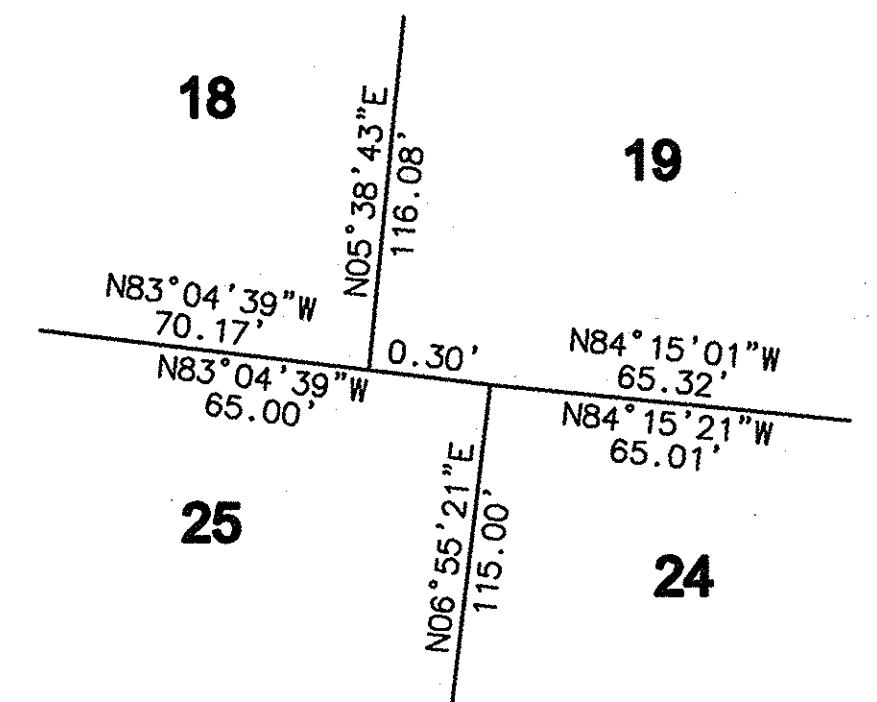
DESERT OASIS
PARCEL L13A
BOOK 892, PAGE 16,
M.C.R.

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	42°19'07"	55.00'	40.62'	21.29'	39.71'	S03°32'43"E
C2	17°20'29"	55.00'	16.65'	8.39'	16.58'	S08°56'36"W
C3	09°20'50"	1299.00'	211.92'	106.19'	211.68'	N77°00'28"W
C4	16°33'21"	1299.00'	375.35'	188.99'	374.04'	N81°26'59"W
C5	08°02'46"	1299.00'	182.42'	91.36'	182.27'	N85°42'16"W
C6	06°39'00"	300.00'	34.82'	17.43'	34.80'	N86°24'09"W
C7	03°43'26"	646.00'	41.99'	21.00'	41.98'	N84°56'22"W
C8	02°24'42"	646.00'	27.19'	13.60'	27.19'	N84°17'00"W
C9	07°23'07"	1276.00'	164.47'	82.35'	164.36'	N76°01'37"W
C10	91°57'43"	20.00'	32.10'	20.70'	28.76'	N54°17'59"E
C11	91°57'43"	20.00'	32.10'	20.70'	28.76'	N37°39'44"W
C12	06°05'03"	1276.00'	135.50'	67.81'	135.43'	N86°41'07"W
C13	16°33'21"	1322.00'	381.99'	192.34'	380.67'	N81°26'59"W
C14	02°14'45"	669.00'	26.22'	13.11'	26.22'	N84°12'01"W
C15	05°19'35"	277.00'	25.75'	12.88'	25.74'	N85°44'26"W
C16	18°33'41"	55.00'	17.82'	8.99'	17.74'	N82°18'56"E
C17	124°34'45"	55.00'	119.59'	104.71'	97.38'	N44°40'32"W
C18	90°00'00"	20.00'	31.42'	20.00'	28.28'	N44°43'39"W
C19	06°39'00"	323.00'	37.49'	18.77'	37.47'	N86°24'09"W
C20	03°43'26"	623.00'	40.49'	20.25'	40.48'	N84°56'22"W
C21	03°54'54"	1276.00'	87.19'	43.61'	87.17'	N74°17'30"W
C22	03°28'12"	1276.00'	77.28'	38.65'	77.27'	N77°04'04"W
C23	38°49'55"	20.00'	13.55'	7.05'	13.30'	N80°51'53"E
C24	53°07'48"	20.00'	18.55'	10.00'	17.89'	N34°53'01"E
C25	53°07'48"	20.00'	18.55'	10.00'	17.89'	N18°14'47"W
C26	38°49'55"	20.00'	13.55'	7.05'	13.30'	N64°13'39"W
C27	03°28'12"	1276.00'	77.28'	38.65'	77.27'	N85°22'42"W
C28	02°36'51"	1276.00'	58.22'	29.11'	58.21'	N88°25'14"W
C29	02°34'37"	1322.00'	59.46'	29.73'	59.45'	N88°26'20"W
C30	02°47'45"	1322.00'	64.51'	32.26'	64.50'	N85°45'09"W
C31	02°47'45"	1322.00'	64.51'	32.26'	64.50'	N82°57'24"W
C32	02°47'45"	1322.00'	64.51'	32.26'	64.50'	N80°09'39"W
C33	02°47'43"	1322.00'	64.50'	32.26'	64.49'	N77°21'55"W
C34	02°47'45"	1322.00'	64.51'	32.26'	64.50'	N74°34'11"W
C35	01°17'12"	277.00'	6.22'	3.11'	6.22'	N83°43'15"W
C36	04°02'23"	277.00'	19.53'	9.77'	19.53'	N86°23'02"W
C37	33°11'37"	55.00'	31.86'	16.39'	31.42'	N89°37'54"E
C38	49°04'00"	55.00'	47.10'	25.10'	45.67'	N49°14'17"W

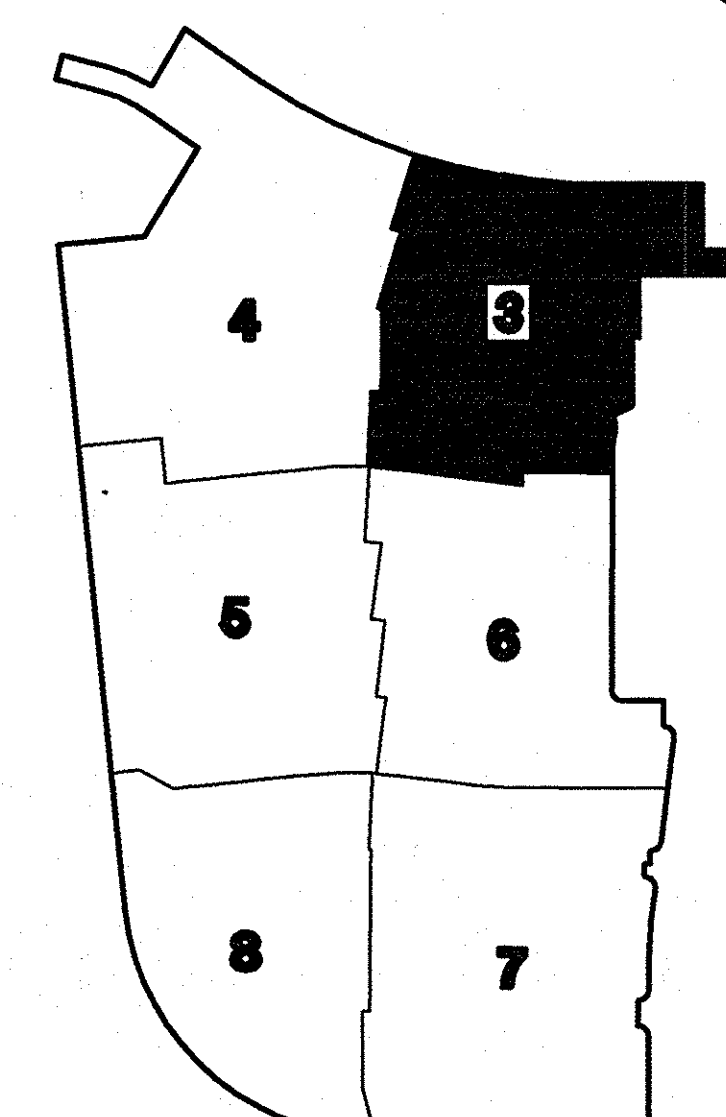
EAST QUARTER CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOUND 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED "T5N R2W 1/4 S35 S36 2002 RLS 21782"
POINT OF COMMENCEMENT.

PROPOSED
DESERT OASIS
PARCEL L14B
BOOK 892, PAGE 17, M.C.R.



DETAIL A
NOT TO SCALE

SOUTHEAST CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST,
GILA AND SALT RIVER BASE AND MERIDIAN
FOUND DRILL HOLE IN CONCRETE CATTLE
GUARD WITH TAG STAMPED "RLS 21782".



SHEET INDEX
THIS SHEET IN BLACK

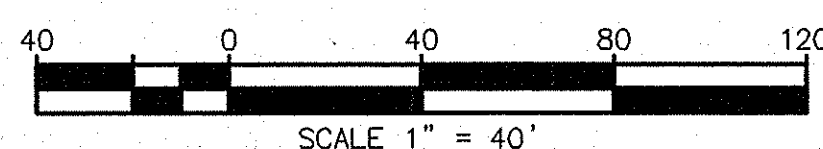
NO.	BEARING	LENGTH
L1	S74°17'30"E	78.94'
L2	S78°12'25"E	86.54'
L3	N08°19'07"E	1.27'
L4	S81°40'53"E	46.00'
L5	S08°19'07"W	1.24'
L6	S84°48'24"E	86.56'
L7	S89°12'53"E	79.31'
L8	S00°16'21"W	46.00'
L9	N89°43'39"W	11.62'
L10	S65°17'43"W	39.45'
L11	S00°16'21"W	451.21'
L12	N00°16'21"E	109.69'
L13	N89°43'39"W	54.47'
L14	N08°19'07"E	100.98'
L15	N08°19'07"E	100.98'
L16	N00°16'21"E	66.69'
L17	N89°43'39"W	11.47'
L18	N16°13'43"E	20.00'
L19	N08°19'07"E	116.19'
L20	N08°19'07"E	116.18'

PLANNING ■ DESIGN ■ CONSTRUCTION
16605 NORTH 28TH AVENUE, SUITE 100
PHOENIX, ARIZONA 85053-7550
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BOOK 974 PAGE 46
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2008 - 0169526
02/27/2008 09:52 AM

LEGEND

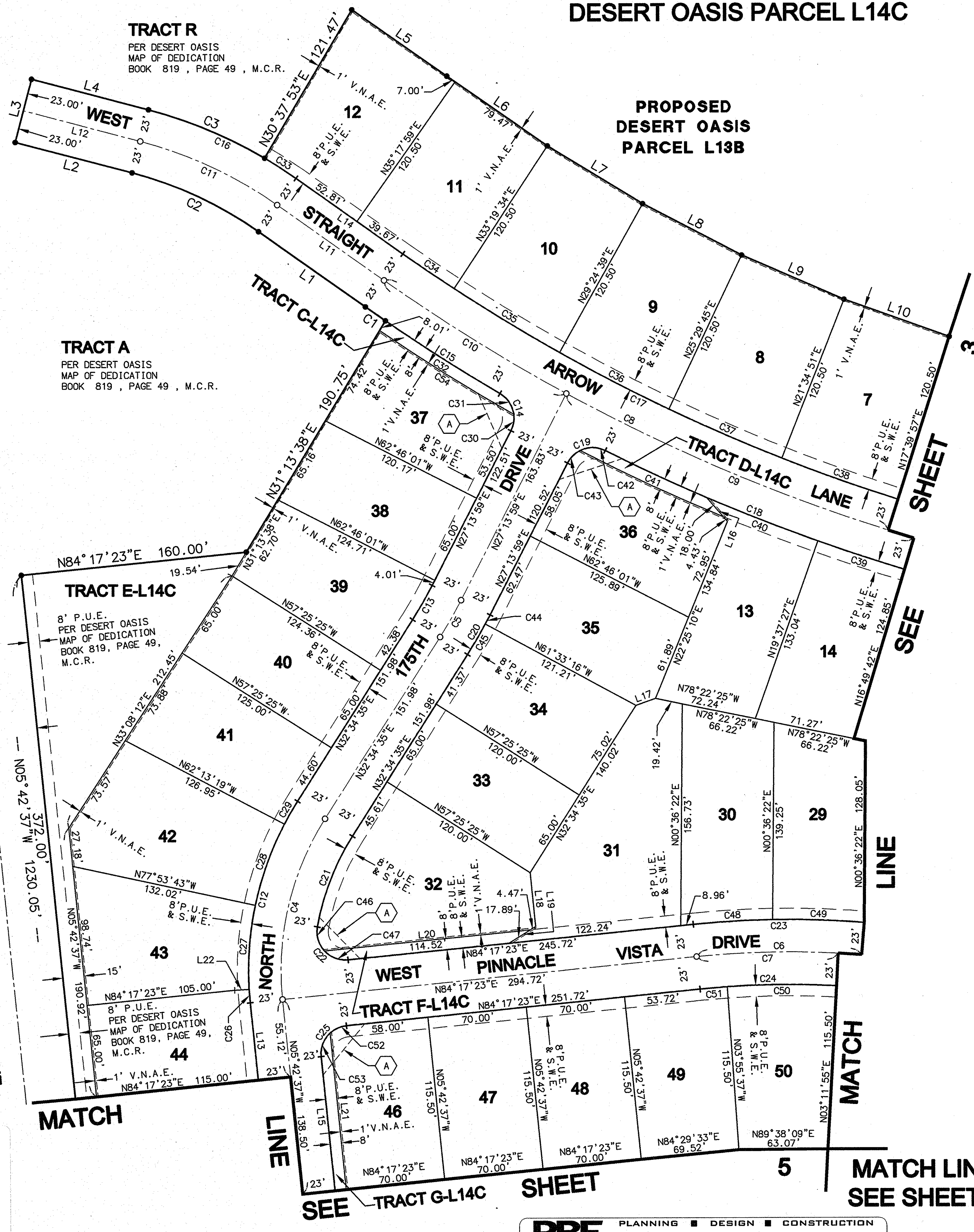
- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP LS #31034 UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
- P.U.E. PUBLIC UTILITY EASEMENT
- S.W.E. SIDEWALK EASEMENT
- B.S.L. BUILDING SETBACK LINE
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- 33' X 33' SIGHT VISIBILITY EASEMENT
- R= INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDER



31034
DAVID M. SCHLIEF
7-13-08
ARIZONA
Expires 3/31/09

DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 02/13/2008
SHEET 3 OF 8

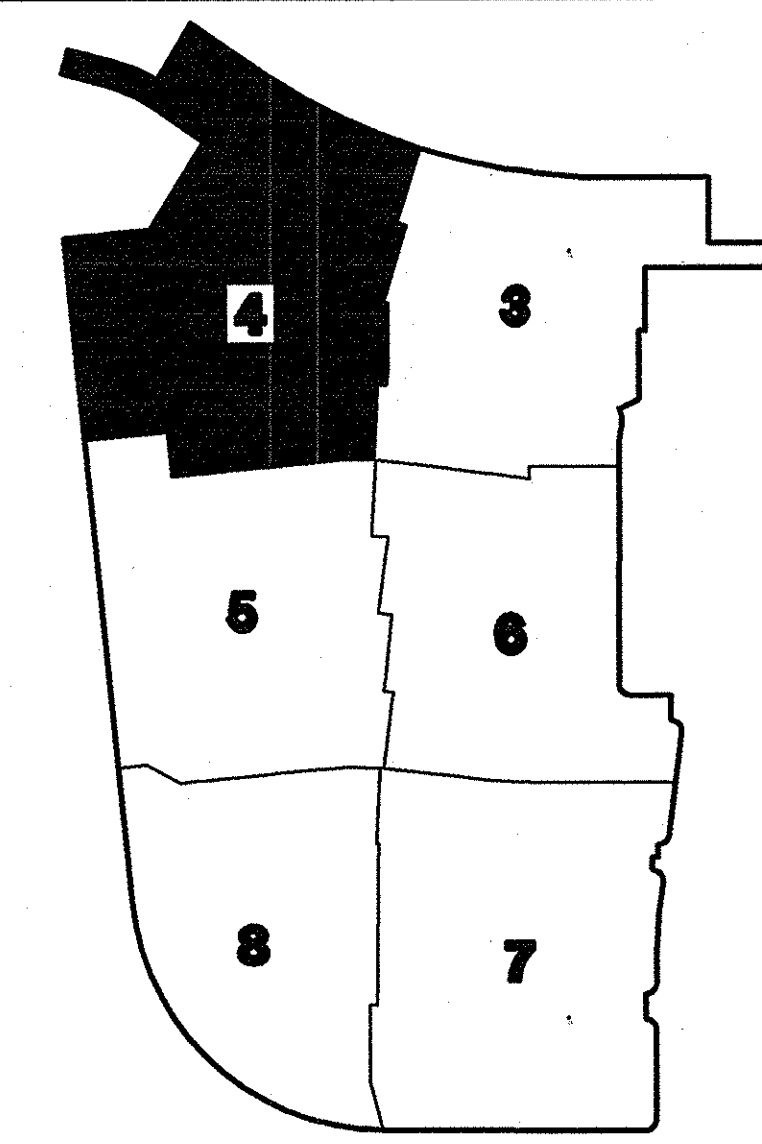
DESERT OASIS PARCEL L14C



CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	00°44'50"	1322.00'	17.24'	8.62'	17.24'	N55°04'26"W
C2	20°30'18"	277.00'	99.13'	50.10'	98.60'	N64°57'10"W
C3	15°50'12"	323.00'	89.28'	44.93'	88.99'	S67°17'13"E
C4	38°17'12"	200.00'	133.65'	69.43'	131.17'	N13°25'59"E
C5	05°20'36"	323.00'	30.12'	15.07'	30.11'	N29°54'17"E
C6	10°23'13"	646.00'	117.11'	58.72'	116.95'	N89°29'00"E
C7	08°54'32"	646.00'	100.45'	50.32'	100.35'	N88°44'39"E
C8	17°38'02"	1299.00'	399.79'	201.49'	398.22'	N63°31'02"W
C9	11°46'20"	1299.00'	266.90'	133.92'	266.43'	N67°17'08"W
C10	06°41'57"	1299.00'	151.88'	76.03'	151.80'	N58°03'00"W
C11	20°30'18"	300.00'	107.36'	54.26'	106.79'	N64°57'10"W
C12	38°17'12"	223.00'	149.02'	77.41'	146.26'	N13°25'59"E
C13	05°20'36"	300.00'	27.98'	14.00'	27.97'	N29°54'17"E
C14	86°50'20"	20.00'	30.31'	18.93'	27.49'	N16°11'11"W
C15	04°54'20"	1322.00'	113.19'	56.63'	113.16'	N57°09'11"W
C16	20°30'18"	323.00'	115.59'	58.42'	114.98'	N64°57'10"W
C17	17°38'02"	1276.00'	392.71'	197.92'	391.17'	N63°31'02"W
C18	09°53'33"	1322.00'	228.25'	114.41'	227.97'	N68°13'32"W
C19	89°29'16"	20.00'	31.24'	19.82'	28.16'	N71°58'37"E
C20	05°20'36"	346.00'	32.27'	16.15'	32.26'	N29°54'17"E
C21	22°23'28"	177.00'	69.17'	35.03'	68.73'	N21°22'51"E
C22	105°53'44"	20.00'	36.96'	26.49'	31.92'	N42°45'45"W
C23	10°23'13"	669.00'	121.28'	60.81'	121.11'	N89°29'00"E
C24	08°54'32"	623.00'	96.87'	48.53'	96.77'	N88°44'39"E
C25	90°00'00"	20.00'	31.42'	20.00'	28.28'	N39°17'23"E
C26	02°25'37"	223.00'	9.45'	4.72'	9.45'	N04°29'48"W
C27	15°23'17"	223.00'	59.89'	30.13'	59.71'	N04°24'39"E
C28	15°40'24"	223.00'	61.00'	30.69'	60.81'	N19°56'29"E
C29	04°47'55"	223.00'	18.68'	9.34'	18.67'	N30°10'38"E
C30	34°03'04"	20.00'	11.89'	6.12'	11.71'	N10°12'27"E
C31	52°47'16"	20.00'	18.43'	9.93'	17.78'	N33°12'44"W
C32	04°09'31"	1322.00'	95.95'	48.00'	95.93'	N57°31'36"W
C33	04°40'06"	323.00'	26.32'	13.17'	26.31'	N57°02'04"W
C34	01°58'25"	1276.00'	43.95'	21.98'	43.95'	N55°41'14"W
C35	03°54'54"	1276.00'	87.19'	43.61'	87.17'	N58°37'53"W
C36	03°54'54"	1276.00'	87.19'	43.61'	87.17'	N62°32'48"W
C37	03°54'54"	1276.00'	87.19'	43.61'	87.17'	N66°27'42"W
C38	03°54'54"	1276.00'	87.19'	43.61'	87.17'	N70°22'36"W
C39	02°47'45"	1322.00'	64.51'	32.26'	64.50'	N71°46'26"W
C40	03°39'44"	1322.00'	84.50'	42.26'	84.49'	N68°32'41"W
C41	03°26'04"	1322.00'	79.24'	39.63'	79.23'	N64°59'47"W
C42	52°47'16"	20.00'	18.43'	9.93'	17.78'	N89°40'24"W
C43	36°42'00"	20.00'	12.81'	6.63'	12.59'	N45°34'59"E
C44	01°12'45"	346.00'	7.32'	3.66'	7.32'	N27°50'21"E
C45	04°07'52"	346.00'	24.95'	12.48'	24.94'	N30°30'40"E
C46	52°45'56"	20.00'	18.42'	9.92'	17.77'	N16°11'51"W
C47	53°07'48"	20.00'	18.55'	10.00'	17.89'	N69°08'43"W
C48	04°48'59"	669.00'	56.24'	28.14'	56.22'	N66°41'53"E
C49	05°34'14"	669.00'	65.04'	32.55'	65.02'	N68°06'31"W
C50	07°07'32"	623.00'	77.48'	38.79'	77.43'	N89°38'09"E
C51	01°47'00"	623.00'	19.39'	9.70'	19.39'	N85°10'53"E
C52	36°52'12"	20.00'	12.87'	6.67'	12.65'	N65°51'17"E
C53	53°07'48"	20.00'	18.55'	10.00'	17.89'	N20°51'17"E
C54	04°49'29"	1330.00'	111.99'	56.03'	111.96'	N57°52'47"W

LINE TABLE		
NO.	BEARING	LENGTH
L1	N54°42'01"W	92.48'
L2	N75°12'19"W	85.44'
L3	N14°47'41"E	46.00'
L4	S75°12'19"E	85.44'
L5	S55°00'27"E	81.98'
L6	S55°11'40"E	86.47'
L7	S58°37'53"E	78.94'
L8	S62°32'48"E	78.94'
L9	S66°27'42"E	78.94'
L10	S70°22'36"E	78.94'
L11	N54°42'01"W	92.48'
L12	N75°12'19"W	85.44'
L13	N05°42'37"W	55.12'
L14	N54°42'01"W	92.48'
L15	N05°42'37"W	95.50'
L16	N40°40'09"W	22.43'
L17	N70°16'32"E	14.62'
L18	N05°42'37"W	38.12'
L19	N57°43'29"E	22.36'
L20	N84°17'23"E	146.52'
L21	N05°42'37"W	111.50'
L22	N86°43'00"E	10.21'

- LEGEND**
- SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP LS #31034 UNLESS OTHERWISE STATED
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 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - (A) 33' X 33' SIGHT VISIBILITY EASEMENT
 - R= INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER

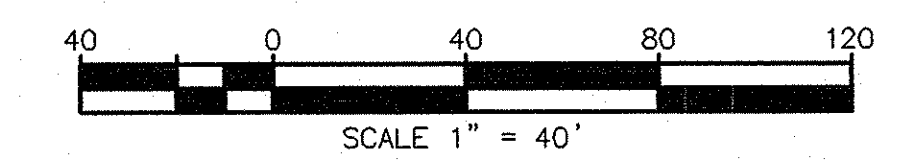


SHEET INDEX
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David M. Schlieff
REGISTERED LAND SURVEYOR
31034
DAVID M. SCHLIEFF
K-13-05
ARIZONA
EXPIRES 3/31/09

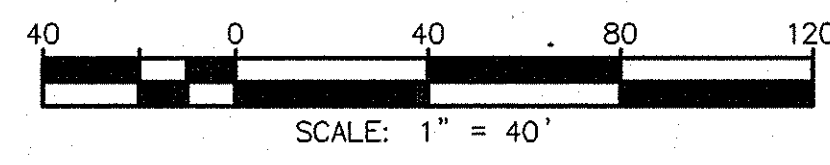
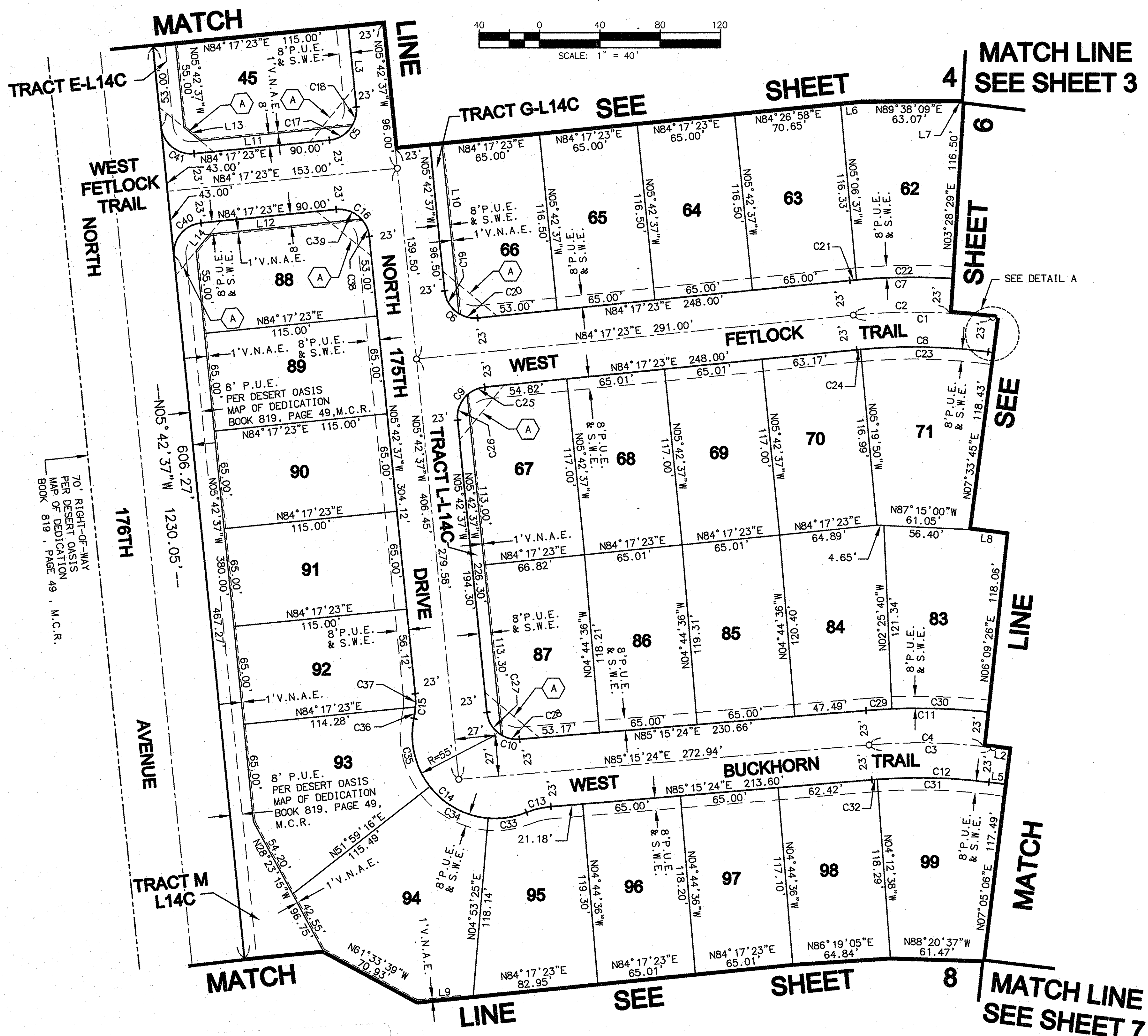
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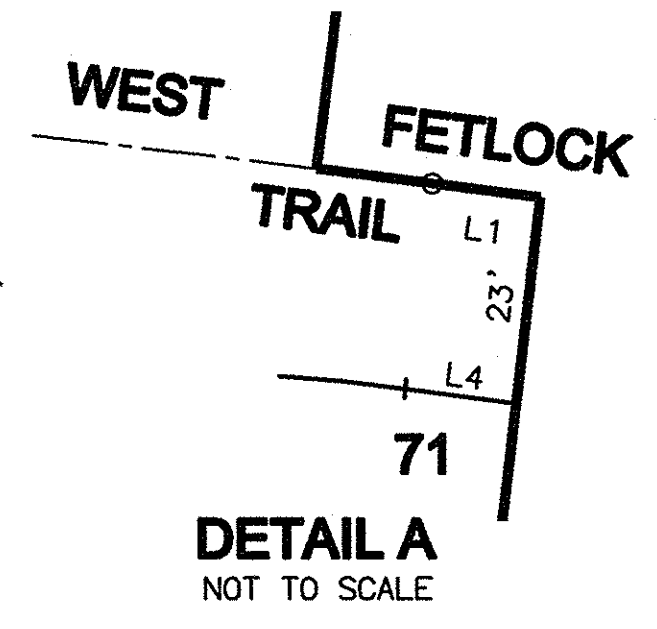
DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 02/13/2008
SHEET 4 OF 8

DESERT OASIS PARCEL L14C

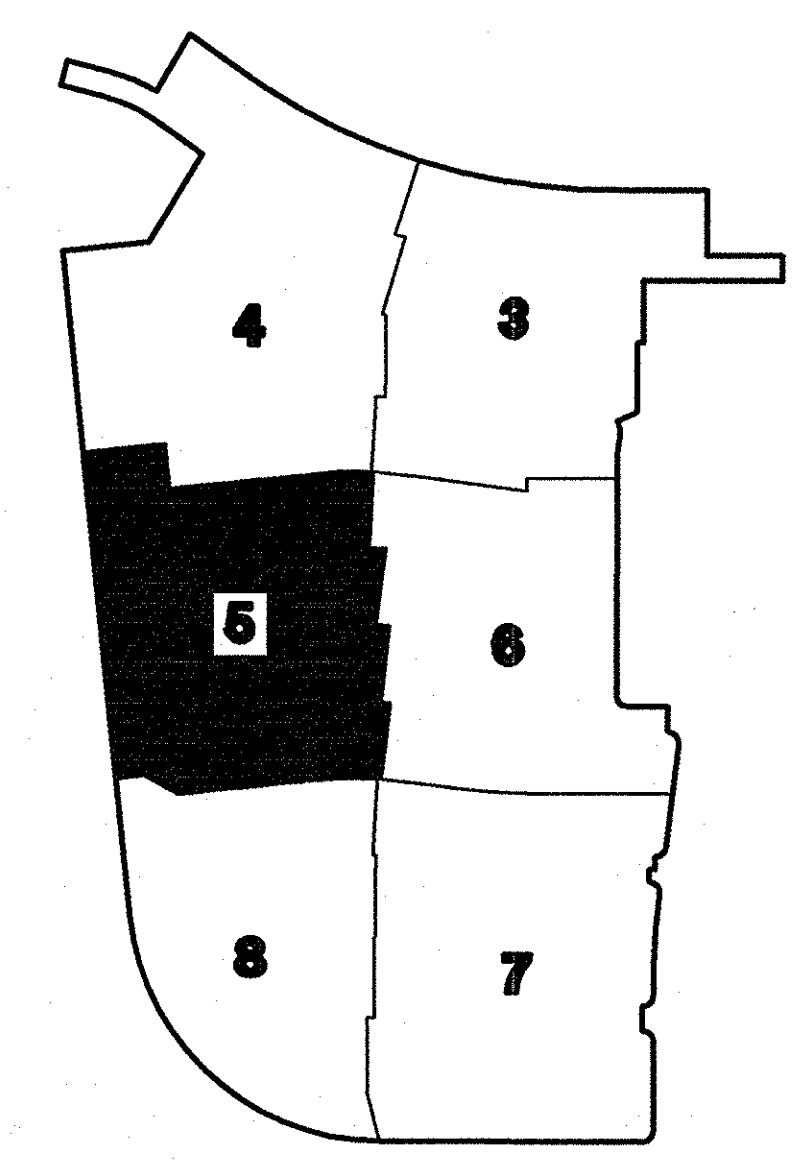


LINE TABLE		
NO.	BEARING	LENGTH
L1	N82°26'15"W	2.82'
L2	N82°54'54"W	10.52'
L3	N05°42'37"W	53.00'
L4	N82°26'15"W	2.82'
L5	N82°54'54"W	10.52'
L6	N84°29'33"E	13.87'
L7	N83°50'49"W	3.88'
L8	N82°37'36"W	24.96'
L9	N84°17'23"E	37.15'
L10	N05°42'37"W	112.50'
L11	N84°17'23"E	101.00'
L12	N84°17'23"E	101.00'
L13	N50°42'37"W	46.67'
L14	N39°17'23"E	14.14'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD
C1	13°16'22"	400.00'	92.66'	46.54'	92.45'
C2	09°11'06"	400.00'	64.12'	32.13'	64.05'
C3	11°49'42"	400.00'	82.58'	41.44'	82.43'
C4	10°54'01"	400.00'	76.10'	38.16'	75.98'
C5	90°00'00"	20.00'	31.42'	20.00'	28.28'
C6	90°00'00"	20.00'	31.42'	20.00'	28.28'
C7	09°11'06"	423.00'	67.81'	33.98'	67.74'
C8	13°16'22"	377.00'	87.33'	43.86'	87.14'
C9	90°00'00"	20.00'	31.42'	20.00'	28.28'
C10	89°01'59"	20.00'	31.08'	19.67'	28.04'
C11	10°54'01"	423.00'	80.47'	40.36'	80.35'
C12	11°49'42"	377.00'	77.83'	39.05'	77.69'
C13	17°20'29"	55.00'	16.65'	8.39'	16.58'
C14	123°42'57"	55.00'	118.76'	102.82'	97.00'
C15	17°20'29"	55.00'	16.65'	8.39'	16.58'
C16	90°00'00"	20.00'	31.42'	20.00'	28.28'
C17	53°07'48"	20.00'	18.55'	10.00'	17.89'
C18	36°52'12"	20.00'	12.87'	6.67'	12.65'
C19	53°07'48"	20.00'	18.55'	10.00'	17.89'
C20	36°52'12"	20.00'	12.87'	6.67'	12.65'
C21	00°36'00"	423.00'	4.43'	2.21'	4.43'
C22	08°35'06"	423.00'	63.38'	31.75'	63.32'
C23	12°53'35"	377.00'	84.83'	42.60'	84.66'
C24	00°22'47"	377.00'	2.50'	1.25'	2.50'
C25	36°52'12"	20.00'	12.87'	6.67'	12.65'
C26	53°07'48"	20.00'	18.55'	10.00'	17.89'
C27	53°07'48"	20.00'	18.55'	10.00'	17.89'
C28	35°54'10"	20.00'	12.53'	6.48'	12.33'
C29	02°18'56"	423.00'	17.09'	8.55'	17.09'
C30	08°35'06"	423.00'	63.38'	31.75'	63.32'
C31	11°17'44"	377.00'	74.32'	37.28'	74.20'
C32	00°31'58"	377.00'	3.51'	1.75'	3.51'
C33	26°58'30"	55.00'	25.89'	13.19'	25.66'
C34	47°05'52"	55.00'	45.21'	23.97'	43.95'
C35	49°38'36"	55.00'	47.65'	25.44'	46.18'
C36	08°02'55"	55.00'	7.73'	3.87'	7.72'
C37	09°17'34"	55.00'	8.92'	4.47'	8.91'
C38	36°52'12"	20.00'	12.87'	6.67'	12.65'
C39	53°07'48"	20.00'	18.55'	10.00'	17.89'
C40	90°00'00"	20.00'	31.42'	20.00'	28.28'
C41	90°00'00"	20.00'	31.42'	20.00'	28.28'



- LEGEND**
- SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP LS #31034 UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - ⬡ 33' X 33' SIGHT VISIBILITY EASEMENT
 - R= INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER



SHEET INDEX
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David M. Schlieff
31034
DAVID M. SCHLIEFF
2-13-08
ARIZONA, U.S.A.
Expires 3/31/09

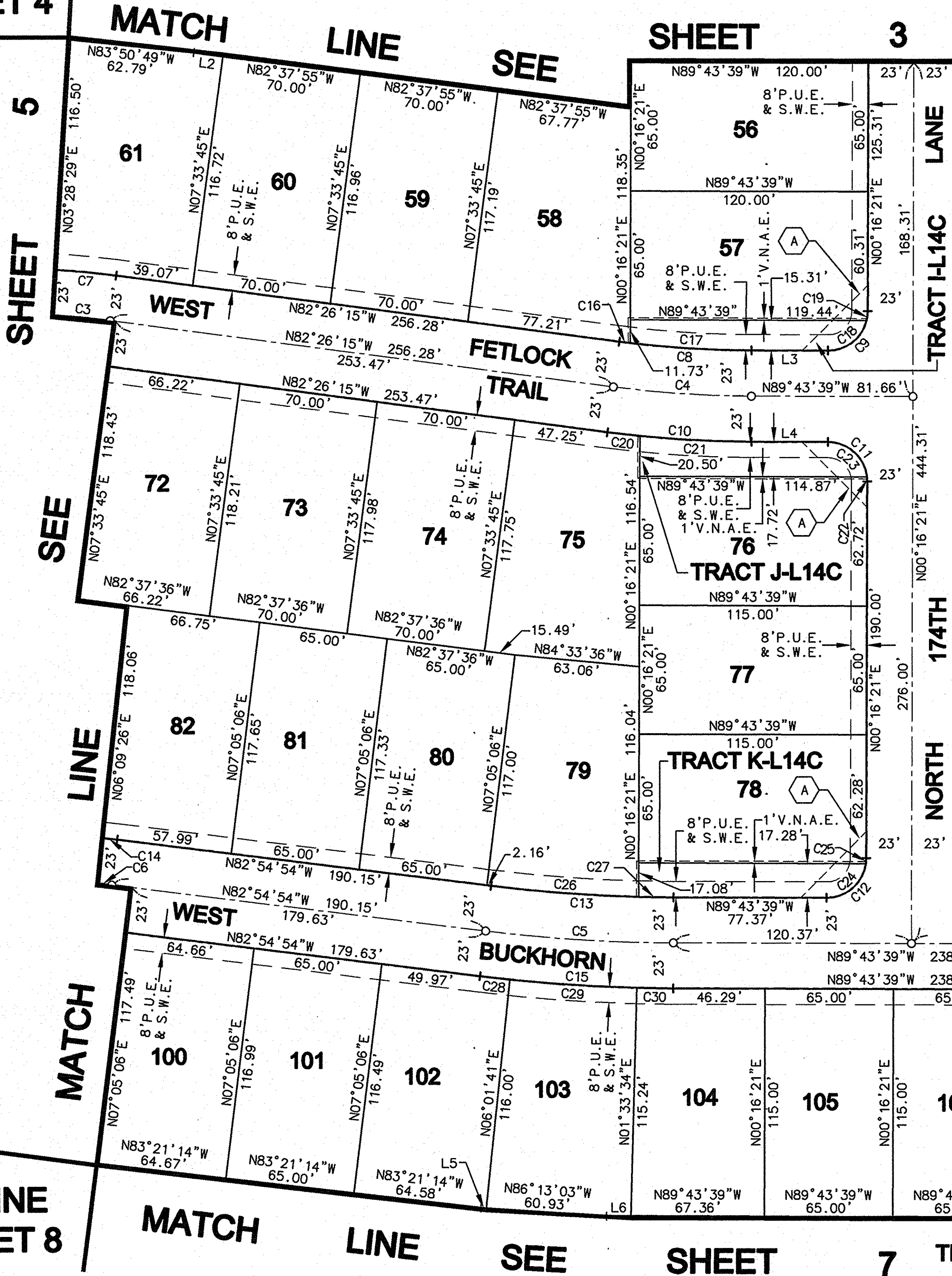
DESERT OASIS PARCEL L14C
RB# 45-102480, DATE 02/13/2008
SHEET 5 OF 8

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MARICOPA COUNTY RECORDER
HELEN PURCELL
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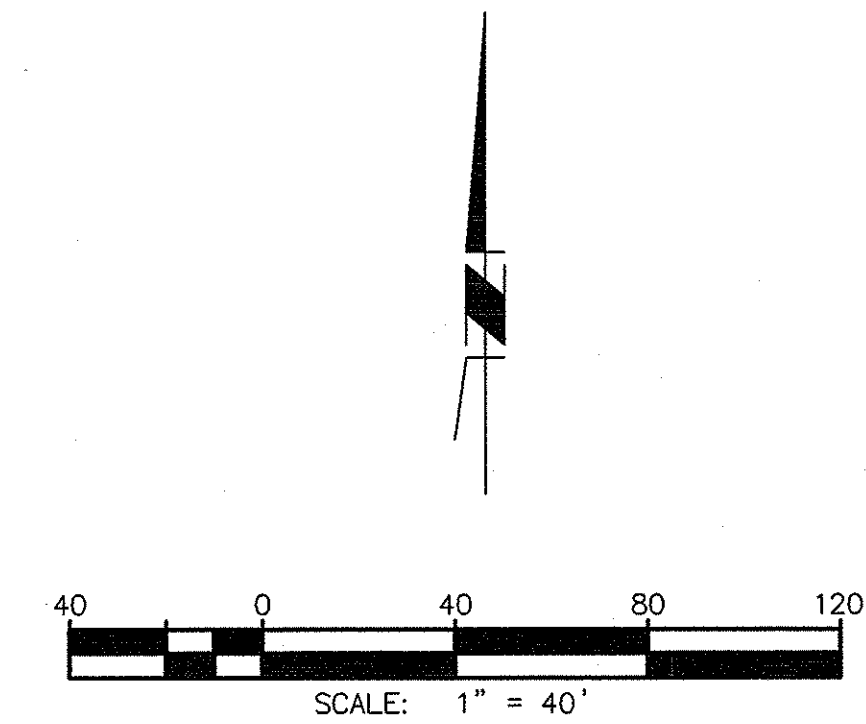
DESERT OASIS PARCEL L14C

MATCH LINE
SEE SHEET 4



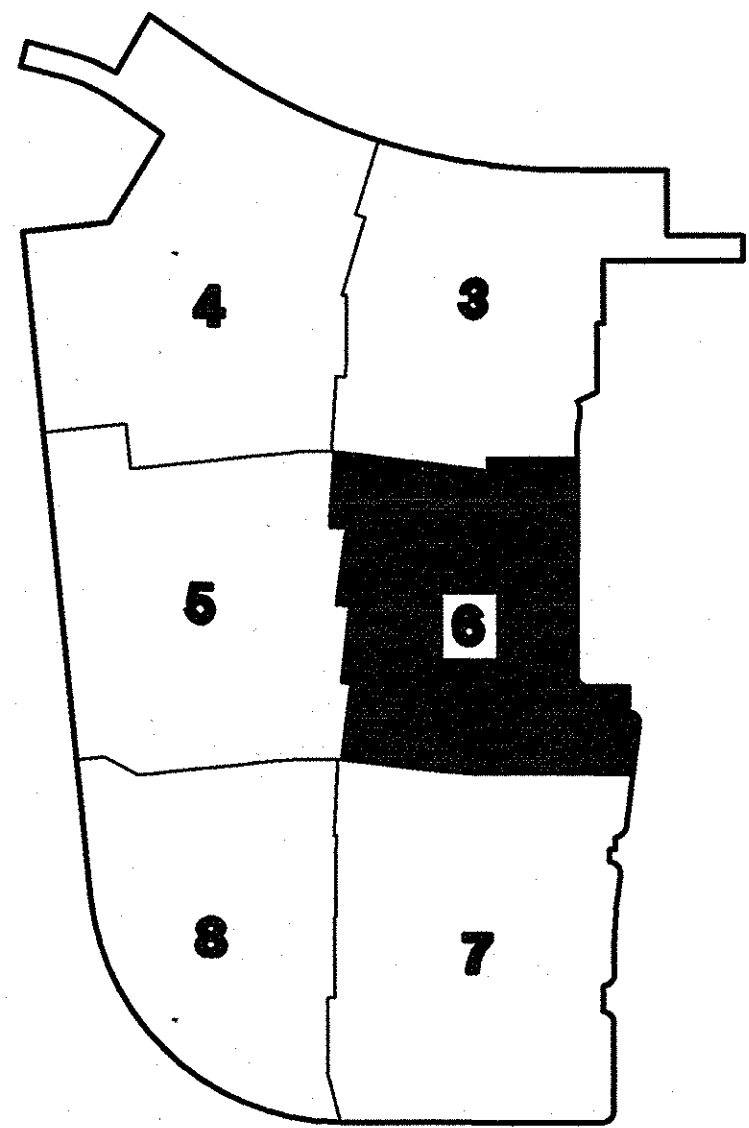
- LEGEND**
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DESERT OASIS
PARCEL L14B
BOOK 892, PAGE 17, M.C.R.



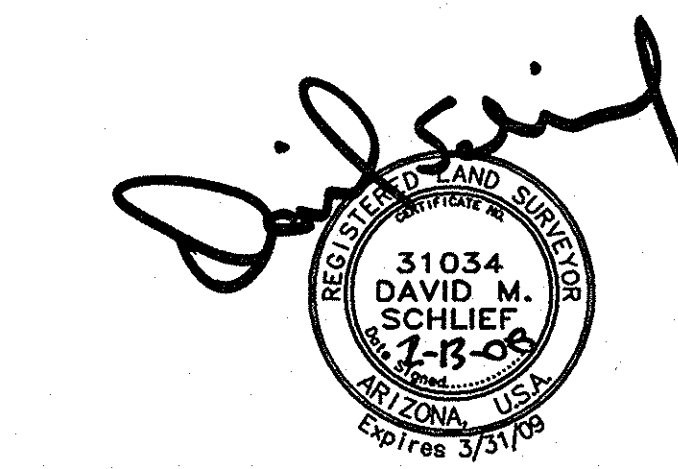
CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	90°00'00"	20.00'	31.42'	20.00'	28.28'	N44°43'39"W
C2	96°57'15"	20.00'	33.84'	22.59'	29.95'	N41°15'01"W
C3	04°05'16"	400.00'	28.54'	14.28'	28.53'	N84°28'53"W
C4	07°17'24"	550.00'	69.98'	35.04'	69.93'	N86°04'57"W
C5	06°48'45"	800.00'	95.12'	47.62'	95.07'	N86°19'16"W
C6	00°55'41"	400.00'	6.48'	3.24'	6.48'	N83°22'44"W
C7	04°05'16"	423.00'	30.18'	15.10'	30.17'	N84°28'53"W
C8	07°17'24"	527.00'	67.05'	33.57'	67.01'	N86°04'57"W
C9	90°00'00"	20.00'	31.42'	20.00'	28.28'	N45°16'21"E
C10	07°17'24"	573.00'	72.90'	36.50'	72.86'	N86°04'57"W
C11	90°00'00"	20.00'	31.42'	20.00'	28.28'	N44°43'39"W
C12	90°00'00"	20.00'	31.42'	20.00'	28.28'	N45°16'21"E
C13	06°48'45"	777.00'	92.39'	46.25'	92.33'	N86°19'16"W
C14	00°55'41"	423.00'	6.85'	3.43'	6.85'	N83°22'44"W
C15	06°48'45"	823.00'	97.86'	48.99'	97.80'	N86°19'16"W
C16	00°36'22"	527.00'	5.57'	2.79'	5.57'	N82°44'26"W
C17	06°41'02"	527.00'	61.48'	30.77'	61.44'	N86°23'08"W
C18	76°26'36"	20.00'	26.68'	15.75'	24.75'	N52°03'03"E
C19	13°33'24"	20.00'	4.73'	2.38'	4.72'	N07°03'03"E
C20	01°38'51"	573.00'	16.48'	8.24'	16.48'	N83°15'41"W
C21	05°38'33"	573.00'	56.43'	28.24'	56.41'	N86°54'22"W
C22	06°32'30"	20.00'	2.28'	1.14'	2.28'	N02°59'54"W
C23	83°27'30"	20.00'	29.13'	17.84'	26.62'	N47°59'54"W
C24	82°10'45"	20.00'	28.69'	17.44'	26.29'	N49°10'59"E
C25	07°49'15"	20.00'	2.73'	1.37'	2.73'	N04°10'59"E
C26	05°30'44"	777.00'	74.75'	37.40'	74.72'	N85°40'15"W
C27	01°18'02"	777.00'	17.64'	8.82'	17.64'	N89°04'38"W
C28	01°03'26"	823.00'	15.19'	7.59'	15.19'	N83°26'36"W
C29	04°28'07"	823.00'	64.19'	32.11'	64.17'	N86°12'23"W
C30	01°17'13"	823.00'	18.48'	9.24'	18.48'	N89°05'03"W
C31	43°49'27"	20.00'	15.30'	8.04'	14.93'	N67°48'56"W
C32	53°07'48"	20.00'	18.55'	10.00'	17.89'	N19°20'18"W

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°16'21"W	46.00'
L2	N82°37'55"W	14.76'
L3	N89°43'39"W	38.66'
L4	N89°43'39"W	38.66'
L5	N86°13'03"W	2.72'
L6	N89°43'39"W	12.28'



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HELEN PURCELL
2008-0169526
02/27/2008 09:52 AM

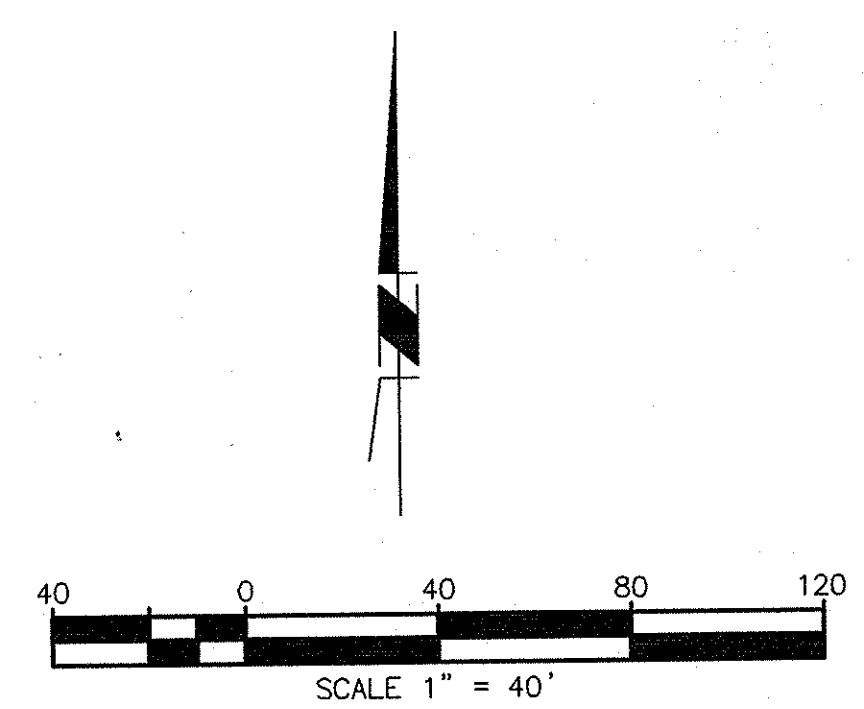


DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 02/13/2008
SHEET 6 OF 8

DESERT OASIS PARCEL L14C

MATCH LINE SEE SHEET 5

MATCH LINE SEE SHEET 6 TRACT Q-L14C

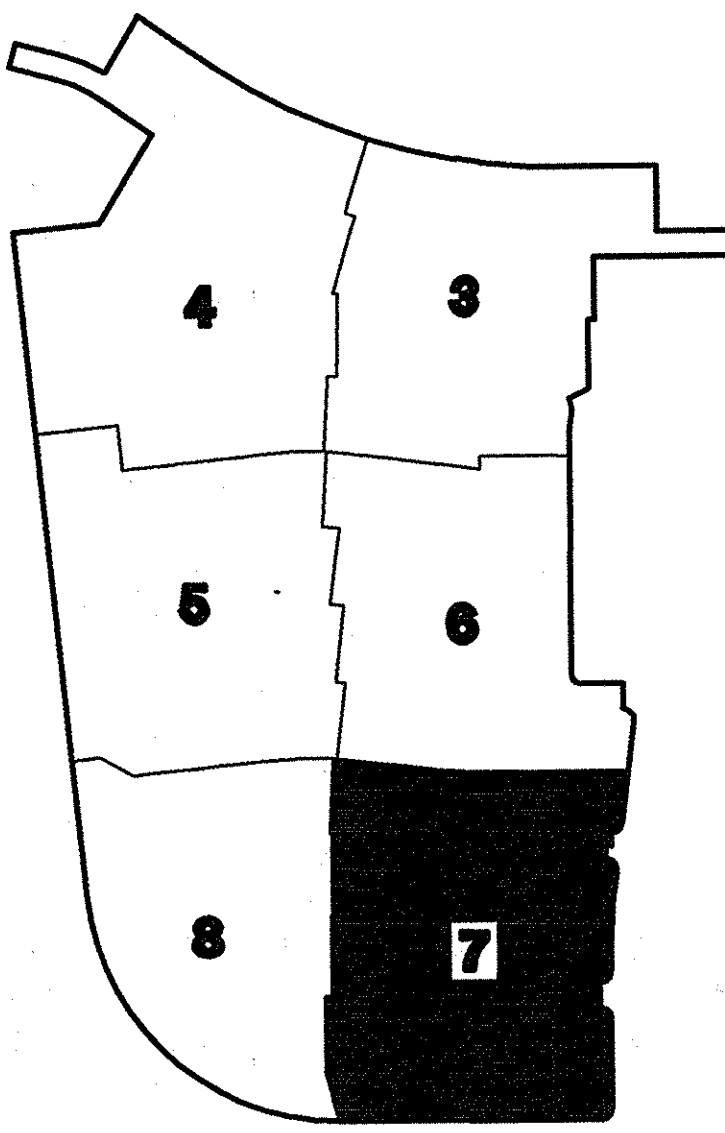


CURVE TABLE						
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C1	83°02'45"	20.00'	28.99'	17.71'	26.52'	S48°44'59"W
C2	96°57'15"	20.00'	33.84'	22.59'	29.95'	S41°15'01"E
C3	06°57'15"	523.00'	63.48'	31.78'	63.44'	S03°44'59"W
C4	90°00'00"	20.00'	31.42'	20.00'	28.28'	S45°16'21"W
C5	90°00'00"	20.00'	31.42'	20.00'	28.28'	S44°43'39"E
C6	90°00'00"	20.00'	31.42'	20.00'	28.28'	S45°16'21"W
C7	03°43'35"	400.00'	26.02'	13.01'	26.01'	N85°09'28"W
C8	02°57'33"	400.00'	20.66'	10.33'	20.66'	N84°46'27"W
C9	06°25'59"	800.00'	89.82'	44.96'	89.77'	N86°30'40"W
C10	03°43'35"	423.00'	27.51'	13.76'	27.51'	N85°09'28"W
C11	06°25'59"	777.00'	87.24'	43.67'	87.19'	N86°30'40"W
C12	02°57'33"	377.00'	19.47'	9.74'	19.47'	N84°46'27"W
C13	06°25'59"	823.00'	92.40'	46.25'	92.35'	N86°30'40"W
C14	01°54'11"	823.00'	27.34'	13.67'	27.33'	N84°14'46"W
C15	04°31'47"	823.00'	65.07'	32.55'	65.05'	N87°27'45"W
C16	04°57'17"	777.00'	67.19'	33.62'	67.17'	N87°15'00"W
C17	01°28'41"	777.00'	20.05'	10.02'	20.05'	N84°02'01"W
C18	06°08'44"	523.00'	56.10'	28.08'	56.07'	N04°09'14"E
C19	00°48'31"	523.00'	7.38'	3.69'	7.38'	N00°40'37"E
C20	43°49'27"	20.00'	15.30'	8.04'	14.93'	N14°41'07"W
C21	53°07'48"	20.00'	18.55'	10.00'	17.89'	N63°09'45"W
C22	29°54'57"	20.00'	10.44'	5.34'	10.32'	N75°18'53"E
C23	53°07'48"	20.00'	18.55'	10.00'	17.89'	N33°47'30"E
C24	83°59'19"	465.13'	681.82'	418.72'	622.40'	N47°43'08"W
C25	18°16'54"	465.13'	148.41'	74.84'	147.78'	N80°34'21"W
C26	01°49'41"	223.00'	7.11'	3.56'	7.11'	N88°48'49"W
C27	01°49'41"	200.00'	6.38'	3.19'	6.38'	N88°48'49"W

DESERT OASIS PARCEL L5-A BOOK 822, PAGE 44, M.C.R.

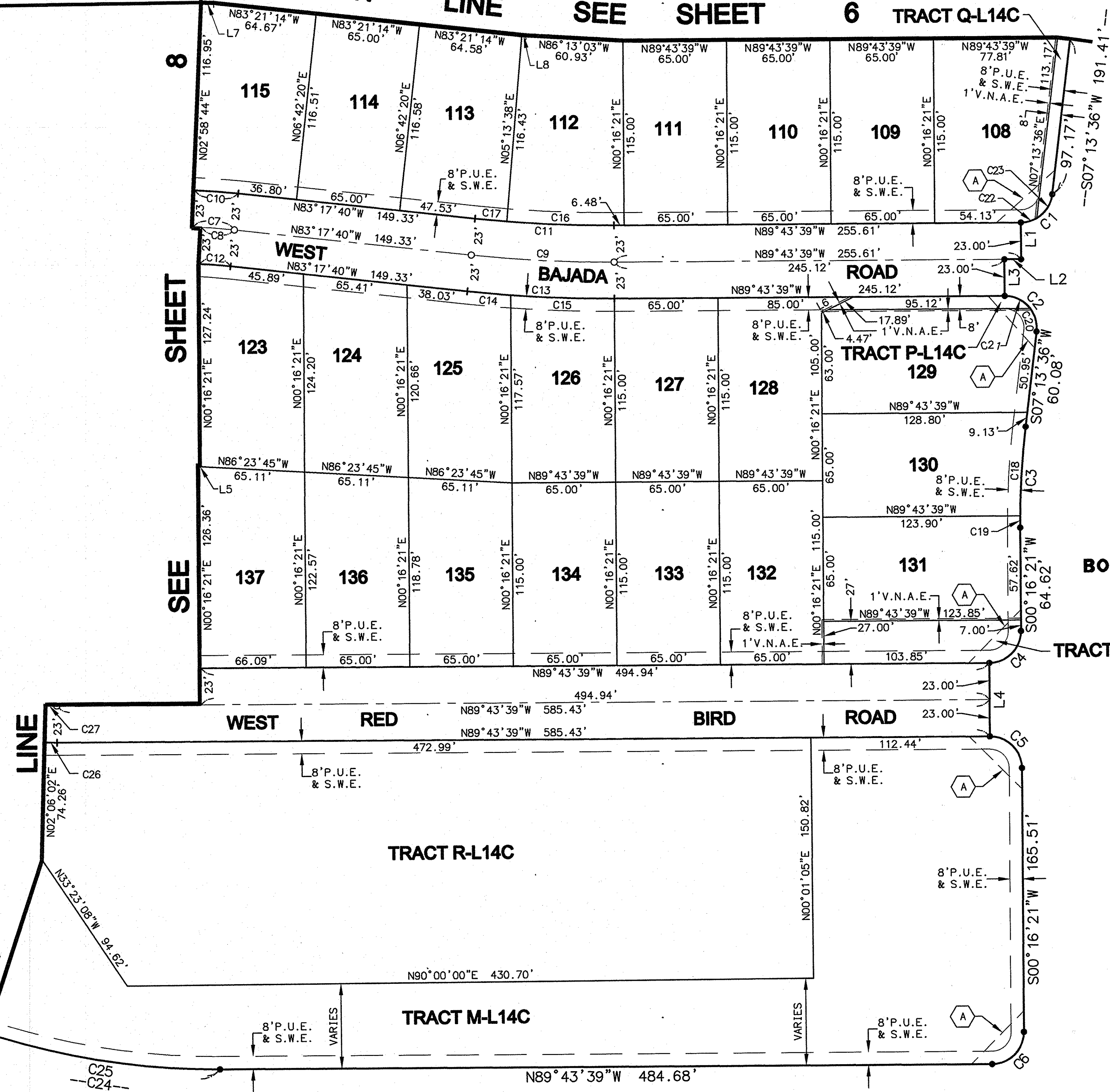
LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°16'21"W	23.00'
L2	N89°43'39"W	10.49'
L3	S00°16'21"W	23.00'
L4	S00°16'21"W	46.00'
L5	N89°29'09"W	1.09'
L6	N63°42'27"E	22.36'
L7	N88°20'37"W	7.25'
L8	N86°13'03"W	2.72'

- LEGEND**
- SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP LS #31034 UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - ⬡ 33' X 33' SIGHT VISIBILITY EASEMENT
 - R= INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER



SHEET INDEX THIS SHEET IN BLACK

MATCH LINE



BOOK 974 PAGE 46
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2008-0169526
02/27/2008 09:52 AM

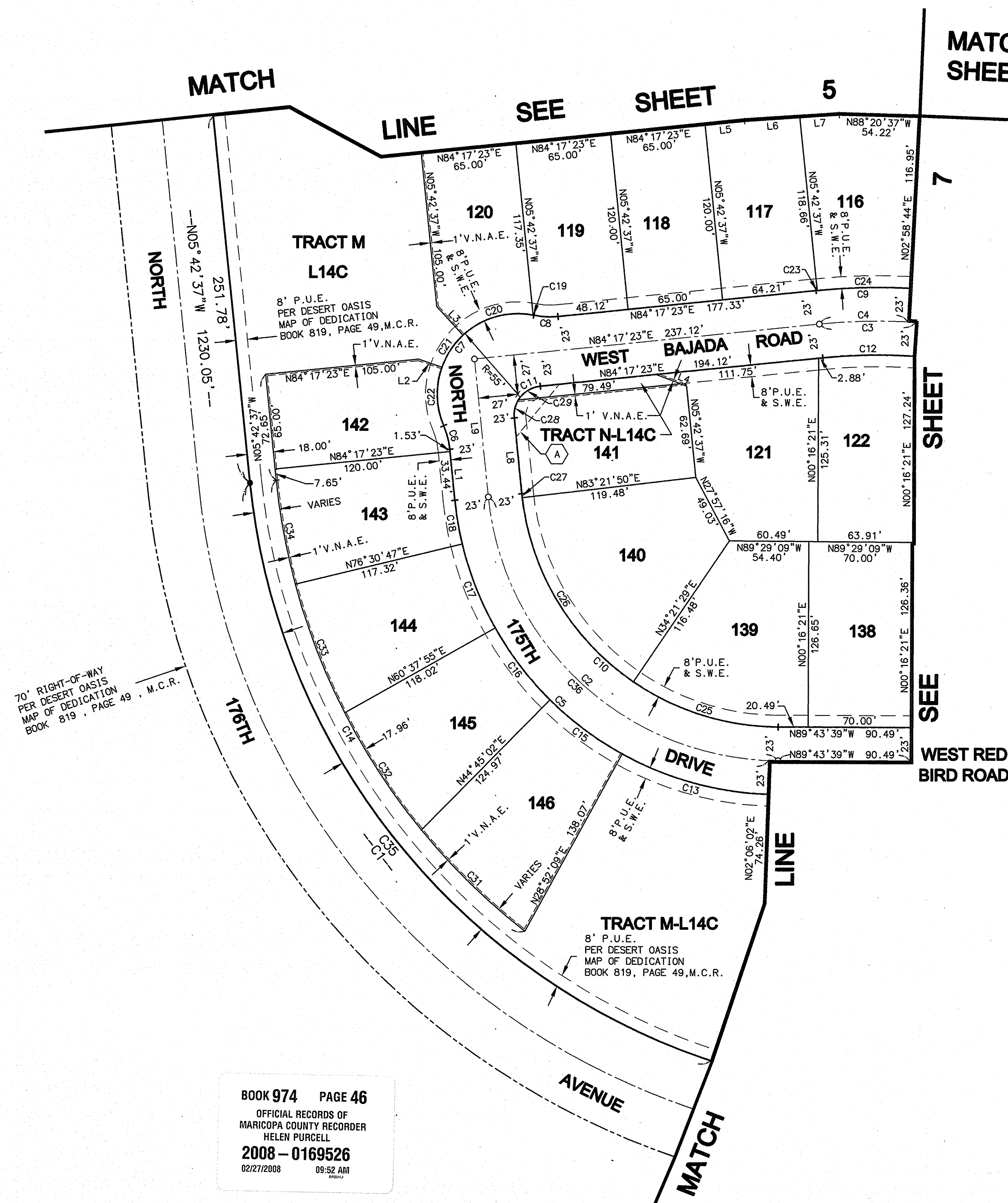
RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION
16605 NORTH 28th AVENUE, SUITE 100
PHOENIX, ARIZONA 85033-7550
602.467.2200 • FAX 602.467.2201 • www.RBF.com

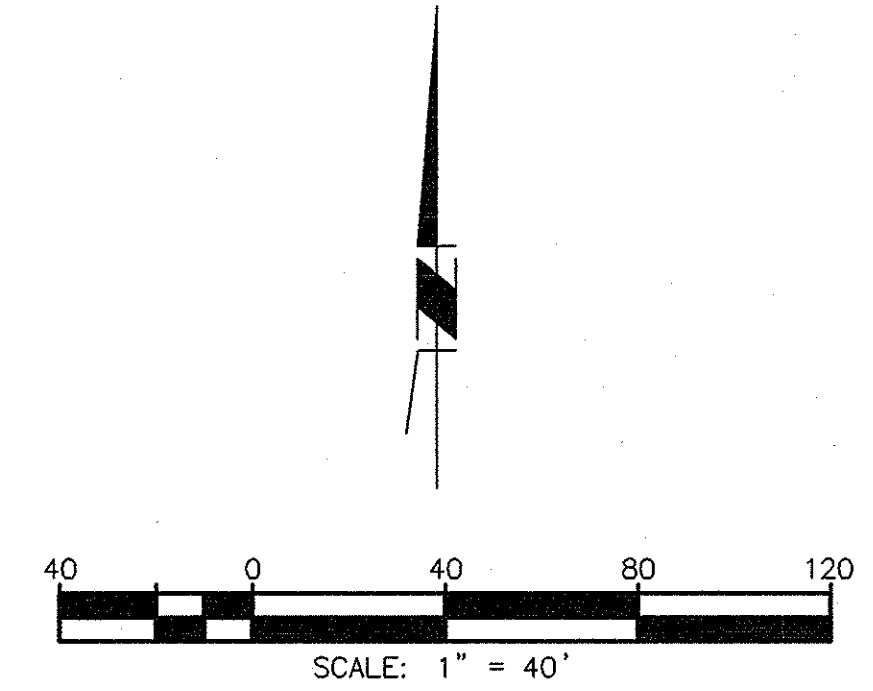
DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 02/13/2008
SHEET 7 OF 8

David M. Schlieff
31034
DAVID M. SCHLIEFF
MARICOPA COUNTY RECORDER
ARIZONA
Expires 3/31/09

DESERT OASIS PARCEL L14C



MATCH LINE SEE SHEET 6



CURVE TABLE

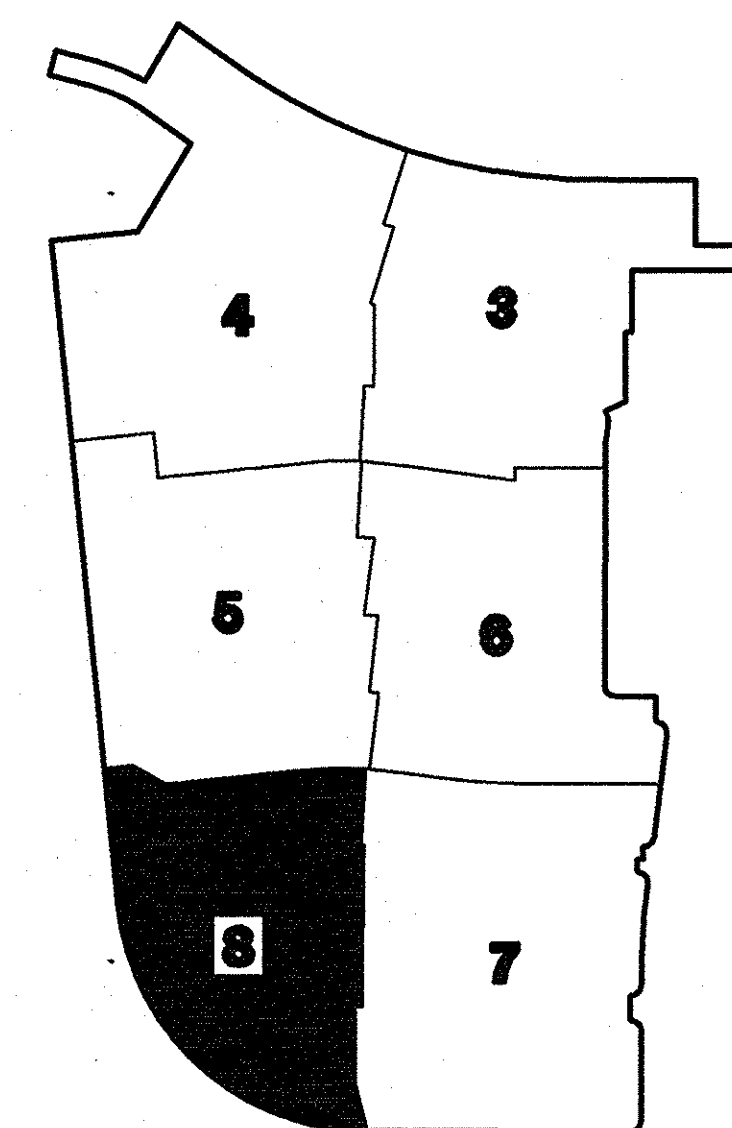
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	83°59'20"	465.13'	681.82'	418.72'	622.40'	N47°43'08"W
C2	84°01'02"	200.00'	293.28'	180.14'	267.70'	N47°43'08"W
C3	09°27'23"	400.00'	66.02'	33.08'	65.94'	N89°01'05"E
C4	08°41'21"	400.00'	60.66'	30.39'	60.60'	N88°38'04"E
C5	82°11'21"	223.00'	319.89'	194.50'	293.16'	N46°48'17"W
C6	17°20'29"	55.00'	55.00'	16.65'	8.39'	N14°22'51"W
C7	124°40'58"	55.00'	119.69'	104.94'	97.43'	N39°17'23"E
C8	17°20'29"	55.00'	16.65'	8.39'	16.58'	N87°02'22"W
C9	08°41'21"	423.00'	64.15'	32.14'	64.09'	N88°38'04"E
C10	84°01'02"	177.00'	259.55'	159.42'	236.91'	N47°43'08"W
C11	90°00'00"	20.00'	31.42'	20.00'	28.28'	N39°17'23"E
C12	09°27'23"	377.00'	62.22'	31.18'	62.15'	N89°01'05"E
C13	26°46'07"	223.00'	104.19'	53.06'	103.24'	N74°30'55"W
C14	46°16'57"	447.00'	361.08'	191.04'	351.34'	N28°51'05"W
C15	15°52'53"	223.00'	61.81'	31.11'	61.61'	N53°11'25"W
C16	15°52'53"	223.00'	61.81'	31.11'	61.61'	N37°18'32"W
C17	15°52'52"	223.00'	61.81'	31.10'	61.61'	N21°25'39"W
C18	07°46'36"	223.00'	30.27'	15.16'	30.24'	N09°35'55"W
C19	00°31'45"	55.00'	0.51'	0.25'	0.51'	N78°38'01"W
C20	53°52'29"	55.00'	51.72'	27.95'	49.83'	N74°09'52"E
C21	27°40'08"	55.00'	26.56'	13.54'	26.30'	N33°23'34"E
C22	42°36'36"	55.00'	40.90'	21.45'	39.97'	N01°44'48"W
C23	00°06'25"	423.00'	0.79'	0.39'	0.79'	N84°20'35"E
C24	08°34'56"	423.00'	63.36'	31.74'	63.30'	N88°41'16"E
C25	34°05'08"	177.00'	105.30'	54.26'	103.75'	N72°41'05"W
C26	49°00'21"	177.00'	151.39'	80.67'	146.82'	N31°08'21"W
C27	00°55'33"	177.00'	2.86'	1.43'	2.86'	N06°10'24"W
C28	36°52'12"	20.00'	12.87'	6.67'	12.65'	N12°43'29"E
C29	53°07'48"	20.00'	18.55'	10.00'	17.89'	N57°43'29"E
C31	12°41'27"	447.00'	99.01'	49.71'	98.81'	N45°38'50"W
C32	12°15'21"	447.00'	95.62'	47.99'	95.43'	N33°10'27"W
C33	12°05'15"	447.00'	94.30'	47.33'	94.13'	N21°00'09"W
C34	09°14'54"	447.00'	72.15'	36.15'	72.07'	N10°20'04"W
C35	65°42'26"	465.13'	533.41'	300.37'	504.66'	N38°34'41"W
C36	82°21'06"	200.00'	287.46'	174.94'	263.35'	N46°53'10"W

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP LS #31034 UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
- P.U.E. PUBLIC UTILITY EASEMENT
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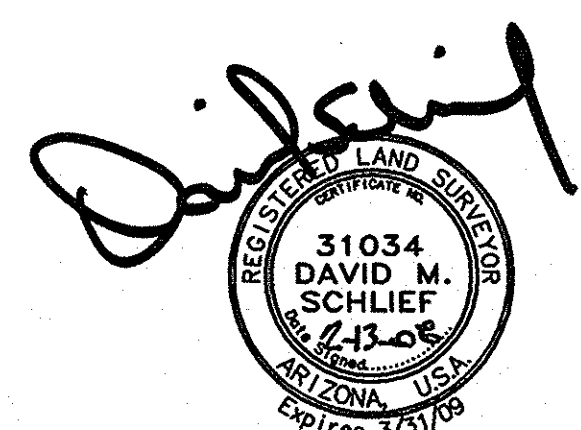
LINE TABLE

NO.	BEARING	LENGTH
L1	N05°42'37"W	34.97'
L2	N70°26'30"W	16.88'
L3	N42°46'22"W	26.46'
L4	N69°08'43"W	22.36'
L5	N84°17'23"E	27.21'
L6	N86°19'05"E	37.81'
L7	N86°19'05"E	27.03'
L8	N05°42'37"W	51.76'
L9	N05°42'37"W	94.76'



SHEET INDEX
THIS SHEET IN BLACK

BOOK 974 PAGE 46
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2008-0169526
02/27/2008 09:52 AM



RESOLUTION # 08-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT FOR DESERT OASIS 2-PARCEL L 14C, CONSISTING OF APPROXIMATELY 41.29 GROSS ACRES. THE SUBJECT SITE IS LOCATED GENERALLY SOUTH OF DYNAMITE BOULEVARD, NORTH OF JOMAX ROAD, WEST OF 171ST AVENUE, AND EAST OF 179TH AVENUE.

WHEREAS, the proposed final plat is consistent with the preliminary plat previously approved by the Mayor and Council on September 14, 2006.

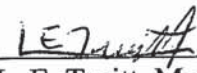
WHEREAS, the conditions for approval are subject to the standard stipulations outlined in the report attached.

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

Section 1. That certain final plat FP07-042 entitled "Desert Oasis 2-Parcel L 14C", and a copy of which is on file in the Community Development Department, is approved.

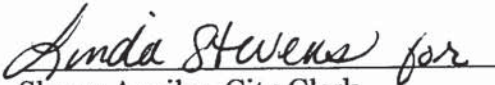
Section 2. Approval of this plat is contingent on the owner of the property complying with all stipulations contained in report attached.

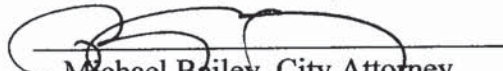
APPROVED AND ADOPTED this 24th day of January, 2008.


L. E. Truitt, Mayor

Attest:

Approved as to form:


Sherry Aguilar, City Clerk


Michael Bailey, City Attorney

Yeas: Mayor Truitt, Vice Mayor Villanueva, Council Members; Alton, Foro, Johnson, Longabaugh, Williams

Nays: _____

REPORT TO THE CITY COUNCIL

CASE NUMBER: FP07-042

(Desert Oasis 2-Parcel L 14C)

STIPULATIONS: a-e

PREPARED BY: Adam Copeland, Planner @ 623.222.3137

City Council Hearing Date:

January 24, 2008

APPLICANT:

Eric Froberg
RBF Consulting
16605 N. 28th Avenue
Phoenix, AZ 85053
P: 602-467-2200
F: 602-467-2201

OWNER:

Jacob Jones
Centex Homes
8665 E. Hartford Drive
Scottsdale, AZ 85255
P: 480-889-0900
F: 480-889-0948

REQUEST:

Approval for Desert Oasis 2- Parcel L 14C Final Plat consisting of 146 lots.

SITE LOCATION:

Generally south of Dynamite Boulevard, north of Jomax Road, west of 171st Avenue, and east of 179th Avenue.

SITE SIZE:

Approximately 41.29 gross acres.

RECOMMENDATION:

Staff recommends that this request, a Final Plat for Desert Oasis 2- Parcel L 14C (FP07-042), be **approved** subject to stipulations **a through e**.

PROJECT ANALYSIS:

Parcel L 14C is designated in the Desert Oasis Planned Area Development (P.A.D.) as single-family residential and contains 146 lots. The proposed minimum lot size for this parcel is 65' X 115' producing a gross density of 3.54 dwelling units per acre.

The Preliminary Plat for Desert Oasis phase 2 was approved by Council on September 14, 2006. The proposed Final Plat is consistent with the approved Preliminary Plat.

SITE DATA:

ACERAGE	# LOTS	ZONING
41.29	146	PAD

STANDARD STIPULATIONS:

- a) Prior to delivery of any combustible material to the site, the fire protection system shall be completely operational in accordance with the approved plans by the Fire Chief and the City Engineer;
- b) Major Changes to this Final Plat must be processed as a revised application with the City Council. Minor Changes to the Plat must be approved by the Planning and Community Development Director, Fire Marshall, City Engineer, and Water Services Director;
- c) All parcel numbers shall be active prior to submittal of any building permit and shall stay active throughout the construction process until a Letter of Compliance and/or Certificate of Occupancy is issued.
- d) The applicant or property owner must provide the City with approved dust control permits issued by Maricopa County Environmental Services Department prior to release of any permits;
- e) If the U.S. Postal Service requires "gang"-type postal boxes, applicant shall install adequate lighting over said postal receptacles;

LEGAL DESCRIPTION	

LEGAL DESCRIPTION

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 35,
TRAVELED BY A 2 INCH MARICOPA COUNTY ALUMINUM CAP STAMPED
"N 89° 1/4 S 35° 536 2002 RLS 21782", FROM WHICH THE
WITNESS CORNER OF SAID SECTION 35, MONUMENTED BY A 2 INCH
MARICOPA COUNTY ALUMINUM CAP STAMPED "18N 89° 526 525 536
2002 R.L.S. 21782", BEARS AS BASIS OF DECARINOS
WITH 00° 03' 05" WEST, A DISTANCE OF 2035.74 FEET;

UNDER SOUTH 65°17'43" WEST. A DISTANCE OF 39.45 FEET TO THE

[illegible]

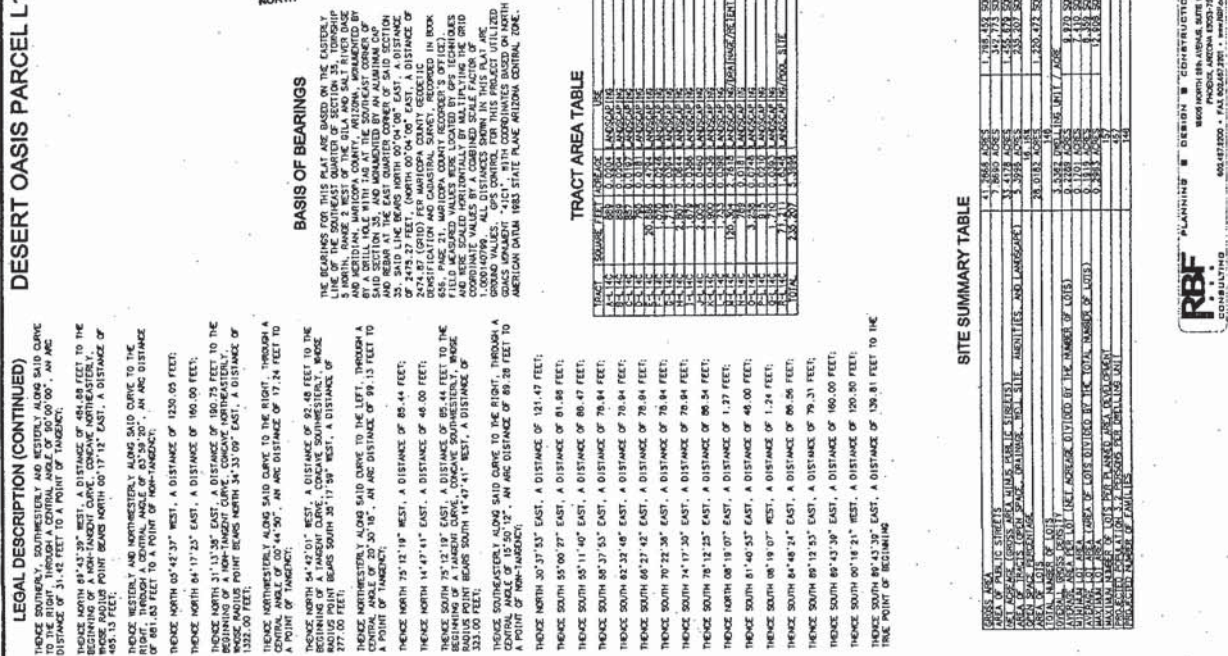
ANCE SOUTH 00°16'21" WEST, A DISTANCE OF 46.00 FEET TO THE

[illegible]

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF $68^{\circ}57'15''$, AN ARC DISTANCE OF 83.48 FEET TO

A POINT OF TANGENCY.
THOSE SOUTH 00° 18' 21" WEST, A DISTANCE OF 44.42 FEET TO THE
TANGENCY OF A TANGENT CIRCLE, COANGUE NORTHWESTLY, MOORE
TANGENCY POINT BEARS NORTH 09° 43' 39" WEST, A DISTANCE OF
30.00 FEET;
THOSE SOUTHWESTLY, SOUTHWESTLY AND WESTLY, ALONG SAID
CIRCLE TO THE RIGHT, THROUGH A CENTRAL, MALE OF 90° 00' 00", AN
ARC DISTANCE OF 31.42 FEET TO A POINT OF NON-TANGENCY.
THOSE SOUTH 00° 18' 21" WEST, A DISTANCE OF 48.00 FEET TO THE
TANGENCY OF A TANGENT CIRCLE, COANGUE SOUTHWESTLY, MOORE
TANGENCY POINT BEARS SOUTH 00° 18' 21" WEST, A DISTANCE OF
30.00 FEET.

THENCE SOUTH 00°16'21" WEST, A DISTANCE OF 185.51 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 89°43'30" WEST, A DISTANCE OF 20.00 FEET;





RBF
CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
10005 NORTH 25th AVENUE, SUITE 100
PHOENIX, ARIZONA 85028-7600
602.487.2000 • FAX 602.487.2201 • info@rbf.com

SHEET INDEX
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DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 05/30/2007
SHEET 3 OF 8



DETAIL A
NOT TO SCALE

DESERT OASIS PARCEL L14C



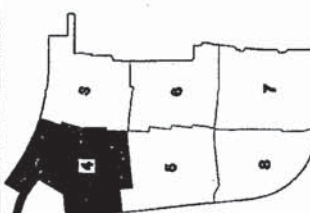
CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
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C2	100.00	100.00	100.00	100.00	100.00
C3	100.00	100.00	100.00	100.00	100.00
C4	100.00	100.00	100.00	100.00	100.00
C5	100.00	100.00	100.00	100.00	100.00
C6	100.00	100.00	100.00	100.00	100.00
C7	100.00	100.00	100.00	100.00	100.00
C8	100.00	100.00	100.00	100.00	100.00
C9	100.00	100.00	100.00	100.00	100.00
C10	100.00	100.00	100.00	100.00	100.00
C11	100.00	100.00	100.00	100.00	100.00
C12	100.00	100.00	100.00	100.00	100.00
C13	100.00	100.00	100.00	100.00	100.00
C14	100.00	100.00	100.00	100.00	100.00
C15	100.00	100.00	100.00	100.00	100.00
C16	100.00	100.00	100.00	100.00	100.00
C17	100.00	100.00	100.00	100.00	100.00
C18	100.00	100.00	100.00	100.00	100.00
C19	100.00	100.00	100.00	100.00	100.00
C20	100.00	100.00	100.00	100.00	100.00
C21	100.00	100.00	100.00	100.00	100.00
C22	100.00	100.00	100.00	100.00	100.00
C23	100.00	100.00	100.00	100.00	100.00
C24	100.00	100.00	100.00	100.00	100.00
C25	100.00	100.00	100.00	100.00	100.00
C26	100.00	100.00	100.00	100.00	100.00
C27	100.00	100.00	100.00	100.00	100.00
C28	100.00	100.00	100.00	100.00	100.00
C29	100.00	100.00	100.00	100.00	100.00
C30	100.00	100.00	100.00	100.00	100.00
C31	100.00	100.00	100.00	100.00	100.00
C32	100.00	100.00	100.00	100.00	100.00
C33	100.00	100.00	100.00	100.00	100.00
C34	100.00	100.00	100.00	100.00	100.00
C35	100.00	100.00	100.00	100.00	100.00
C36	100.00	100.00	100.00	100.00	100.00
C37	100.00	100.00	100.00	100.00	100.00
C38	100.00	100.00	100.00	100.00	100.00
C39	100.00	100.00	100.00	100.00	100.00
C40	100.00	100.00	100.00	100.00	100.00
C41	100.00	100.00	100.00	100.00	100.00
C42	100.00	100.00	100.00	100.00	100.00
C43	100.00	100.00	100.00	100.00	100.00
C44	100.00	100.00	100.00	100.00	100.00
C45	100.00	100.00	100.00	100.00	100.00
C46	100.00	100.00	100.00	100.00	100.00
C47	100.00	100.00	100.00	100.00	100.00
C48	100.00	100.00	100.00	100.00	100.00
C49	100.00	100.00	100.00	100.00	100.00
C50	100.00	100.00	100.00	100.00	100.00
C51	100.00	100.00	100.00	100.00	100.00
C52	100.00	100.00	100.00	100.00	100.00
C53	100.00	100.00	100.00	100.00	100.00
C54	100.00	100.00	100.00	100.00	100.00
C55	100.00	100.00	100.00	100.00	100.00
C56	100.00	100.00	100.00	100.00	100.00
C57	100.00	100.00	100.00	100.00	100.00
C58	100.00	100.00	100.00	100.00	100.00
C59	100.00	100.00	100.00	100.00	100.00
C60	100.00	100.00	100.00	100.00	100.00
C61	100.00	100.00	100.00	100.00	100.00
C62	100.00	100.00	100.00	100.00	100.00
C63	100.00	100.00	100.00	100.00	100.00
C64	100.00	100.00	100.00	100.00	100.00
C65	100.00	100.00	100.00	100.00	100.00
C66	100.00	100.00	100.00	100.00	100.00
C67	100.00	100.00	100.00	100.00	100.00
C68	100.00	100.00	100.00	100.00	100.00
C69	100.00	100.00	100.00	100.00	100.00
C70	100.00	100.00	100.00	100.00	100.00
C71	100.00	100.00	100.00	100.00	100.00
C72	100.00	100.00	100.00	100.00	100.00
C73	100.00	100.00	100.00	100.00	100.00
C74	100.00	100.00	100.00	100.00	100.00
C75	100.00	100.00	100.00	100.00	100.00
C76	100.00	100.00	100.00	100.00	100.00
C77	100.00	100.00	100.00	100.00	100.00
C78	100.00	100.00	100.00	100.00	100.00
C79	100.00	100.00	100.00	100.00	100.00
C80	100.00	100.00	100.00	100.00	100.00
C81	100.00	100.00	100.00	100.00	100.00
C82	100.00	100.00	100.00	100.00	100.00
C83	100.00	100.00	100.00	100.00	100.00
C84	100.00	100.00	100.00	100.00	100.00
C85	100.00	100.00	100.00	100.00	100.00
C86	100.00	100.00	100.00	100.00	100.00
C87	100.00	100.00	100.00	100.00	100.00
C88	100.00	100.00	100.00	100.00	100.00
C89	100.00	100.00	100.00	100.00	100.00
C90	100.00	100.00	100.00	100.00	100.00
C91	100.00	100.00	100.00	100.00	100.00
C92	100.00	100.00	100.00	100.00	100.00
C93	100.00	100.00	100.00	100.00	100.00
C94	100.00	100.00	100.00	100.00	100.00
C95	100.00	100.00	100.00	100.00	100.00
C96	100.00	100.00	100.00	100.00	100.00
C97	100.00	100.00	100.00	100.00	100.00
C98	100.00	100.00	100.00	100.00	100.00
C99	100.00	100.00	100.00	100.00	100.00
C100	100.00	100.00	100.00	100.00	100.00

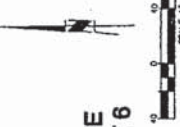
LINE TABLE

NO.	BEARING	LENGTH
L1	N 89° 17' 23" E	100.00
L2	N 89° 17' 23" E	100.00
L3	N 89° 17' 23" E	100.00
L4	N 89° 17' 23" E	100.00
L5	N 89° 17' 23" E	100.00
L6	N 89° 17' 23" E	100.00
L7	N 89° 17' 23" E	100.00
L8	N 89° 17' 23" E	100.00
L9	N 89° 17' 23" E	100.00
L10	N 89° 17' 23" E	100.00
L11	N 89° 17' 23" E	100.00
L12	N 89° 17' 23" E	100.00
L13	N 89° 17' 23" E	100.00
L14	N 89° 17' 23" E	100.00
L15	N 89° 17' 23" E	100.00
L16	N 89° 17' 23" E	100.00
L17	N 89° 17' 23" E	100.00
L18	N 89° 17' 23" E	100.00
L19	N 89° 17' 23" E	100.00
L20	N 89° 17' 23" E	100.00
L21	N 89° 17' 23" E	100.00
L22	N 89° 17' 23" E	100.00
L23	N 89° 17' 23" E	100.00
L24	N 89° 17' 23" E	100.00
L25	N 89° 17' 23" E	100.00
L26	N 89° 17' 23" E	100.00
L27	N 89° 17' 23" E	100.00
L28	N 89° 17' 23" E	100.00
L29	N 89° 17' 23" E	100.00
L30	N 89° 17' 23" E	100.00
L31	N 89° 17' 23" E	100.00
L32	N 89° 17' 23" E	100.00
L33	N 89° 17' 23" E	100.00
L34	N 89° 17' 23" E	100.00
L35	N 89° 17' 23" E	100.00
L36	N 89° 17' 23" E	100.00
L37	N 89° 17' 23" E	100.00
L38	N 89° 17' 23" E	100.00
L39	N 89° 17' 23" E	100.00
L40	N 89° 17' 23" E	100.00
L41	N 89° 17' 23" E	100.00
L42	N 89° 17' 23" E	100.00
L43	N 89° 17' 23" E	100.00
L44	N 89° 17' 23" E	100.00
L45	N 89° 17' 23" E	100.00
L46	N 89° 17' 23" E	100.00
L47	N 89° 17' 23" E	100.00
L48	N 89° 17' 23" E	100.00
L49	N 89° 17' 23" E	100.00
L50	N 89° 17' 23" E	100.00

- LEGEND**
- SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP L5 3/16" UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 150-1 TYPE B
 - PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - 30' X 30' SIGN VISIBILITY EASEMENT
 - INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDS



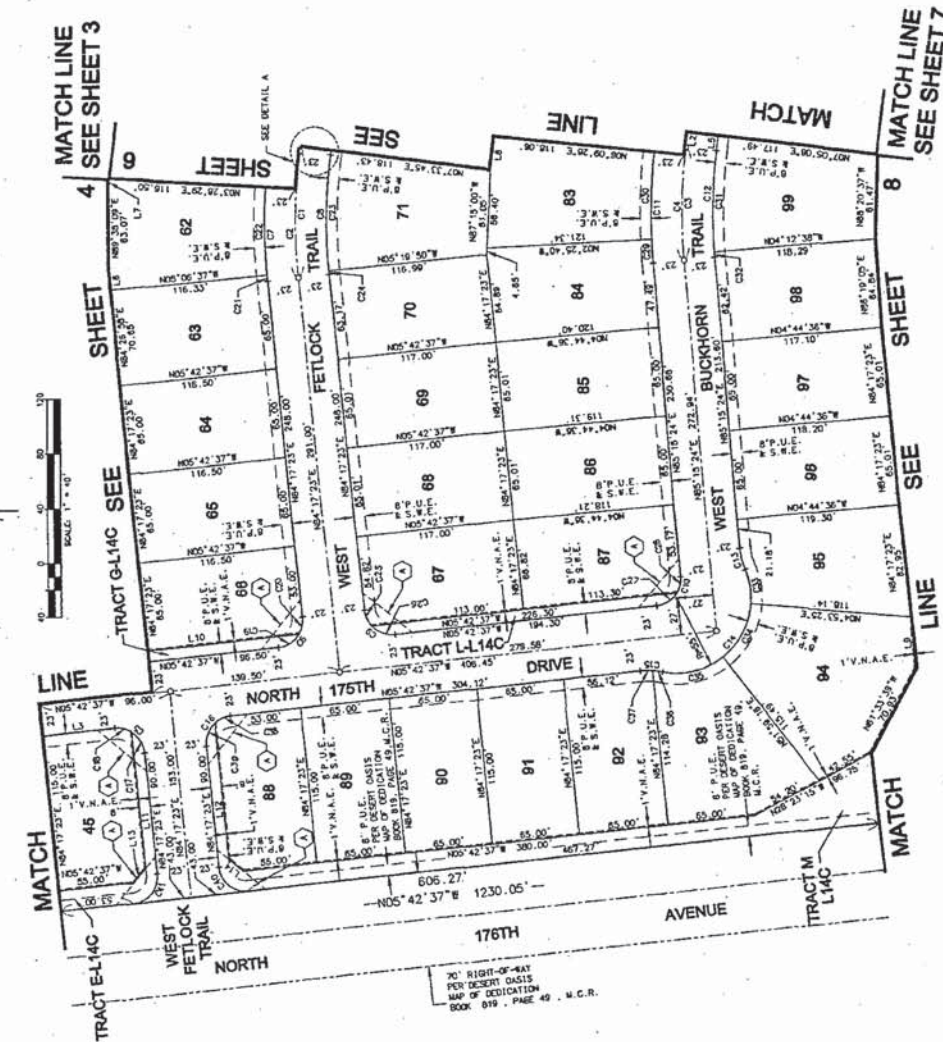
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DESERT OASIS PARCEL L14C
RBF # 46-102480, DATE 05/30/2007
SHEET 4 OF 8

RBF PLANNING & CONSTRUCTION
1000 NORTH 28TH AVENUE, SUITE 100
PHOENIX, ARIZONA 85029-7500
TEL: 602.955.1200 FAX: 602.955.1201 WWW.RBF.COM

DESERT OASIS PARCEL L14C



LINE TABLE

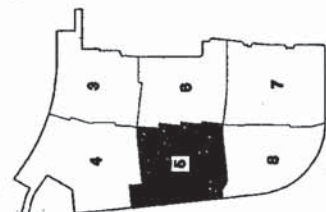
NO.	BEARING	LENGTH
L1	N82°52'13"E	1.81
L2	N82°54'24"E	10.52
L3	N82°52'13"E	5.00
L4	N82°54'24"E	5.00
L5	N82°52'13"E	10.52
L6	N82°54'24"E	13.87
L7	N82°52'13"E	5.00
L8	N82°54'24"E	24.15
L9	N82°52'13"E	37.15
L10	N82°54'24"E	101.00
L11	N82°52'13"E	14.14
L12	N82°54'24"E	14.14



CURVE TABLE

NO.	DELTA	RADIUS	TANGENT	CHORD	CHORD BEARING
C1	131°16'22"	100.00	22.48	48.51	N52°01'56"E
C2	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C3	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C4	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C5	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C6	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C7	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C8	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C9	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C10	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C11	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C12	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C13	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C14	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C15	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C16	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C17	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C18	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C19	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C20	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C21	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C22	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C23	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C24	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C25	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C26	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C27	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C28	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C29	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C30	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C31	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C32	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C33	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C34	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C35	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C36	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C37	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C38	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C39	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C40	109°11'02"	100.00	22.48	48.51	N52°01'56"E
C41	109°11'02"	100.00	22.48	48.51	N52°01'56"E

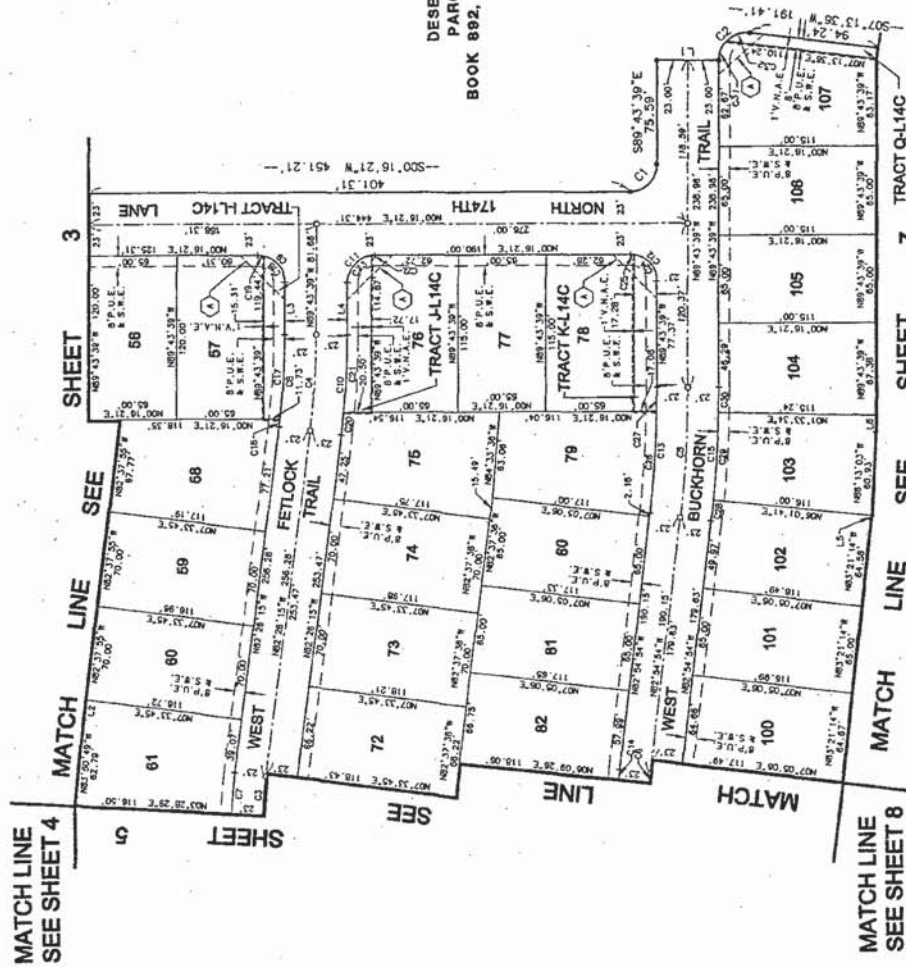
- LEGEND
- SURVEY MONUMENT (TOPOGRAPHIC AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP L.S. 1/2" UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET 1/2" BASS CAP PER MAG
 - 1/2" BASS CAP PER MAG
 - PUBLIC UTILITY EASEMENT
 - SIDEWALK EASEMENT
 - BUILDING SETBACK LINE
 - V.N.A.C. VEHICULAR NON-ACCESS EASEMENT
 - 33' X 33' SIGHT VISIBILITY EASEMENT
 - INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY REDDIER



DESERT OASIS PARCEL L14C
RBF #45-102480, DATE 05/30/2007
SHEET 5 OF 8

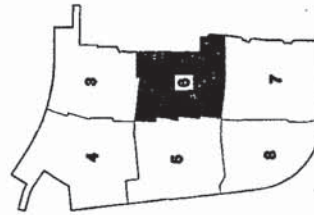
SHEET INDEX
THIS SHEET IN BLACK

RBF PLANNING & DESIGN & CONSTRUCTION
3800 NORTH 28th AVENUE, SUITE 100
PHOENIX, ARIZONA 85018-1000
TEL: 602.955.1234 FAX: 602.955.1235
WWW.RBF.COM



CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C-1	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-2	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-3	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-4	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-5	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-6	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-7	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-8	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-9	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-10	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-11	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-12	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-13	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-14	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-15	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-16	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-17	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-18	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-19	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-20	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-21	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-22	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-23	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-24	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-25	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-26	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-27	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-28	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-29	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-30	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-31	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-32	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-33	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-34	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-35	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-36	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-37	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-38	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-39	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-40	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-41	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-42	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-43	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-44	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-45	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-46	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-47	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-48	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-49	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-50	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-51	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-52	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-53	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-54	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-55	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-56	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-57	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-58	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-59	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-60	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-61	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-62	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-63	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-64	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-65	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-66	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-67	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-68	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-69	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-70	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-71	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-72	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-73	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-74	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-75	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-76	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-77	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-78	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-79	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-80	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-81	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-82	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-83	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-84	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-85	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-86	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-87	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-88	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-89	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-90	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-91	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-92	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-93	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-94	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-95	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-96	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-97	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-98	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-99	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00
C-100	10.00	20.00	33.34	20.00	20.00	N11.51°E 20.00

LINE TABLE		
NO.	BEARING	LENGTH
L1	500°18'21" N	48.00
L2	454°37'55" W	14.26
L3	105°45'39" W	33.68
L4	149°43'59" W	38.66
L5	186°13'03" W	2.72



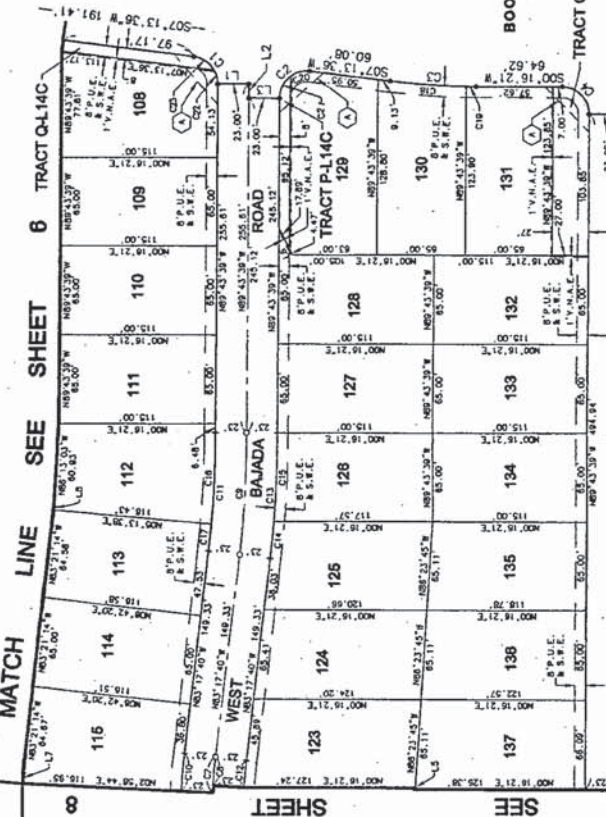
SHEET INDEX
THIS SHEET IN BLACK

PBF
CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
1803 NORTH 11TH AVENUE, SUITE 100
PHOENIX, ARIZONA 85013-7530
802.487.2200 • FAX 802.487.2201 • www.pbf.com

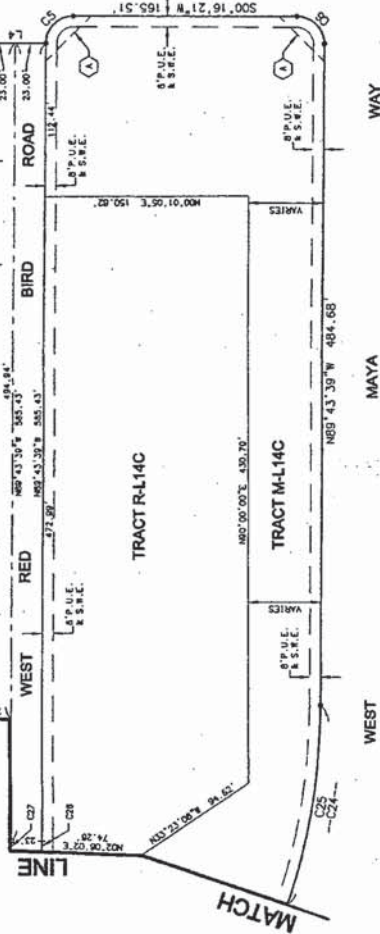
DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 05/30/2007
SHEET 8 OF 8

DESERT OASIS PARCEL L14C

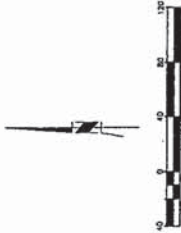
MATCH LINE SEE SHEET 5



DESERT OASIS
PARCEL L8-A
BOOK 922, PAGE 44, M.C.R.



SHEET INDEX
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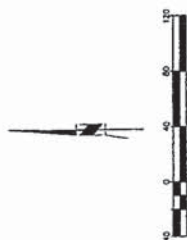
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- LEGEND**
- ① SURVEY MONUMENT (FOUND AS NOTED)
 - CENTER OF CURVE (SET 1/2" REBAR OR 1" IRON PIPE IN GROUND)
 - INTERIOR MONUMENT SET BRASS CAP FOR MAG
 - STD DETAIL 100-1 TYPE B
 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.H.A.C. VEHICULAR HIGHWAY EASEMENT
 - 33' X 33' SIGHT VISIBILITY EASEMENT
 - INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER



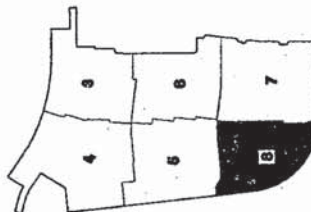
DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 05/30/2007
SHEET 7 OF 8

RBF PLANNING & DESIGN & CONSTRUCTION
8655 NORTH CENTRAL AVENUE, SUITE 100
PHOENIX, ARIZONA 85028-3400
602.972.2000 • FAX 602.972.2001 • www.rbf.com



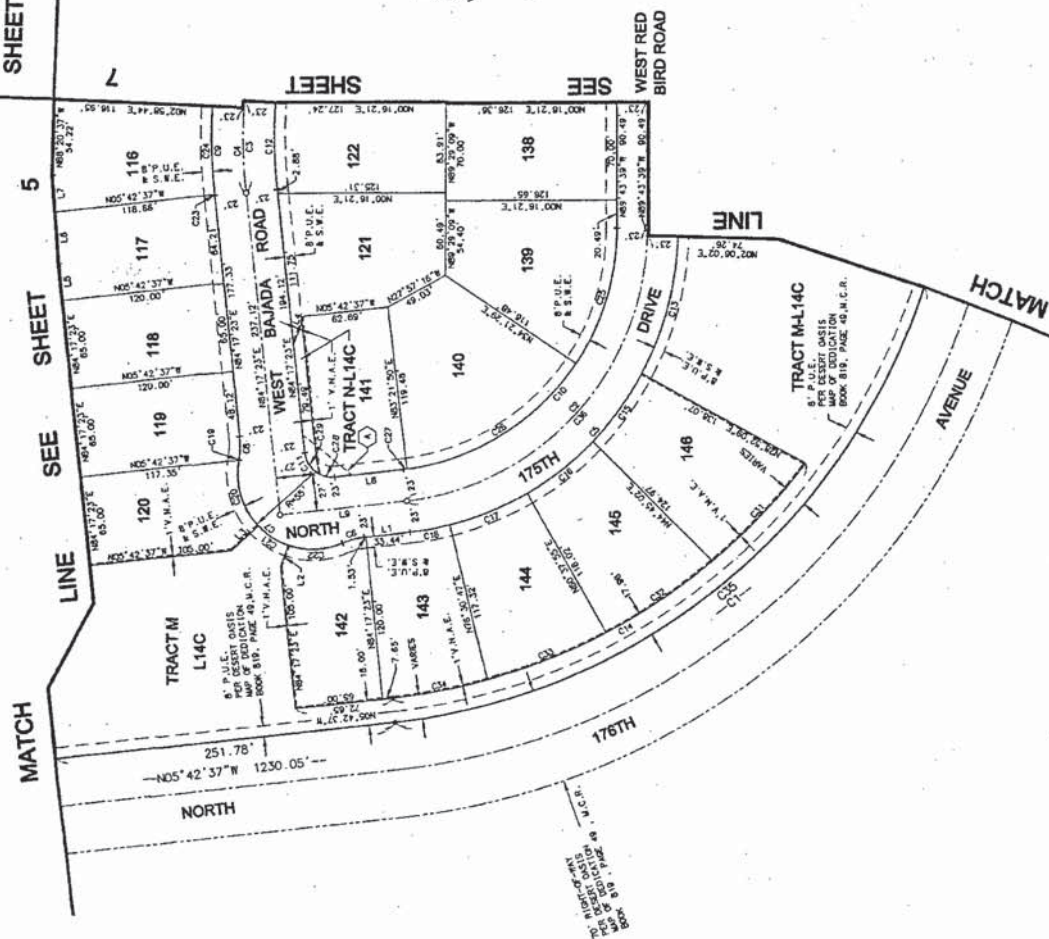
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C-62	84.81	205	16.0	1.7	237	124
C-63	84.81	205	16.0	1.7	237	124

LINE TABLE		
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L2	N70°26'30" W	16.83
L3	N42°46'22" W	26.46
L4	N85°08'43" W	22.36
L5	N04°19'23" E	27.21
L6	N55°19'03" E	27.03
L7	N68°19'05" E	27.03
L8	N03°43'33" W	51.76
L9	N42°46'22" W	26.46



SHEET INDEX
THIS SHEET IN BLACK

DESERT OASIS PARCEL L14C
RBF # 45-102480, DATE 05/30/2007
SHEET 8 OF 8



RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

1800 NORTH 28th AVENUE, SUITE 500
PHOENIX, ARIZONA 85003-7550
602-437-2300 • FAX 602-467-2203 • www.RBF.com

Desert Oasis of Surprise Lancer Parcel 14c

Final Plat Narrative

Revised: July 25, 2007
December 18, 2006

For:
Centex Homes
8665 East Hartford Drive, Suite 200
Scottsdale, Arizona 85255

By:
RBF Consulting
16605 N. 28th Avenue, Suite 100
Phoenix, Arizona 85053

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1.0 Project Description

1.1 Location

The Desert Oasis Lancer Parcel is a 583-acre development planned to provide single-family residential, commercial, community facilities, and schools. Desert Oasis is located in the City of Surprise, Maricopa County, Arizona. The site is located in Section 35, Township 5 North, Range 2 West of the Gila and Salt River Base and Meridian. The Lancer Parcel is bounded to the north by Dynamite Boulevard, to the east by 171st Avenue, to the south by Jomax Road, and to the west by the 179th Avenue alignment.

Parcel L14c lies near the center of Section 35 and shares its northern boundary with proposed Parcel L13b. The southern boundary is shared with existing residential Parcel L5a and proposed residential Parcel L6. The eastern boundary is shared with proposed Parcel L14b and existing Parcel L14a, both residential parcels. 176th Avenue runs along the western boundary of the site and separates it from proposed Parcel L4.

1.2 Density/Open Space

Parcel L14c is designated in the Desert Oasis Planned Area Development (P.A.D.) as single-family residential and contains 146 lots. The proposed minimum lot size for this parcel is 65' x 115' producing a gross density of 3.54 dwelling units per acre. It is realizing a net density of 4.37 dwelling units per acre. The gross area of this site is 41.29 acres while the net acreage is 33.42 acres (gross area minus public streets). This project will be providing a total open space of 5.40 acres. This represents approximately 16.2 percent of the net acreage of the site. This open space is distributed amongst several tracts, which will be used for landscape, retention / recreation, and drainage.

1.3 Surrounding Land Uses

The right-of-way of 176th Avenue borders the site to the west separating it from Parcels L4 and L5b. To the north lies Desert Oasis Residential Parcel L13b. Desert Oasis Parcels L5a and L6 border the site to the south. Directly east of this site is Desert Oasis Parcel L14a and L14b.

2.0 Existing Conditions

2.1 Existing Infrastructure

The roads surrounding the Desert Oasis site are all currently dirt roads or under construction. Jomax Road has been improved to a two-lane paved road leading up to the southeast corner of the site. Construction on the Phase 1 Improvements for Desert Oasis is underway and will be completed before the end of construction on

Parcel L14c. There is an existing water campus located in the northwest corner of the Desert Oasis Baer Parcel. This contains a well that will be used to supply water to Parcel L14c.

A temporary wastewater treatment plant is located in the southeast corner of the Desert Oasis Baer Parcel. This temporary plant currently does not have sufficient capacity to service Desert Oasis Parcel L14c. Centex Homes is discussing with the City of Surprise (Rich Williams) the possibility of reducing the design flow from 300gpcpd to 200-250 gpcpd. The latter number is a value closer to the actual flows (approx. 180 gpcpd) being experienced by the temporary treatment facility. If the City of Surprise and Maricopa County agree to lower the design flows to a smaller value additional capacity will become available while the Regional Reclamation Facility is being completed. However, until the design flow is reduced the discharge associated with this parcel will be required to flow to the Regional plant as opposed to the temporary plant. Ultimately all the wastewater generated by Desert Oasis-Lancer will be serviced by the Regional Reclamation Facility.

2.2 Physical Features / Topography

The property is currently fallow farmland in which the land slopes from north to south at approximately 1 percent. Some grading has been done along the south portion of the site due to the construction for Parcels L5A, L5B, L14A and the Infrastructure roads. There is a wash that runs along the west side of 179th Avenue. This wash creates a floodplain that is classified as Zone A. This affects Parcels L3 and L4.

The existing drainage conditions for the entire Desert Oasis site and the surrounding areas were included in the Wittmann Area Drainage Master Study Update produced for the Flood Control District of Maricopa County in October of 2004. Offsite drainage approaches the project from the north through a breach in a cattle tank. This offsite flow will be rerouted around the Desert Oasis master plan. A channel has been designed to divert the offsite flow of 849 cfs east along Dynamite Blvd and then south along 171st Avenue. The 171st Avenue Channel Plans and Final Drainage Report produced by RBF Consulting have been approved by the City of Surprise. These plans will eliminate any floodplain created by the offsite flow in the Wittmann ADMSU. The 171st Avenue channel plans as well as a CLOMR & LOMR will be prepared to remove any lots from the floodplains affecting the Desert Oasis development.

3.0 Proposed Improvements/ Accessibility

The site will be accessible from the south via 163rd Avenue and then Jomax Road. Jomax Road and 171st Avenue are minor arterials and the half-street improvements for these roads will be completed with the Desert Oasis Phase 1 Infrastructure plans. 172nd Drive and 176th Avenue, both collectors, located inside the development, are also part of the Phase 1 Improvements. This will be the main

access for Parcel L14c. The Phase 2 & 3 Infrastructure Paving plans, by RBF Consulting, will complete Jomax Road, Dynamite Boulevard, and 179th Avenue, which will provide additional access for Parcel L14c.

4.0 Community Facilities and Services

Several public and community facilities are planned throughout the Desert Oasis community to serve the residents. These facilities include a public school, community parks/ recreation areas, drainage facilities, and public streets.

5.0 Public Utilities and Services

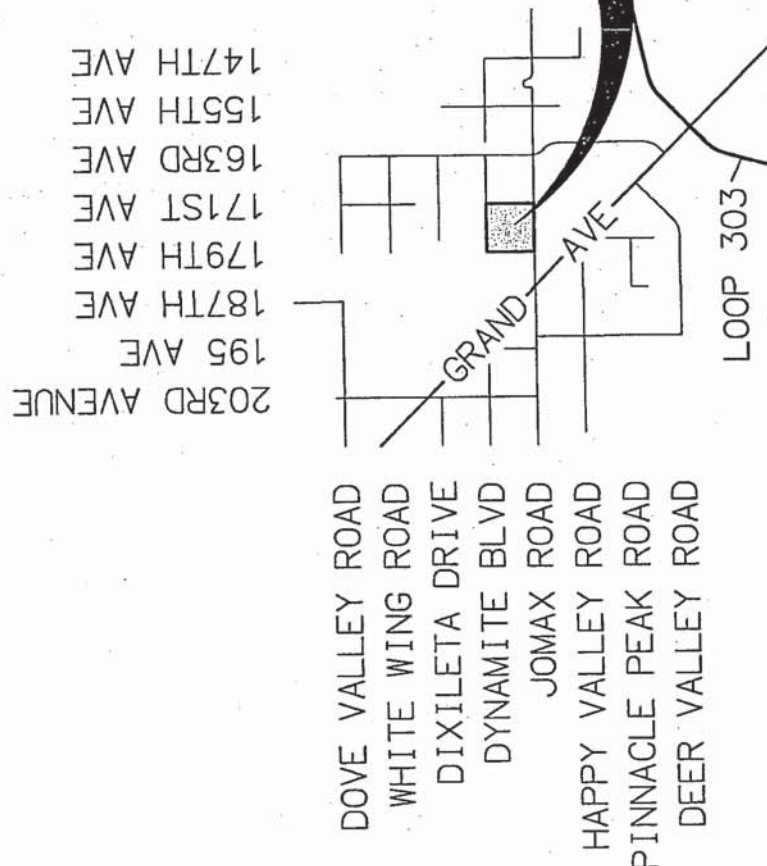
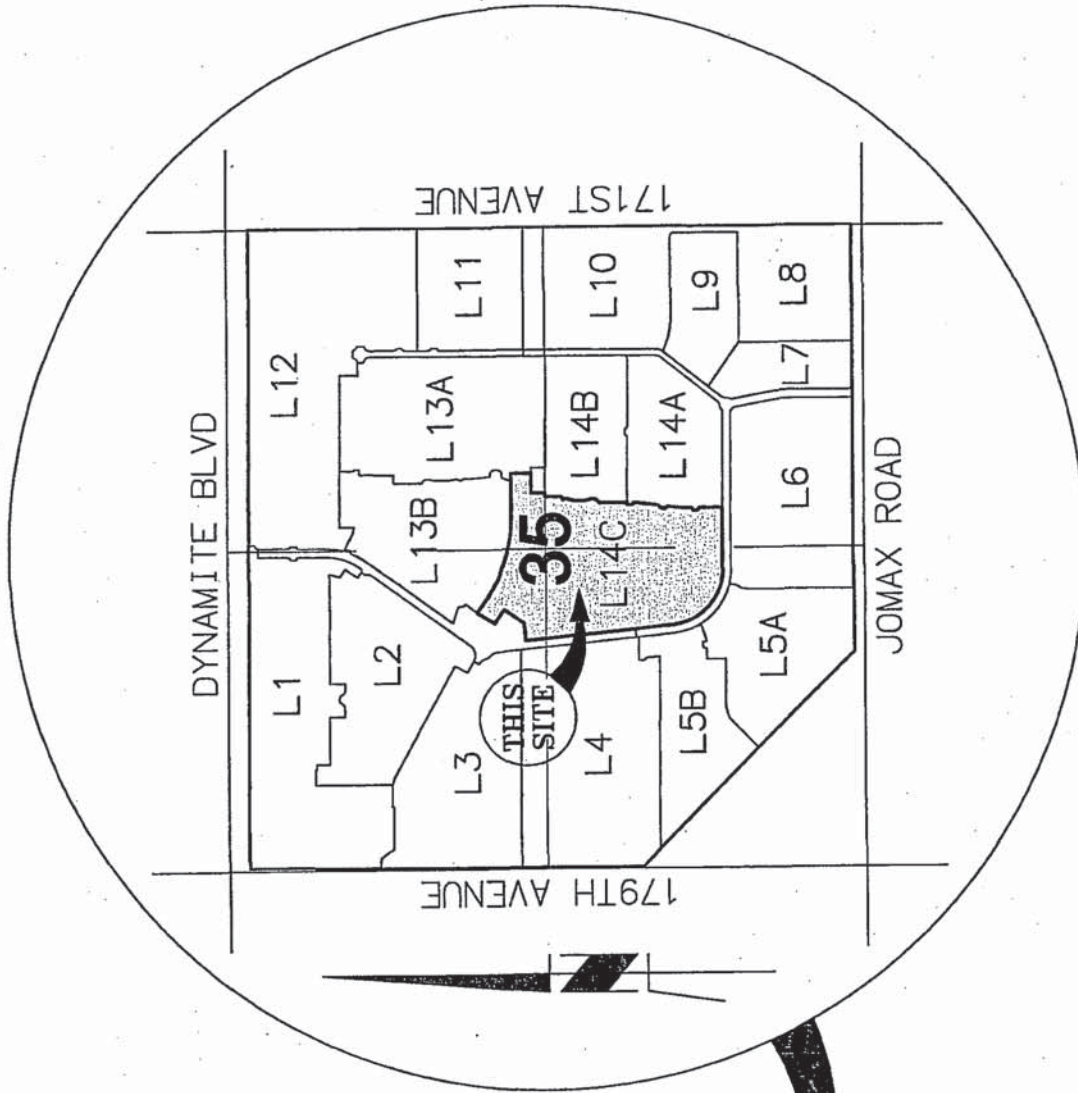
The water distribution and wastewater collection systems are discussed above in the existing infrastructure portion. Parcel L14c's onsite construction will include an 8" looped water system with a total of six ties to the existing water lines located in Parcel L13a (1), L14a(3), and 176th Avenue (2). Parcel L14c will provide one water stubs for the future development of Parcel L13b. Parcel L14c will also construct an 8" gravity sewer system that will drain to an existing 8" sewerline in North 174th Drive in existing Parcel L14a. This 8" sewerline ultimately drains to a 10" sewerline located in 176th Avenue. In addition to these public utilities, Desert Oasis will be provided electricity by APS, Cable TV through Cox Communications, telephone by Qwest Communications, and gas by Southwest Gas.

6.0 Development Schedule

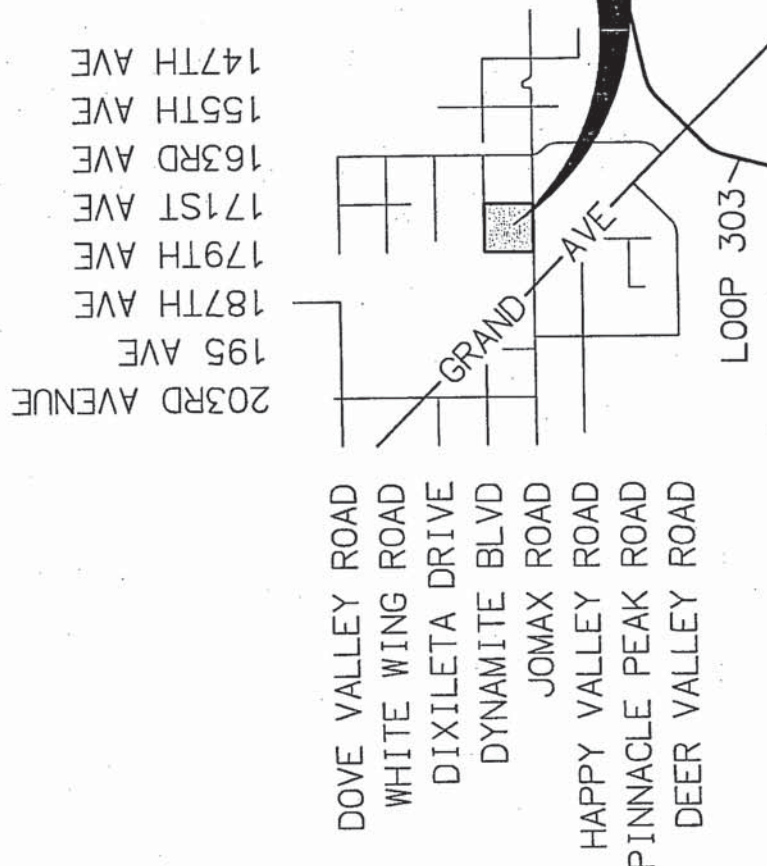
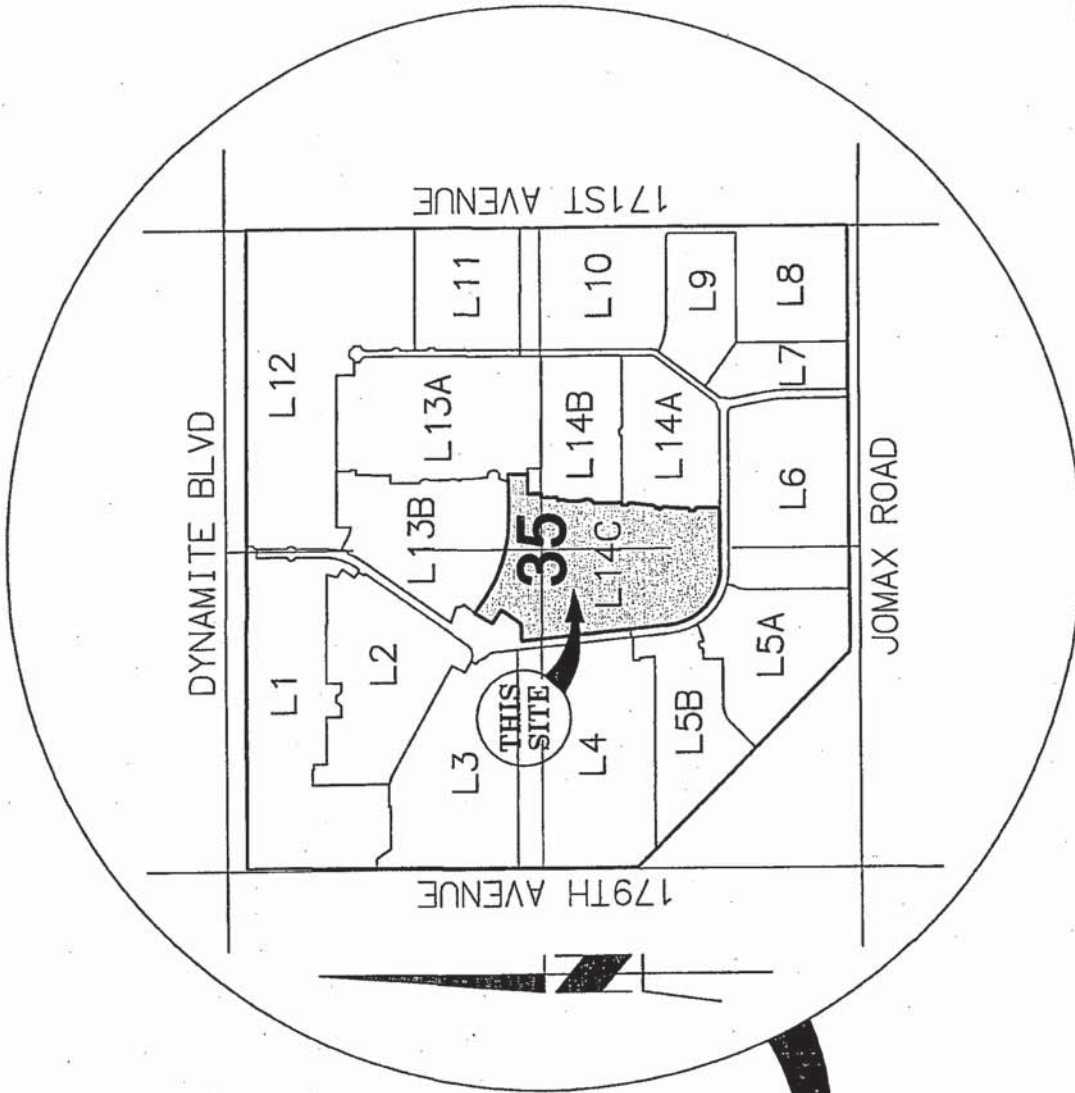
According to the current schedule of construction and engineering, the developer plans to start grading on this parcel in first quarter of 2008. This parcel is a part of the mass grading plan for the remainder of the Desert Oasis-Lancer community. The Desert Oasis Phase 1 Infrastructure Improvements will need to be finished before construction on Parcel L14c is completed.

7.0 Variations from Preliminary Plat

The approved Desert Oasis-Phase 2 Preliminary Plat allowed for a total of 157 lots within the boundary of this parcel. During the final design stage of Parcel L14c one lot was removed to provide adequate retention. Additionally another 10 lots were removed to provide space for a community pool site within the Desert Oasis-Lancer Community. No other significant changes have been made since the approval of the Preliminary Plat.



VICINITY MAP



VICINITY MAP



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

February 15, 2007

City of Surprise Planning Department
12425 West Bell Road Suite D100
Surprise, Arizona 85374
C/o Mr. David Neal

RECEIVED
FEB 16 2007
COMMUNITY DEVELOPMENT

RE: Desert Oasis 14C/ FP07-0042/ 171st Ave & Jomax

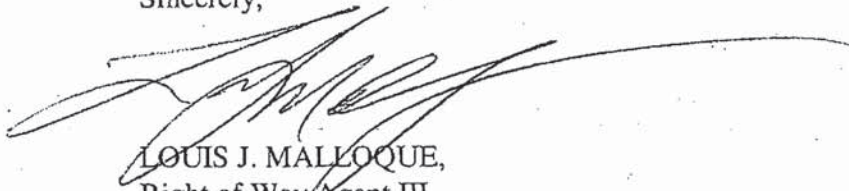
Dear Mr. Neal:

Thank you for your notification regarding the Final Plat for the subject referenced above. After a complete review, we have concurred that the proposed Final Plat at this time will have no impact on our highway facilities in this area.

ADOT does reserve the right to review and comment any further development plans, changes and or additions for this site, as to any impact they may have on the State Highway System.

Should you have any questions, you may contact me at 602-712-8755 or by fax at 602-712-3051, or in writing at 205 S. 17th Avenue, Right of Way Project Management Section, Suite 349 MD 612E, Phoenix, Arizona 85007. Thank you in advance for your cooperation.

Sincerely,


LOUIS J. MALLOQUE,
Right of Way Agent III
lmalloque@azdot.gov



2001 Award Recipient



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

RECEIVED

MAR 05 2007

COMMUNITY DEVELOPMENT

27 February 2007

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

Ms. Cindy Coen
Planning and Zoning Division
12425 West Bell Road, Suite D-100
Surprise AZ 85374

Re: Case #FP07-042 Desert Oasis Parcel 14C

Dear Ms. Coen

Thank you for the opportunity to provide comments on the Final Plat Application for Desert Oasis Parcel 14C. This Parcel is located on 41.29 gross acres south and west of the southwest corner of 171st Avenue and Patton Road. The proposal is to build 156 residential dwelling units (du), resulting in a gross residential density of 3.78 du/acre. Parcel 14C is located approximately 2 miles outside the Luke AFB Auxiliary Field #1 2004 65 Ldn, "high noise or accident potential zone," as defined 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.

Luke AFB follows the guidelines for the Graduated Density Concept (GDC) around the Aux 1. The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The above density of 3.78 du/acre meets these guidelines.

Since Parcel 14C will be located inside the "vicinity of a military airport", it will be subjected to approximately 13,000 flight operations per year, with some as low as 1,500 feet above ground level. 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 is essential to inform potential residents about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Mr. Bob Dubsky, at (623) 856-6195.

Sincerely

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

JAMES R. MITCHELL

cc:

Colonel David L. Orr, Vice Commander, 56th Fighter Wing



CITY OF SURPRISE

Main Agenda

January 24, 2008 @ 6:00:00 PM

+ Back Print

Council Meeting Date: January 24, 2008

Contact Person: Adam Copeland, Community Development

Submitting Department: CD

District: 5

Staff Recommendations: Approve

Consent	Regular	Public Hearing	Report/Discussion
x			

Agenda Wording:

Consideration, and action on Resolution 08-23, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Final Plat for Desert Oasis 2- Parcel L 14C (FP07-042), consisting of 146 lots on approximately 41.29 gross acres. The subject site is generally located south of Dynamite Boulevard, north of Jomax Road, west of 171st Avenue, and east of 179th Avenue.

Motion:

I move to approve Resolution 08-23.

Background:

Desert Oasis Phase 2 Preliminary Plat was approved by the City Council on September 14, 2006. The proposed Final Plat is consistent with the Preliminary Plat.

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

- ☐ [RESOLUTION](#)
- ☐ [STAFF REPORT](#)
- ☐ [FINAL PLAT](#)
- ☐ [NARRATIVE](#)

- ☐ VICINITY MAP
- ☐ ADOT LETTER
- ☐ LUKE LETTER

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

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

Adam Copeland, Planner, Community Development

=====

City Clerk's Office only

Council Action

Motion/Second:

Truitt	_____
Longabaugh	_____
Alton	_____
Williams	_____
Villanueva	_____
Johnson	<u> M </u>
Foro	<u> S </u>

Results:

For	<u> 7 </u>
Against	<u> 0 </u>
Passed	<u> XX </u>
Failed	_____
Continue	_____
Tabled	_____
Abstained	_____



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

January 25, 2016

Pulte Development Corporation
16767 N. Perimeter Dr., Suite 100
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR
DESERT OASIS PARCEL L14C PHASES 2, 3 & 4-FS14-029**

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

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

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

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

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

Sincerely,

Kristin Tytler P.E.,
Development Engineering Manager

kt/jg

c: William Valdez, Civil Inspector
David Mobley, Public Works
David Kohlbeck, Public Works
Mike Gent, Public Works
Warren Dancer, Water Resource Management
File

Lora Ingram, Finance
Antonio DeLaCruz, Public Works
Fermin Camacho, Public Works
Terry Lowe, Water Resource Management
Lee Lambert, Water Resource Management

RFLS NO:	5242
SUBMIT DATE:	7/12/2016

**SURPRISE CITY ATTORNEY
REQUEST FOR LEGAL SERVICES**

Please retain form with document throughout the entire process.

Requestor: JOE GARZA

Department & Extension: PW - Engineering, Ext. 26141

Contract Title: Res 2016-104 Acceptance for Desert Oasis Parcel L14C

Date of Contract, Event/Performance: 7/15/2016

Description of Legal Services Requested: CONDITIONAL INFRASTRUCTURE ACCEPTANCE FOR DESERT OASIS PARCEL L14C

Vendor Name, Address & Phone:

To Council? Yes, with Resolution

If Yes, Council Meeting Date: 08/16/2016

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

RFLS Status: Approved

Attorney Comment:

Please see attached resolution. I changed the date in your memo to read the August 16 council date. I believe the way this is written, you don't have to take it back to council for final acceptance, just be sure that Finance knows and has the costs on the books.

CINDY.COEN

City Attorney's Office

7/18/2016

Date

7/21/2016 8:49:15 AM



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action pertaining to approval of the final plat entitled "A Final Plat of the Spa 1 Water Reclamation Facility", a property generally located at the southeast corner of Cactus Road and Litchfield Road.

Motion:

I move to approve the Final Plat entitled "A Final Plat of the Spa 1 Water Reclamation Facility"

Background:

Harold Hartman with the City of Surprise Public Works Department submitted a request for a Final Plat to combine six (6) parcels into one (1) parcel of approximately 176 acres the City owned property at the southeast corner of Cactus Road and Litchfield Road.

Objective Analysis:

The proposed Final Plat will provide the mechanism needed to allow the City to construct additional public facilities within one parcel, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

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 budget impact related to the proposed rezoning, however future actions related to the development of the property could have a budget impact.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Staff Report](#)
 - ☐ [01 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Vicinity Map](#)
 - ☐ [02 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Case Map](#)
 - ☐ [03 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Final Plat](#)
 - ☐ [04 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Luke Letter](#)
 - ☐ [05 - FS16-144 - SPA 1 - North Entrance Gate and Block Wall - Final Plat - Presentation](#)
-



FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS16-144

2 **Project Name:** SPA-1 North Entrance Gate and Block Wall

3 Council District: 6 – Palo Verde

4 **City Council Date:** August 16, 2016

5 **Planner:** Sergio Angulo, Planner

6 **Owner:** City of Surprise

7 **Applicant:** Harold Hartman, City of Surprise Public Works Department

8 **Request:** Final Plat to combine six (6) parcels into one (1) parcel of
9 approximately 176 acres.

10 **Site Location:** South of Cactus Road and east of Litchfield Road.

11 **Site Size:** 176 acres (approx.)

12 **Findings:**

- 13 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
14 • The proposed Final Plat is consistent with the provisions of the SUDC.
15 • The proposed Final Plat is consistent with the Rezone as approved under case FS16-144.

16 **Staff Recommendation:** **None**

17 **Summary:**

18 The applicant is requesting a Final Plat approval to combine six (6) parcels into one (1) parcel of
19 approximately 176 acres. The subject property is located in the southeast corner of Cactus Road
20 and Litchfield Road and is the location of the SPA-1 Water Reclamation Facility. Besides the existing
21 water treatment and maintenance equipment on site there is a training center under construction
22 named Gateway Training Center. The City of Surprise is partnering with Gateway Community
23 College to provide training services to city employees and the public.

24 This Final Plat is in conjunction with a related Rezone of the subject property from Residential
25 Ranch (RR) to Public Facility (PF), and a Site Plan for an entrance gate from Cactus Road. The Rezone
26 is discussed under separate cover; however, assuming the Council is comfortable with approving
27 the Rezone, the Council may choose to approve the subject Final Plat. The related Site Plan was
28 discussed under a separate cover and approved by the Planning and Zoning Commission on July 21,
29 2016.

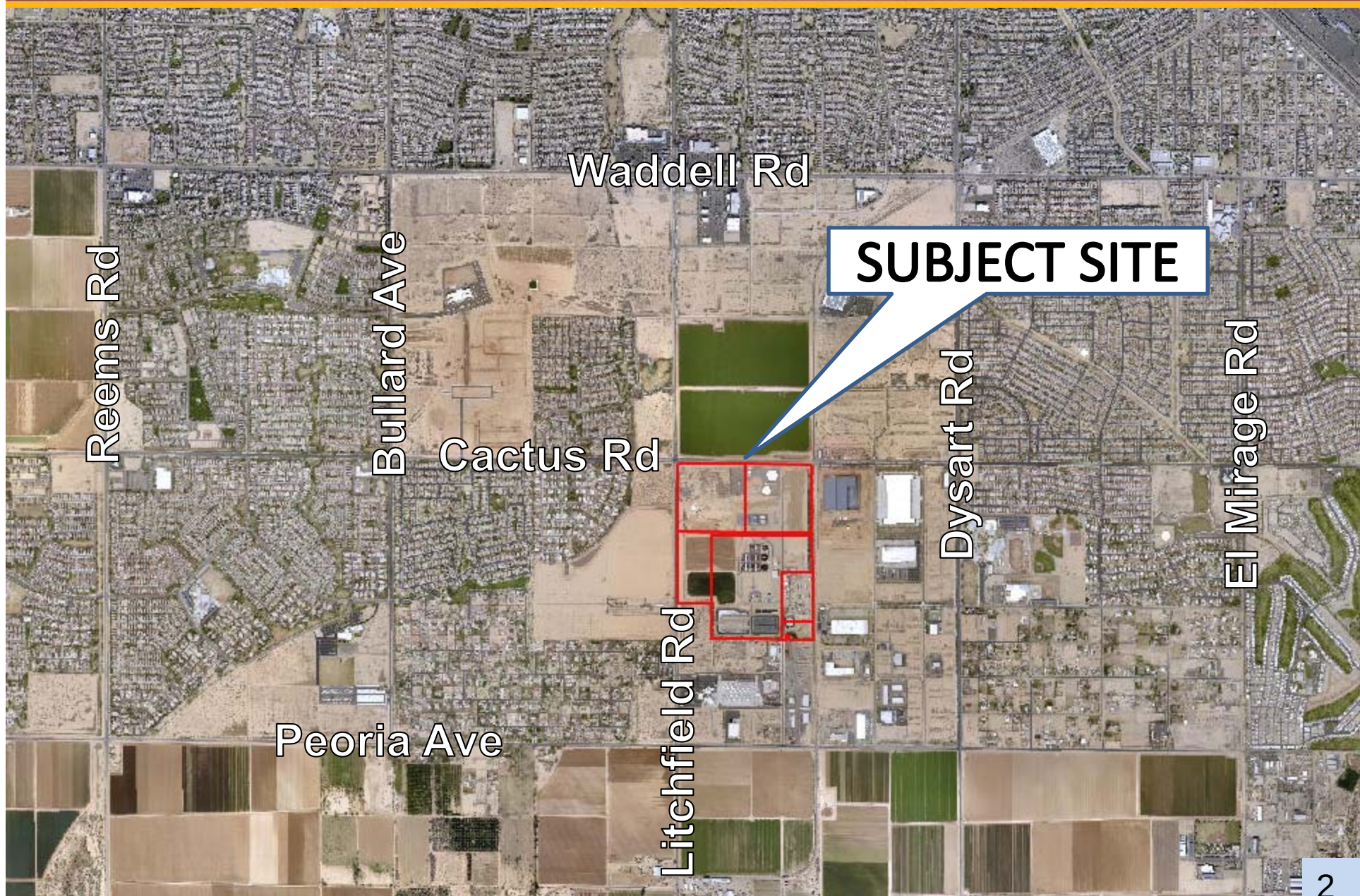
30 **Attachments:**

31 01 Vicinity Map
32 02 Case Map
33 03 Final Plat
34 04 Luke AFB comments

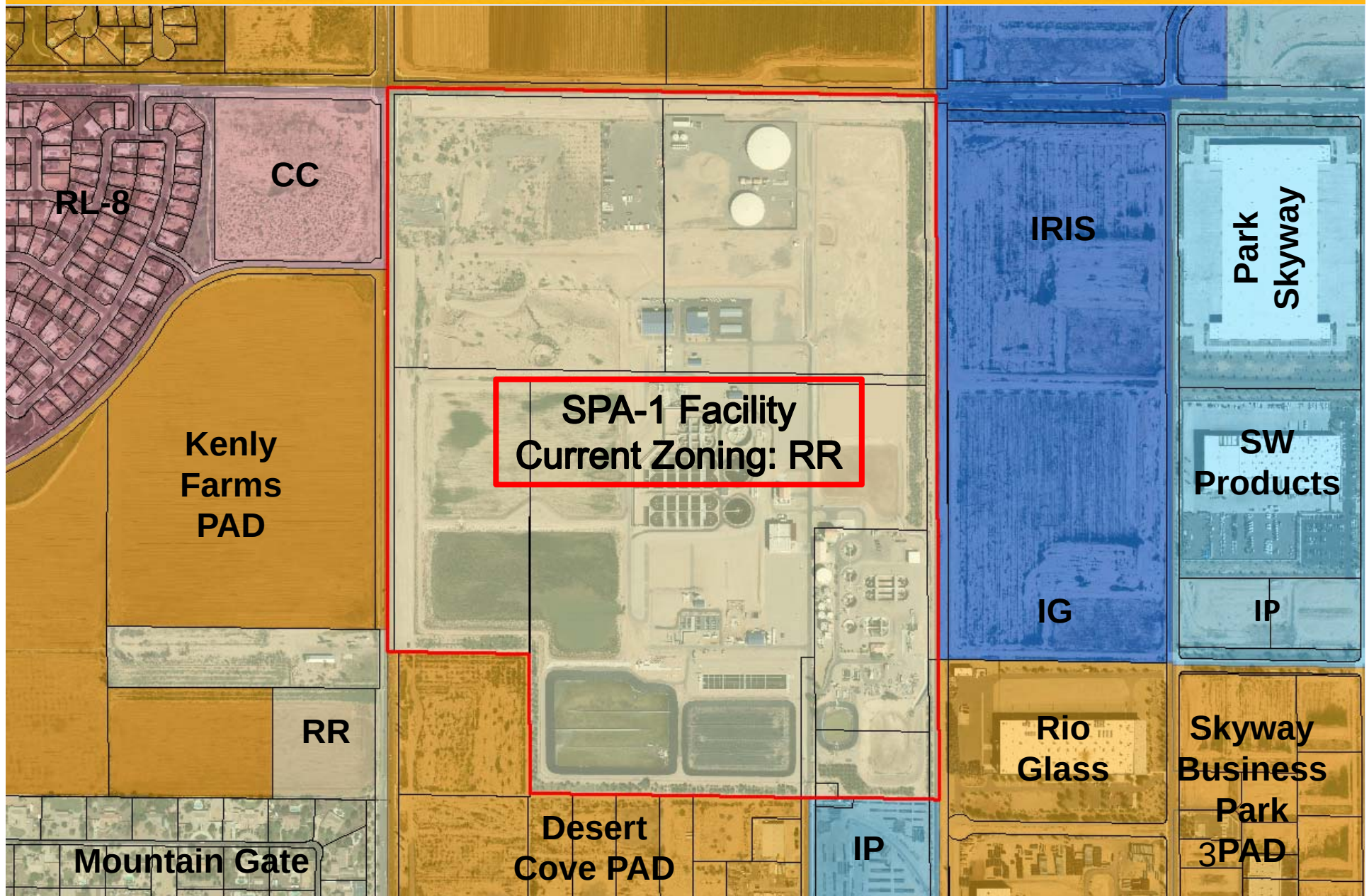
35 **Enclosure:**

36 Sealed mylars

VICINITY MAP



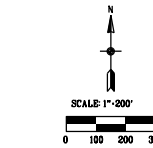
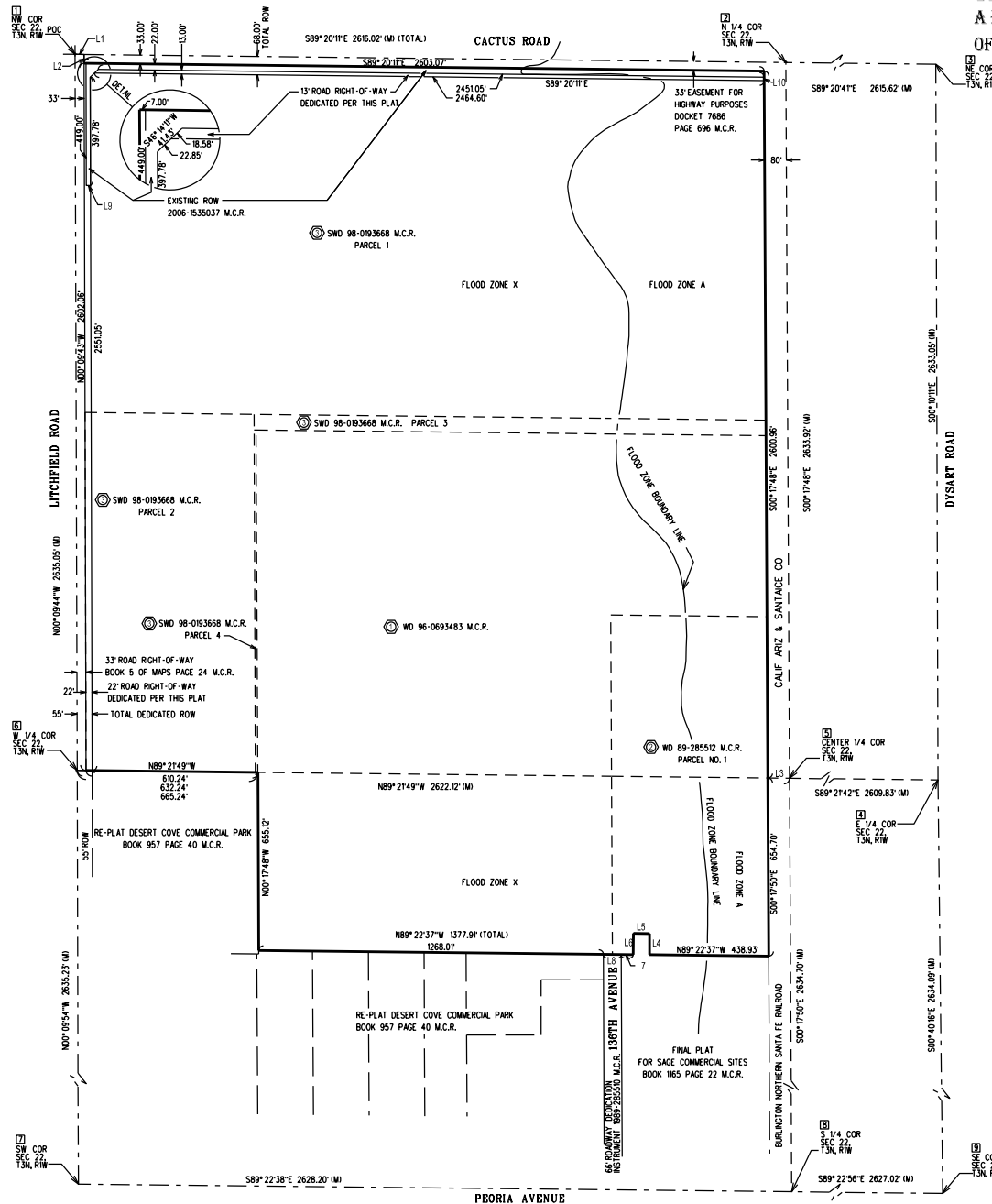
CASE MAP



④ QUIT CLAIM DEED 2008-0778148 M.C.R.

A FINAL PLAT OF THE SPA 1 WATER RECLAMATION FACILITY

A PORTION OF THE WEST HALF OF SECTION TWENTY TWO, TOWNSHIP THREE NORTH, RANGE ONE WEST OF THE GILA AND SALT RIVER BASE & MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



PURPOSE OF SURVEY

- 1) ASSEMBLE VARIOUS PARCELS INTO ONE PARCEL
- 2) DEDICATION OF ROAD RIGHT-OF-WAY

LINE TABLE

LINE	BEARING	LENGTH
L1	S89°20'11"E	33.00'
L2	S00°09'43"E	33.00'
L3	S89°21'49"E	80.00'
L4	N00°26'10"E	77.79'
L5	N89°43'22"W	60.06'
L6	S00°27'04"W	77.43'
L7	N89°22'37"W	43.90'
L8	N89°22'37"W	66.00'
L9	S89°50'17"W	15.00'
L10	S00°17'48"E	13.00'

MONUMENTS

- 1) COS BRASSCAP IN HANDHOLE
- 2) 2" MARICOPA COUNTY ALUMINUM CAP IN POTHOLE STAMPED T3N R1W S15 1/4 S22 RLS 36563 2003
- 3) 3" CITY OF EL MIRAGE BRASSCAP IN HANDHOLE
- 4) 3" CITY OF EL MIRAGE BRASSCAP IN HANDHOLE
- 5) 1/2" REBAR WITH PLASTIC CAP RLS 17480
- 6) 3" MARICOPA COUNTY BRASS CAP AT SURFACE STAMPED T3N R1W 1/4 S21 S22 RLS 36563 2003
- 7) 2" MARICOPA COUNTY ALUMINUM CAP IN POTHOLE STAMPED T3N R1W S21 S22 S28 S27 RLS 36563 2003
- 8) 2" MARICOPA COUNTY ALUMINUM CAP IN POTHOLE STAMPED T3N R1W S22 1/4 S27 RLS 36563 2003
- 9) 3" CITY OF EL MIRAGE BRASSCAP IN HANDHOLE

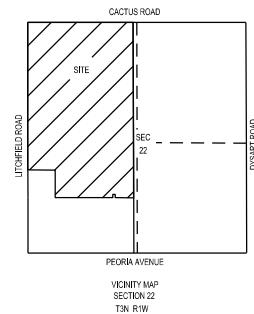
BASES OF BEARINGS

Maricopa County Low Distortion Projection
Linear units: International foot
Geoid: Geoid NAD 83
Projection type: Lambert Conformal Conic (single parallel)
Latitude of origin: 33°15'00"N
Central meridian: 112°15'00"W
False northing: 1,500,000.000 ft
False easting: 2,500,000.000 ft
Standard parallel scale: 1.000045 (exact)

LAND SURVEYORS CERTIFICATION

This is to certify that the survey and proper assembly of the premises described and plotted hereon was made under my direction during the month of July, 2014; that the survey is true and complete as shown that the monuments shown actually exist that their positions are correctly shown and that said monuments are sufficient to enable the survey to be retraced.

Ron Dry
R/S - 19820



LEGEND

M.C.R.	MARICOPA COUNTY RECORDER
ROW	DEDICATED RIGHT-OF-WAY
COS	CITY OF SURPRISE
---	PARENT PARCEL DEED LINES
---	SECTION LINES
---	ADJACENT PARCEL LINES
---	WATER RECLAMATION FACILITY PROPERTY LINE

REFERENCES

- WARRANTY DEED 1996-069483 M.C.R.
WARRANTY DEED 1989-28552 M.C.R.
SPECIAL WARRANTY DEED 1998-0193668 M.C.R.
QUIT CLAIM DEED 2008-077848 M.C.R.
WARRANTY DEED 1986-279494 M.C.R.
WARRANTY DEED 1986-279495 M.C.R.
WARRANTY DEED 1997-051063 M.C.R.
WARRANTY DEED DOCKET 12636 PAGE 1339 M.C.R.
BOOK 937 PAGE 50 M.C.R.
BOOK 957 PAGE 40 M.C.R.
DOCKET 3547 PAGE 345 M.C.R.
EASEMENT AND DEED OF DEDICATION 1989-28550 M.C.R.
DOCKET 1803 PAGE 379 M.C.R.
DECLARATION OF ROAD RIGHT-OF-WAY 2006-1535037 M.C.R.
BOOK 5 OF ROADS PAGE 224 M.C.R.

COUNTY RECORDER



CITY OF SURPRISE LAND SURVEY DEPARTMENT 18000 N. CIVIC CENTER PLAZA SURPRISE, ARIZONA 85374 (602)222-7543			
PROJECT TITLE A FINAL PLAT OF THE SPA 1 WATER RECLAMATION FACILITY			
DRAWN BY 14024	CHECKED BY MRK	DATE 05-16-2014	SHEET 2 OF 2



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

5 April 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: FS16-144; Special Planning Area 1, Water Reclamation Facility, Site Security Wall and Entrance Road

Dear Ms. Sullivan

Thank you for the opportunity to provide comments on the Rezone Final Plat and Site Plan Application for SPA-1, Water Reclamation Facility Site Security Wall and Entrance Road. The site is located on 176 acres at the southeast corner of Cactus and Litchfield Roads in Surprise AZ. The SPA-1 Water Reclamation Facility is currently situated on six parcels which are currently zoned R1-43, Rural Residential, all six parcels will be combined into one parcel and rezoned as GU, Government Use. The site is inside the 1988 JLUS 65 and 70 Ldn, "high noise or accident potential zone," as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461.

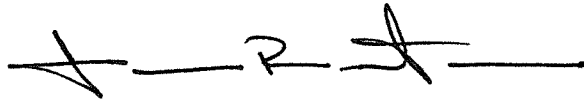
The request is to construct an eight foot high cast-in-place concrete security wall around the entire perimeter of the SPA1 WRF property at the existing Water Reclamation Facility. Where the floodplain encroaches onto the East side of the property, the wall will have 24-inch wide by 8-inch high holes constructed 24" apart for the entire length of the wall to pass floodwaters and an additional 116 parking spaces to the Surprise-Gateway Training Center which is currently being constructed. Additionally, a new entrance into the WRF that will provide a gateway for the public to enter the facility will be constructed. Tiered security levels will be provided by a system of gates that prohibits the general public from accessing the operations area, but allows deliveries and staff access to the areas.

As described, the change to the zoning and construction to the current WRC will not negatively impact the flying operations at Luke AFB. Since this site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. 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 is essential to inform the tenant about Luke AFB operations.

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

Sincerely

A handwritten signature in black ink, appearing to read 'J R Mitchell', written over a horizontal line.

JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing

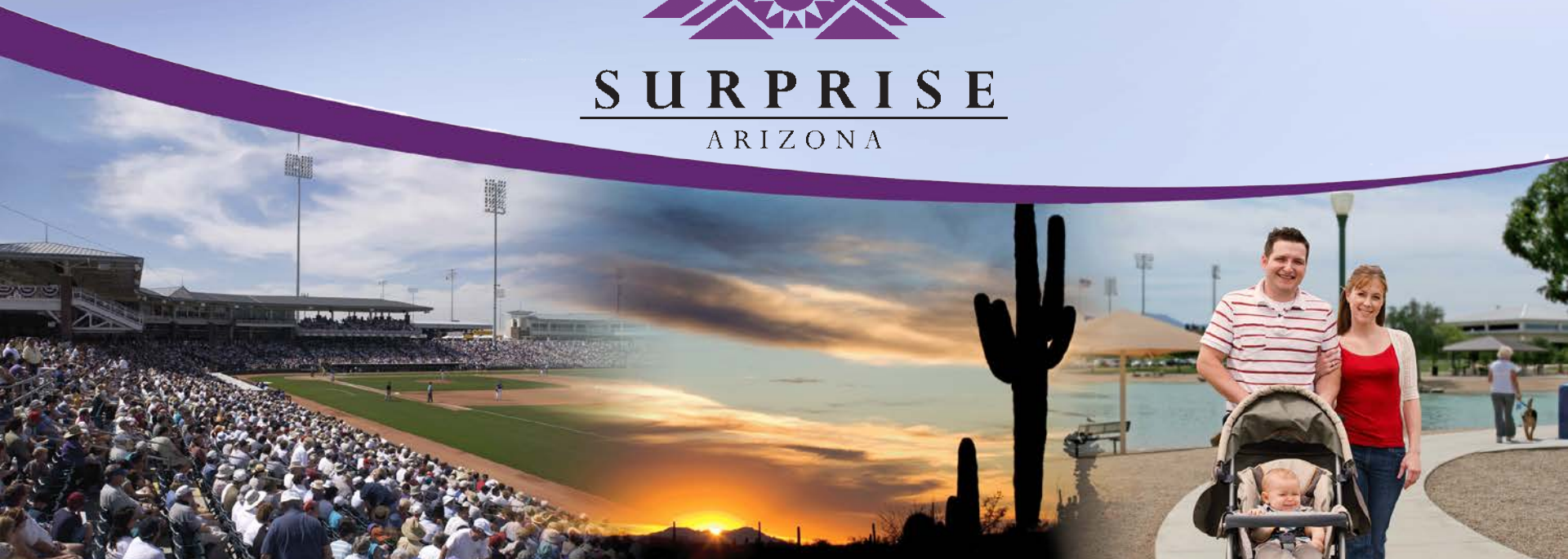
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

Rezone & Final Plat for SPA-1 North Entrance Gate & Block Wall FS16-144 City Council

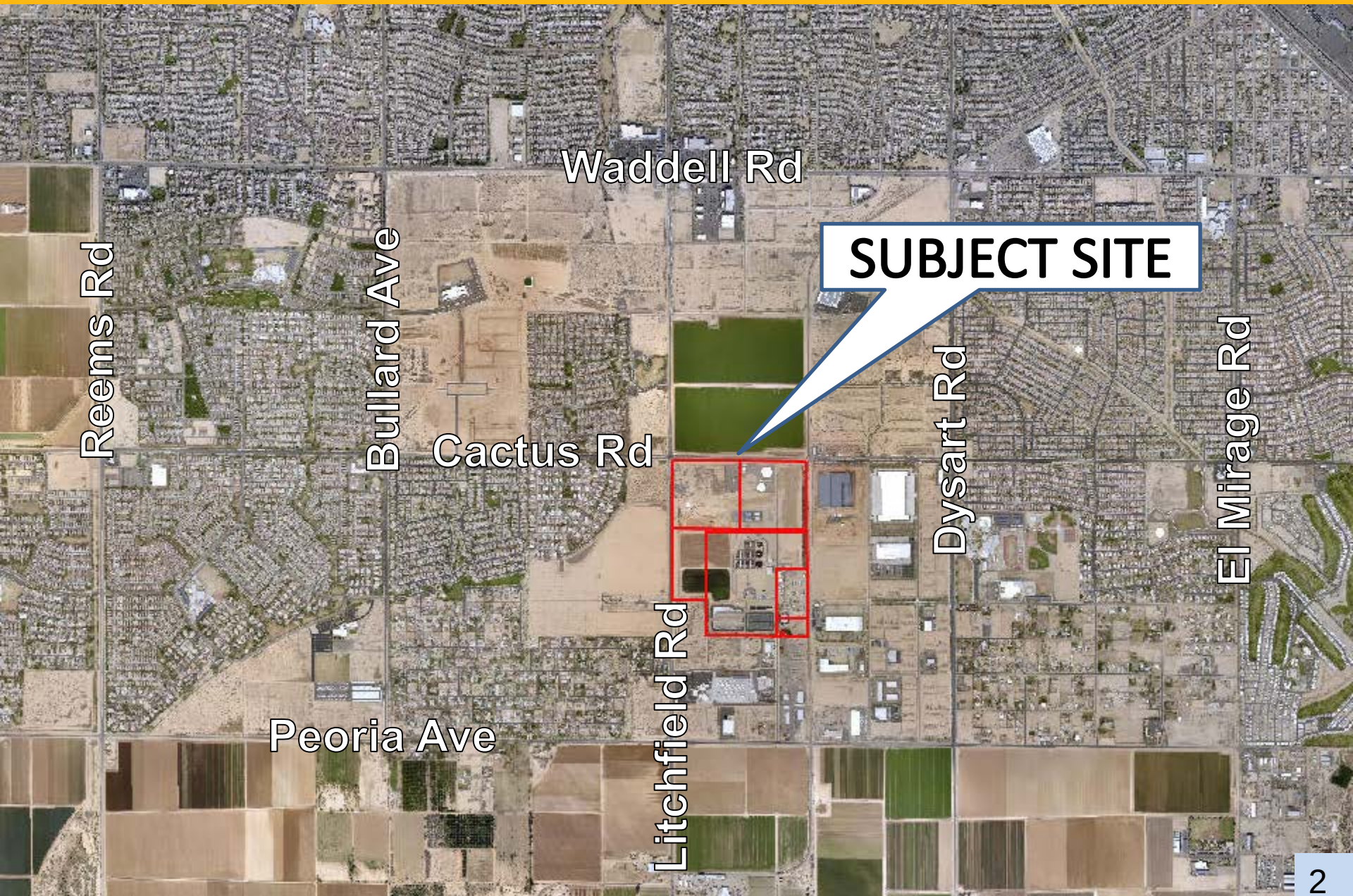
August 16, 2016



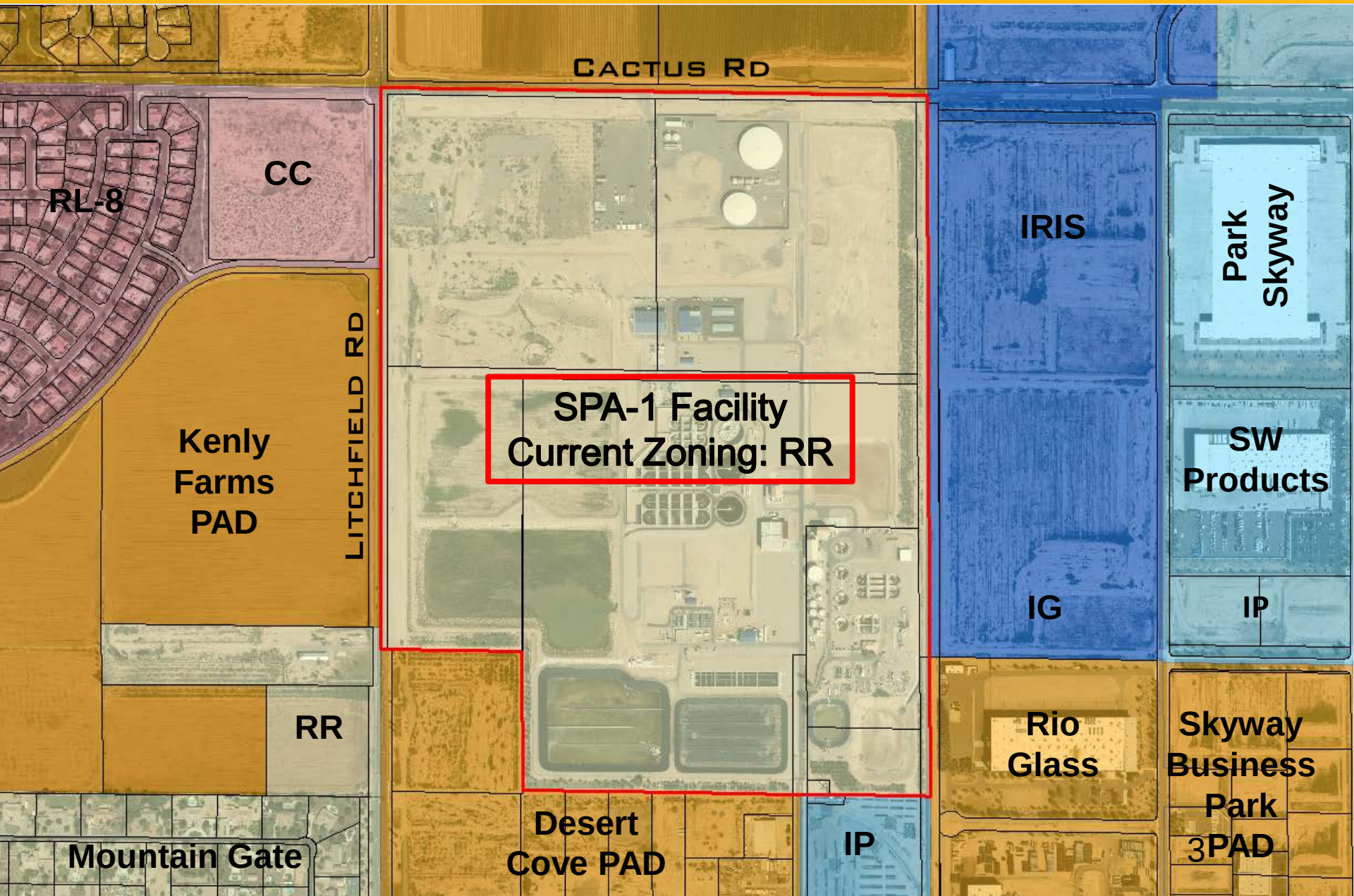
SURPRISE
ARIZONA



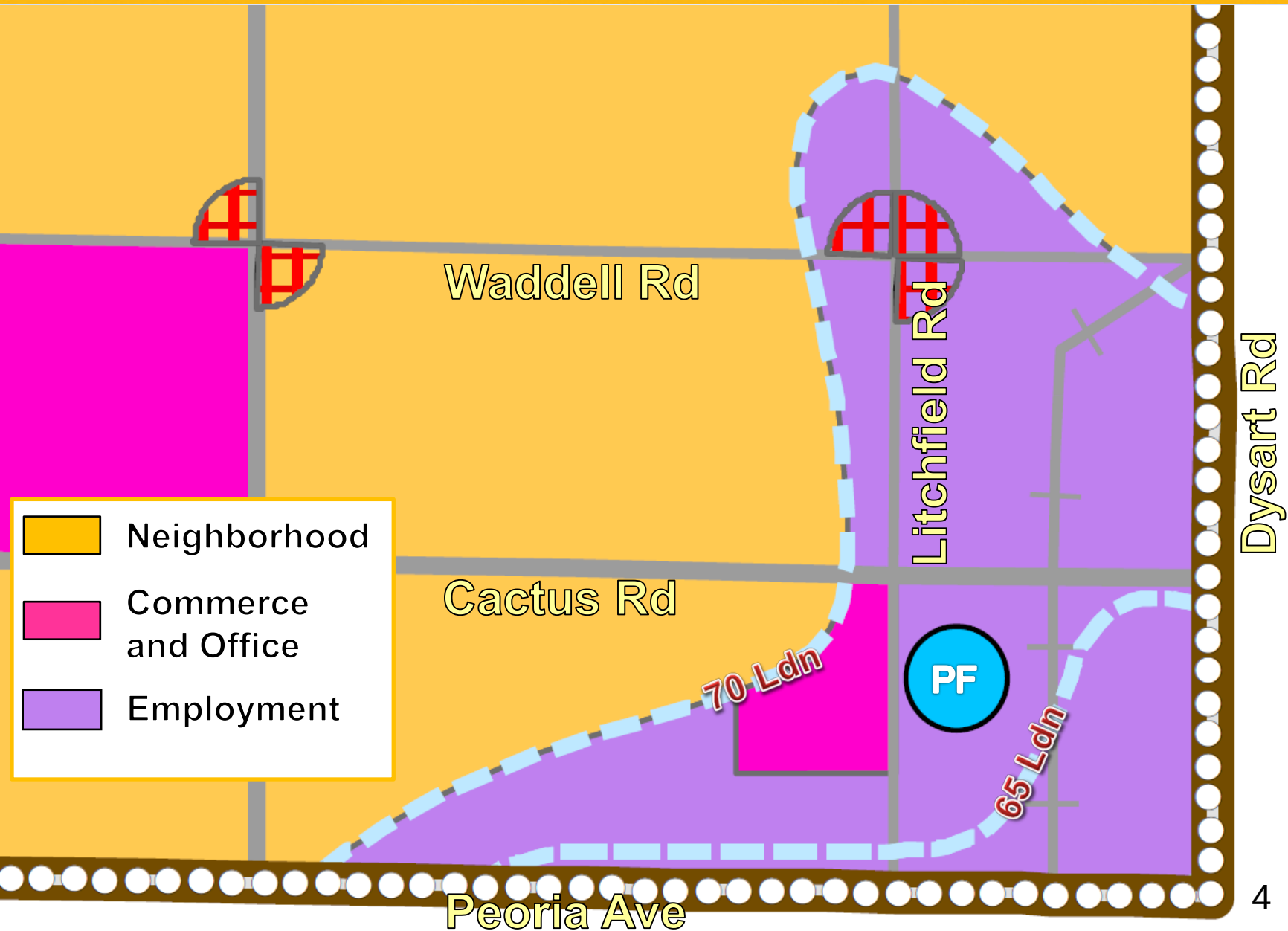
VICINITY MAP



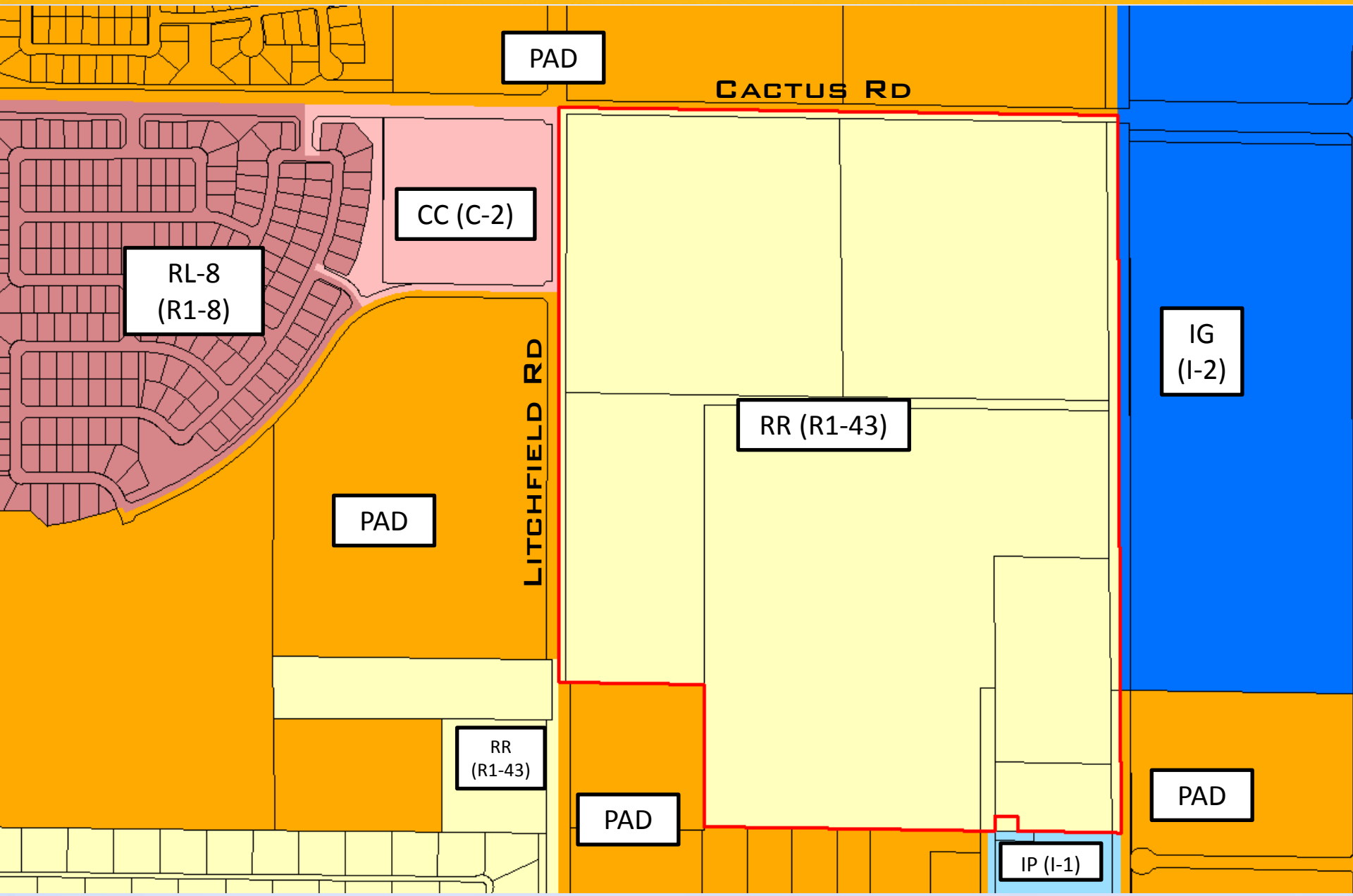
CASE MAP



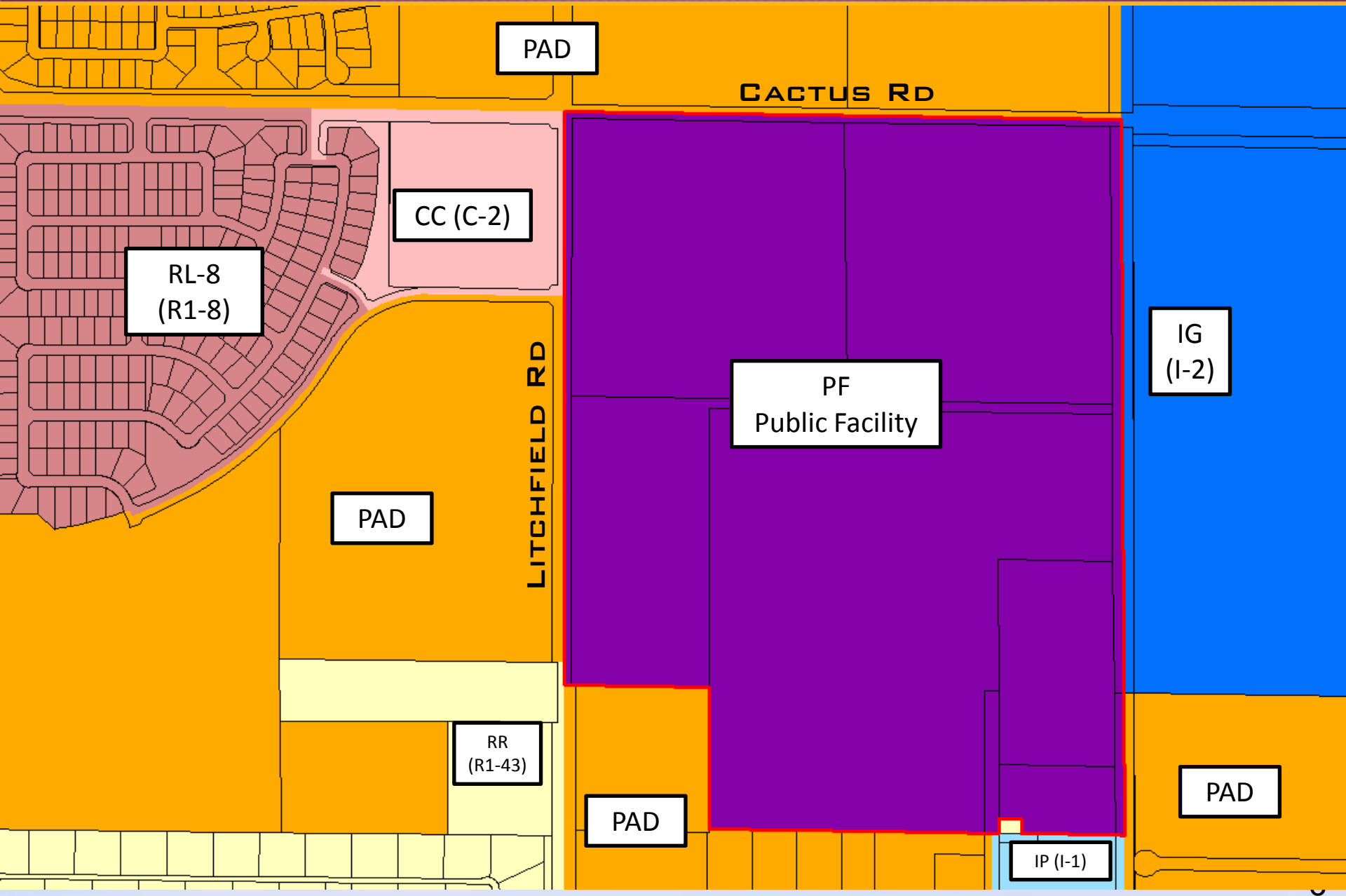
General Plan Land Use



Current Zoning

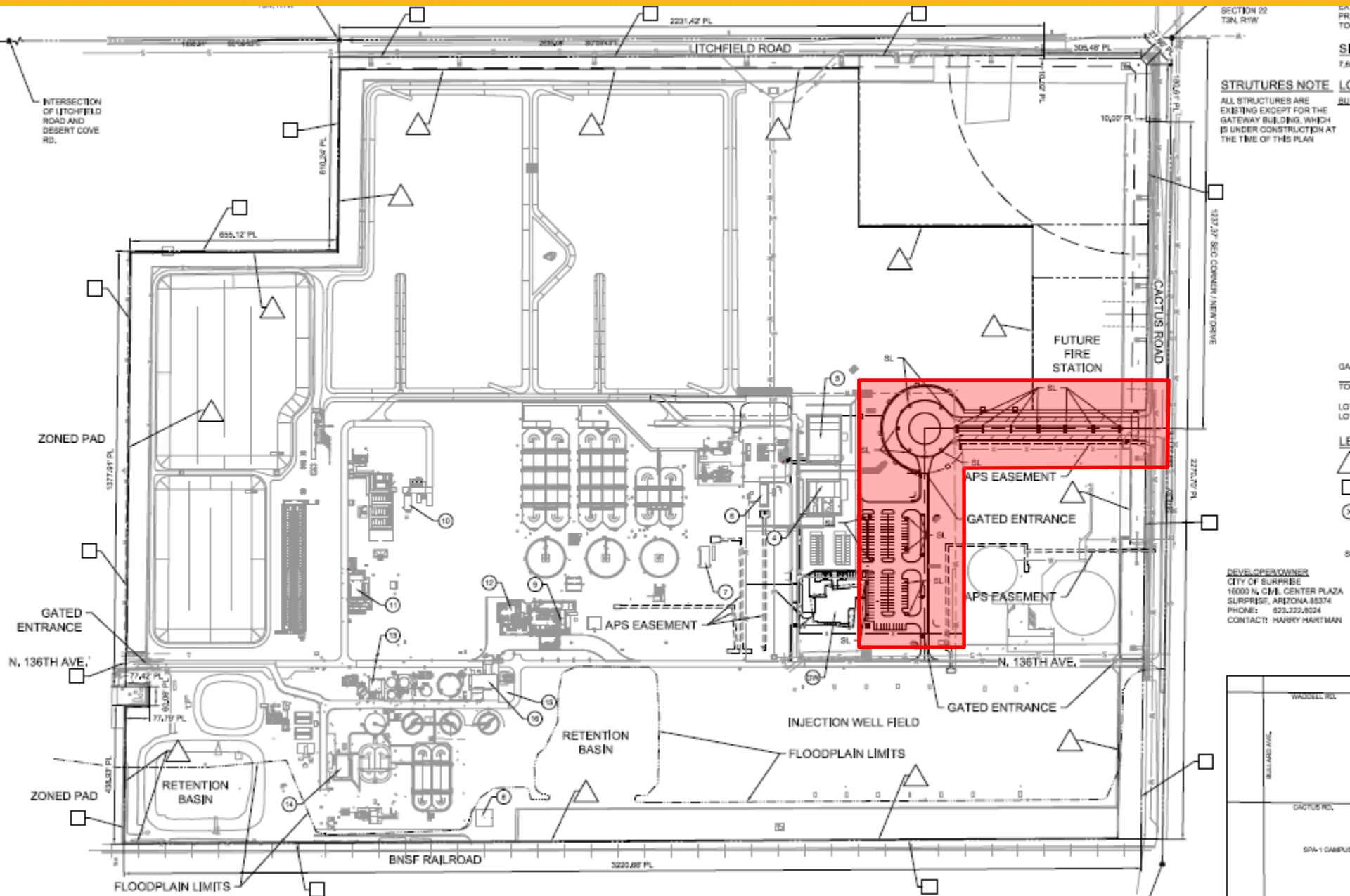


Proposed Zoning





Site Plan



- Outreach meeting on June 23, 2016
- No one from the public attended
- No opposition known

- Public Hearing meeting on July 21, 2016
- Commission recommended Approval of the Rezone
- Commission Approved the Site Plan

Questions or Comments?



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	Karl Zook, Public Works Department
Submitting Department:	Public Works	District:	1
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action pertaining to acceptance of maintenance of the streets and public utility improvements at Desert Oasis Parcel 11, generally located west of 171st Avenue and Hedgehog Place; Resolution # 2016-103.

Motion:

I move to approve Resolution # 2016-103.

Background:

The Public Works Department conducted the final inspection of the public improvements for Desert Oasis Parcel 11 on or about March 2, 2016 totaling 8,589 SY (approximately 3,100 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, domestic water lines and wastewater lines

Objective Analysis:

The improvements for this property provide roadways for conveyance through the property, domestic water lines to convey water from the City's public system to the property, and sewer lines to convey wastewater from the property to the City's public system. This action will accept the required infrastructure.

Policy Compliant:

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

Financial Impact:

Acceptance of streets, water, and sewer infrastructure increases the City's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure items included with this item

is \$1,175,112.

Budget Impact:

Funding for infrastructure maintenance is included in street preservation and maintenance, water and sewer operational budgets. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2016-103](#)
 - ☐ [Inspector Sign off](#)
 - ☐ [Res 2007-82](#)
 - ☐ [939-37 Final Plat](#)
 - ☐ [Council Memo](#)
 - ☐ [2008 Completion Letter](#)
 - ☐ [RFLS 5241](#)
-

RESOLUTION # 2016-103

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ACCEPTING MAINTENANCE OF THE STREET AND PUBLIC UTILITY IMPROVEMENTS AT DESERT OASIS PARCEL L11 GENERALLY LOCATED NORTH OF JOMAX ROAD AND WEST OF 151ST AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Desert Oasis Parcel L11" on, June 28, 2007;

WHEREAS, Centex Homes the developer of Desert Oasis Parcel L11, dedicated to the City the street and public utility improvements, generally located north of Jomax Road and west of 151st Avenue;

WHEREAS, the City of Surprise Public Works Department Engineering Division conditionally accepted the improvements describes in this resolution on June 11, 2008; and

WHEREAS, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements upon final acceptance of the improvements.

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

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

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs that the City to release warranty and begin maintenance of the street and public utility improvements

APPROVED AND ADOPTED this _____ day of _____, 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A
DESERT OASIS PARCEL 11

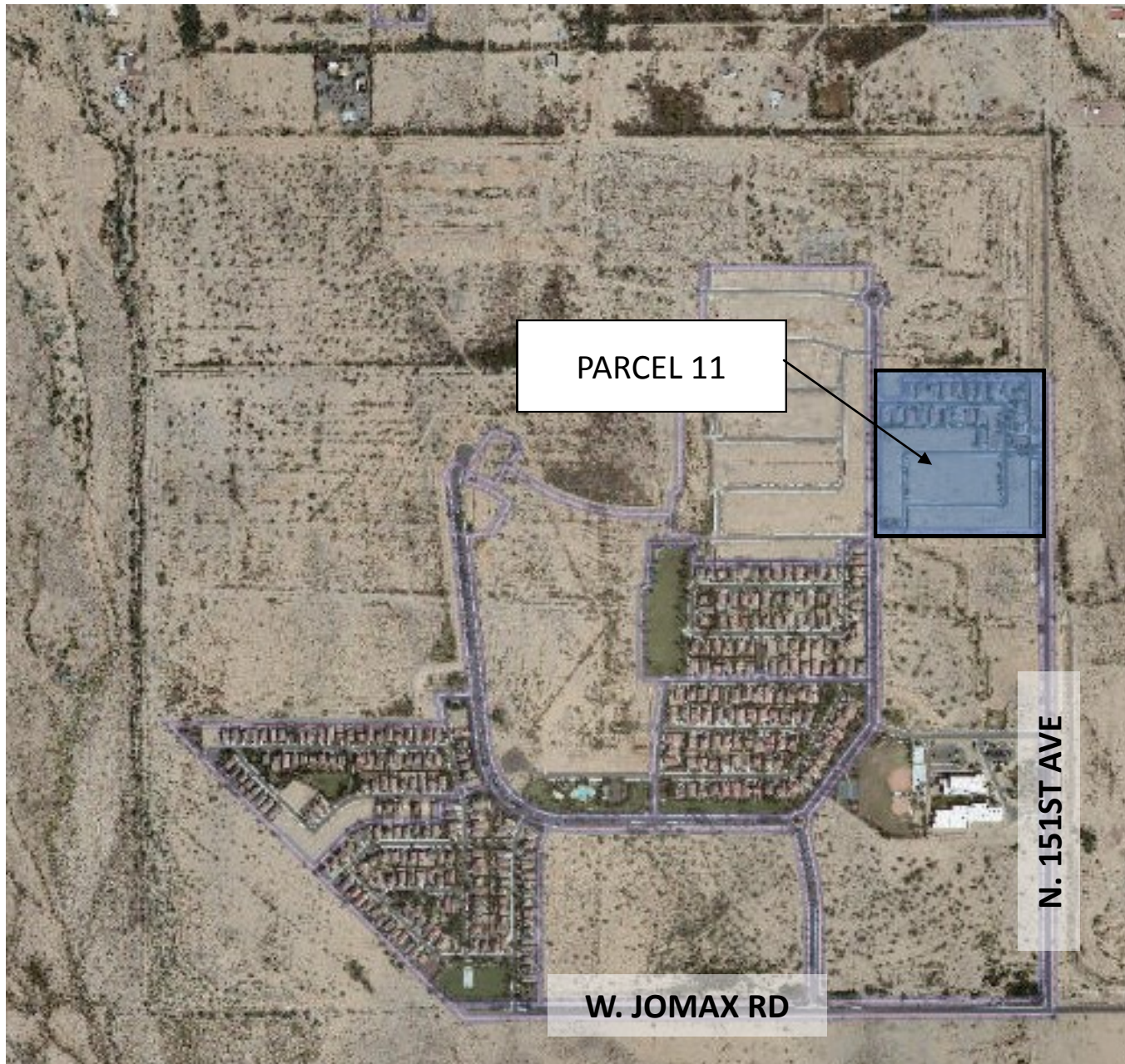


EXHIBIT B

List and Cost of Improvements

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 7/11/16
Re: Desert Oasis Parcel L11 Public Improvements and City Acceptance

The public improvements for the above project have been completed and are on the August 16, 2016 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting.

- City Water - \$274,770.00
- City Sewer - \$221,232.00
- City Paving - \$276,625.00
- City Storm Drain - \$274,384.00
- City Concrete – 128,101.00



3/2/2016	Date of Punch-List Walk	5/4/2016	Date Punch-List Completed
----------	-------------------------	----------	---------------------------

16767 N. Perimeter Drive, 100 Scottsdale AZ, 85260

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
West Hedgehog Pl	Local	171st Ave	172nd Ave	2	1/4	
172nd drive	Local	W. Hedgehog Ave	W. Bent Tree Dr.	2	1/4	
w. Bent Tree Dr	Local	172nd Ave	171st Drive	2	1/4	
171st Drive	Local	W. Bent Tree Dr	W. Bambit Tr	2	1/4	
W. Gambit Tr	Local	171st Drive	172nd Drive	2	1/4	

Date: 6/15/2014

RESOLUTION #07-82

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT, FP06-382, ENTITLED "DESERT OASIS PARCEL L11," CONSISTING OF PLATTING 65 LOTS ON APPROXIMATELY 18.92 GROSS ACRES. THE SUBJECT SITE IS LOCATED ON 171ST AVENUE BETWEEN DYNAMITE BOULEVARD AND JOMAX ROAD.

WHEREAS, the owner of a parcel of land generally located on 171st Avenue between Dynamite Boulevard and Jomax Road desires to subdivide the parcel; and

WHEREAS, the proposed subdivision complies with the requirements of the Desert Oasis Planned Area Development; and

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

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

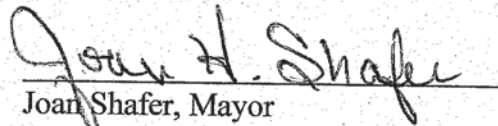
Section 1. That certain final plat entitled "Desert Oasis Parcel L11" as application FP06-382, a copy of which is on file in the Community Development Department, is approved.

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

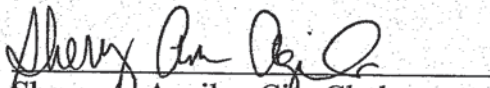
Section 3. The applicant shall submit three (3) sets of the final plat on Mylar, one (1) electronic copy of the final plat on disk and two (2) copies of the narrative.

Section 4. Approval of this plat is contingent on the owner of the property complying with all stipulations contained in Exhibit A.

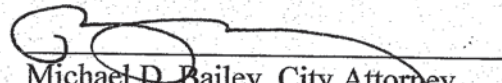
APPROVED AND ADOPTED this 28 day of June, 2007.


Joan Shafer, Mayor

ATTEST:


Sherry A. Aguilar, City Clerk

APPROVED AS TO FORM:


Michael D. Bailey, City Attorney

Yeas: Mayor Shafer, Vice-Mayor Sullivan, Council Members: Bails, Foro and Johnson. Absent: Arismendez (1 vacancy – District 1)

Nays: _____

REPORT TO THE CITY COUNCIL

CASE NUMBER: FP06-382 (Desert Oasis Parcel L11)
STIPULATIONS: a through g
PREPARED BY: Lance Ferrell, Planner @ 623-875-4307

Application Date: October 2, 2006
City Council Hearing Date: June 28, 2007

APPLICANT:

Eric Froberg
 RBF Consulting
 16605 N 28th Avenue, #100
 Phoenix, AZ 85053
 Phone: 602.467.2200
 Fax: 602.467.2201

PROPERTY OWNER:

Centex Homes
 8665 E Hartford Drive
 Scottsdale, AZ 85255
 Phone: 480.889.0900
 Fax: 480.889.0948

REQUEST:

Approval for Desert Oasis Parcel L11 Final Plat.

SITE LOCATION:

Generally on the 171st Avenue between Dynamite Blvd. and Jomax Road.

SITE SIZE:

Approximately 18.92 gross acres.

RECOMMENDATION:

Staff recommends that this request, a final plat for Desert Oasis Parcel L11 Final Plat (FP06-382), be **approved** subject to stipulations a through g.

PROJECT ANALYSIS:

The subject request is consistent with the Desert Oasis Parcel L11 Final Plat Preliminary Plat approved by the City Council on August 10nd, 2006. All future site plans will comply with the Planning and Design Guidelines Manual.

SITE DATA:

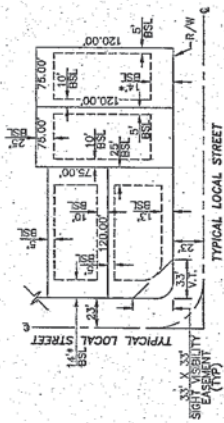
ACERAGE	# LOTS	ZONING
18.92	65	PAD

STANDARD STIPULATIONS:

- a) Prior to delivery of any combustible material to the site, the fire protection system shall be completely operational in accordance with the approved plans by the Fire Chief and the City Engineer;
- b) Major Changes to this Final Plat must be processed as a revised application with the City Council. Minor Changes to the Plat must be approved by the Planning and Community Development Director, Fire Marshall, City Engineer, and Water Services Director;
- c) All parcel numbers shall be active prior to submittal of any building permit and shall stay active throughout the construction process until a Letter of Compliance and/or Certificate of Occupancy is issued.
- d) The applicant or property owner must provide the City with approved dust control permits issued by Maricopa County Environmental Services Department prior to release of any permits;
- e) A landscape plan review will need to be submitted and approved by the Community Development Department.
- f) If the U.S. Postal Service requires "gang"-type postal boxes, applicant shall install adequate lighting over said postal receptacles.
- g) At the time of individual site planning, access will be limited from adjacent arterials and any access plan will be dependant on the review and approval from the Planning and Community Development Director, Fire Marshall, and City Engineer.

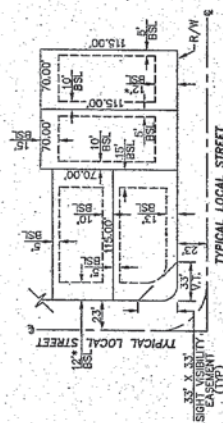
TRACT AREA TABLE

AGENT	SCENARIOS	FET		FET/NOISE		USE	
		1	2	AND/SGP/12/NOISE	AND/SGP/12/NOISE	AND/SGP/12/NOISE	AND/SGP/12/NOISE
A-11	20,000	0.9785	0.9785	AND/SGP/12/NOISE			
B-11	20,000	0.9813	0.9813	AND/SGP/12/NOISE			
C-11	959	0.9213	0.9213	AND/SGP/12			
D-11	1,839	0.9445	0.9445	AND/SGP/12			
E-11	1,939	0.9445	0.9445	AND/SGP/12			
F-11	1,939	0.9445	0.9445	AND/SGP/12			
G-11	15,718	0.9658	0.9658	AND/SGP/12			
H-11	15,718	0.9658	0.9658	AND/SGP/12			
TOTAL	74,000	1.0007					



TYPICAL LOT DIMENSIONS & BUILDING SETBACK

* 17' FOR FRONT LOAD GARAGE, 10' FOR FRONT PORCH,
12' FOR 115' DEEP LOTS.



TYPICAL LOT DIMENSIONS & BUILDING

* 17" FOR FRONT LOAD GARAGE, 10" FOR FRONT PORCH

SITE SUMMARY TABLE

[illegible]

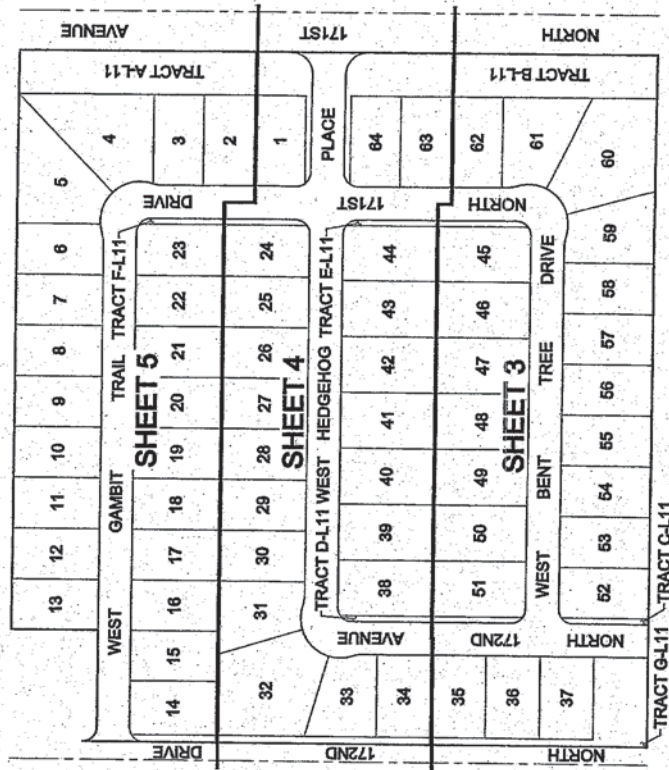
DEVELOPMENT STANDARDS

[illegible]

* ARCHITECTURAL ELEMENTS, POT SHELVES, SHADOW BOXES AROUND WINDOWS AND COORS, BAY WINDOWS, ENTERTAINMENT UNITS, FIREPLACES, ETC., WILL BE ALLOWED TO ENDOUCH INTO THE SIDE SETBACKS BY A MAXIMUM OF 3 FEET AND INTO THE REAR SETBACK A MAXIMUM OF 2 FEET.

LOT SIZE SUMMARY:

CATEGORY	LOT SIZE	LOT YIELD
E	70' X 115'	45 UNITS
F	75' X 115'	4 UNITS
G	75' X 120'	15 UNITS



KEY MAP
NOT TO SCALE



DESERT OASIS PARCEL 11
RBF # 45-102480, DATE 01/31/2007
SHEET 2 OF 5



NORTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOUND 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED *T5N R2W S26 S25 S36 S35 2002 RLS 21762*

50' RIGHT-OF-WAY
PER DESERT OASIS
MAP OF DEDICATION
BOOK 819, PAGE 49, M.C.R.

NOO 03 05 E 2635.74
RIGHT-OF-WAY
DESERT OASIS
OF DEDICATION
819 * PAGE 49
N.C.B.



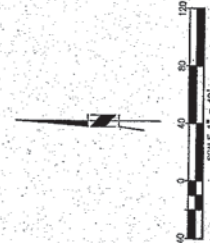
SOUTHEAST CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST,
GILA AND SALT RIVER BASIN AND ME

LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°35'55" W	55.00'
L2	N00°03'05" E	74.54'

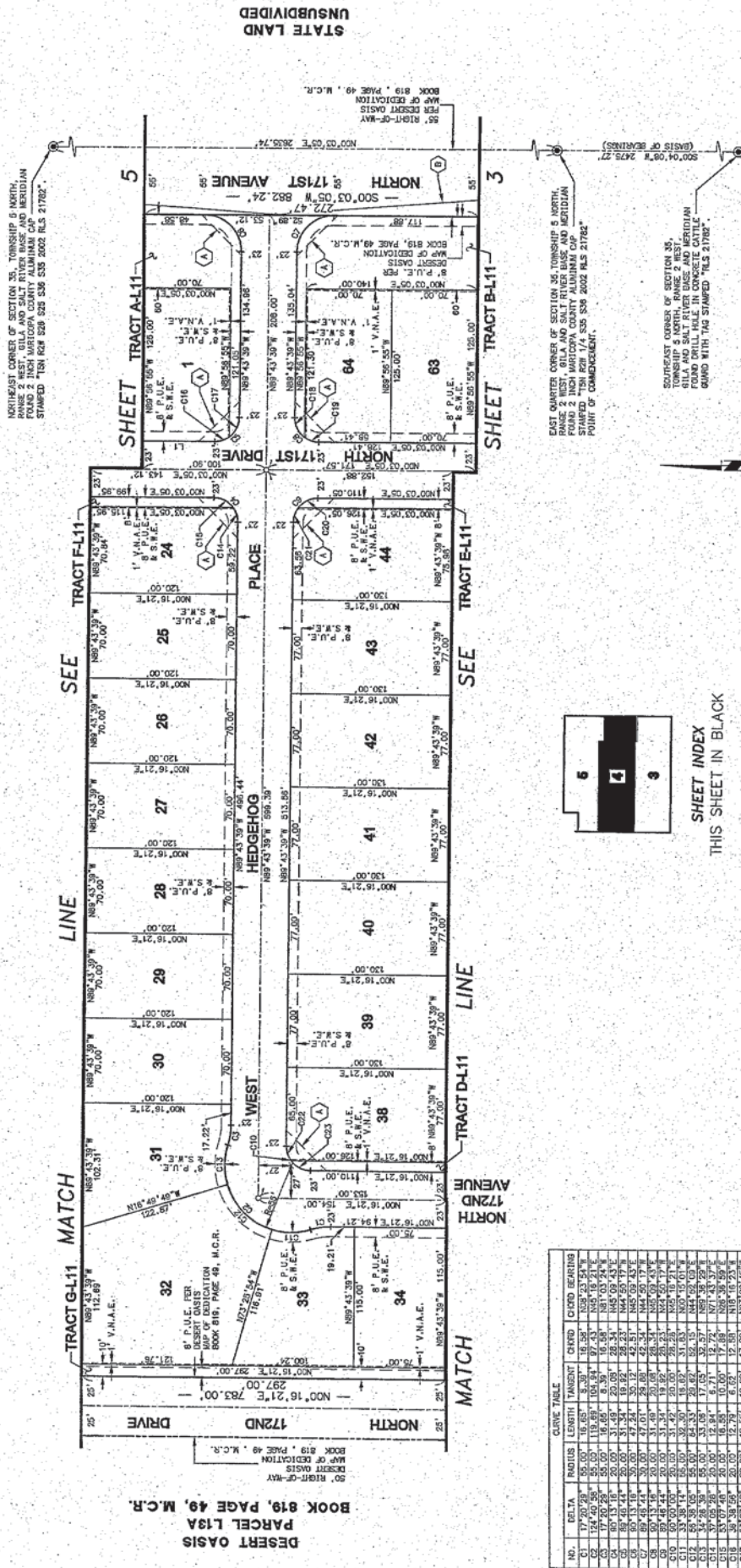
SURVEY MONUMENT (FOUND AS NOTED)
 CORNER OF THIS SUBDIVISION SET 1/2" REBAR
 WITH CAP LS #15014A OTHERWISE STATEMENT
 INTERIOR MONUMENT SETS BRASS CAP PER MAG
 SID DETAIL 120-1 TYPE B
 PUBLIC UTILITY EASEMENT
 SIDEWALK EASEMENT
 S.W.E.
 B.S.L.
 BUILDING SETBACK LINE
 B.S.L.
 VEHICULAR NON-ACCESS EASEMENT
 33' X 33' SIGHT VISIBILITY EASEMENT
 R-
 INDICATES RADIUS
 M.C.R.
 MARICOPA COUNTY RECORDER

RBF
CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
16508 NORTH 28th AVENUE, SUITE 100
PHOENIX, ARIZONA 85033-7950
602.487.2200 • FAX 602.487.2201 www.RBF.com

2007



DESERT OASIS PARCEL 11



- LEGEND**
- SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" BRASS WITH CAP-LS #1234 UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
 - S.P.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - 33' X 33' SIGHT VISIBILITY EASEMENT
 - INDIATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER
 - ENGINEERED SIGHT LINE

LINE TABLE

NO.	BEARING	LENGTH
1	N 00° 03' 05" E	38.00

CLIQUE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CURVED BEARING
C1	17° 20' 28"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C2	174° 40' 55"	55.00	19.49	10.41	27.43	N 55° 18' 21" W
C3	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C4	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C5	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C6	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C7	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C8	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C9	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C10	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C11	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C12	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C13	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C14	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C15	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C16	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C17	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C18	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C19	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C20	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C21	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C22	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W
C23	170° 03' 05"	55.00	16.65	9.30	18.38	N 52° 23' 54" W



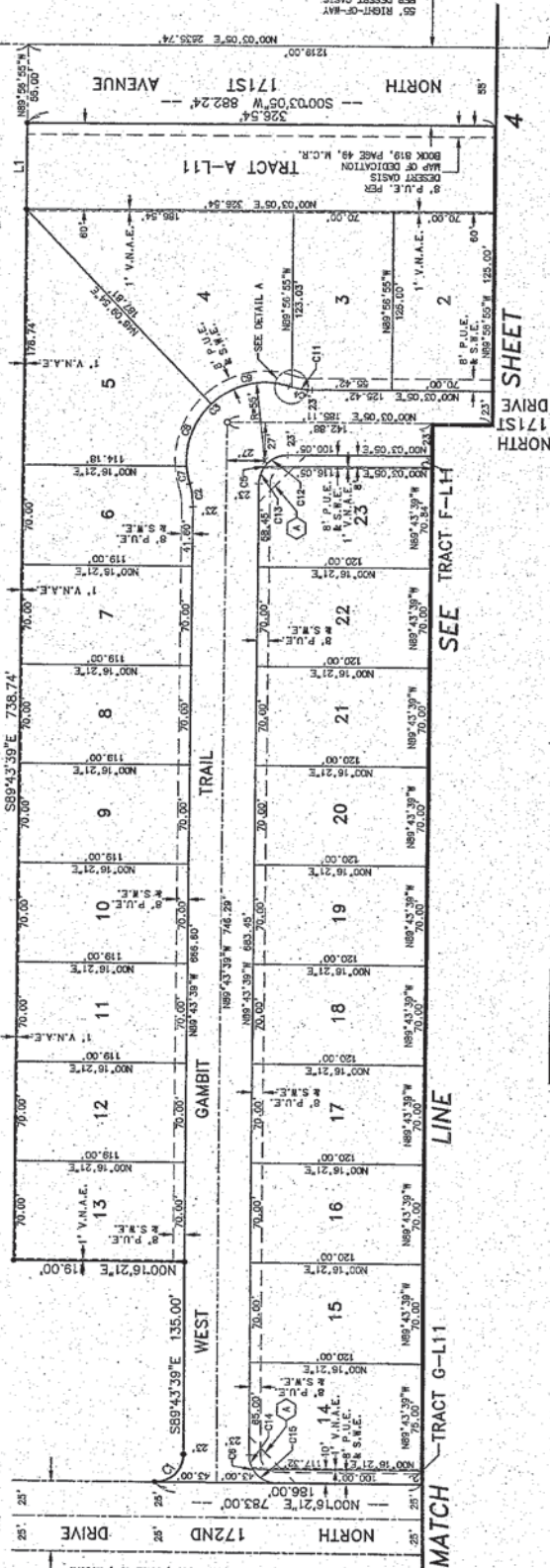
DESERT OASIS PARCEL 11
RFB # 45-102480, DATE 01/31/2007
SHEET 4 OF 5

RBF PLANNING ■ DESIGN ■ CONSTRUCTION
9605 NORTH 8TH AVENUE, SUITE 100
SCOTTSDALE, ARIZONA 85256
602.497.2200 ■ FAX 602.497.2201 ■ WWW.RBF.COM

DESERT OASIS PARCEL 11

PROPOSED
DESERT OASIS
PARCEL L12

NORTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOSSO 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED "10N R2W 1/4 S36 S36 S36 2002 RLS 21782"



DRIVE TABLE

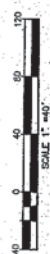
NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARINGS
C1	50.00	100.00	31.42	20.00	S44.43.39"E
C2	50.00	100.00	31.42	20.00	S44.43.39"E
C3	50.00	100.00	31.42	20.00	S44.43.39"E
C4	50.00	100.00	31.42	20.00	S44.43.39"E
C5	50.00	100.00	31.42	20.00	S44.43.39"E
C6	50.00	100.00	31.42	20.00	S44.43.39"E
C7	50.00	100.00	31.42	20.00	S44.43.39"E
C8	50.00	100.00	31.42	20.00	S44.43.39"E
C9	50.00	100.00	31.42	20.00	S44.43.39"E
C10	50.00	100.00	31.42	20.00	S44.43.39"E
C11	50.00	100.00	31.42	20.00	S44.43.39"E
C12	50.00	100.00	31.42	20.00	S44.43.39"E
C13	50.00	100.00	31.42	20.00	S44.43.39"E
C14	50.00	100.00	31.42	20.00	S44.43.39"E
C15	50.00	100.00	31.42	20.00	S44.43.39"E
C16	50.00	100.00	31.42	20.00	S44.43.39"E
C17	50.00	100.00	31.42	20.00	S44.43.39"E
C18	50.00	100.00	31.42	20.00	S44.43.39"E
C19	50.00	100.00	31.42	20.00	S44.43.39"E
C20	50.00	100.00	31.42	20.00	S44.43.39"E
C21	50.00	100.00	31.42	20.00	S44.43.39"E
C22	50.00	100.00	31.42	20.00	S44.43.39"E
C23	50.00	100.00	31.42	20.00	S44.43.39"E
C24	50.00	100.00	31.42	20.00	S44.43.39"E
C25	50.00	100.00	31.42	20.00	S44.43.39"E
C26	50.00	100.00	31.42	20.00	S44.43.39"E
C27	50.00	100.00	31.42	20.00	S44.43.39"E
C28	50.00	100.00	31.42	20.00	S44.43.39"E
C29	50.00	100.00	31.42	20.00	S44.43.39"E
C30	50.00	100.00	31.42	20.00	S44.43.39"E

LINE TABLE

NO.	BEARING	LENGTH
L1	S89°43'39"E	50.00

- LEGEND**
- SURVEY MONUMENT (FOSSO AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP L5 ASYON UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - D.S.L. BUILDING SETBACK LINE
 - V.A.E. VEHICULAR MONUMENT EASEMENT
 - 33' X 33' SIGHT VISIBILITY EASEMENT
 - R= INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDS

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8000 WEST 10TH AVENUE SUITE 100
DENVER, COLORADO 80202
800.447.2200 • FAX 800.447.2201 • WWW.RBF.COM



SHEET INDEX
THIS SHEET IN BLACK

EAST QUARTER CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOSSO 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED "10N R2W 1/4 S36 S36 S36 2002 RLS 21782"
POINT OF COMMENCEMENT.

SOUTHEAST CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST,
GILA AND SALT RIVER BASE AND MERIDIAN
FOSSO DRILL HOLE IN CONCRETE CATTLE
GUARD WITH TAG STAMPED "RLS 21782"

STATE LAND
UNSUBDIVIDED

BOOK 819, PAGE 49, M.C.R.
MAP OF DEDICATION
PER DESERT OASIS

David M. RBF
DAVID M. RBF
REGISTERED PROFESSIONAL SURVEYOR
NO. 10000
STATE OF ARIZONA

DESERT OASIS PARCEL 11
RBF #45-102480, DATE 01/31/2007
SHEET 5 OF 6

**Desert Oasis of Surprise
Lancer Parcel 11**

Final Plat Narrative

Revised: January 30, 2007

Original: September 11, 2006

For:

Centex Homes

8665 East Hartford Drive, Suite 200

Scottsdale, Arizona 85255

By:

RBF Consulting

16605 N. 28th Avenue, Suite 100

Phoenix, Arizona 85053

Table of Contents

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1.3	Surrounding Land Uses.....	1
2.0	Existing Conditions.....	2
2.1	Existing Infrastructure	2
2.2	Physical Features / Topography.....	2
3.0	Proposed Improvements/ Accessibility.....	2
4.0	Community Facilities and Services	3
5.0	Public Utilities and Services	3
6.0	Development Schedule	3

Figures

Figure 1 – Vicinity Map.....	4
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1.0 Project Description

1.1 Location

The Desert Oasis Lancer Parcel is a 583-acre development planned to provide single-family residential, commercial, community facilities, and schools. Desert Oasis is located in the City of Surprise, Maricopa County, Arizona. The site is located in Section 35, Township 5 North, Range 2 West of the Gila and Salt River Base and Meridian. The Lancer Parcel is bounded to the north by Dynamite Boulevard, to the east by 171st Avenue, to the south by Jomax Road, and to the west by the 179th Avenue alignment.

Parcel 11 lies in the northeast quarter of Section 35. Future residential Parcel 12 shares the northern boundary of Parcel 11. The southern boundary is shared with proposed residential Parcel 10. 172nd Drive runs along the western boundary of the site and separates it from proposed residential Parcel 13a. While 171st Avenue is the eastern boundary.

1.2 Density/Open Space

Parcel 11 is designated in the Desert Oasis Planned Area Development (P.A.D.) as single-family residential. Parcel 11 will realize a total of 64 single-family residential lots. The approved Desert Oasis-Phase 2 Preliminary Plat allowed for 65 lots within Parcel 11. One lot was removed to provide for an alternative sewer solution for Parcel 11. The proposed minimum lot size for this parcel is 70' x 115' producing a gross density of 3.38 dwelling units per acre. It is realizing a net density of 4.11 dwelling units per acre. The gross area of this site is 18.92 acres and the net acreage is 15.58 acres (gross area minus public streets). This project will be providing a total open space of 1.70 acres. This represents approximately 10.9 percent of the net acreage of the site. This open space is distributed amongst seven tracts, which will be used for landscape and drainage.

1.3 Surrounding Land Uses

The right-of-way of 171st Avenue borders the site to the east. Desert Oasis Residential Parcel 12 borders the site to the north. Desert Oasis Parcels 10 and 13a border the site to the south and west respectively, also residential parcels.

2.0 Existing Conditions

2.1 Existing Infrastructure

The roads surrounding the Desert Oasis site are all currently dirt roads or under construction. Jomax Road has been improved to a two-lane paved road leading up to the southeast corner of the site. Construction on the Phase 1 Improvements for Desert Oasis is underway and will be completed before the end of construction on Parcel 11. There is an existing water campus located in the northwest corner of the Desert Oasis Baer Parcel. This contains a well that will be used to supply water to Parcel 11. The wastewater treatment plant to service Parcel 11 is located in the southeast corner of the Desert Oasis Baer Parcel.

2.2 Physical Features / Topography

The property is currently fallow farmland in which the land slopes from north to south at approximately 1 percent. Some grading has been done along the south portion of the site due to the construction for Parcels L5A, L5B, L14A and the Infrastructure roads. There is a wash that runs along the west side of 179th Avenue. This wash creates a floodplain that is classified as Zone A. This affects Parcels L3 and L4.

The existing drainage conditions for the entire Desert Oasis site and the surrounding areas were included in the Wittmann Area Drainage Master Study Update produced by the Flood Control District of Maricopa County in October of 2004. Offsite drainage approaches the project from the north through a breach in a cattle tank. This offsite flow will be rerouted around the Desert Oasis master plan. A channel has been designed to divert the offsite flow of 849 cfs east along Dynamite Blvd and then south along 171st Avenue. The 171st Channel Plans and Drainage Report produced by RBF Consulting are currently under review by the City of Surprise. These plans will eliminate any floodplain created by the offsite flow in the ADMSU. The 171st channel improvements need to be completed prior to constructing homes in Parcel 11. The 171st channel plans as well as a CLOMR & LOMR will be prepared to remove any lots from the floodplains affecting the Desert Oasis development.

3.0 Proposed Improvements/ Accessibility

The site will be accessible from the south via 163rd Avenue and then Jomax Road. Jomax Road and 171st Avenue are minor arterials and the half-street improvements for these roads will be completed with the Desert Oasis Phase 1 Infrastructure plans. 172nd Drive, a collector located inside the development, is also part of the Phase 1 Improvements. 171st Avenue and 172nd Drive will be the main access points for Parcel 11.

4.0 Community Facilities and Services

Several public and community facilities are planned throughout the Desert Oasis community to serve the residents. These facilities include a public school, community parks/ recreation areas, drainage facilities, and public streets.

5.0 Public Utilities and Services

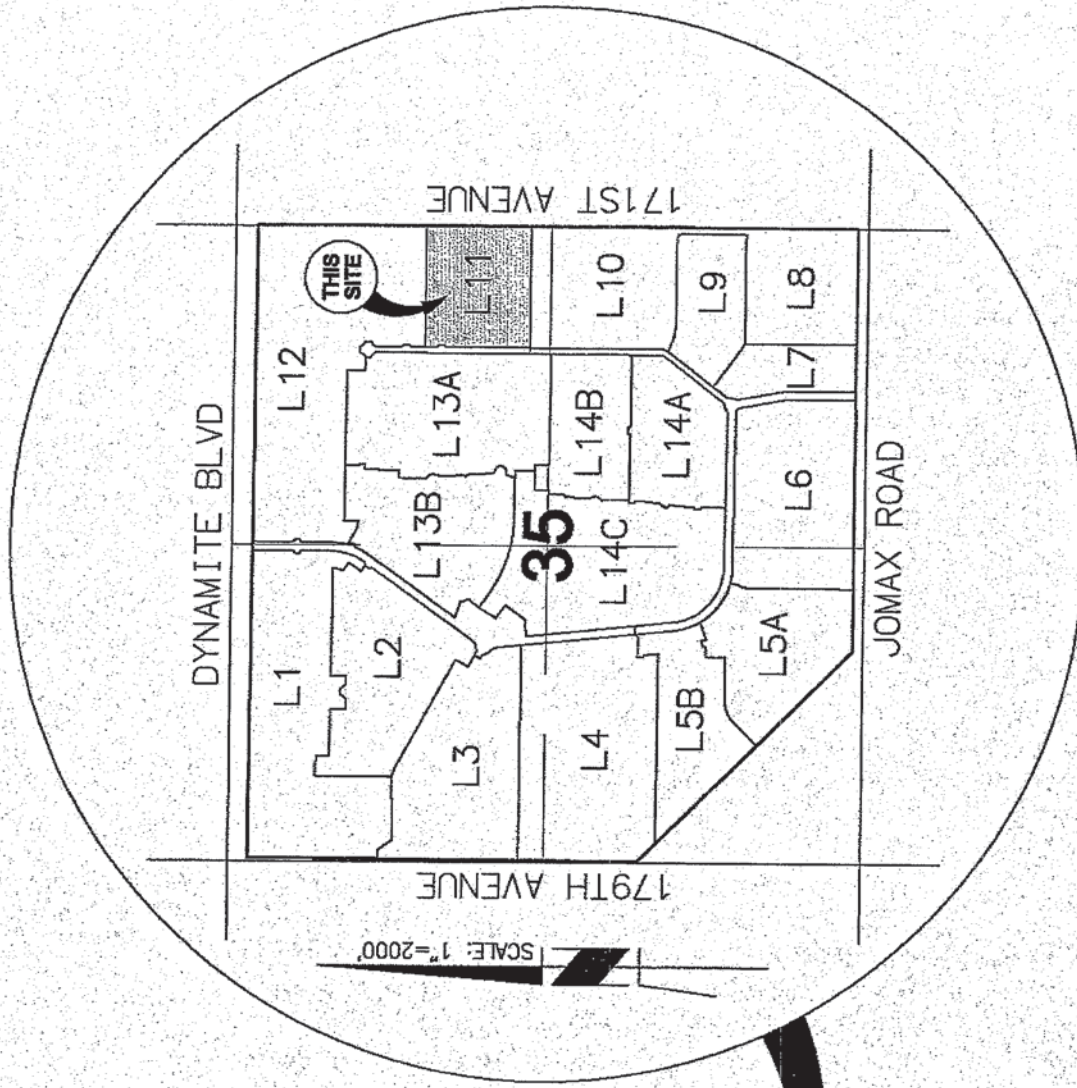
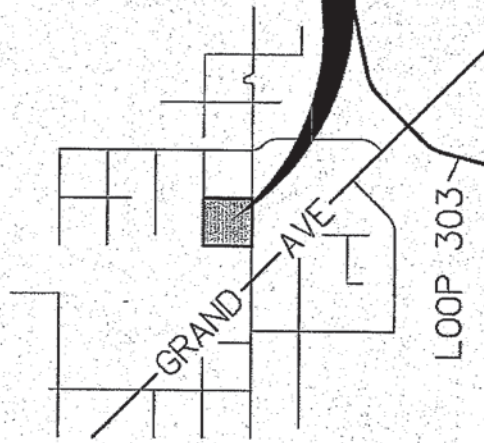
The water distribution and wastewater collection systems are discussed above in the existing infrastructure portion. Parcel 11's onsite construction will include an 8" looped water system with a total of three ties: 171st Avenue, 172nd Drive, and 172nd Avenue (tie in point with Parcel 10). Parcel 11 will also construct an 8" gravity sewer system that will drain to an existing 10" sewerline in 172nd Drive. In addition to these public utilities, Desert Oasis will be provided electricity by APS, Cable TV through Cox Communications, telephone by Qwest Communications, and gas by Southwest Gas.

6.0 Development Schedule

According to the current schedule of construction and engineering, the developer plans to start grading on this parcel in the second quarter of 2007. The Desert Oasis Phase 1 Infrastructure Improvements will need to be finished before construction on Parcel 11 is completed.

DOVE VALLEY ROAD
 WHITE WING ROAD
 DIXILETA DRIVE
 DYNAMITE BLVD
 JOMAX ROAD
 HAPPY VALLEY ROAD
 PINNACLE PEAK ROAD
 DEER VALLEY ROAD

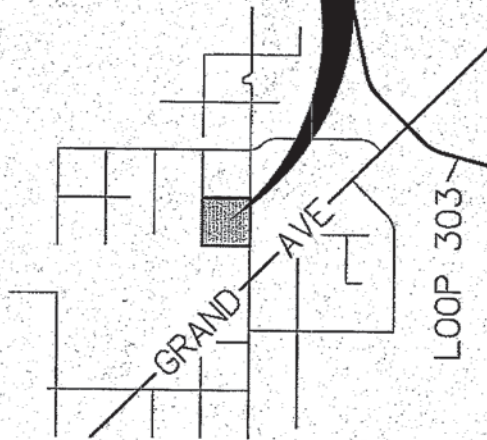
203RD AVE
 195TH AVE
 187TH AVE
 179TH AVE
 171ST AVE
 163RD AVE
 155TH AVE
 147TH AVE



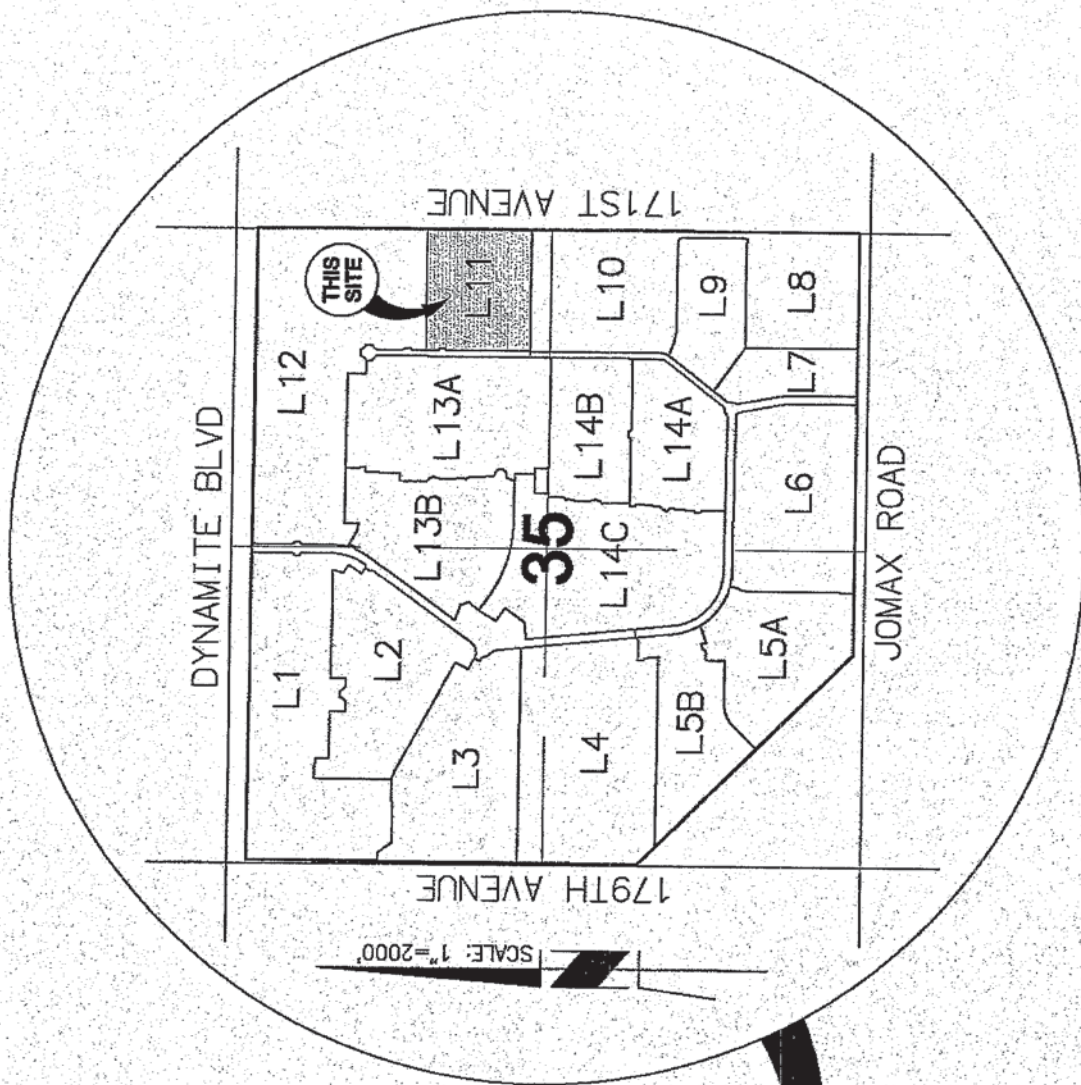
VICINITY MAP

203RD AVE
195TH AVE
187TH AVE
179TH AVE
171ST AVE
163RD AVE
155TH AVE
147TH AVE

DOVE VALLEY ROAD
WHITE WING ROAD
DIXILETA DRIVE
DYNAMITE BLVD
JOMAX ROAD
HAPPY VALLEY ROAD
PINNACLE PEAK ROAD
DEER VALLEY ROAD



LOOP 303



VICINITY MAP



CITY OF SURPRISE

Main Agenda

June 28, 2007 @ 6:00:00 PM

Back Print

Council Meeting Date: June 28, 2007

Contact Person: Scott Chesney, Community Development

Submitting Department: CD

District: 1

Staff Recommendations: Approve

Consent	Regular	Public Hearing	Report/Discussion
x			

Agenda Wording:

Consideration and action on Resolution #07-82, a Resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Final Plat, FP06-382, entitled "Desert Oasis Parcel L11," consisting of platting 65 lots on approximately 18.92 gross acres. The subject site is located on the 171st Avenue between Dynamite Blvd. and Jomax Road.

Motion:

I move to approve Resolution #07-82.

Background:

On June 10 2006, the Mayor and City Council approved the Preliminary Plat for Desert Oasis Phase 2, which included Desert Oasis Parcel L11.

Financial Impact Statement:

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

ATTACHMENTS:

Click to download

- ☐ [Resolution 07-82](#)
- ☐ [Staff Report](#)
- ☐ [Final Plat](#)
- ☐ [Narrative](#)
- ☐ [Vicinity Map](#)

Meeting Requirements:

Powerpoint x Video

White Board

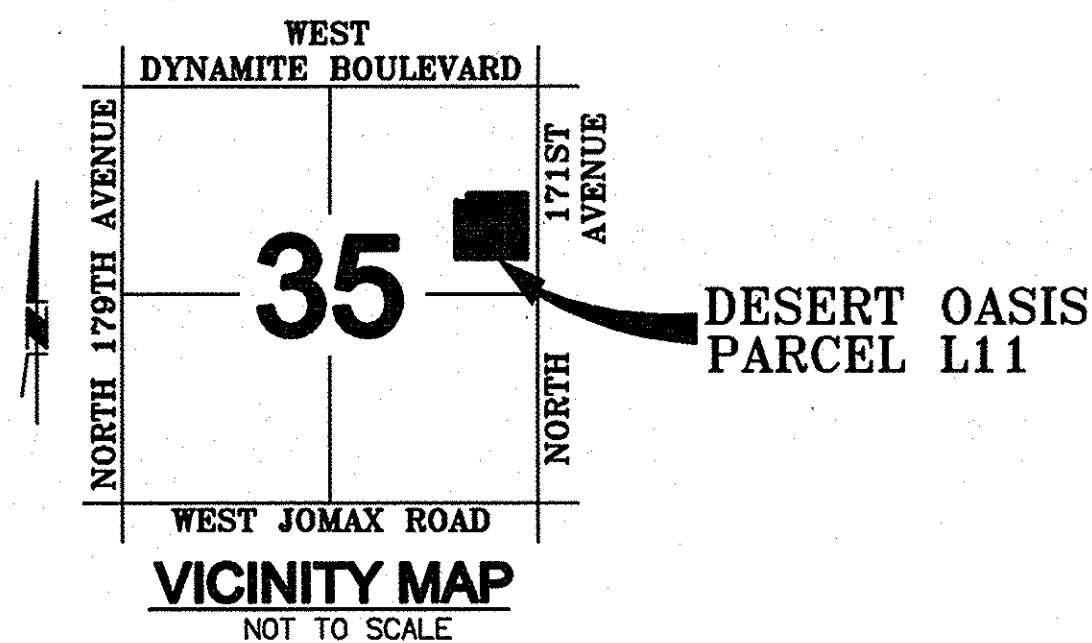
Other x

Presentation Speaker Names (spelling and titles for TV captions):**Scott Chesney, Community Development Director****City Clerk's Office Only:****Council Action:
Motion/Second**

Shafer	_____
Elkins	_____
Bails	<u> M </u>
Sullivan	_____
Arismendez	_____
Johnson	<u> S </u>
Foro	_____

Results:

For	<u> 5 </u>	
Against	<u> 0 </u>	
Passed	_____	
Failed	_____	
Continue	_____	
Tabled	_____	
Absent	<u> 1 </u>	(Arismendez)
Vacancy	<u> 1 </u>	(District 1)



LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 35, MONUMENTED BY A 2 INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "TSN R2W 1/4 S35 S36 2002 RLS 21782", FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 35, MONUMENTED BY A DRILL HOLE IN CONCRETE CATTLE GUARD WITH TAG STAMPED "RLS 21782" BEARS AS BASIS OF BEARINGS SOUTH 00°04'08" WEST, A DISTANCE OF 2475.27 FEET;

THENCE NORTH 00°03'05" EAST ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 336.76 FEET;

THENCE NORTH 89°56'55" WEST, A DISTANCE OF 55.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°43'39" WEST, A DISTANCE OF 957.14 FEET;

THENCE NORTH 00°16'21" EAST, A DISTANCE OF 783.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 89°43'39" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°43'39" EAST, A DISTANCE OF 135.00 FEET;

THENCE NORTH 00°16'21" EAST, A DISTANCE OF 119.00 FEET;

THENCE SOUTH 89°43'39" EAST, A DISTANCE OF 738.74 FEET;

THENCE SOUTH 89°56'55" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 55.00 FEET WESTERLY OF THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35;

THENCE SOUTH 00°03'05" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 882.24 FEET TO THE TRUE POINT OF BEGINNING;

BASIS OF BEARINGS

THE BEARINGS FOR THIS PLAT ARE BASED ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MONUMENTED BY A DRILL HOLE WITH TAG AT THE SOUTHEAST CORNER OF SAID SECTION 35, AND MONUMENTED BY AN ALUMINUM CAP AND REBAR AT THE EAST QUARTER CORNER OF SAID SECTION 35, SAID LINE BEARS NORTH 00°04'08" EAST, A DISTANCE OF 2475.27 FEET, (NORTH 00°04'08" EAST, A DISTANCE OF 2474.87 (GRID) PER MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY, RECORDED IN BOOK 656, PAGE 21, MARICOPA COUNTY RECORDER'S OFFICE).

FIELD MEASURED VALUES WERE LOCATED BY GPS TECHNIQUES AND WERE SCALED HORIZONTALLY BY MULTIPLYING THE GRID COORDINATE VALUES BY A COMBINED SCALE FACTOR OF 1.000140799. ALL DISTANCES SHOWN IN THIS PLAT ARE GROUND VALUES. GPS CONTROL FOR THIS PROJECT UTILIZED GDACS MONUMENT "41C1", WITH COORDINATES BASED ON NORTH AMERICAN DATUM 1983 STATE PLANE ARIZONA CENTRAL ZONE.

ASSURED WATER SUPPLY

CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY NO. 26-002344. PURSUANT TO SECTION 45-576, A.R.S. ISSUED FOR DESERT OASIS BY THE ARIZONA DEPARTMENT OF WATER RESOURCES ON NOVEMBER 11, 1997.

REFERENCE DOCUMENTS

1. ALTA/ACSM LAND TITLE SURVEY OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST PREPARED BY RBF CONSULTING DATED MAY 08, 2006.

A FINAL PLAT OF "DESERT OASIS PARCEL L11" A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA. OWNER: CENTEX HOMES

NOTES

- CONSTRUCTION WITHIN PUBLIC UTILITY AND FACILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
- THAT NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE AREA WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE AREA. THE CITY OF SURPRISE MAY, IF IT SO DESIRES, CONSTRUCT AND/OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND IN THE AREA.
- THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE FACILITIES, LANDSCAPED AREAS, ETC. WITHIN THIS PROJECT.
- IF REQUIRED FIRE FLOW IS NOT AVAILABLE, ALL RESIDENTIAL UNITS SHALL BE EQUIPPED WITH A FIRE SPRINKLING SYSTEM.
- PROPERTIES BEING SERVED BY PRIVATE WELLS OR SEPTIC SYSTEMS SHALL BE CONNECTED TO MUNICIPAL WATER AND/OR SEWER SERVICE WITHIN 90 DAYS FROM THE DATE SUCH SERVICE BECOMES AVAILABLE, AND THE PROPERTY OWNER SHALL PAY ALL APPLICABLE DEVELOPMENT, CONNECTION AND SERVICE FEES. S.M.C. 13.04.365, 13.08.348.
- THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE ENGINEERING DEPARTMENT.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE DESIGNATION "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1135 G, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 30, 2005, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PLAT IS SITUATED.
- DEVELOPMENT OF EACH PARCEL SHALL BE IN ACCORDANCE WITH THE APPROVED MASTER SITE PLAN FOR THE ENTIRE PROPERTY. PLEASE CONTACT THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT TO OBTAIN A COPY OF THE MASTER SITE PLAN.
- THE ROADS DESIGNATED AS "PRIVATE" ARE PRIVATE ROADS, OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."
- 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 2020.
- VEHICULAR NON ACCESS EASEMENTS (V.N.A.E.) CREATED BY THIS PLAT ARE INTENDED TO BENEFIT THE CITY OF SURPRISE AND BE RESTRICTIVE IN NATURE. THE INTENT OF SAID EASEMENTS IS TO PREVENT ACCESS TO PUBLIC RIGHT-OF-WAY AND PRIVATE H.O.A. MAINTAINED TRACTS. THE RESTRICTIVE NATURE OF V.N.A.E. WOULD PREVENT CONSTRUCTION OF PERMANENT R.V. GATES, DRIVEWAYS, OR RELOCATE POINTS OF ACCESS OVER SAID V.N.A.E. INTO REAR OR SIDE YARDS. THE V.N.A.E. IS NOT INTENDED TO PREVENT TEMPORARY CONSTRUCTION ACCESS AS LONG AS APPROVED BY THE CITY OF SURPRISE AND THE WALLS ARE RECONSTRUCTED TO THEIR ORIGINAL CONDITION.
- IN ACCORDANCE WITH ARS § 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.

LIMITATIONS ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY

THE LOTS AND PARCELS CREATED, DEFINED OR DEPICTED ON THIS PLAT ARE SUBJECT TO A LIMITATION ON THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AS SET FORTH WITHIN THE SURPRISE MUNICIPAL CODE. NO PERSON MAY OCCUPY A BUILDING OR STRUCTURE ERECTED ON ANY LOT OR PARCEL ON THIS PLAT UNTIL THE CITY OF SURPRISE HAS ISSUED A CERTIFICATE OF OCCUPANCY. THE CITY WILL NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL ALL ON-SITE IMPROVEMENTS SUBJECT TO A CERTIFICATE OF OCCUPANCY FREEZE HAVE BEEN CONSTRUCTED AND CONDITIONALLY ACCEPTED BY THE CITY OF SURPRISE. THIS LIMITATION MAY BE RELEASED IN PHASES. A PROSPECTIVE BUYER OF A LOT OR PARCEL SHOULD REQUIRE THE SELLER TO PRODUCE A RECORDED RELEASE OF THIS LIMITATION SIGNED BY THE CITY OF SURPRISE PRIOR TO PURCHASING OR CLOSING ESCROW ON ANY LOT OR PARCEL. FAILURE TO OBTAIN SUCH A RELEASE OF THIS LIMITATION MAY RESULT IN THE BUYER BEING PROHIBITED FROM OCCUPYING THE HOUSE OR STRUCTURE BUILT ON THE LOT OR PARCEL.

BOOK 939 PAGE 37
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2007 - 0885833
08/06/2007 11:11 AM

OWNER/DEVELOPER

MICHAEL J. PARK
CENTEX HOMES
8665 EAST HARTFORD DRIVE, SUITE 200
SCOTTSDALE, ARIZONA 85255
PHONE: (480) 889-0900 EXT. 3342
FAX: (480) 889-0948



PLANNING ■ DESIGN ■ CONSTRUCTION
16605 NORTH 28th AVENUE, SUITE 100
PHOENIX, ARIZONA 85053-7550
602.467.2200 • FAX 602.467.2201 • www.RBF.com

ACKNOWLEDGMENT

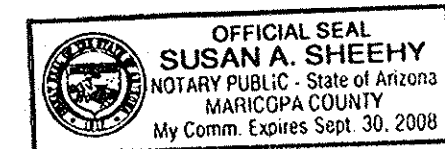
STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18th DAY OF July, 2007, BY Jean Scarbrough

THE V.P. Land Development OF CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION, THE MANAGING GENERAL PARTNER OF CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP.

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

MY COMMISSION EXPIRES: Sept. 30, 2008



[Signature]
NOTARY PUBLIC

CERTIFICATIONS

DATA ON THIS PLAT REVIEWED AND APPROVED THIS 26 DAY OF July, 2007 BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

[Signature]
CITY ENGINEER

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS 28th DAY OF June, 2007.

[Signature]
MAYOR

ATTEST:
[Signature]
CITY CLERK

PUBLIC NOTICE: SOUND ATTENUATION AND OVERFLIGHT LANGUAGE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE 1988 MAG NOISE CONTOUR LINES IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

CERTIFICATE FOR RECORDING

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER AT 9 O'CLOCK AM, 2007, AND FULLY RECORDED IN BOOK 939, PAGE NO.

BY: _____
COUNTY RECORDER

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2007, AND THAT THE PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED IN IT HAVE BEEN LOCATED AND OR WILL BE LOCATED AS SHOWN HEREON.

[Signature]
DAVID M. SCHLIEF R.L.S. #31034
DATE 7-16-07

SURVEYOR

DAVID M. SCHLIEF, R.L.S.
RBF CONSULTING
16605 N. 28th AVENUE, SUITE 100
PHOENIX, AZ 85053
PHONE: (602) 467-2200
FAX: (602) 467-2201

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL BY THESE PRESENTS: THAT CENTEX HOMES, HAS SUBDIVIDED UNDER THE NAME DESERT OASIS PARCEL L11, A SUBDIVISION LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF DESERT OASIS PARCEL L11 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 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 CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

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

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS 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.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS, PARKS, AND 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 OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY THE OWNER AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS.

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 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 18 DAY OF July, 2007.

CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP

BY: CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION,
ITS: MANAGING GENERAL PARTNER

BY: [Signature]

NAME: Jean Scarbrough

ITS: V.P. Land Development

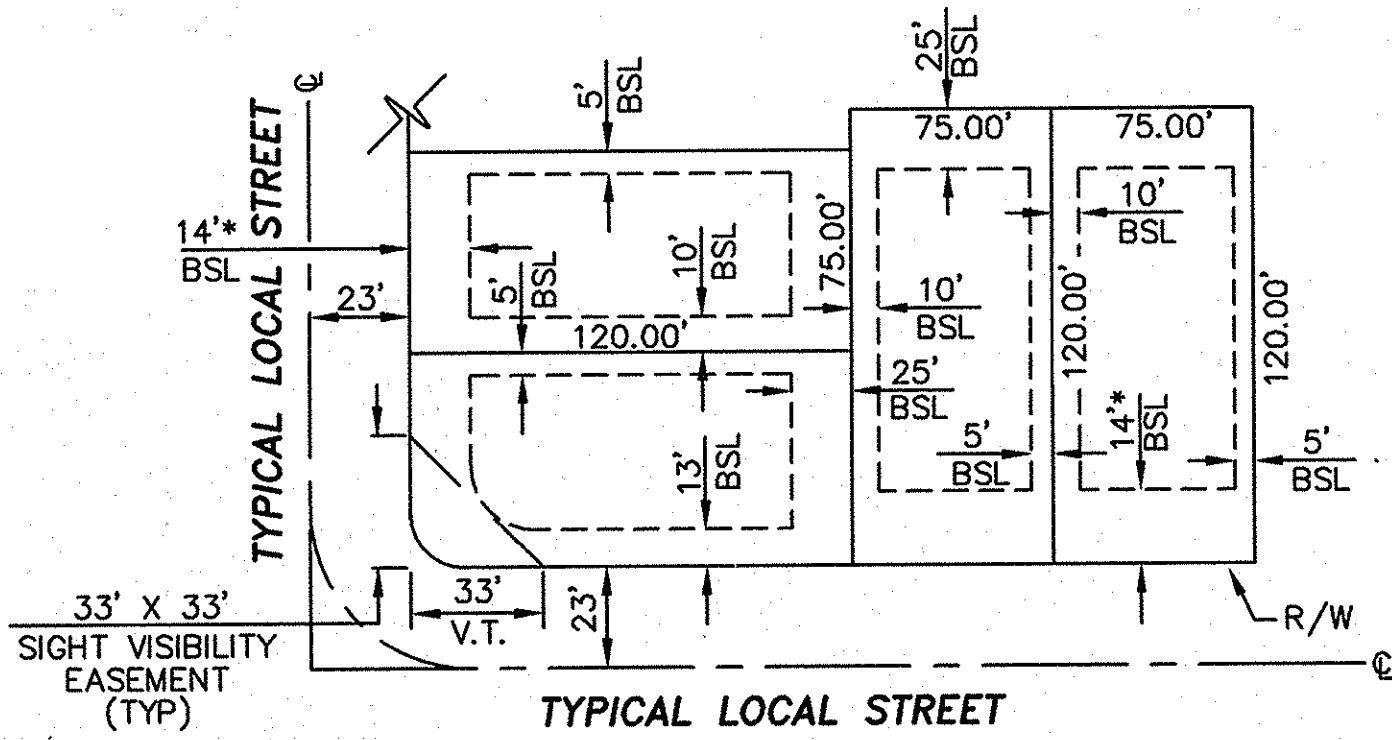
RELEASE OF LIABILITY

CENTEX HOMES DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES AIR FORCE 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 UNITED STATES AIR FORCE 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 THIS PLAT, UNTIL SUCH TIME AS THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

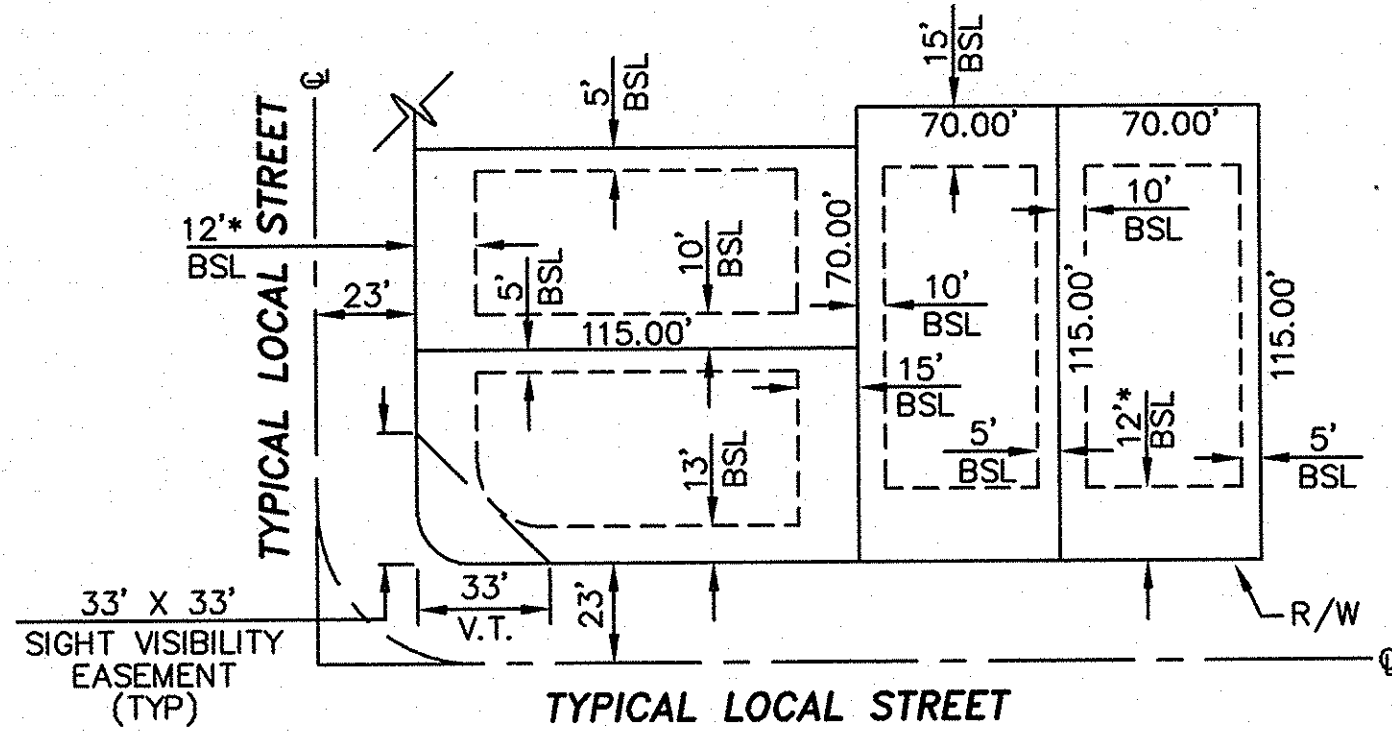
DESERT OASIS PARCEL L11
RBF # 45-102480, DATE: 07/16/2007
SHEET 1 OF 5

DESERT OASIS PARCEL L11



TYPICAL LOT DIMENSIONS & BUILDING SETBACK LINES GREATER THAN OR EQUAL TO 75'

* 17' FOR FRONT LOAD GARAGE, 10' FOR FRONT PORCH, 12' FOR 115' DEEP LOTS



TYPICAL LOT DIMENSIONS & BUILDING SETBACK LINES EQUAL TO 70'

* 17' FOR FRONT LOAD GARAGE, 10' FOR FRONT PORCH

TRACT AREA TABLE

TRACT	SQUARE FEET	ACREAGE	USE
A-L11	25,070	0.5755	LANDSCAPING/DRAINAGE
B-L11	26,626	0.6113	LANDSCAPING/DRAINAGE
C-L11	929	0.0213	LANDSCAPING
D-L11	1,939	0.0445	LANDSCAPING
E-L11	1,939	0.0445	LANDSCAPING
F-L11	1,779	0.0408	LANDSCAPING
G-L11	15,718	0.3608	LANDSCAPING
TOTAL	74,000	1.6987	

SITE SUMMARY TABLE

GROSS AREA	18.9244 ACRES	824,348 SQUARE FEET
AREA OF PUBLIC STREETS	3.3399 ACRES	145,487 SQUARE FEET
NET ACREAGE (GROSS AREA MINUS PUBLIC STREETS)	15.5845 ACRES	678,860 SQUARE FEET
AREA OF TRACTS (OPEN SPACE, DRAINAGE, WELL SITE, AMENITIES, AND LANDSCAPE)	1.6988 ACRES	74,001 SQUARE FEET
OPEN SPACE PERCENTAGE	10.90%	
AREA OF LOTS	13.8857 ACRES	604,859 SQUARE FEET
TOTAL NUMBER OF LOTS	64	
OVERALL GROSS DENSITY	3.3819 DWELLING UNIT / ACRE	
AVERAGE AREA PER LOT (NET ACREAGE DIVIDED BY THE NUMBER OF LOTS)	0.2435 ACRES	10,607 SQUARE FEET
MINIMUM LOT AREA	0.1898 ACRES	8,270 SQUARE FEET
AVERAGE LOT AREA (AREA OF LOTS DIVIDED BY THE TOTAL NUMBER OF LOTS)	0.2170 ACRES	9,451 SQUARE FEET
MAXIMUM LOT AREA	0.4162 ACRES	18,130 SQUARE FEET
MAXIMUM NUMBER OF LOTS PER PLANNED AREA DEVELOPMENT	72	
PROJECTED POPULATION 3.2 PERSONS PER DWELLING UNIT	205	
PROJECTED NUMBER OF FAMILIES	64	

DEVELOPMENT STANDARDS

LOT CATEGORY	E	F	G
LOT WIDTH	70'	75'	75'
MAX HOME WIDTH	55'	60'	60'
FRONT SETBACK	12' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT PORCH.	12' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT PORCH.	14' FOR LIVING AREA OR SIDE LOAD GARAGE. 17' FOR FRONT PORCH.
SIDE SETBACK*	5'/10'	5'/10'	5'/10'
CORNER SIDE SETBACK	13' FROM RIGHT-OF-WAY	13' FROM RIGHT-OF-WAY	13' FROM RIGHT-OF-WAY
REAR SETBACK**	15'	25'	25'
REAR SETBACK (ARTERIAL STREET)	20'	30'	30'
BUILDING HEIGHT	30'	30'	30'

* ARCHITECTURAL ELEMENTS, POT SHELVES, SHADOW BOXES AROUND WINDOWS AND DOORS, BAY WINDOWS, ENTERTAINMENT UNITS, FIREPLACES, ETC. WILL BE ALLOWED TO ENCR OACH INTO THE SIDE SETBACKS BY A MAXIMUM OF 3 FEET AND INTO THE REAR SETBACK A MAXIMUM OF 2 FEET.
** PATIO COVERS MAY ENCR OACH A DISTANCE UP TO 10' FROM THE REAR PROPERTY LINE.

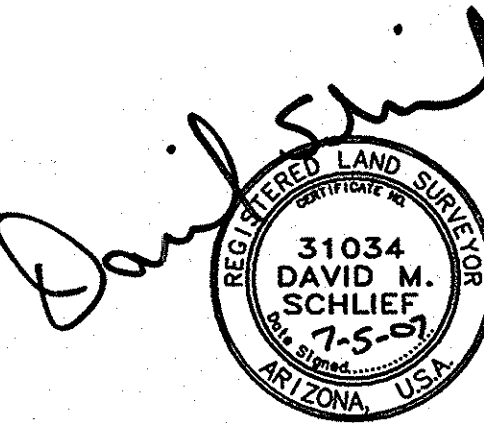
LOT SIZE SUMMARY

CATEGORY	LOT SIZE	LOT YIELD
E	70' X 115'	45 UNITS
F	75' X 115'	4 UNITS
G	75' X 120'	15 UNITS

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PHOENIX, ARIZONA 85053-7550
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KEY MAP
NOT TO SCALE

BOOK 939 PAGE 37
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2007-0885833
08/06/2007 11:11 AM

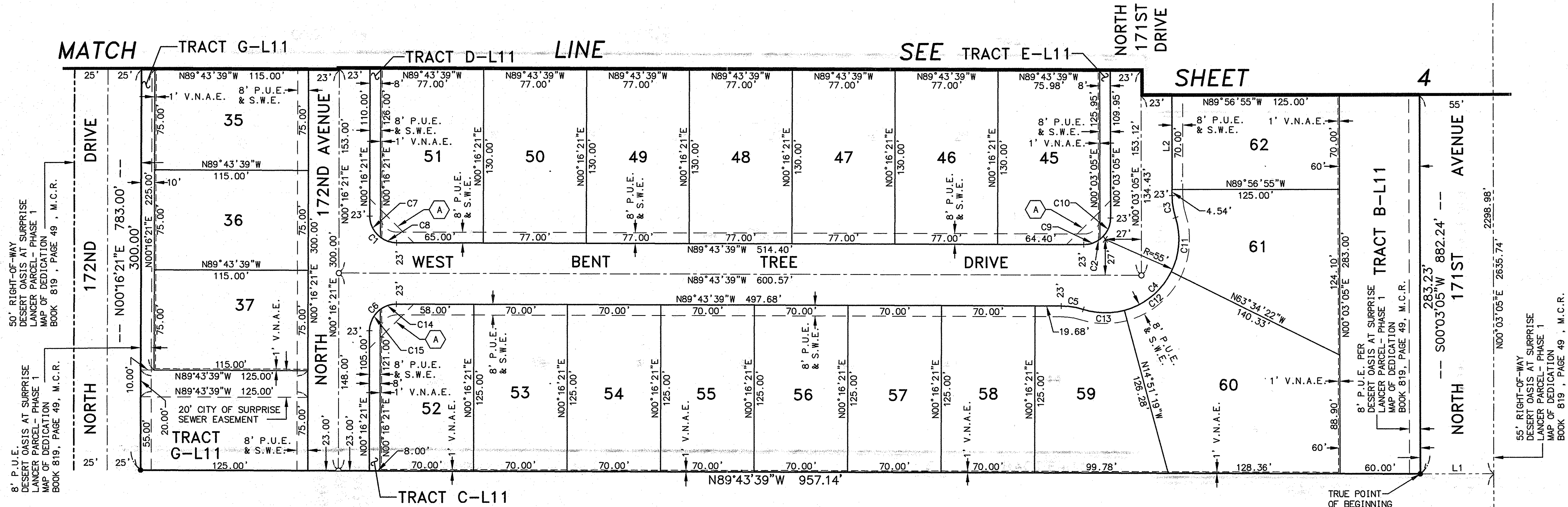


DESERT OASIS PARCEL L11
RBF # 45-102480, DATE 07/05/2007
SHEET 2 OF 5

DESERT OASIS PARCEL L11

NORTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN
FOUND 2 INCH MARICOPA COUNTY ALUMINUM CAP
STAMPED "T5N R2W S26 S25 S36 S35 2002 RLS 21782".

DESERT OASIS
PARCEL 13A
BOOK 892, PAGE 16, M.C.R.



STATE LAND
UNSUBDIVIDED

CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	90°00'00"	20.00'	31.42'	20.00'	28.28'	N44°43'39"W
C2	90°13'16"	20.00'	31.49'	20.08'	28.34'	N45°09'43"E
C3	17°20'29"	55.00'	16.65'	8.39'	16.58'	N08°37'09"W
C4	124°54'14"	55.00'	119.90'	105.44'	97.53'	N45°09'43"E
C5	17°20'29"	55.00'	16.65'	8.39'	16.58'	N81°03'24"W
C6	90°00'00"	20.00'	31.42'	20.00'	28.28'	N45°16'21"E
C7	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°17'33"W
C8	36°52'12"	20.00'	12.87'	6.67'	12.65'	N71°17'33"W
C9	37°05'28"	20.00'	12.94'	6.71'	12.72'	N71°43'37"E
C10	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°36'59"E
C11	43°43'02"	55.00'	41.97'	22.06'	40.95'	N04°34'07"E
C12	48°43'03"	55.00'	46.77'	24.90'	45.37'	N50°47'09"E
C13	32°28'10"	55.00'	31.16'	16.02'	30.75'	N88°37'15"W
C14	36°52'12"	20.00'	12.87'	6.67'	12.65'	N71°50'15"E
C15	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°50'15"E

LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°56'55"W	55.00'
L2	N00°03'05"E	74.54'

SHEET INDEX
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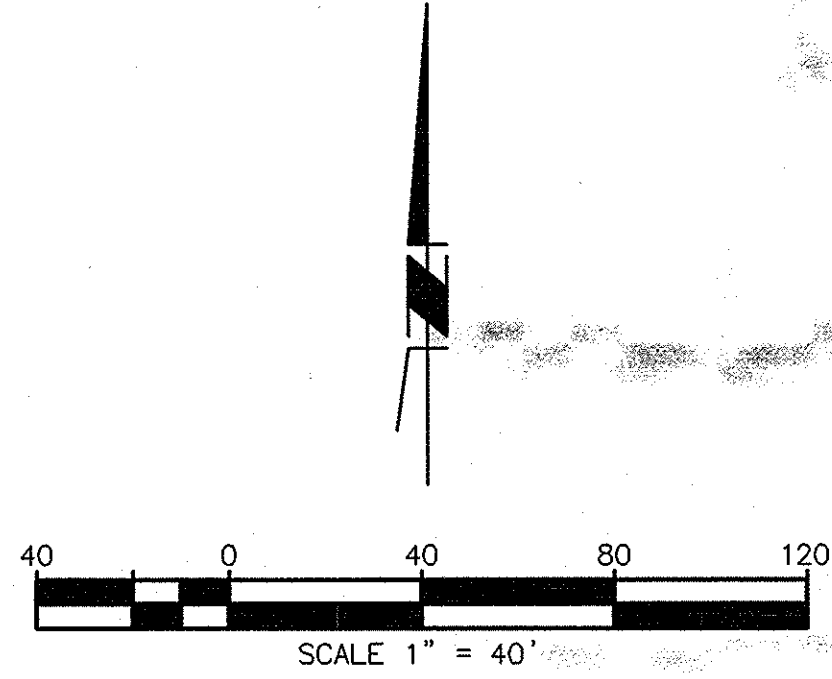
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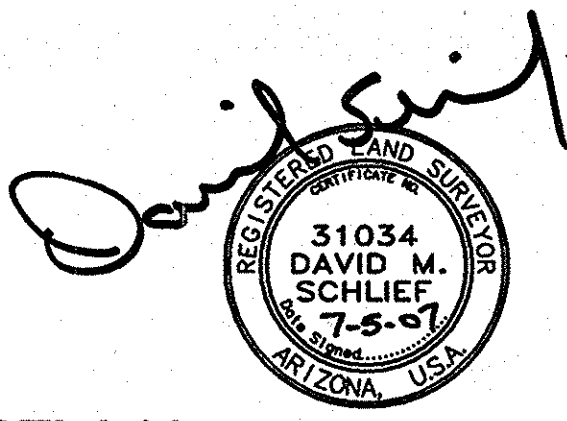
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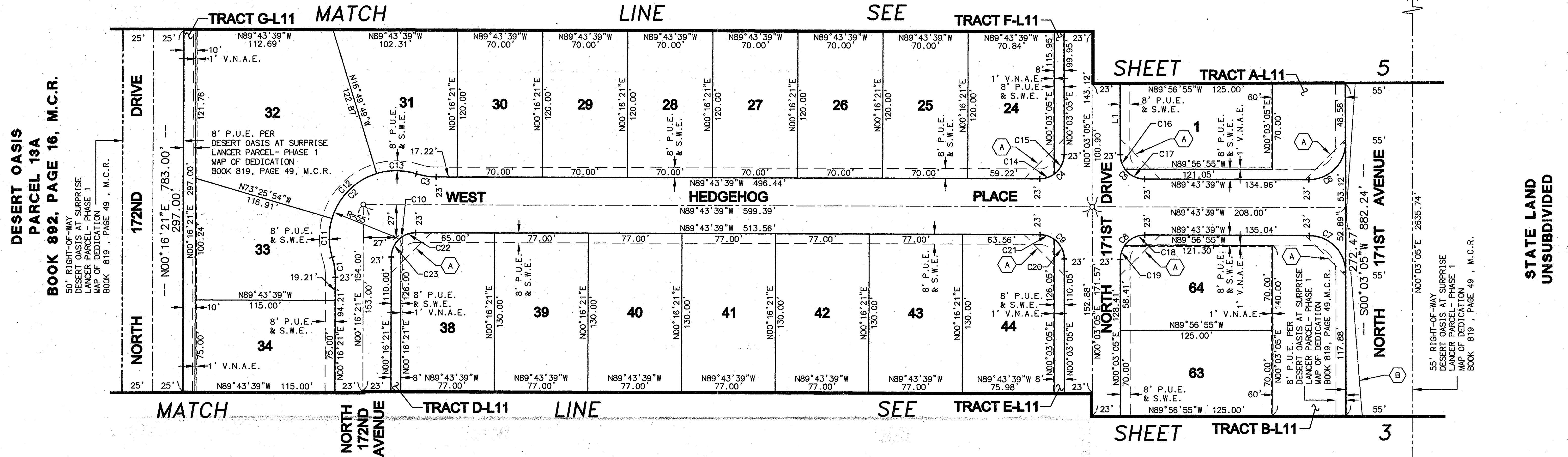
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DESERT OASIS PARCEL L11
RBF # 45-102480, DATE 07/05/2007
SHEET 3 OF 5

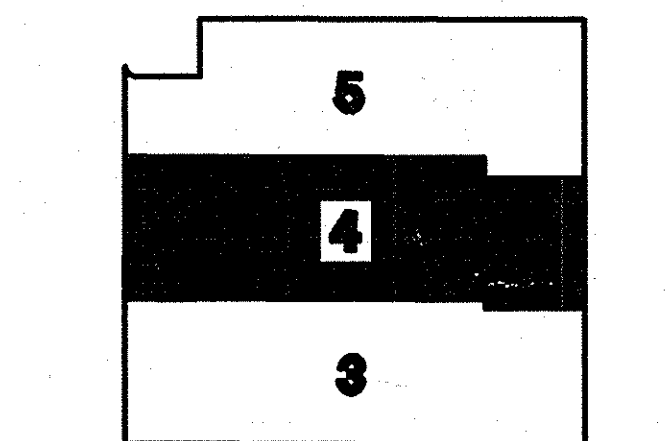
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CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	17°20'29"	55.00'	16.65'	8.39'	16.58'	N08°23'54"W
C2	124°40'58"	55.00'	119.69'	104.94'	97.43'	N45°16'21"E
C3	17°20'29"	55.00'	16.65'	8.39'	16.58'	N81°03'24"W
C4	90°13'16"	20.00'	31.49'	20.08'	28.34'	N45°09'43"E
C5	89°46'44"	20.00'	31.34'	19.92'	28.23'	N44°50'17"W
C6	90°13'16"	30.00'	47.24'	30.12'	42.51'	N45°09'43"E
C7	89°46'44"	30.00'	47.01'	29.88'	42.34'	N44°50'17"W
C8	90°13'16"	20.00'	31.49'	20.08'	28.34'	N45°09'43"E
C9	89°46'44"	20.00'	31.34'	19.92'	28.23'	N44°50'17"W
C10	90°00'00"	20.00'	31.42'	20.00'	28.28'	N45°16'21"E
C11	33°38'14"	55.00'	32.30'	16.62'	31.83'	N00°15'01"W
C12	56°36'05"	55.00'	54.33'	29.62'	52.15'	N44°52'09"E
C13	34°26'39"	55.00'	33.06'	17.05'	32.57'	N89°36'29"W
C14	37°05'28"	20.00'	12.94'	6.71'	12.72'	N71°43'37"E
C15	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°36'59"E
C16	36°38'56"	20.00'	12.79'	6.62'	12.58'	N18°16'23"W
C17	53°07'48"	20.00'	18.55'	10.00'	17.89'	N63°09'45"W
C18	54°47'18"	20.00'	19.12'	10.36'	18.40'	N62°52'42"E
C19	35°25'58"	20.00'	12.37'	6.39'	12.17'	N17°46'04"E
C20	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°30'49"W
C21	36°38'56"	20.00'	12.79'	6.62'	12.58'	N71°24'11"W
C22	36°52'12"	20.00'	12.87'	6.67'	12.65'	N71°50'15"E
C23	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°50'15"E

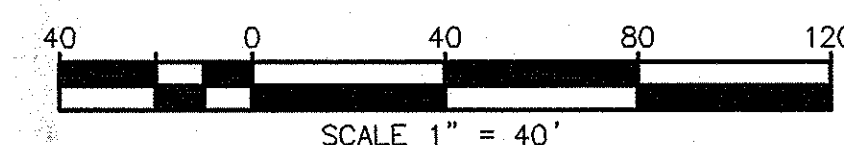
LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°03'05"E	58.06'



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- (B) ENGINEERED SIGHT LINE



EAST QUARTER CORNER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN FOUND 2 INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T5N R2W 1/4 S35 S36 2002 RLS 21782" POINT OF COMMENCEMENT.

SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN FOUND DRILL HOLE IN CONCRETE CATTLE GUARD WITH TAG STAMPED "RLS 21782".

BOOK 939 PAGE 37
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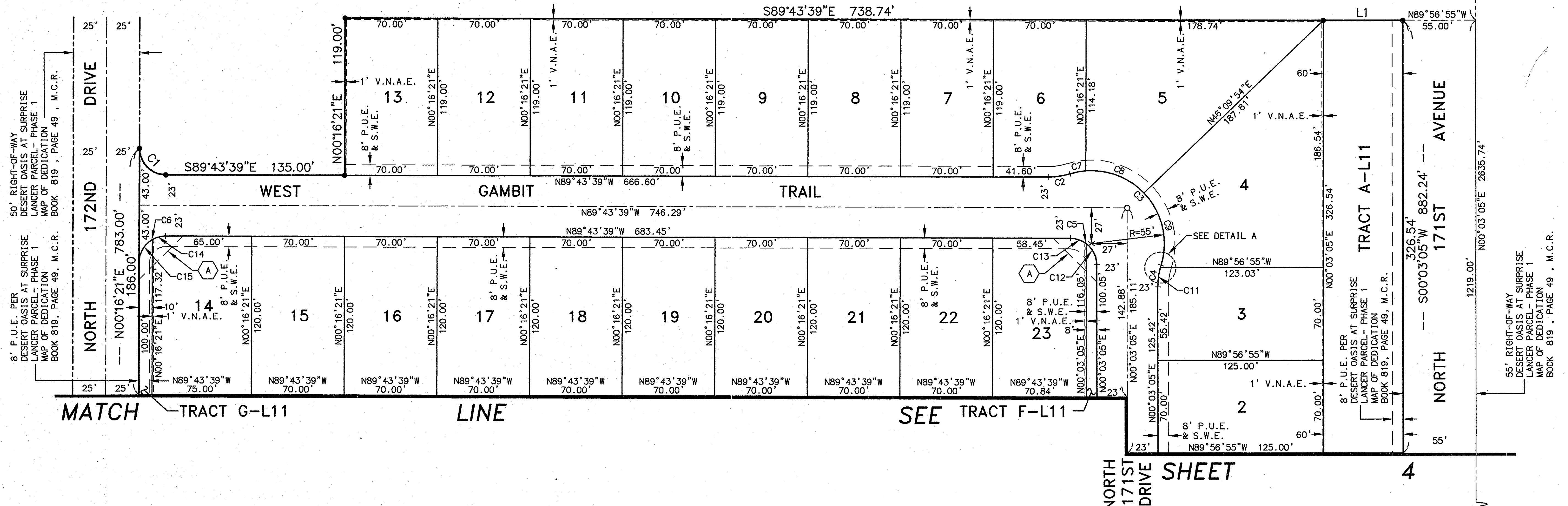
David M. Schliep
REGISTERED LAND SURVEYOR
31034
DAVID M. SCHLIEP
7-5-07
ARIZONA, USA

DESERT OASIS PARCEL L11
RBF # 45-102480, DATE 07/05/2007
SHEET 4 OF 5

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NORTHEAST CORNER OF SECTION 35, TOWNSHIP 5 NORTH,
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**DESERT OASIS
PARCEL 13A
BOOK 892, PAGE 16, M.C.R.**



**STATE LAND
UNSUBDIVIDED**

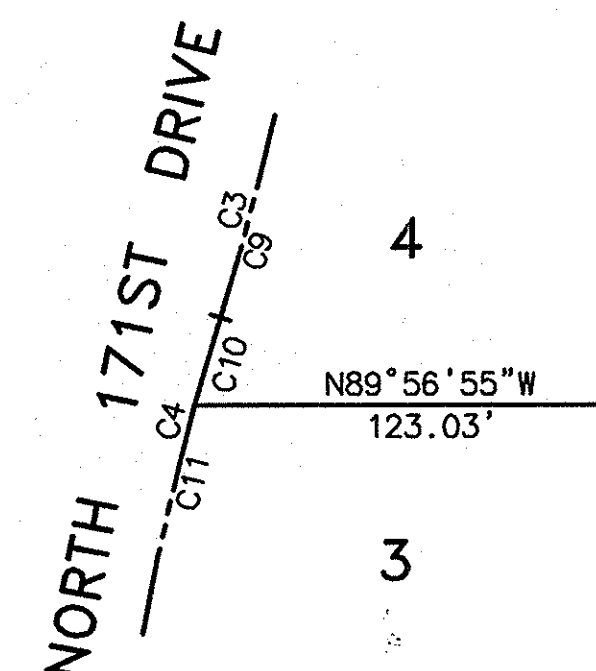
CURVE TABLE						
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C4	17°20'29"	55.00'	16.65'	8.39'	16.58'	N08°43'20"E
C5	89°46'44"	20.00'	31.34'	19.92'	28.23'	N44°50'17"W
C6	90°00'00"	20.00'	31.42'	20.00'	28.28'	N45°16'21"E
C7	12°45'45"	55.00'	12.25'	6.15'	12.23'	N79°18'45"E
C8	50°28'17"	55.00'	48.45'	25.92'	46.90'	N69°04'14"W
C9	61°13'40"	55.00'	58.77'	32.54'	56.02'	N13°13'16"W
C10	01°58'19"	55.00'	1.90'	0.95'	1.89'	N16°24'25"E
C11	15°22'10"	55.00'	14.75'	7.42'	14.71'	N07°44'10"E
C12	53°07'48"	20.00'	18.55'	10.00'	17.89'	N26°30'49"W
C13	36°38'56"	20.00'	12.79'	6.62'	12.58'	N71°24'11"W
C14	30°00'00"	20.00'	10.48'	5.36'	10.35'	N75°16'21"E
C15	60°00'00"	20.00'	20.94'	11.55'	20.00'	N30°16'21"E

LINE TABLE		
NO.	BEARING	LENGTH
1	S89°56'55"E	60.00'

SHEET INDEX
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DETAIL A
NOT TO SCALE

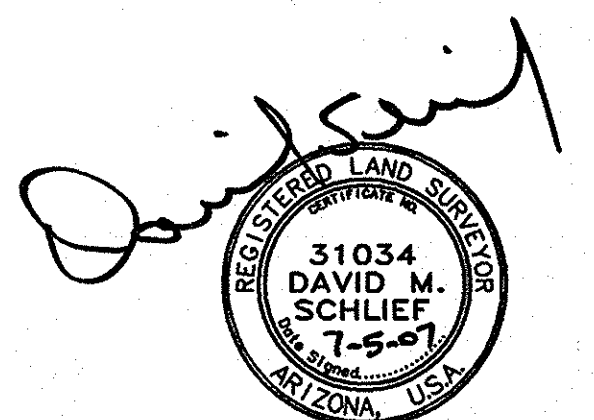
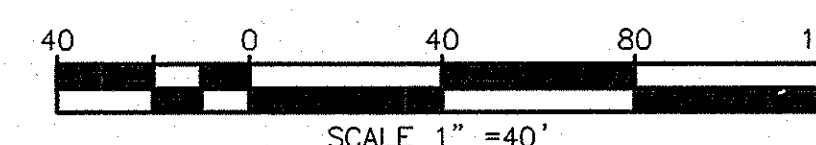
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BOOK 939 PAGE 37

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2007 - 0885833
08/06/2007 11:11 AM



DESERT OASIS PARCEL L11
RBF # 45-102480, DATE 07/05/2007
SHEET 5 OF 5



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

July 11, 2016

RE: COUNCIL ACCEPTANCE LETTER FOR DESERT OASIS PARCEL L11 - FP06-382

This conditional letter of acceptance is to notify the City Council that the City of Surprise Engineering staff has completed final inspections for the street and public utility improvements for the above referenced project. In 2008, the project was placed on hold until a developer was able to complete the parcel. Final inspections have been completed and the parcel improvements may now be formally accepted by council. The City will begin maintenance of the parcel infrastructure and a letter of acceptance will be provided to the developer after the council date.

Sincerely,

Kristin Tytler, P.E.
Development Engineering Manager

kt/jg

c:
File



Engineering Department
12425 West Bell Road, Suite B-205
Surprise, Arizona 85374
Phone 623-222-3400
Fax 623-222-3401

June 11, 2008

Centex Homes

8665 East Hartford Drive, Suite 200
Scottsdale, Arizona 85255

**RE: Pre-Final COMPLETION LETTER FOR DESERT OASIS
PARCEL L11-FP06-382**

The City of Surprise Engineering Department has completed the Pre-Final inspection of the referenced development for the following infrastructure:

- 3149 Linear Feet of 8 inch C-900 PVC Water Line
- 3068 Linear Feet of 8 inch PVC SDR35 Sewer Line
- 8,589 Square Yards of 2.5 inch AC on 6 inch ABC

These improvements are in substantial compliance with the approved plans and specifications. At this time, the developer shall guarantee the work for the above-mentioned improvements against materials and workmanship for a period of two (2) years from the date of this letter.

If you have any questions or concerns, you can reach me at 623-222-3400.

Sincerely,

Nicholas Mascia, P.E., P.T.O.E.
Development Engineer

nm/pf

c: Don Moseley, Civil Inspector Supervisor
William Toon, Civil Inspector
David Kohlbeck, Public Works
Antonio DeLaCruz, Public Works

Cindy Coen, Community Development
Shirley Sjeroos, Finance
Rich Williams, Water Services
File

RFLS NO:	5241
SUBMIT DATE:	7/12/2016

**SURPRISE CITY ATTORNEY
REQUEST FOR LEGAL SERVICES**

Please retain form with document throughout the entire process.

Requestor: JOE GARZA

Department & Extension: PW - Engineering, Ext. 26141

Contract Title: Res 2016-103 re Desert Oasis Parcel L11

Date of Contract, Event/Performance: 7/15/2016

Description of Legal Services Requested: FINAL ACCEPTANCE OF INFRASTRUCTURE IMPROVEMENTS FOR DESERT OASIS PARCEL L11

Vendor Name, Address & Phone:

To Council? Yes, with Resolution

If Yes, Council Meeting Date: 08/16/2016

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

RFLS Status: Approved

Attorney Comment:

Plese see the final resolution. I changed the Memo to read the August 16 CC date.

CINDY.COEN

City Attorney's Office

7/18/2016

Date

7/21/2016 8:44:18 AM



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date: August 16, 2016

Contact Person: Sherry Ann Aguilar, City Clerk

Submitting Department:

District: Citywide

Staff Recommendations: None

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

Agenda Wording:

Consideration and action on the meeting minutes of August 5, 2016 Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

☐ [Minutes](#)

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

Tuesday, August 2, 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, August 2, 2016**. Also in attendance with Mayor Wolcott were Vice Mayor Biundo, Council Member Winters, Council Member Williams, Council Member Hall, and Council Member Tande.

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

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

Update on the Surprise Youth Employment Program - by Seth Dyson.

Seth Dyson and Ervin Cutwright gave an overview of the Summer Youth Program, including a powerpoint presentation.

Mr. Cutwright introduced one intern to talk about her summer experiences, Ms. Sarah Mixon.

Bell/Grand Update

ED Director, Jeanine Jerkovic gave an overview of Business status for the Bell/Grand Project.

Regular City Council Meeting Minutes – August 5, 2016 – Page 2

New Business - Firehouse Subs at Bell & Grand - Late October 2016.

Shop Surprise - Digital Campaign Update. Shop local campaign

City Attorney Report

City Clerk Report

2016 PRIMARY ELECTION UPDATE

City Clerk Aguilar reported on important election dates. 8/3/16 - Early voting begins at city hall city clerk's office and ballots will be mailed out as well. 8/19/2016 - Independent voters need to select a party designation.

Call to the public

Olga Perez - Treasurer for the PTSA at Dysart School District, and a resident of District 4. Letter of complaint of the City filed against my mother. Upcoming election, sad that the only time I see the Mayor in our community is during election time. Our community needs a lot of outreach, and I am proud to say that I am proud to live in Surprise.

Consent Agenda

1 – Consideration and action on the minutes of June 21, 2016 Regular City Council Work Session; Special City Council Meeting and Regular City Council Meeting - APPROVED

2 – Consideration and action pertaining to amending the Surprise Municipal Code Chapter 54, Article I, Section 54-3, definition of a "truck" relating to the establishment of truck routes; Ordinance # 2016-24 - APPROVED

3 – Consideration and action pertaining to approval of a final plat amendment entitled "Re-Plat of Marley Park Square Amended", dated June 6, 2016, a property generally located at the southwestern corner of Waddell and Litchfield Roads - APPROVED

4 – Consideration and action pertaining to modification of the Intergovernmental Agreement between the City of Surprise and Arizona Department of Revenue regarding Transaction Privilege Tax Administration; Resolution # 2016-105 - APPROVED

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

Regular Agenda Item - Non-Public Hearing

5 – Consideration and action setting forth the FY2017 levy of property tax rates for Street Light Improvement Districts (SLID) within the city; Resolution # 2016-100 - APPROVED

Finance Director, Lindsey Duncan reported on Resolution 2016-100 and commented that this is the final step in the adoption.

Council Member Hall - how many dwelling units are involved?

Ms. Duncan - I will have to get back to you on that number.

Council Member Williams made the motion to approve Resolution 2016-100. Council Member Tande seconded the motion. Six yes votes. Motion carried.

6 – Consideration and action levying a certain sum of money for FY2017 to be assessed against the valuation of property for primary and secondary tax purposes; Resolution # 2016-99 - APPROVED

Finance Director, Lindsey Duncan reported on Resolution 2016-99.

Council Member Tande made the motion to approve Resolution 2016-99. Council Member Williams seconded the motion. Six yes votes. Motion carried.

7 – Consideration and action pertaining to the Comprehensive Financial Management Policies - APPROVED

Finance Director, Lindsey Duncan explained that this is the last step in our budget process.

Council Member Hall made the motion to approve the Comprehensive Financial Management Policies. Council Member Winters seconded the motion. Six yes votes. Motion carried.

8 – Consideration and action pertaining to delegation to the City Manager or his or her designee the exemption authority for the marking of City of Surprise vehicles in accordance with A.R.S. Section 38-538.03; Resolution # 2016-97 - APPROVED

Harold Brady reported on Resolution 2016-97.

Regular City Council Meeting Minutes – August 5, 2016 – Page 4

Council Member Williams made the motion to approve Resolution 2016-97. Council Member Winters seconded the motion. Six yes votes. Motion carried.

9 – Consideration and action pertaining to the termination of the Dysart and Bell Development Agreement; Resolution # 2016-101 - APPROVED

Community Development Director, Eric Fitzer reported on Resolution 2016-101.

Council Member Williams spoke of automalls and asked what dealerships look for.

Council Member Hall made the motion to approve Resolution 2016-101. Council Member Winters seconded the motion. Six yes votes. Motion carried.

10 – Consideration and action pertaining to amending the Surprise Municipal Code with the addition of the Percent and One-Third for Public Art Program which would dedicate 1 1/3% of the total costs of applicable City capital projects to fund public art and setting an effective date of July 1, 2017; Ordinance # 2016-13 - APPROVED

City Manager Wingenroth gave a presentation regarding this item. The sighting of the art program and guidelines has been developed for quite some time.

Council Member Tande - Does the 1 1/3 budget for a capital project, does it come off of the top?

This would come out of the million dollars.

Council Member Biundo - Talk about the City Center, walkable and gathering areas, a nexus of community.

Mayor Wolcott - This issue is really important, it is great that we are formalizing this process now. Create sense of place, looking at our history, in the OTS using art. Now we have WHAM that in itself creates a sense of place. This is a great policy and great to have a plan.

Council Member Biundo made the motion to approve Ordinance 2016-13. Council Member Williams seconded the motion. Six yes votes. Motion carried.

11 – Consideration and action amending Surprise Municipal Code Chapter 2, Article VIII, Section 2-299 (d) pertaining to the Arts and Cultural Advisory Commission's powers, duties and responsibilities needing to be supplemented to reflect the additional responsibilities pertaining to the One and One-third Percent for Public Art Program; Ordinance # 2016-15 - APPROVED

Regular City Council Meeting Minutes – August 5, 2016 – Page 5

City Manager Wingenroth reported on this item.

Council Member Biundo made the motion to approve Ordinance 2016-15. Council Member Williams seconded the motion. Six yes votes. Motion carried.

Other Business

Council Member Winters - discuss new fares for Dial-A-Ride services. Seconded by Mayor Wolcott.

Mayor Wolcott introduced Valeria Ortiz and Ariel Patton.

Mayor/Council Reports:

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

Council Member Winters - District 1 award for Surprise Farms

Council Member Williams - Day one for Dysart School District, parents please be cautious thanked team that worked on Cactus Road.

Council Member Biundo - thanked the General Manager of Wal-Mart.

Council Member Winters made the motion to recess into executive session at 7:06 PM. Council Member Williams seconded the motion. Six yes votes. Motion carried.

Executive Session

12 - Consideration and action to enter into executive session for discussion and consultation for legal advice with the City's attorneys pertaining to litigation in Homebuilders Assoc. of Central Arizona v. City of Surprise pursuant to Arizona Revised Statutes 38-431.03 (A)(3).

13 - Consideration and action to recess into executive session for the purpose of discussion or consultation with the city's attorney(s) regarding City Council's position regarding the incentive agreement relating to Surprise Center Development Company, Inc. pursuant to A.R.S. 38-431.03 (A)(4).

14 - Consideration and action to recess into executive session for the purpose of conducting mid-year performance reviews of the City Manager and City Clerk pursuant to A.R.S. 38-431.03 (A)(1).

Regular City Council Meeting Minutes – August 5, 2016 – Page 6

Adjournment

Council Member Williams made the motion to adjourn the Regular City Council Meeting of August 2, 2016 at 9:51 PM. Council Member Hall seconded the motion. Six yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, August 2, 2016.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date: August 16, 2016

Contact Person: Sherry Ann Aguilar, City Clerk

Submitting Department:

District: 1

Staff Recommendations: None

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

Agenda Wording:

Consideration and action on a request by Amy Phillips for a series #12 License (1207A710) for Babbo's Italian Eatery located at 16433 W. Bell Road, Surprise, AZ 85374.

Motion:

I move to approve a request by Amy Phillips for a series #12 License (1207A710) for Babbo's Italian Eatery located at 16433 W. Bell Road, Surprise, AZ. 85374.

Background:

This request is of a routine nature and follows Arizona State Liquor License laws and process. All department reports are attached.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- ☐ [Babbos Dept Reports](#)
 - ☐ [Babbos Public Notice](#)
 - ☐ [Babbos Applicant Letter](#)
-



COMMUNITY DEVELOPMENT DEPARTMENT

Date: May 20, 2016
To: Sherry Aguilar, City Clerk
From: Eric Fitzer, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

**Babbo Italian Eatery (BIE, Inc.)
Series # 12 (1207A710) – New License / Corporation
16433 W. Bell Road
Surprise, Arizona 85374**

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

1. Sam's Club #4955 (Series 9) – 16573 W. Bell Rd.
2. Peter Piper Pizza (Series 12) – 16641 W. Bell Rd. (EXPIRED)
3. Safeway Food & Drug #1997 (Series 9) – 17049 W. Bell Rd.
4. Walgreens #6806 (Series 10) – 17088 W. Bell Rd.
5. Amuse Bouche (Series 12) – 17058 W. Bell Rd. (EXPIRED)
6. Golden Wei Chinese Cuisine (Series # 12) – 17104 W Bell Rd.
7. Eddie's European Bistro (Series 12) – 16846 W. Bell Rd. (EXPIRED)
8. Coyote Alley (Series 6) – 16846 W. Bell Rd #100 (EXPIRED)
9. Albertson's #1026 (Series 9) – 16750 W. Bell Rd.
10. Corner Store #1713 (Series 10) – 16794 W. Bell Rd.
11. Fry's Food & Drug #61 (Series 9) – 15510 W. Bell Rd.
12. Lucky's Pizza #3 (Series 12) – 15508 W. Bell Rd.
13. Walgreens #4620 (Series 10) – 15490 W. Bell Rd.
14. 4 Sons Food Store (Series 10) – 15505 W. Bell Rd.
15. Tailgaters Sports Grill (Series 12) – 15529 W. Bell Rd.
16. Booty's (Series 12) – 15557 W. Bell Rd. #404,4054 & 406
17. Macayo Mexican Kitchen (Series 10) – 15565 W. Bell Rd.
18. Babbo Italian Eatery (Series 12) – 15609 W. Bell Rd.
19. Circle K #3395 (Series 10) – 16247 W. Bell Rd.

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

Commercial and residential growth is expected to remain static.

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





MEMO

Date: 07/27/2016

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

RE: Liquor License Application – BIE Inc dba Babbo Italian Eatery

Business License Status:

Application packet mailed on 7/27/16.

Mailing to:

BIE, Inc.
dba Babbo Italian Eatery
Attn: Ms. Amy Phillips
P.O. Box 27647
Scottsdale, AZ 85255



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



July 21, 2016

To: Sherry Ann Aguilar, City Clerk
From: James Whitehead, Fire Inspector
Subject: Liquor License Application
Applicant: Babbo Italian Eatery (BIE, Inc)
16433 W Bell Rd
Surprise, Arizona 85374

The Surprise Fire-Medical Department recently reviewed plans for the above referenced location to ensure compliance with the applicable fire codes within the tenant space and building. Based on the plans submitted we recommend approval of the liquor license.

Final approval for occupancy will require an approved fire final inspection once construction is completed.

If you have any questions feel free to contact me.

James Whitehead, Fire Inspector
Fire Prevention Division
Surprise Fire-Medical Department

SURPRISE POLICE DEPARTMENT
LIQUOR LICENSE APPLICATION REVIEW

REFERENCE:

DATE: July 26th, 2016

LICENSE NUMBER- 1207A710
Series #12 – New License/Corporation

APPLICANT:

Babbo Italian Eatery (BIE, Inc.)
16433 W. Bell Road
Surprise, Arizona 85374

FINDINGS:

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

Babbo Italian Eatery is a newly developed restaurant. The surrounding area consists of residential and commercial buildings. There are several other businesses in the area that also serve alcohol in accordance with a series #12 license. There is no evidence to support a substantial impact on the area.

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

There is no anticipated impact on vehicle traffic in close proximity to this location.

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

There are no liquor violations reported at this location over the past five years.

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

The hours of operation are relatively consistent with the existing businesses in close proximity.

- 5) *Appropriateness of series license requested.*

The series 12 license is appropriate.

Submitted by Sergeant Tim Klarkowski #2137

PUBLIC NOTICE

Notice is hereby given that the Surprise City Council will conduct a public hearing on **Tuesday, August 16, 2016 – 6:00 p.m.**, for a **Series 12 Liquor License for Babbo Italian Eatery** requested by Amy Phillips located at 16433 W. Bell Road, Surprise, AZ. 85374. The public hearing will be held in the City Council Chambers – 16000 N. Civic Center Plaza, Surprise, Arizona. Members of the public are invited to attend.



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

July 20, 2016

Babbo Italian Eatery (BIE, Inc.)

Applicant: Amy Phillips

E-Mail: AmyPhillips@babboitalian.com - Series 12 License – 1207A710

Dear Ms. Phillips:

Please be advised that we are in receipt of your request for a Series #12 Liquor License for **Babbo Italian Eatery located at 16433 W. Bell Road, Surprise, AZ. Surprise, AZ. 85374.**

The notice for the application has been posted on the property and will need to remain posted until the public hearing has taken place.

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

Tuesday, August 16, 2016 – 6:00 p.m. Surprise City Hall - Council Chambers 16000 N. Civic Center Plaza
--

Upon receipt of this correspondence, please acknowledge receipt by email to clerk@surpriseaz.gov and advise who will be representing you at this meeting. Your cooperation is greatly appreciated.

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

Sincerely,

City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action pertaining to rezoning approximately 176 acres of City owned property located at the southeast corner of Litchfield Road and Cactus Road from Residential Ranch (RR) to Public Facility (PF); Ordinance # 2016-23.

Motion:

I move to approve Ordinance # 2016-23.

Background:

Harold Hartman with the City of Surprise Public Works Department submitted a request to rezone the southeast corner of Litchfield Road and Cactus Road from Rural Residential to Public Facility. The subject property has been the location of the SPA-1 Water Reclamation Facility since 1994 and it is anticipated that it will continue being used as such. Besides the existing water treatment and maintenance equipment on site, the new Gateway Training Center is under construction.

Objective Analysis:

The proposed Rezone will have a positive effect on the surrounding industrial zoned properties and by Rezoning away from a Residential zoning district, it will comply with the General Plan.

Policy Compliant:

The proposed Rezone is in compliance with the Surprise General Plan, and the SUDC. This Rezone is also in compliance Luke Air Force Base land use regulations.

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 budget impact related to the proposed rezoning, however future actions related to the development of the property could have a budget impact.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Staff Report](#)
 - ☐ [01 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Vicinity Map](#)
 - ☐ [02 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Case Map](#)
 - ☐ [03 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Luke Letter](#)
 - ☐ [04 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Rezoning Document](#)
 - ☐ [05 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Ordinance](#)
 - ☐ [06 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Public Engagement Form](#)
 - ☐ [07 - SPA-1 North Entrance Gate and Block Wall, FS16-144, RFLS #5223, Ordinance 2016-23 - Presentation](#)
-

Case: FS16-144

Project Name: SPA-1 North Entrance Gate and Block Wall

Council District: 6 – Palo Verde

Planning Commission Date: July 21, 2016

City Council Date: August 16, 2016

Planner: Sergio Angulo, Planner

Owner: City of Surprise

Applicant: Harold Hartman, City of Surprise Public Works Department

Request: Rezone from Residential Ranch (RR) to Public Facility (PF).

Site Location: South of Cactus Road and east of Litchfield Road.

Site Size: 176 acres (approx.)

General Plan Conformance: The proposed Rezone is consistent with the Surprise General Plan 2035.

Support/Opposition: None known.

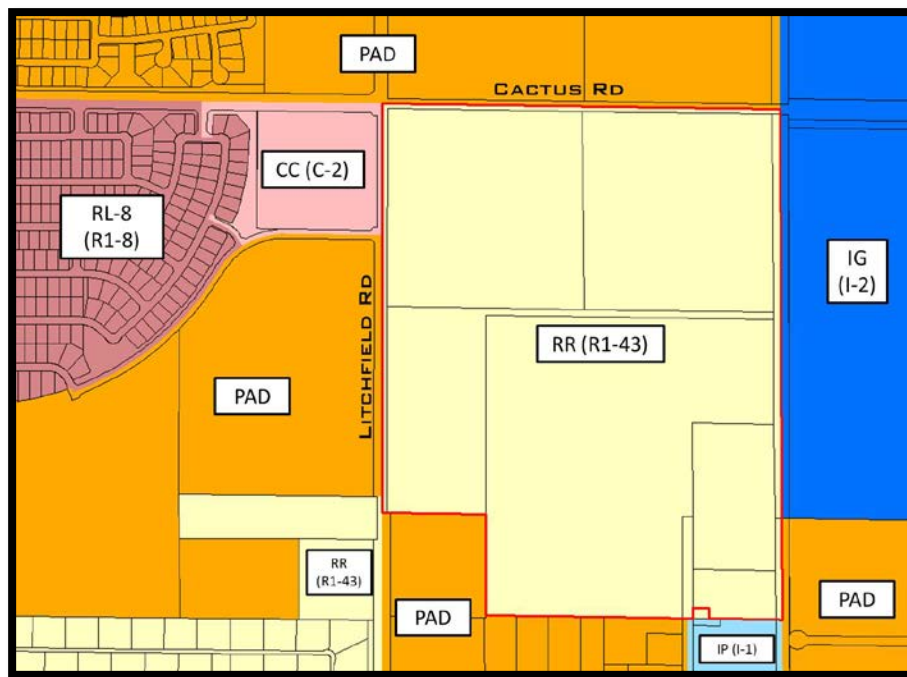
Commission

Recommendation: On July 21, 2016 the Commission recommended the Council **Approve** the Rezone case FS16-144.

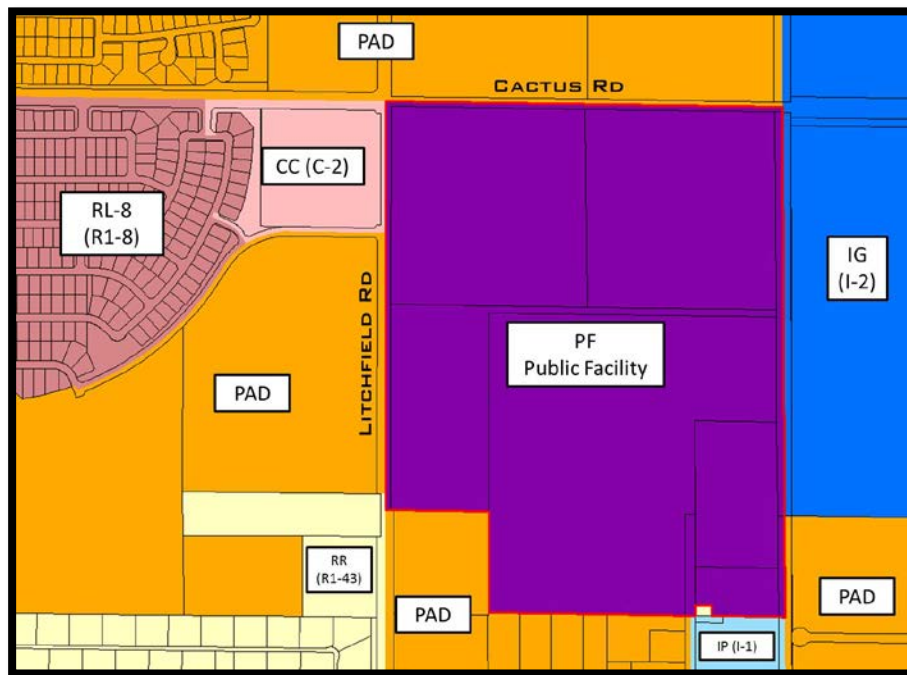
Project Description:

The applicant seeks approval of a Rezone from Residential Ranch (RR) to Public Facility (PF). In conjunction with this Rezone application the applicant proposes a related Final Plat to combine six (6) lots to create one (1) larger lot, and a Site Plan for an entrance gate from Cactus Road, which are being processed under the same case number. The Site Plan was discussed under a separate cover and approved by the Planning and Zoning Commission on July 21, 2016.

40 **Existing Zoning:**



41 **Proposed Zoning:**



42 **Analysis:**

43
44 The subject property consists of six (6) lots located on the southwest corner of Cactus Rd. and
45 Litchfield Rd. The subject property is zoned Residential Ranch (RR) and is the location of the SPA-1
46 Water Reclamation Facility. Even though the SUDC permits the existing use in Residential Ranch
47 (RR) zoning districts, the current zoning gives the perception of a possible future residential
48 development. The subject property lies within the Employment Character Area of the Surprise
49 General Plan 2035 and is within the Luke Air Force Base 1998 65 and 70 Ldn, high noise or accident
50 potential zone, which prohibits new residential development.

51
52 The subject property has been the location of the SPA-1 Water Reclamation Facility since 1994 and
53 it is anticipated that it will continue being used as such. Besides the existing water treatment and
54 maintenance equipment on site, the new Gateway Training Center is under construction. The City
55 of Surprise is partnering with Gateway Community College to provide training services to city
56 employees and the public.

57
58 The proposed Rezone to Public Facility will permit the existing use and other public facilities. The
59 proposed Rezone will also bring the subject property into compliance with the Surprise General
60 Plan 2035 since the Employment Character Area encourages the existing industrial and public uses.
61 The proposed rezoning from Residential Ranch (RR) to Public Facility (PF) also helps meet Luke's Air
62 Force Base development requirements since residential development is not permitted within the
63 65 or 75 Ldn contours.

64
65 **Citizen Outreach:**

66
67 The applicant held a Citizen Review meeting on June 23, 2016; no one from the public attended.
68 Staff is not aware of any opposition regarding this request.

69
70 **Summary:**

71
72 The proposed Rezone will meet the requirements of the SUDC and the General Plan.

73
74 **Findings:**

- 75
76
 - The proposed Rezone is consistent with the Surprise General Plan 2035.
 - The proposed Rezone is consistent with the SUDC.77
78

79 **Commission Recommendation:**

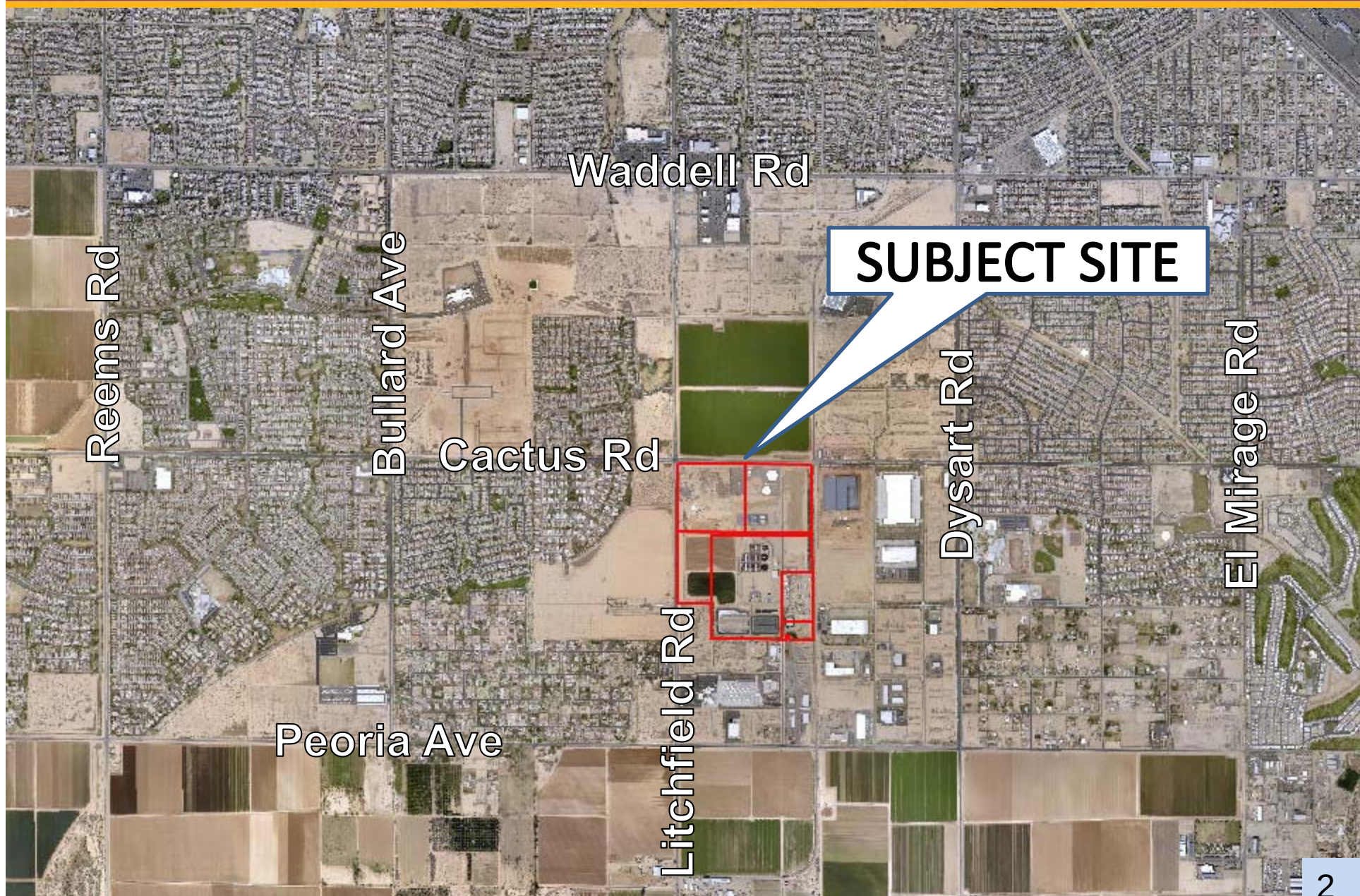
80
81 Based on the findings noted above, the Planning and Zoning Commission voted to recommend
82 **approval** of case FS16-144 to the City Council.

83 However, should the Council wish to deny the request, the Council should make its own findings
84 and base its decision on those alternative findings.

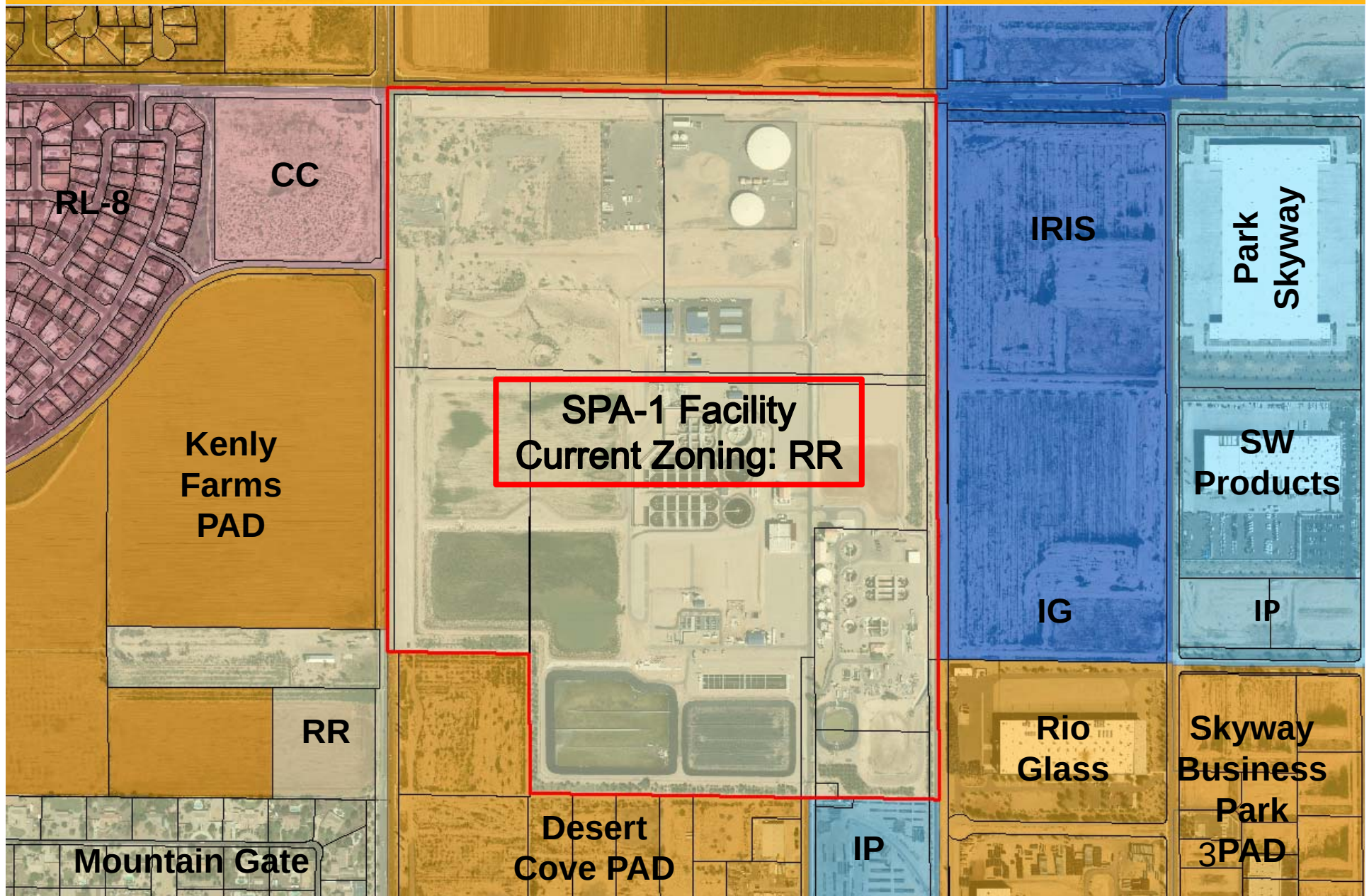
85
86 **Attachments:**

- 87
88 01 Vicinity Map
89 02 Case Map
90 03 Luke AFB comments
91 04 Rezone Document
92 05 Ordinance 2016-23
93 06 Public Engagement Form

VICINITY MAP



CASE MAP





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

5 April 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: FS16-144; Special Planning Area 1, Water Reclamation Facility, Site Security Wall and Entrance Road

Dear Ms. Sullivan

Thank you for the opportunity to provide comments on the Rezone Final Plat and Site Plan Application for SPA-1, Water Reclamation Facility Site Security Wall and Entrance Road. The site is located on 176 acres at the southeast corner of Cactus and Litchfield Roads in Surprise AZ. The SPA-1 Water Reclamation Facility is currently situated on six parcels which are currently zoned R1-43, Rural Residential, all six parcels will be combined into one parcel and rezoned as GU, Government Use. The site is inside the 1988 JLUS 65 and 70 Ldn, "high noise or accident potential zone," as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461.

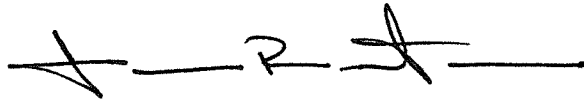
The request is to construct an eight foot high cast-in-place concrete security wall around the entire perimeter of the SPA1 WRF property at the existing Water Reclamation Facility. Where the floodplain encroaches onto the East side of the property, the wall will have 24-inch wide by 8-inch high holes constructed 24" apart for the entire length of the wall to pass floodwaters and an additional 116 parking spaces to the Surprise-Gateway Training Center which is currently being constructed. Additionally, a new entrance into the WRF that will provide a gateway for the public to enter the facility will be constructed. Tiered security levels will be provided by a system of gates that prohibits the general public from accessing the operations area, but allows deliveries and staff access to the areas.

As described, the change to the zoning and construction to the current WRC will not negatively impact the flying operations at Luke AFB. Since this site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. 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 is essential to inform the tenant about Luke AFB operations.

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

Sincerely

A handwritten signature in black ink, appearing to read 'J R Mitchell', followed by 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



July 5, 2016

City of Surprise
Community Development Department
Development Services Division
16000 N. Civic Center Plaza
Surprise, Arizona 85374

Re: Rezone Request
Special Planning Area 1 (SPA-1) Water Reclamation Facility
FS16-44

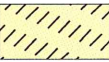
The Special Planning Area 1 (SPA-1) Water Reclamation Facility is situated on six parcels totaling 7,670,313 sf or 176.086 acres. All six parcels are currently zoned RR, Residential Ranch. All six parcels will be combined into one parcel and rezoned as PF, Public Facility.

Sincerely,
DOWL

William E. Gasque, P.E.
Sr. Project Manager
Arizona Regional Business Supervisor

General Plan 2030

Zoning Map

	BP		PAD		R1-18
	C-1		R-2		GU
	C-2		R-3		F-1
	C-3		R1-43		F-2
	I-1		R1-5		AR
	I-2		R1-8		PF

Map Features

Roadways

-  Freeway
-  Expressway
-  Parkways
-  Major Arterials
-  Minor Arterials

-  60 US Highway
-  74 State Freeway
-  303 State Highway

Boundaries

-  City Limits
-  Planning Area
-  County

Noise Contours

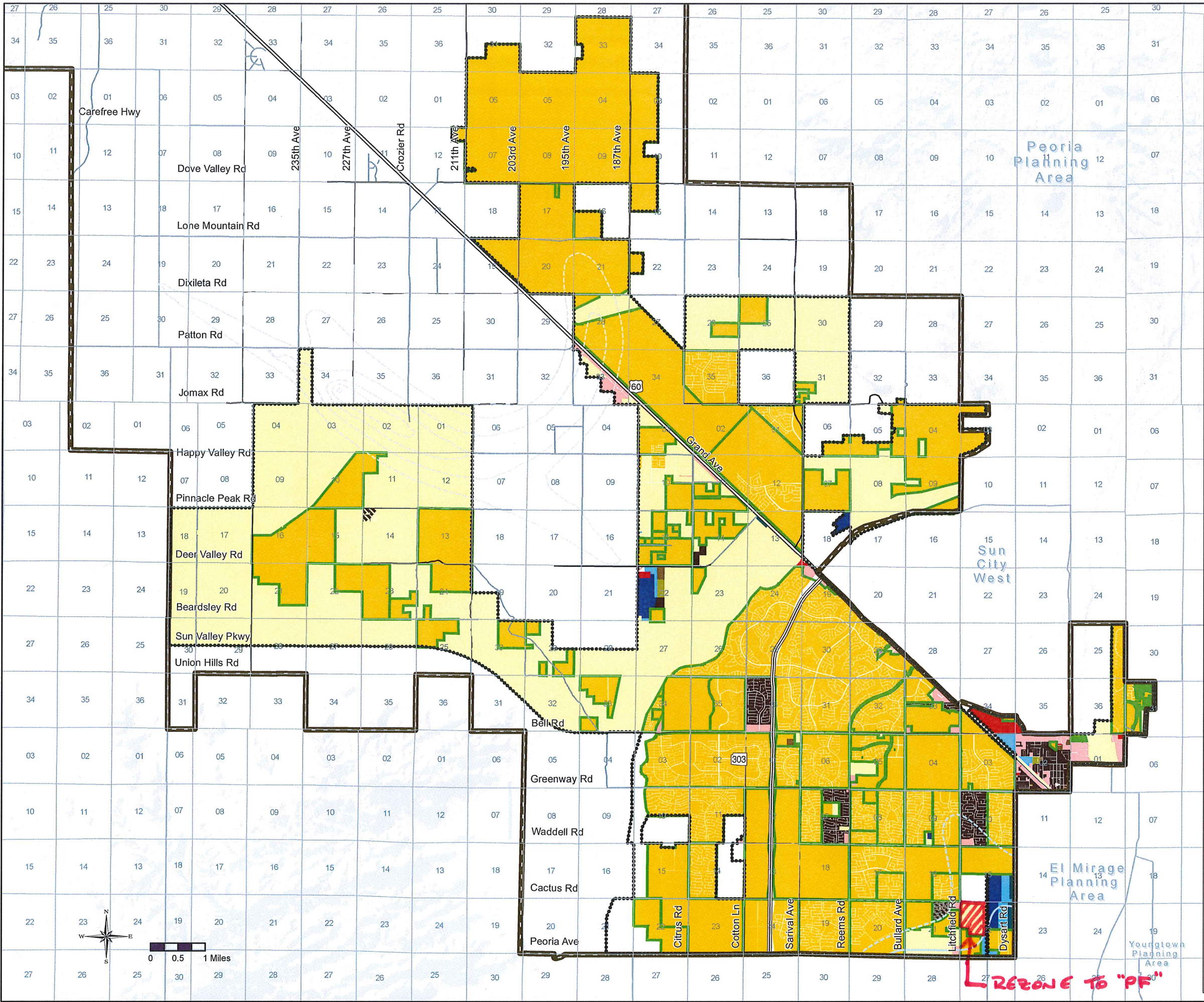
-  Aux 1 F-16
-  Luke AFB 1992

Map prepared by the City of Surprise: January, 2009



www.surpriseaz.com

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REGION TO "PF"

ORDINANCE 2016-23

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE OF THE SPA-1 WATER RECLAMATION FACILITY FROM RESIDENTIAL RANCH (RR) TO PUBLIC FACILITY (PF), LOCATED SOUTH OF CACTUS ROAD AND EAST OF LITCHFIELD ROAD.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located south of Cactus Road and east of Litchfield Road;

WHEREAS, the subject site is zoned RR/R1-43 (Residential Ranch);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the proposed Rezone to PF (Public Facility) satisfies the requirements set forth in Chapter 122 of the Surprise Municipal Code;

WHEREAS, this Rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on July 21, 2016, the Planning and Zoning Commission recommended approval of the Rezone for SPA-1 Water Reclamation Facility.

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

Section 1. The parcel legally described on Exhibit A and depicted on Exhibit B, known as "SPA-1 Water Reclamation Facility" is rezoned from Residential Ranch to Public Facility.

Section 2. Amendment of Zoning Map. The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. This Ordinance is not of a general nature and shall not be codified.

Section 4. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 portions thereof.

Section 6. Effective Date. This ordinance shall become effective at the time and in the manner prescribed by law.

APPROVED AND ADOPTED this _____ day of _____ 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY

Spa 1 Water Reclamation Facility

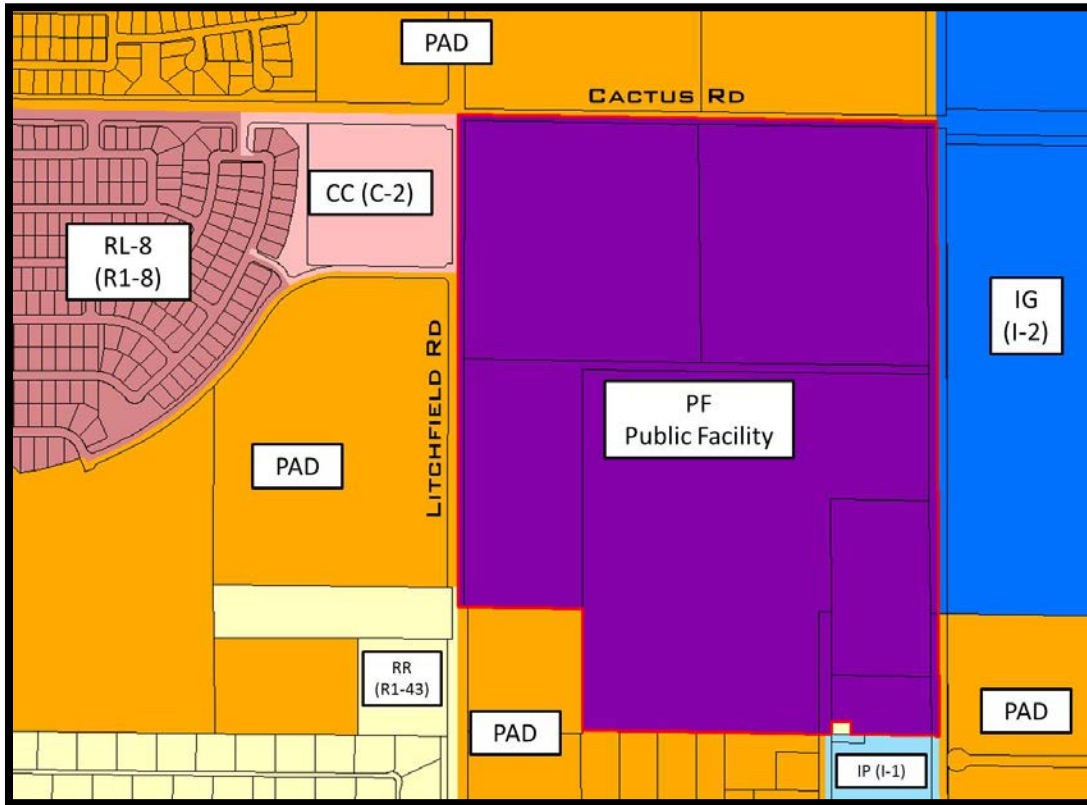
That portion of the West half of Section 22, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the northwest corner of said Section 22, marked by a City of Surprise brasscap monument in a handhole from which the north quarter corner of said Section 22, marked by a 2" Maricopa County aluminum cap in a pothole, stamped T3N R1W S15 ¼ S22 RLS 36563 2003, lies South 89°20'11" East 2616.02 feet;
Thence along the north line of the northwest quarter of said Section 22, South 89°20'11" East 33.00 feet;
Thence departing said north line parallel with the west line of said northwest quarter South 00°09'43" East 33.00 feet to the POINT OF BEGINNING;
Thence parallel with and 33.00 feet south of said north line South 89°20'11" East 2603.07 feet to a point which lies 80.00 feet west of the north-south midsection line of said Section 22;
Thence on a line parallel with and 80.00 feet west of said mid-section line South 00°17'48" East 2600.96 feet to a point on the east-west midsection line from which the center quarter corner of said Section 22 lies South 89°21'49" East 80.00 feet;
Thence continuing along said parallel line South 00°17'50" East 654.70 feet to the northeast corner of that certain parcel of land as recorded in Instrument 1986-279464, records of said County;
Thence along the north line of said certain parcel of land North 89°22'37" West 438.93 feet;
Thence departing said north line North 00°26'10" East 77.79 feet;
Thence North 89°43'22" West 60.06 feet;
Thence South 00°27'04" West 77.43 feet to last said north line;
Thence along said north line North 89°22'37" West 43.90 feet to the northwest corner of said certain parcel of land as recorded in Instrument 1986-279464, records of said County;
Thence continuing South 89°22'37" West 66.00 feet to the northeast corner of the RE-PLAT OF DESERT COVE COMMERCIAL PARK, a commercial subdivision of land, as recorded in Book 957 Page 40, records of said County;
Thence along a north line of said subdivision South 89°22'37" West 1268.01 feet;
Thence along an east line of said subdivision North 00°17'48" West 655.12 feet;
Thence along the north line of said subdivision North 89°21'49" West 632.24 to a point which lies 33.00 feet east of the west line of said northwest quarter of Section 22;
Thence parallel with and 33.00 feet east of said west line North 00°09'43" West 2602.06 feet to the POINT OF BEGINNING.

End of description

EXPIRES 09-30-2017

EXHIBIT B
DEPICTION OF THE PROPERTY TO BE RE-ZONED



PUBLIC ENGAGEMENT FORM

PROJECT TITLE: FS16-144 SPA-1 North Entrance Gate and Block Wall

OVERALL PUBLIC INVOLVEMENT LEVEL:

The applicant held a Citizen Review meeting on June 23, 2016 at the City Hall Council Overflow Room, informational mailers were sent to properties within 300 feet of the project, and advertisements were posted in a local newspaper.

IDENTIFY STAKEHOLDERS:

Property owners in the immediate area.

OBJECTIVES:

The project will rezone the subject property from Rural Residential to Public Facility, combine six (6) parcels, and allow for the construction of an entrance gate from Cactus Rd.

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) June 23, 2016 from 6:00pm to 7:00pm

Future Council Work Session/Meetings target dates August 16, 2016 - Public Hearing

Election dates (if applicable) N/A

Project start/completion dates N/A

Communication Tools and Technique options: (which do you plan to use?)

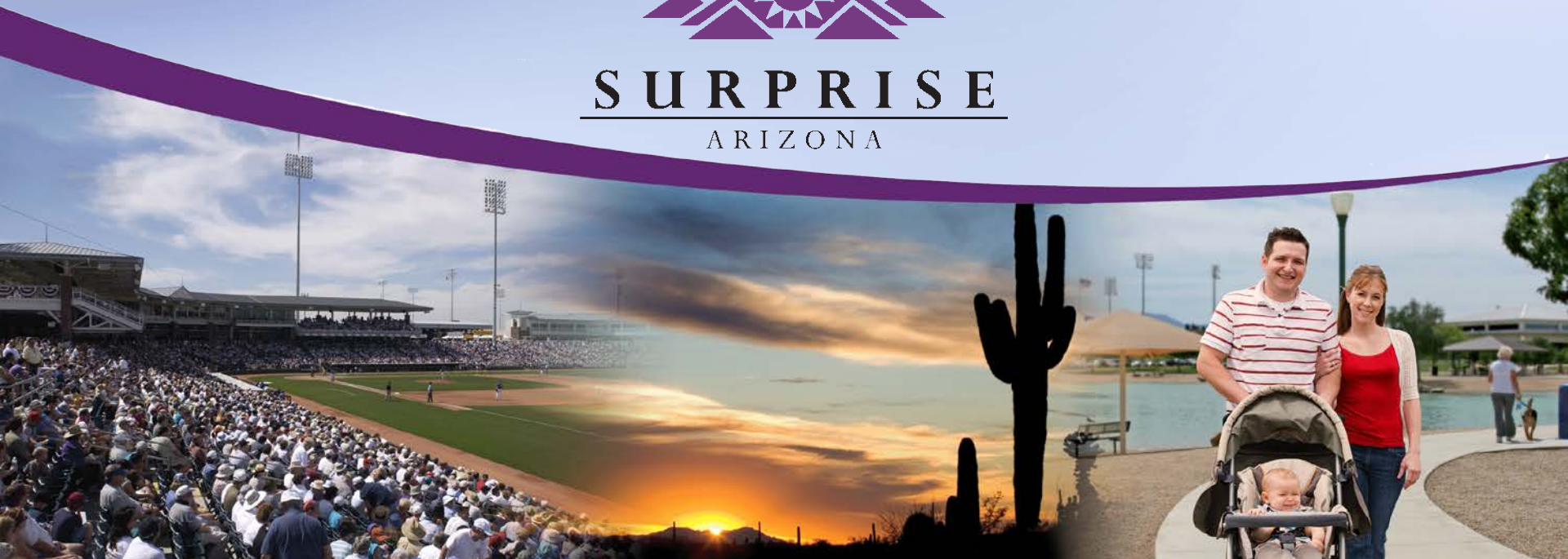
- ☐ Press releases
- ☒ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☒ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☒ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☒ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates

Rezone & Final Plat for SPA-1 North Entrance Gate & Block Wall FS16-144 City Council

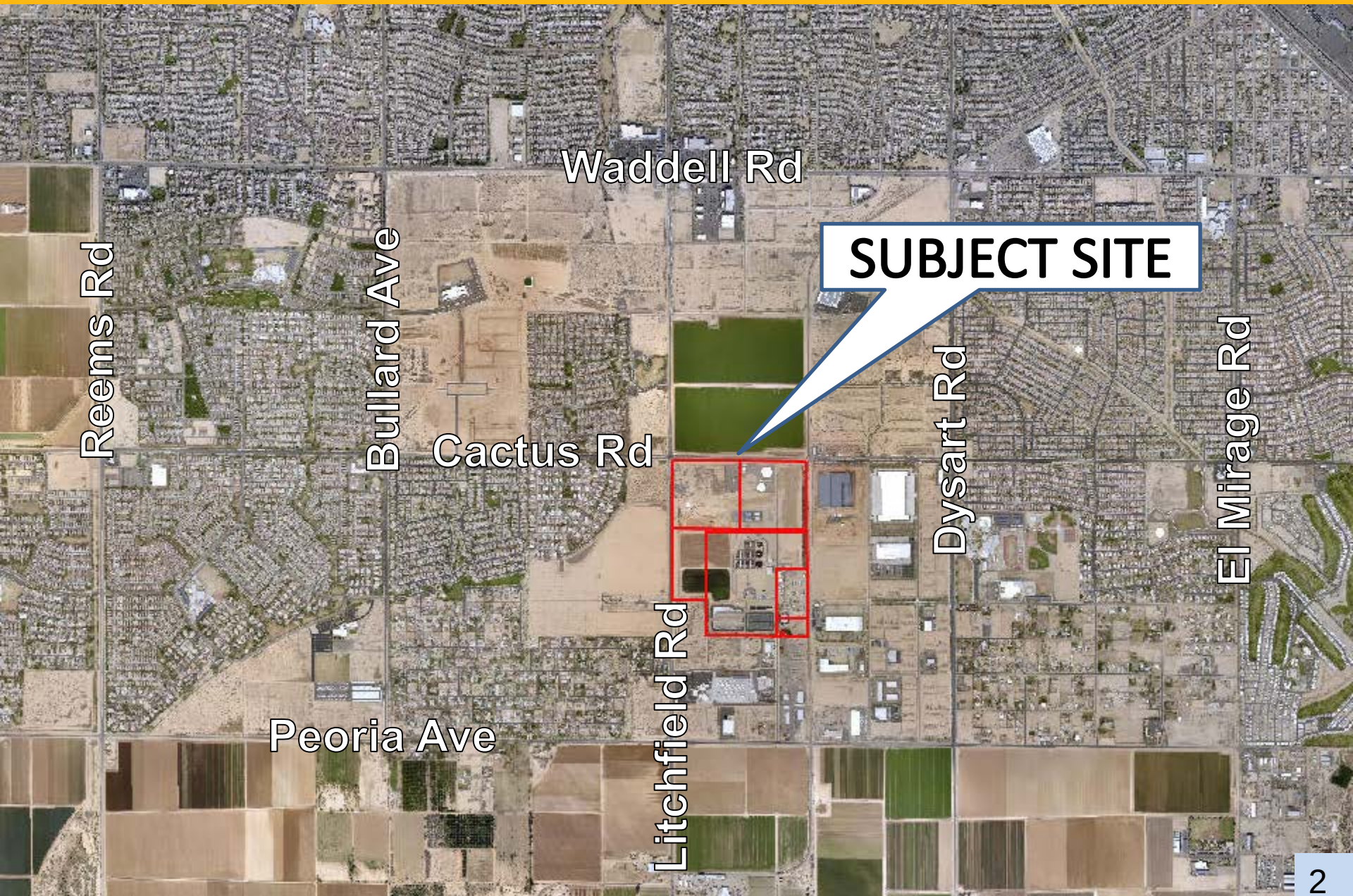
August 16, 2016



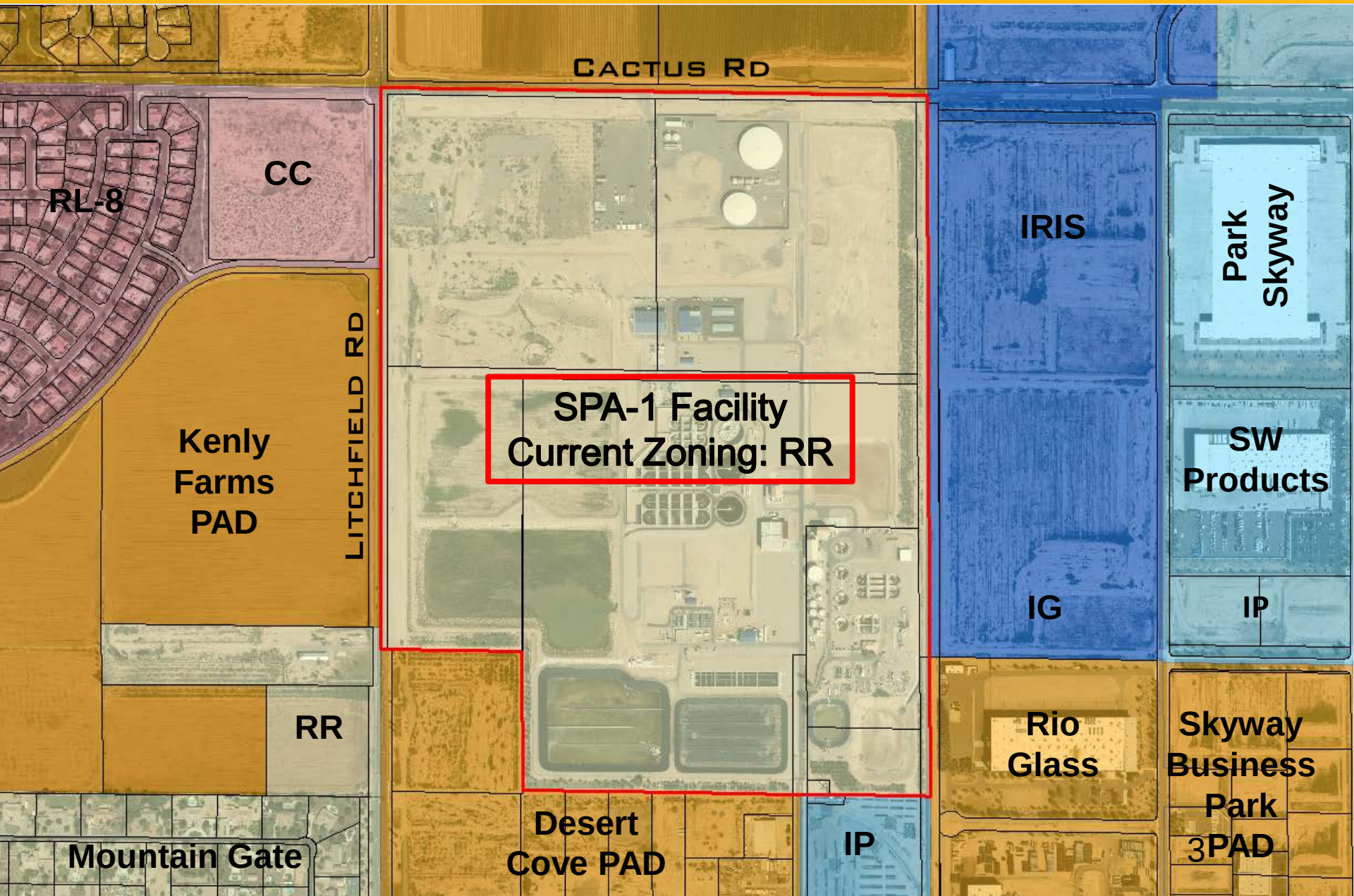
SURPRISE
ARIZONA



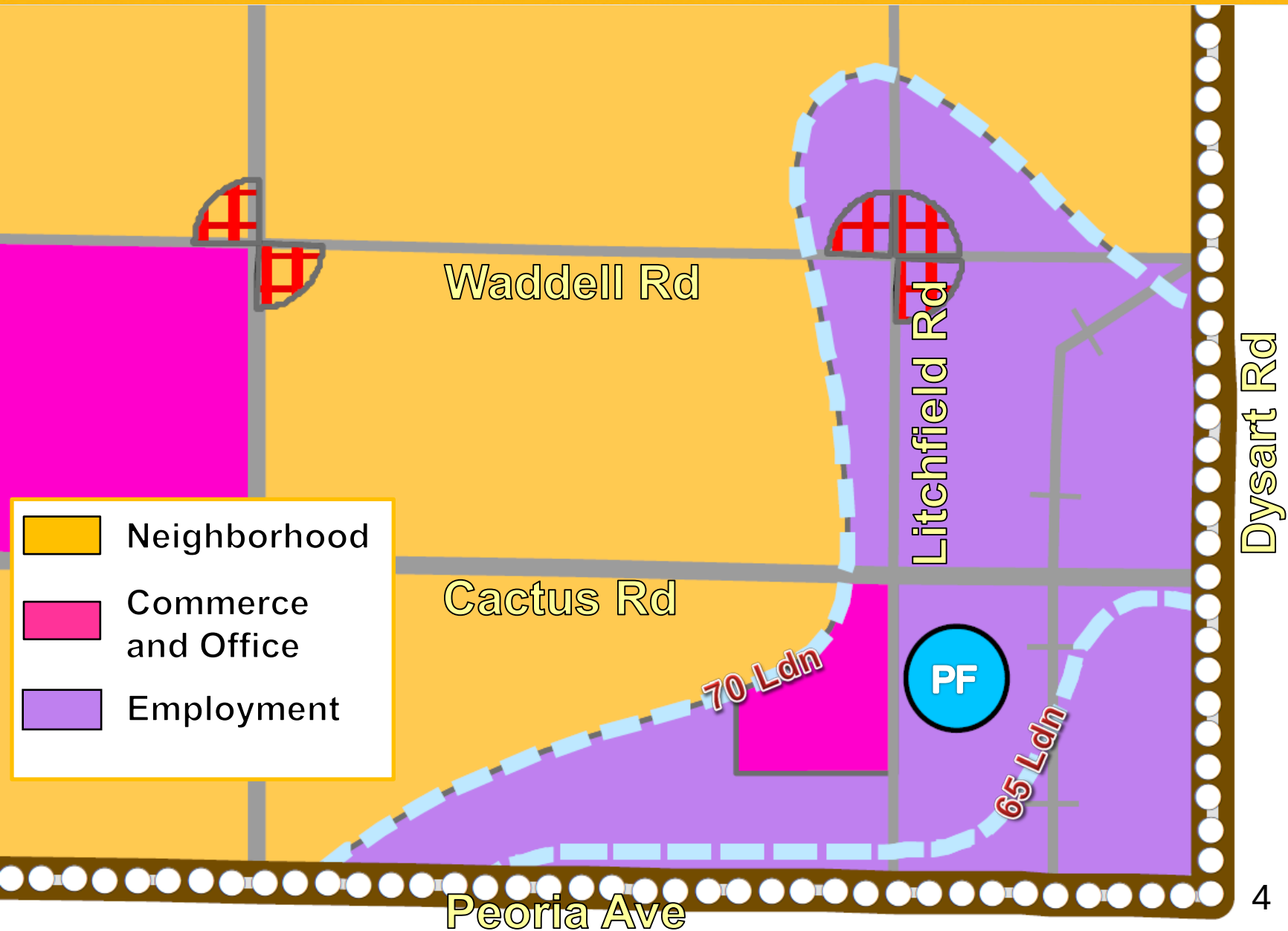
VICINITY MAP



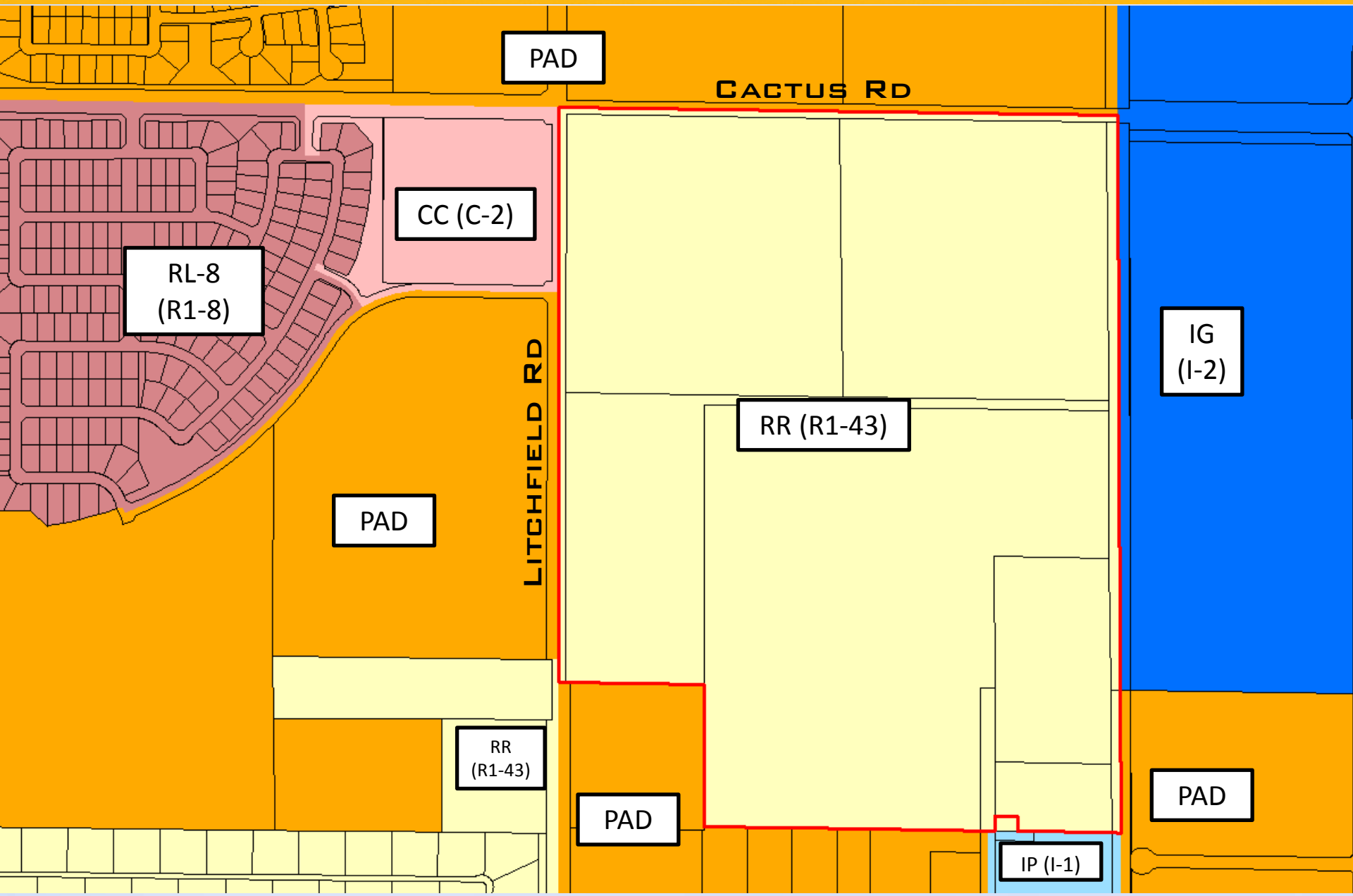
CASE MAP



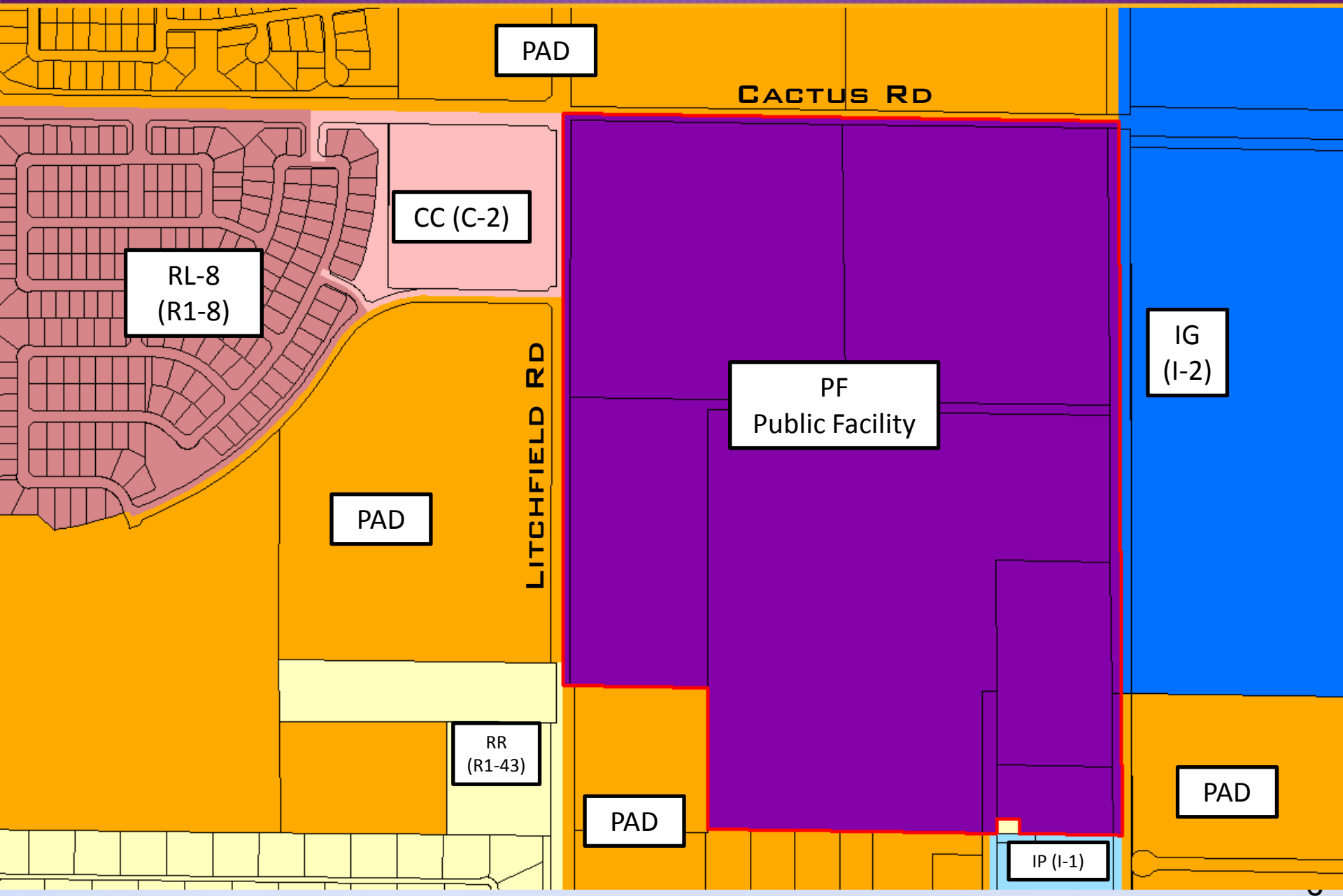
General Plan Land Use



Current Zoning

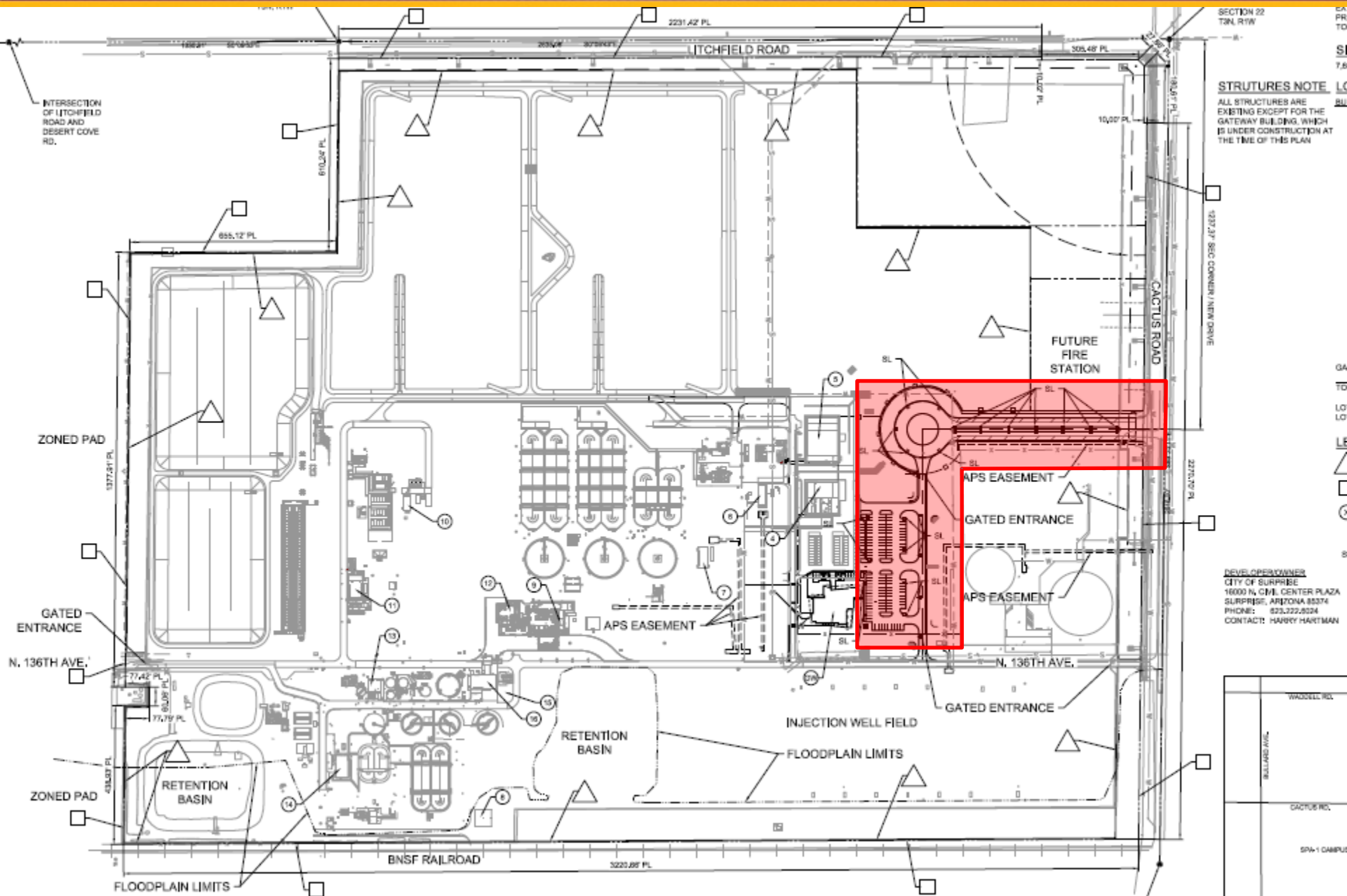


Proposed Zoning





Site Plan



- Outreach meeting on June 23, 2016
- No one from the public attended
- No opposition known

- Public Hearing meeting on July 21, 2016
- Commission recommended Approval of the Rezone
- Commission Approved the Site Plan

Questions or Comments?



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	Hobart Wingard - Community Development
Submitting Department:	CD	District:	5
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action pertaining to approval of a Major Amendment to the Sierra Verde PAD, by modifying development standards and permitting attached and detached rental housing units on Parcel 8, an approximately 14.83 acre property located generally on the Southwest corner of Greenway and Litchfield Roads; Ordinance # 2016-22.

Motion:

I move to approve Ordinance #2016-22.

Background:

Jon Hamel of Advanced Acquisitions, LLC, on behalf of SWC Litchfield-Greenway, LLC, seeks approval of a Rezone/PAD Amendment to change the types of housing products allowed on Parcel 8 of the Sierra Verde PAD. The most recent amendment to the Sierra Verde, Parcel 8 PAD amendment allowed mixed use but excluded apartments.

Objective Analysis:

The proposed Rezone/PAD Amendment will have a positive effect on the surrounding residential development by providing infill on a vacant lot and by constructing improvements to adjacent streets.

Policy Compliant:

This proposal meets all relevant policies of the City of Surprise.

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 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Staff Report](#)
 - ☐ [01 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Vicinity Maps](#)
 - ☐ [02 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - PADA Document](#)
 - ☐ [03 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Citizen Participation Report](#)
 - ☐ [04 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Dysart Letter](#)
 - ☐ [05 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Luke Letter](#)
 - ☐ [06 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Public Engagement Form](#)
 - ☐ [07 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Ordinance](#)
 - ☐ [08 - Sierra Verde Parcel 8 PAD Amendment, FS16-158, RFLS 5215, Ordinance #2016-22 - Presentation](#)
-

PAD AMENDMENT

REPORT TO THE MAYOR AND CITY COUNCIL

Case: FS16-158

Project Name: Sierra Verde, Parcel 8 Planned Area Development (PAD) Amendment

Council District: 5 - Palm

Meeting Date: August 16, 2016

Planner: Hobart Wingard, 623-222-3156, hobart.wingard@surpriseaz.gov

Owner: SWC Litchfield-Greenway, LLC

Applicant: Jon Hamel of Advanced Acquisitions, LLC, on behalf of SWC Litchfield-Greenway, LLC

Request: Rezone Sierra Verde PAD Parcel 8 to allow rental residential units.

Site Location: Generally on the Southwest Corner of Greenway and Litchfield Roads within the Sierra Verde Planned Area Development (PAD).

Site Size: Approximately 14.83 acres

Density: 10.79 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

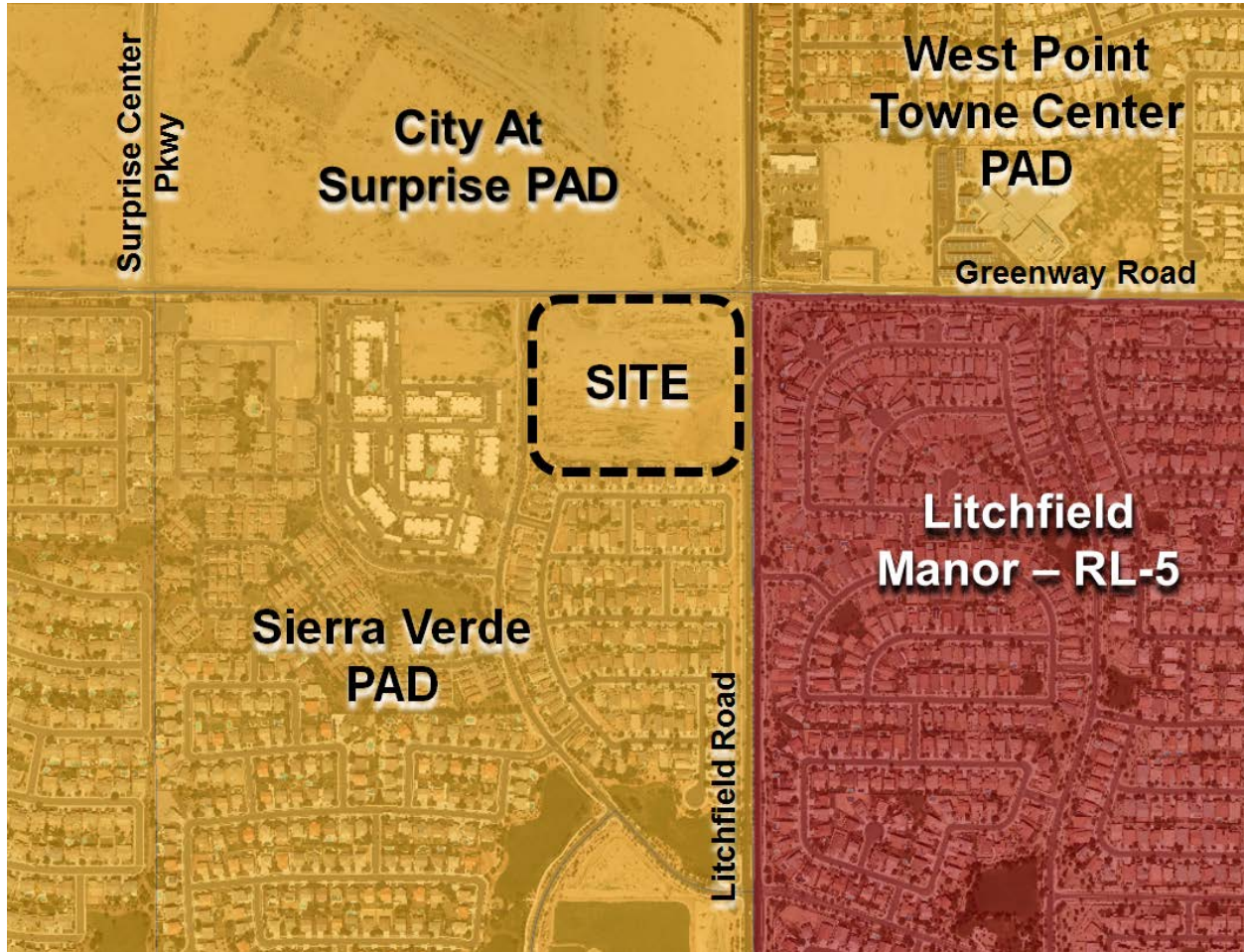
Support/Opposition: Both support and opposition was encountered. Refer to Citizen Participation Report for specific comments.

Project Description:

Jon Hamel of Advanced Acquisitions, LLC, on behalf of SWC Litchfield-Greenway, LLC, seeks approval of a Rezone/PAD Amendment to change the types of housing products allowed on Parcel 8 of the Sierra Verde PAD. The most recent amendment to the Sierra Verde, Parcel 8 PAD amendment allowed mixed use but excluded apartments. The applicant intends to simply introduce the separated rental unit product with this amendment.

Existing Zoning:

The following chart and associated map depict the existing zoning of the subject site and its surroundings.



PAD (Mixed Use)	PAD (Mixed Use)	PAD (Commercial)
PAD (Commercial)	Sierra Verde Parcel 8 PAD	RL-5 (Low Density Residential)
PAD (Medium Density Residential)	PAD (Low Density Residential)	RL-5 (Low Density Residential)

54 **Background:**

55
56 **February 25, 1999:** The subject parcel was annexed into the City of Surprise.

57
58 **August 22, 2002:** The Mayor and City Council approved a PAD for the Sierra Verde PAD under case
59 PADA06-460.

60
61 **October 19, 2006:** The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel
62 8 to change from mixed use to medium/high density residential under case PADA06-460.

63
64 **July 10, 2008:** The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel 8 to
65 change from medium/high density residential to mixed use under case PADA08-044.

66
67 **December 17, 2015:** Staff met with the applicant to discuss the subject project during a regularly
68 scheduled Concept Review meeting under CR15-402.

69
70 **March 28, 2016:** The applicant filed a request for a PAD Amendment to the Sierra Verde Parcel 8
71 PAD amendment together with a related Site Plan under case FS16-158, the subject case.

72
73 **June 13, 2016:** The applicant held a neighborhood outreach meeting to discuss the project.

74
75 **July 21, 2016:** The Planning and Zoning Commission approved the subject PAD Amendment and
76 associated Site Plan.

77
78 **Citizen Outreach:**

79
80 The site was posted and advertised in accordance with the SUDC. As noted above, the applicant
81 held a Citizen Outreach meeting for the proposed Sierra Verde, Parcel 8 PAD amendment project at
82 Holiday Inn Express located at 16540 N Bullard Road 6:30pm to 7:30pm on Monday, June 13, 2016.
83 Several residents attended who expressed concern regarding the request. The Citizen Participation
84 report is an attachment to this staff report and provides specific discussion items.

85 **Analysis and Discussion:**

86
87 The Bungalows project is an undeveloped, 14.83 acre site located at the southwest corner of
88 Greenway and Litchfield Roads within the Sierra Verde PAD. The current proposal for this site is to
89 provide a rental project that will provide a mix of one (1), two (2), and three (3) bedroom single-
90 story attached and detached single family homes. The gated housing facility plans to provide 29,727
91 square feet of amenity common open space and each unit will provide 473 square feet of private
92 open space.

93 Parking for the facility is provided utilizing the current parking ratio for equivalent apartment
94 dwellings. Both covered and uncovered vehicle spaces will be provided as well as 16 garaged units.

South of the proposed project, existing single family residential homes will be given the opportunity to increase the height of the wall to up to six (6) feet on the north side and six (6) feet eight (8) inches on the south providing additional privacy to the occupants.

Because of the uniqueness of the design, some development standards had to be developed. Standards found in the Conventional Character Pattern of the current code will be utilized except for the following dimensions:

Development Standards	
Maximum Building Height	20 Feet
Residential Street Side Setback	20 Feet
Setback from Single Family Residential	20 Feet
Internal Facility Building Separation	6 Feet
Commercial Property Setback	15 feet

Typical desert landscape will occupy much of the site and the Sierra Verde theme walls will continue from the south to unify the design with the existing development.

The remaining undeveloped space of approximately 5.62 acres is currently unplanned but is likely to facilitate a small commercial enterprise. Any project that plans to occupy the site will have to go through the design review and platting process prior to building.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	Private
Natural Gas:	SWG
Schools:	Dysart USD

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of between two (2) and eight (8) dwelling units per acre. The proposed PAD in its entirety would meet an approximate density of 4.75 dwelling units per acre.

118 **Reviewing Agencies:**

119
120 In addition to the standard city reviewing agencies, who indicate no objections to the requests,
121 Luke Air force Base, Maricopa Water District, Dysart School District, and ADOT were included in the
122 routing of this case.

123
124 **Luke Air Force Base (LAFB):** While not meeting the Graduated Density Concept (GDC), LAFB
125 indicates no objections to the request because of previous correspondence indicating the previous
126 project would not negatively impact flying operations. LAFB also advises the applicant review sound
127 attenuation requirements and engage in a strong notification program with respect to the air base
128 and its operations.

129
130 **Dysart School District:** The Dysart School District and Cavan Companies are bound by a
131 transferrable donation agreement approved in 2002. The agreement will provide a donation of
132 \$400 per apartment home. Dysart Unified School District has no objections to the project going
133 forward.

134
135 **Summary:**

136
137 The subject project is a new product for the City of Surprise and has been becoming more popular
138 around the valley as a larger number of the population chooses rental properties over ownership.
139 The proposed Rezone/Major PAD Amendment, in conjunction with the related Site Plan, will allow
140 this unique type of rental residential infill to take place within a vacant mixed use site.

141
142 **Findings:**

143
144 **Major PAD Amendment:**

- 145
146
 - The proposed Rezone/Major PAD Amendment is consistent with the Surprise General Plan

147 2035.

 - The reviewing agencies have indicated no objections to the request.

148

149
150 **Attachments:**

151
152 01 – Vicinity Map
153 02 – Revised Sierra Verde Parcel 8 PAD Document
154 03 – Citizen Participation Report
155 04 – Dysart School District comments
156 05 – Luke AFB comments
157 06 – Public Engagement Form
158 07 – Ordinance 2016-22
159 08 - PowerPoint

VICINITY MAP



VICINITY MAP



Surprise
Center

West Point
Towne Center

Litchfield Road

Greenway Road

N 140th Drive

SITE
14.82 Acres

Litchfield
Manor

Sierra
Verde

Sierra Verde Parcel 8

Southwest Corner of Litchfield and Greenway Roads

Planned Area Development

Major Amendment



Submitted: March 28, 2016

Revised: June 1, 2016

Approved: _____

Table of Contents

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Exhibits

A –Vicinity Map

B – Sierra Verde Land Use Map

C – Sierra Verde and Dysart School District Donation Agreement

D – Bungalows on Greenway Conceptual Site Plan

Development Team

Owner

SWC Litchfield and Greenway LLC
1110 E. Missouri #700
Phoenix, AZ 85014

Developer

Acquisition Management, LLC
15300 North 90th Street, #200
Scottsdale, AZ 85260

Civil Engineering and Site Planning

Westland Resources, Inc.
Bruce Larson
2020 North Central Avenue, #695
Phoenix, AZ 85004

Landscape Architect

Coleman Design Group Landscape Architecture, PLLC
Boyd Coleman
111 E. Dunlap Ave., Suite 1-107
Phoenix, AZ 85020

Architect

Techne Design
Jack Tschetter
1245 North Hazelton Drive
Chandler, AZ 85226

Attorney

Beus Gilbert PLLC
Paul Gilbert
701 North 44th Street
Phoenix, AZ 85008

Legal Description

LOT 8 OF SIERRA VERDE INFRASTRUCTURE
RECORDED IN BOOK 645 OF MAPS, PAGE 13
LOCATED IN THE NORTHEAST QUARTER OF SECTION 9,
TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

Introduction/Executive Summary

The Development Team is submitting this request for an Amendment to the existing Sierra Verde Parcel 8 Planned Area Development (PAD) zoning in order to modify the development standards within the existing mixed use PAD.

The zoning on the 17.48 gross acre parcel currently allows a mix of employment, office, and retail commercial along with multi-family residential limited to no more than 234 units. That is not proposed to be changed with this application. The existing PAD further restricts the development of apartments, a special exception added at the request of the immediate neighbors to the south. This amendment will modify the Sierra Verde Parcel 8 PAD to allow apartments/rental residential, but only with special limiting development standards that will create a unique rental community that will be complementary of those single-family homes to the south.

Proposed at the same time as this zoning amendment, is the site plan for the Bungalows on Greenway project. This project will be the result of the allowance of rental residential within Sierra Verde Parcel 8, if this amendment is approved.

Bungalows on Greenway consists of a mixture of one, two, and three bedroom rental homes which are all single-story and function less like a traditional apartment complex and more like a grouping of attached and detached single family homes. The use is akin to a compact single family subdivision with centralized common amenities.

The Bungalows will fill a niche market for those Surprise renters who do not need the size of a single-family home or that do not want the maintenance that comes along with a yard, who on the other hand also do not want the traditional apartment experience with a loud neighbor above or below them. Each home within the Bungalows offers a small private back yard, similar to a single-family home, but will be maintained by the site manager, not the renter, just like the remainder of the property.

This proposed Sierra Verde Parcel Planned Area Development Amendment requests removal of the blanket prohibition on apartments and replaces that language with a requirement to comply with new apartment/rental development standards that would only allow a rental project such as that described above to be developed on the property, thereby protecting the existing residents of Sierra Verde and insuring that they will receive the well-planned and complementary project presented within this document.

Zoning History

Sierra Verde is a Planned Area Development (PAD), consisting of 277 acres, which was originally approved by the City Council in August 2002. Subsequently the Council also approved a rezoning in September 2003 for property along Litchfield Road, which was previously an exception to the Sierra Verde PAD. This rezoning consisted of 43 acres of land under the Luke AFB noise contours and was known as the Sierra Verde Employment PAD. Between the two PAD documents, the Sierra Verde development includes a mix of commercial, employment, and residential over 320 acres with an overall gross residential density of 4.75 du/acre.

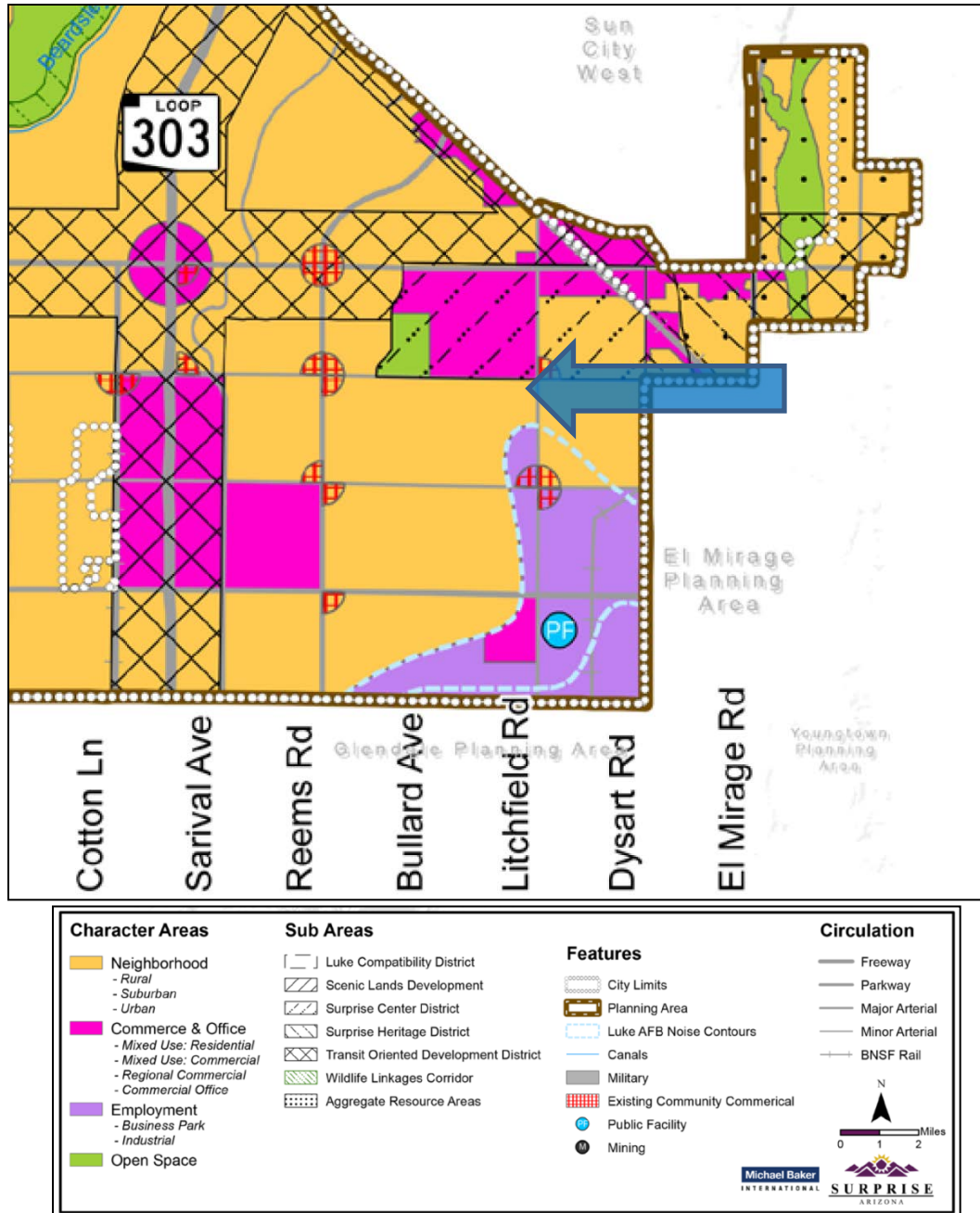
In October 2006, the City Council approved an amendment to the Sierra Verde PAD which changed the land use designations of Parcels 7 and 8. Parcel 7 was changed from a mixed-use designation to Commercial and Parcel 8 was changed from a mixed-use designation to medium/high density residential to allow for a townhome project. In order to preserve the residential dwelling unit counts under the Luke Air Force Graduated Density Concept, Parcel 8, was limited to no more than 234 residential units.

In July 2008, after the housing market faded, the City Council approved another amendment to the Sierra Verde PAD for Parcel 8, which returned it to its original and now current mixed-use designation. This designation allows for a mix of land uses including employment, office, retail commercial, and multi-family (excluding apartments) up to the aforementioned 234 unit maximum.

General Plan Conformance

The Surprise General Plan 2035, as amended December 19, 2015, designates the subject property with an Urban Neighborhood Character Area. This designation allows residential from low density to high density and commercial from neighborhood retail to regional commercial.

This PAD Amendment does not propose any land use changes on Sierra Verde Parcel 8. The zoning on the parcel is, and will continue to remain, in conformance with the Surprise General Plan.



Relationship to Surrounding Development

An aerial of the surrounding development, located below, shows the details of the adjacent land uses and development. The subject property is located in central Surprise, separating the City Center from the existing residential development to the south.

North -

To the immediate north across Greenway Road is the future Surprise City Center, a Mixed-Use zoned property that currently houses the County and City municipal complexes. To the northeast across Litchfield Road is an existing CVS and retail shops along with West Point Elementary.

West -

The west of the subject property, across 140th Drive is vacant Sierra Verde Parcel 7 (commercial) along with the existing three-story Harmony Apartments.

South -

To the immediate south is the remainder of Sierra Verde, with single-family homes.

East -

To the east, across Litchfield Road is the Litchfield Manor single-family community.



Current Conditions

Currently Parcel 8 of Sierra Verde is vacant. The property was previously used for farming and has been mass graded. A portion of Parcel 8 was used for a temporary new home sales office, which has since been removed leaving a small concrete parking slab.

As part of the Sierra Verde Master Planned Community, which began a number of years ago, the surrounding roads were all constructed and all necessary water, sewer, and other utility lines were installed. 140th Drive is fully improved as a collector roadway with curb, sidewalk, and streetlights. Litchfield Road has been completed to minor arterial standards with curb, sidewalks, deceleration lanes, streetlights and a landscaped median. The south half of Greenway Road is fully improved to minor arterial standards with curb, sidewalk, deceleration lanes, and streetlights and the City is currently improving the north half of the road, installing the median, and adding the sidewalk to the south side of the roadway as part of a capital improvement project.

The subject property is relatively flat and generally drains to the southeast. As required by the City of Surprise, all development will be required to accommodate 100 year, two-hour storm events. On-site retention basins or underground retention will be reviewed and approved during site plan review.

Zoning and Land Use

The Sierra Verde PAD has been broken down into a series of individual parcels. The current PAD, as amended last in 2008, designates Parcel 8 as Mixed Use. This Amendment does not propose any changes to that designation of the allowed uses.

The table below lists the uses for each parcel as called out in the Approved Sierra Verde PAD and its Amendments.

Parcel Number	Land Use	Allowed Uses	Lot Type	Lot Dimensions	Dwelling Units
1	Low Density Residential	Single Family	B	53'x112'	134
2	Low Density Residential	Single Family	C	58'x115'	162
3	Low Density Residential	Single Family	E	68'x115'	168
4	Medium Density Residential	Single Family	N/A	45' x 80'	155
5	Medium-High Density Residential	Town-house	N/A	N/A	193
6	High Density Residential	Multi-Family	N/A	N/A	334
7	Commercial	Commercial	N/A	N/A	N/A
8	Mixed Use	Comm., Office, & Residential	N/A	N/A	234
9	Low Density Residential	Single Family	A	48'x110'	159
10	Commercial	Commercial	N/A	N/A	N/A
					Total 1,539 DU

Development Standards

In the event of a conflict or inconsistency between the provisions of the PAD and otherwise applicable guidelines or regulations, such as, but not limited to, the City's Zoning Ordinance/Development Code, the provisions of this PAD shall prevail.

Mixed Use Land Use

The intent of the Mixed Use Land Use within Sierra Verde is to allow for opportunities to develop areas where residents may live, work and shop within a short proximity.

Uses within the Mixed Use Land Use shall be designed and developed under Municipal Code Section 122 with uses allowed within the RM (Residential Medium Density), RH (Residential High Density, CN (Neighborhood Commercial) and CC (Community Commercial) Zoning Districts. Development standards shall also follow the Conventional Character Pattern found in Chapter 122-33 with the exception that Build-to-Lines will not be required. All signage shall be developed in accordance with Chapter 113. These provisions shall control, unless specifically amended by this document. A Site Plan is required for all projects and Subdivision Plats are required for any division of land.

Future development may fall within any one of the above referenced zoning districts as defined by the City of Surprise with the standards and regulations of these districts for the use proposed. Allowed uses include employment, office, and commercial. Multi-family residential, the total number of dwelling units shall not to exceed 234, is also permitted.

Apartment/Rentals Special Development Standards

Apartments/rentals shall only be permitted in general conformance with the conceptual site plan contained in Exhibit D and in conformance with these special development standards and restrictions. The majority of the standards on the following pages are consistent with the RM-12 (Residential Medium Density) zoning district or added to address a unique aspect of this type of development not addressed in the City's Municipal Code. The variations to RM-12 requested in this PAD are indicated with a footnote describing the current City standard and the rationale for the requested variation.

Bungalows on Greenway General Development Standards		
Density Standards		
Maximum Gross Project Density		12 du/ac
Primary and Accessory Building/Structure Standards		
Maximum Building Height		20 Feet ^{(A)1}
Minimum Property Line Setbacks ^(B)		
	Street Setback	20 Feet
	Commercial Property Setback	15 Feet
	Single Family Residential Property Setback	20 Feet ²
Minimum Building Separation on same lot		6 Feet ^{(C)3}
Walls and Fence Standards		
Perimeter Walls ^(D)		6' solid wall
Interior Walls and Fences ^(D)		
	Private Backyards	5' solid wall
	Pool Fence	5' maximum view fence ^(E)

- A. All buildings limited to a single story, and if utilized, an entry feature covering over the main vehicular entrance shall be allowed up to a maximum height of 25 feet.
- B. Accessory open structures such as parking canopies and trash enclosures shall be allowed up to a minimum of 5 feet from property lines.
- C. All internal building separation is subject to allowances within the Building Codes and Fire Codes adopted by the City of Surprise.
- D. All perimeter walls shall be allowed within any required building setback, including street setbacks provided that sight visibility triangles are not impeded.
- E. Pool fence shall meet all safety barrier requirements of the City of Surprise.

Variation from Chapter 122 standards

¹ 35' height allowed. The reduction insures compatibility with the adjacent existing homes, most of which are single-story.

² 10' buffer allowed. This increase building setback provides a greater separation between the rental homes and existing single-family homes.

³ 25' separation required. This reduction accounts for this unique product with many small rental homes as opposed to larger multi-family buildings.

Bungalows on Greenway Open Space & Landscape Standards	
Open Space	
Minimum Required Overall Open Space	40%
Minimum Common Amenity Open Space ^(A)	225 sq. ft. per Unit ^(B)
Minimum Private Yard Open Space	
One Bedroom	200 sq. ft.
Two Bedroom	296 sq. ft.
Three Bedroom	360 sq. ft.
Frontage Landscape	
Minimum Road Frontage Landscape	
	One 24 inch box tree and four 5 gallon shrubs or groundcover plants every 25 linear feet. ^(C)
Parking Lot Landscape	
Minimum Parking Lot Island Landscape	
	One 15 gallon tree and three shrubs ^(D)

- A. Includes those open space areas that comprise amenities for use by all residents, including but not limited to clubhouse, pools, spa, ramadas, bbq areas, or open areas for active recreation.
- B. With 128 units, this amounts to 28,800 square feet.
- C. If a private residential back yard is adjacent to a roadway, then one 24" box tree within that backyard shall be allowed to be counted as a part of the required frontage landscape.
- D. If the island is encumbered by a walkway, fire hydrant or a utility installation, the tree requirement shall be waived.

Public Utilities and Services

Sewer.....City of Surprise
Water.....City of Surprise
Electricity.....Arizona Public Service
Telephone.....Local Provider
Cable TV.....Local Provider
GasSouthwest Gas
RefusePrivate Hauler
Fire and EmergencyCity of Surprise
Police.....City of Surprise
Schools.....Dysart Unified School District

Exhibit A

Vicinity Map



Exhibit B

Sierra Verde Land Use Map

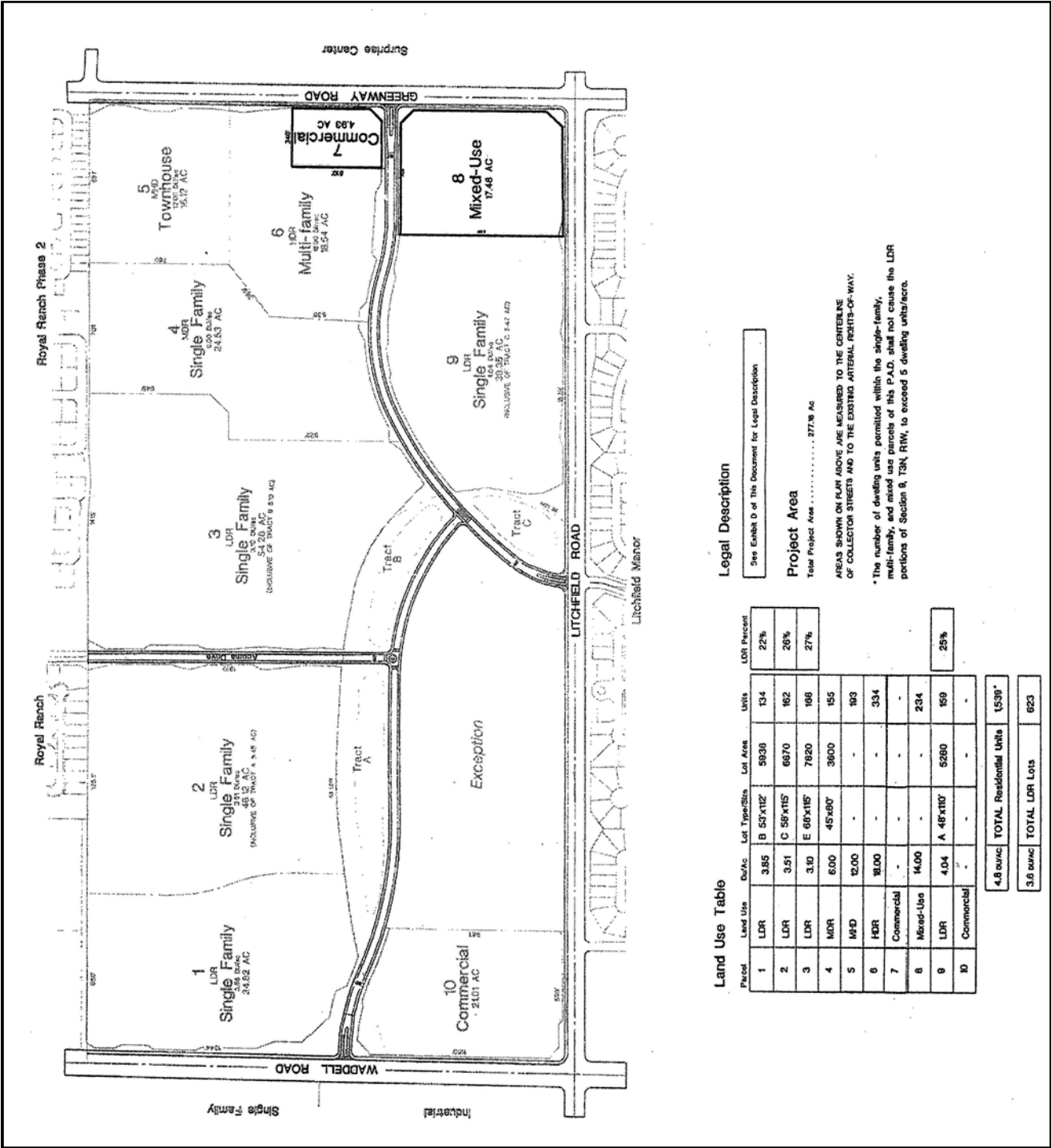


Exhibit C

Sierra Verde and Dysart School District Donation Agreement

(Starts on Following Page)

Jack Eaton
Executive Director
Business Services

June 1, 2016

15802 North Parkview Place
Surprise, AZ 85374
Phone: 623-876-7008
Fax: 623-876-7046
jack.eaton@dysart.org

Cavan Companies
Attention: Jon Hamel
15300 N. 90th Street, Suite 200
Scottsdale, AZ 85260

www.dysart.org

Re: Development at Litchfield and Greenway – The Bungalows On Greenway

Dear Mr. Hamel,

This letter will confirm that the Dysart Unified School District No. 89 of Maricopa County, Arizona, a political subdivision of the State of Arizona (the "District") has an existing Donation agreement with Levine Investment Limited Partnership. This agreement provides for "successor" ownership to be bound by this agreement.

You have acknowledged that the new developer/owner of a portion of the site has agreed that the Donation agreement will be honored by your company.

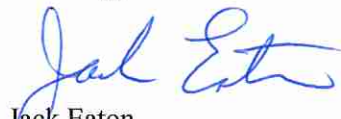
The Donation amounts per unit as stated in the Donation Agreement are:

House	\$1,000
Condominium	\$ 750
Apartment	\$ 400
Mobile Home	\$ 400

It is my current understanding that the new project will be Apartment Homes. As such, the agreed to fee per unit will be \$400, payable no later than 90 days after the building permit is issued by the City of Surprise.

You are hereby authorized to submit this letter to any governmental body with jurisdiction over the Project as proof of the Agreement, the donation amount, and that the District does not object to you proceeding with your Project.

Sincerely,



Jack Eaton
Executive Director, Business Services
Dysart Unified School District

Superintendent
Gail Pletnick, Ed.D.

Governing Board
Spencer Bailey
Suzanne Kellis
Bonnie Schroader
Traci Sawyer-Sinkbeil
Jennifer Tanner

cc: Raul Abad, Gust Rosenfeld

RETURN TO HAWKINS AND CAMPBELL
VIA 24 HOUR TURN AROUND

WHEN RECORDED RETURN TO:

Donald M. Peters, Esq.
MILLER LaSOTA & PETERS, PLC
5225 North Central, Suite 235
Phoenix, AZ 85012



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2002-1001035 09/27/02 16:16
5 OF 6

GUILLEN1

DONATION AGREEMENT BETWEEN DYSART UNIFIED SCHOOL DISTRICT
NO. 89 AND LEVINE INVESTMENTS LIMITED PARTNERSHIP FOR
DEVELOPMENT KNOWN AS "SIERRA VERDE"

DONATION AGREEMENT**(Sierra Verde)**

THIS DONATION AGREEMENT ("Agreement") is made by and between Dysart Unified School District No. 89 of Maricopa County, Arizona, a political subdivision of the State of Arizona (the "District"), and Levine Investments Limited Partnership ("Developer"). The District and Developer are referred to herein collectively as "the parties."

RECITALS:

A. Developer owns certain real property in Surprise, Arizona (the "City"), to be used for a development known as Sierra Verde, as more particularly described in Exhibit A, attached hereto (the "Property").

B. Development of the Property will increase the population of students attending public schools within the District, which in turn will increase the need for public school facilities within the District. The Developer is willing to make, and the District is willing to accept, cash donations to defray the expense to the District associated with an increase in the population of students.

AGREEMENT:

For and in consideration of the covenants contained herein, the District and Developer, intending to be legally bound, state, confirm and agree as follows:

1. Incorporation of Recitals. The Recitals stated above are true and correct and are incorporated herein by this reference. Developer warrants that it owns the Property and has the authority to make this agreement.

2. Conditions. It is a condition of the continuing effect and enforceability of this Agreement that, with regard to the Property, the District not have opposed any zoning or entitlement application or request of Developer, including without limitation, any preliminary or final plat application for the Property or a portion thereof; and that, if requested to do so by Developer or the governmental authority with jurisdiction, the District provide the governmental authority promptly and in a timely manner with written confirmation thereof.

3. Cash Donation by Developer to the District. Subject to the terms and conditions of this Agreement, Developer, for itself and its successors-in-ownership and assigns, including, without limitation, any affiliate of Developer and any homebuilder initially constructing or placing a dwelling unit on the Property, agrees to pay the following amount for each dwelling unit so constructed or placed on the Property:

Type of Dwelling	Donation (per unit)
House	\$1,000
Condominium	\$ 750
Apartment	\$ 400
Mobile Home	\$ 400

Developer shall contribute all donations as required under this paragraph no later than ninety days after the building permit for construction of the particular Dwelling Unit is issued by the City. No donation shall be payable in connection with any reconstruction or subsequent construction of a Dwelling Unit on a particular portion of the Property after the donation for such portion of the Property has been initially paid.

4. Future Development Fees. Notwithstanding the foregoing or anything herein to the contrary, Developer desires that it receive credit for the money donated to the District, if at any time in the future, any federal, state, county, municipal or any other governmental or quasi governmental authority with jurisdiction over the Property lawfully imposes any development fee, impact fee, dedication requirement, exaction or similar fee or charge on the Property (individually, a "Development Fee" and collectively, the "Development Fees") through the exercise of either its police power or its taxing power (other than secondary real estate taxes, general obligation bonds and school district override elections) in connection with or related to the acquisition, development, construction, improvement and operation of public school facilities within the District. While the District offers no assurances to the Developer that it is empowered or authorized to provide Developer with a credit against Development Fees which may be assessed on the Property, the District, to the extent it is permitted by law to do so, agrees to the contents of this Section.

(a) If the Development Fees imposed on the Property are less than the total donations required under this Agreement, then no Development Fees shall be due and payable by Developer to or for the benefit of the District (but the remainder of this Agreement shall continue in full force and effect); or

(b) If the Development Fees imposed on the Property are greater than the total donations required under this Agreement, then Developer shall receive a credit against the Development Fees in the amount of the total donations, and Developer shall only be obligated to pay to or for the benefit of the District an amount equal to the difference between the Development Fees and the total donations.

5. Default and Remedies. Developer acknowledges that the District intends to rely upon this Agreement in formulating its plans for growth and in other regards, and that such reliance is reasonable. In the event of any default under this Agreement, the non-defaulting party

shall have all rights and remedies provided at law or in equity, including without limitation specific performance and injunctive relief, and all such rights and remedies shall be cumulative. Developer acknowledges the sufficiency of the consideration for this agreement and irrevocably waives lack of consideration as a defense to the enforcement of this Agreement.

6. Notices. Any and all notices, consents or other communications required or permitted by this Agreement shall be given in writing and telecopied, personally delivered, sent by registered or certified mail, return receipt requested, postage prepaid, or sent by Federal Express, Airborne, U.P.S. or other similar nationally recognized overnight courier, addressed as follows:

To Developer: Levine Investments Limited Partnership, an Arizona
Limited Partnership
1702 E. Highland Ave., Ste. 310
Phoenix, AZ 85016
Attention: William Levine

To the District: Dysart Unified School District of
Arizona No. 89
Attention: Superintendent
11405 North Dysart Road
El Mirage, AZ 85338
(623) 876-7042 fax

With a copy to: Miller LaSota & Peters, PLC
Attention: Donald M. Peters
5225 N. Central, Suite 235
Phoenix, AZ 85012
(602) 248 2999 fax

With a copy to: Beus Gilbert PLLC
Suite 1000 Great American Tower
3200 N. Central Ave.
Phoenix, AZ 85012-2430
Attention: Paul E. Gilbert, Esq.

or at any other address or telecopier number designated by any party hereto in writing. Any notice or communication shall be deemed to have been delivered and received (i) as of the date of receipt, if sent by telecopier (with written confirmation of error-free transmission) on or before 5:00 p.m., Phoenix time; (ii) as of the next day of receipt, if sent by telecopier (with written confirmation of the date and time of transmissions and receipt) after 5:00 p.m., Phoenix time; (iii) the date of delivery, if hand delivered or sent by nationally recognized overnight courier; (iv) three (3) days after the date of mailing, if mailed by registered or certified mail.

7. General.

(a) Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by the District or Developer of any default under this Agreement shall be construed as a waiver of any preceding or succeeding default.

(b) Attorneys' Fees. In the event any party finds it necessary to bring any action at law or other proceeding against the other party to enforce any of the terms, covenants or conditions hereof, or by reason of any default hereunder, the party prevailing in any such action or other proceeding shall be paid all reasonable costs and attorneys' fees by the other party, and in the event any judgment is secured by the prevailing party, all such costs and attorneys' fees shall be included therein, with the fees to be set by the court and not by jury.

(c) Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from the counterparts and the signature pages may all be attached to a single instrument.

(d) Further Acts. Each of the parties hereto shall execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Agreement.

(e) Successors and Assigns. All of the provisions of this Agreement shall inure to the benefit of and be binding upon the District and the Developer and its successors-in-ownership and assigns. Upon the conveyance of all or any portion of the Property by Developer or its successors-in-ownership or assigns and the written assumption by such transferee of the obligations of the Developer under this Agreement with respect to the portion of the Property conveyed, Developer or its successors-in-ownership or assigns, as the case may be, shall be relieved of any further liability or obligations under this Agreement with respect to the portion of the Property conveyed but shall not be relieved or released from any liabilities or obligations incurred during the period of its ownership of the Property. The Developer shall provide the District written notice of any such conveyance and assumption of obligations within thirty (30) days after the conveyance. The liabilities and obligations of Developer and its successors-in-ownership and assigns are several obligations, and not joint and several obligations, and may only be enforced against the party then in default, and, notwithstanding any default by the owner of the portion of the Property, this Agreement shall remain in full force and effect with respect to the other owners of the Property.

(f) No Partnership and Third Parties. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other similar arrangement between Developer and the District. No term or provision of this Agreement is intended to, or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.

(g) Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof. All prior and contemporaneous agreements, representations and understandings of the parties, oral or written, are hereby superseded and merged herein.

(h) Amendment. No change or additions may be made to this Agreement except by a written amendment executed by the parties hereto.

(i) Governing Law. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Arizona.

(j) Conflicts of Interest. The parties acknowledge that this Agreement is subject to cancellation pursuant to A.R.S. § 38-511 or any successor statute.

(k) Severability. In the event that (a) the Attorney General of Arizona issues or affirms an opinion which finds any part of this Agreement to be illegal, invalid or unenforceable, or (b) any part of this Agreement is held to be illegal, invalid or unenforceable by a court of competent jurisdiction, the validity and enforceability of the remainder of the Agreement shall not be affected.

IN WITNESS WHEREOF, the parties have executed this Agreement.

DISTRICT:

DYSART UNIFIED SCHOOL DISTRICT
NO. 89 OF MARICOPA COUNTY,
ARIZONA, a political subdivision of the
State of Arizona

By: Kim G. Apple
Its: Governing Board President
Date: 9.16.02

DEVELOPER:

Levine Investments Limited Partnership

By: Paul E. Hill
Its: Attorney in fact
Date: 8/7/2002

EXHIBIT A

Property legal description

LEGAL DESCRIPTION

The east half of Section 9, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at a City of Surprise brass cap found at the northeast corner of said Section 9, thence South $00^{\circ}05'42''$ East, along the east line of said Section 9, a distance of 2647.89 feet to a Maricopa County Highway Department brass cap found at the east quarter corner of said Section 9;

Thence South $00^{\circ}05'12''$ East, along the east line of said Section 9, a distance of 2648.12 feet to a Maricopa County Highway Department brass cap found at the southeast corner of said Section 9;

Thence North $89^{\circ}21'12''$ West, along the south line of said Section 9, a distance of 2639.28 feet to a 1-1/4" iron pipe found 0.7 feet below the pavement at the south quarter corner of said Section 9;

Thence North $00^{\circ}04'20''$ West, along the north-south mid-section line of said Section 9, a distance of 5286.02 feet to a 1" iron pipe found 0.6 feet below the pavement at the north quarter corner of said Section 9;

Thence South $89^{\circ}34'12''$ East, along the north line of said Section 9, a distance of 2637.45 feet to the POINT OF BEGINNING.

Said parcel containing 13,959,308 square feet or 320.46 acres, more or less.



DYSART UNIFIED SCHOOL DISTRICT #89

TO: Governing Board X Action
 FROM: Dr. Margo Seck, Superintendent Discussion
 DATE: September 10, 2002 Information
 AGENDA ITEM: *Request to Approve a Donation Agreement Between Dysart Unified School District and 1st Reading
 Levine Investments Limited Partnership - Sierra Verde Development
 INITIATED BY: Mr. Tom Murphy SUBMITTED BY: Dr. Margo Seck
 GOVERNING BOARD POLICY REFERENCE OR STATUTORY CITATION: BBA

SUPPORTING DATA

Administration recommends approval of the donation agreement between Dysart Unified School District and Levine Investments Limited Partnership, developer of Sierra Verde. The Developer and its successors-in-ownership agree to pay the following amount for each dwelling unit placed on the property. Legal counsel has reviewed the document

TYPE OF DWELLING	DONATION PER UNIT
House	\$1,000.00
Condominium	\$750.00
Apartment	\$400.00
Mobile Home	\$400.00

SUMMARY AND RECOMMENDATION

It is recommended the Governing Board approve the donation agreement between Dysart Unified School District and Levine Investments Limited Partnership, developer of Sierra Verde.

Superintendent Margo Seck

ACTION BY BOARD

Motion Bull Second Rodriguez

Vote UN

Agenda Item *II.10

Exhibit D

Bungalows on Greenway **Conceptual Site Plan**

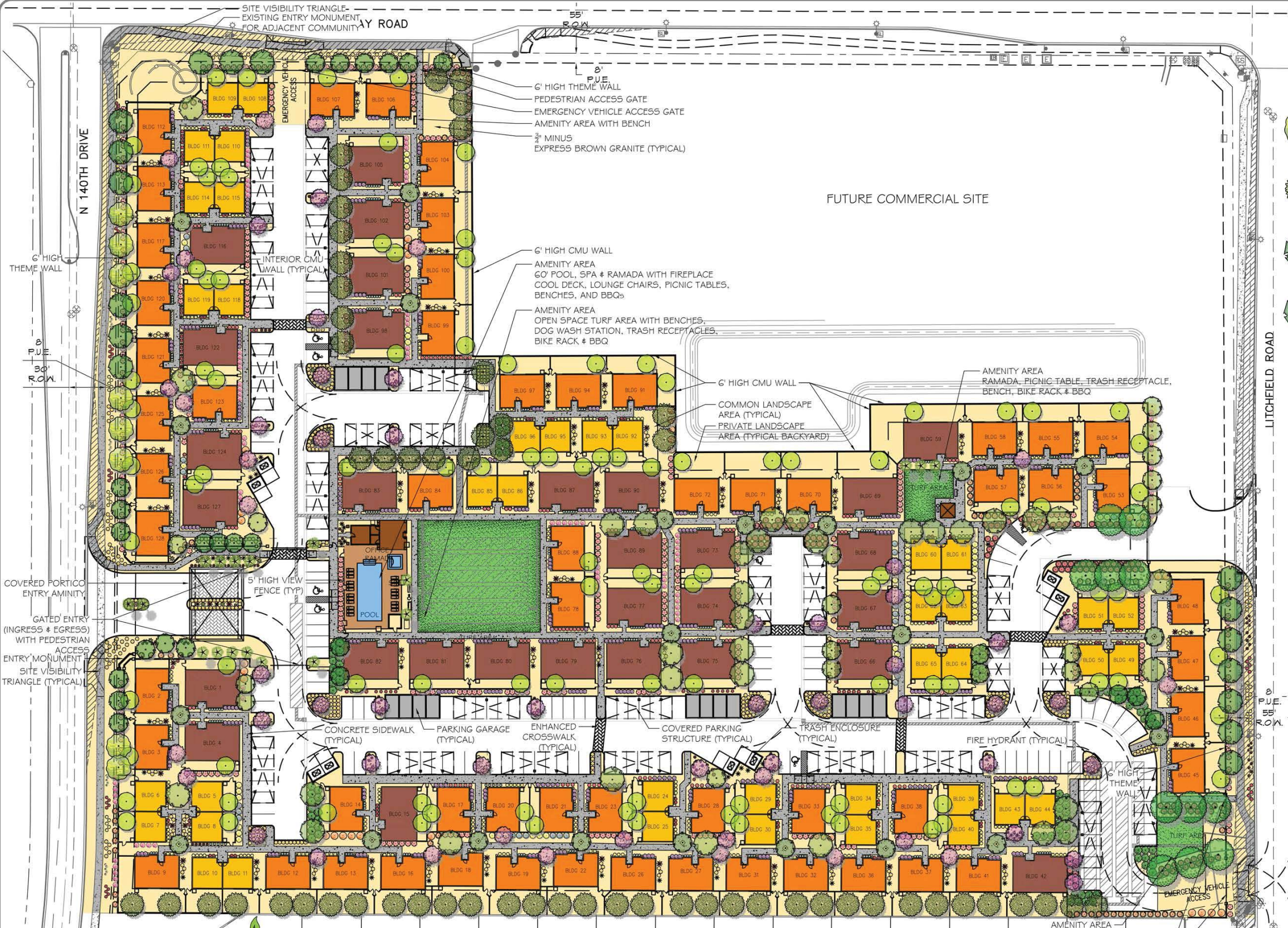
(Starts on Following Page)

PRELIMINARY
LANDSCAPE
PLAN



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	SIZE	REMARKS
	113	Caesalpinia cacalaco "Smoother"™ Cascalote	24"box	Caliper 1.0"-1.5" Height 5.0'-8.0" Standard Trunk
	8	Cercidium microphyllum Foothill Palo Verde	24"box	Caliper .75"-1.25" Height 3.0'-5.0" Standard Trunk
	60	Chilopsis linearis Desert Willow	24"box	Caliper 1.0"-1.5" Height 5.0'-7.0" Standard Trunk
	57	Dalbergia sissoo Rosewood	24"box	Caliper 1.0"-1.5" Height 8.0'-9.0" Standard Trunk
	41	Parkinsonia x "Desert Museum" Desert Museum Palo Verde	24"box	Height 5.0'-8.0" Width 3.0'-4.0" Multi-trunk
	24	Parkinsonia x "Desert Museum" Desert Museum Palo Verde	36"box	Height 8.0'-10.0" Width 5.0'-7.0" Multi-trunk
	33	Prosopis glandulosa "Thornless AZT" Thornless Honey Mesquite	24"box	Height 5.0'-8.0" Width 3.0'-4.0" Multi-trunk
	16	Prosopis glandulosa "Thornless AZT" Thornless Honey Mesquite	36"box	Height 8.0'-10.0" Width 5.0'-6.0" Multi-trunk
	11	Ulmus parvifolia "Sempervirens" Chinese Evergreen Elm	24"box	Caliper 1.0"-1.5" Height 5.0'-8.0" Standard Trunk
PALM TREES	QTY	BOTANICAL NAME	SIZE	REMARKS
	18	Washingtonia filifera California Fan Palm	15" Clear Trunk	Skinned & Staked
SHRUBS	QTY	BOTANICAL NAME	SIZE	REMARKS
	59	Bougainvillea x "Torch Glow" Torch Glow Bush Bougainvillea	5 gal	Can Full
	36	Caesalpinia pulcherrima Red Bird Of Paradise	5 gal	Can Full
	138	Calliandra californica Red Baja Fairy Duster	5 gal	Can Full
	164	Callistemon viminalis "Little John" Little John Bottlebrush	5 gal	Can Full
	49	Cassia artemisioides Feathery Cassia	5 gal	Can Full
	26	Cassia phyllodinea Silvery Cassia	5 gal	Can Full
	106	Leucophyllum laevigatum Chihuahuan Sage	5 gal	Can Full
	407	Nerum oleander "Petite Salmon" Petite Salmon Oleander	5 gal	Can Full
	422	Ruellia brittoniana British Ruellia	5 gal	Can Full
	86	Tecoma x "Orange Jubilee" Orange Jubilee Yellow Bells	5 gal	Can Full
ACCENTS	QTY	BOTANICAL NAME	SIZE	REMARKS
	33	Agave weberi Weber's Agave	15 gal	Can Full
	22	Aloe barbadensis Barbados Aloe	5 gal	Can Full
	409	Euphorbia rigida Gopher Plant	5 gal	Can Full
	85	Hesperaloe funifera Giant Hesperaloe	5 gal	Can Full
	76	Hesperaloe parviflora Red Yucca	5 gal	Can Full
	127	Muhlenbergia capillaris "Regal Mist"™ Regal Mist Deer Grass	5 gal	Can Full
GROUNDCOVERS	QTY	BOTANICAL NAME	SIZE	REMARKS
	104	Acacia redolens "Desert Carpet"™ Desert Carpet Acacia	1 gal	Can Full
	38	Chrysactinia mexicana Damianita Daisy	1 gal	Can Full
	370	Convolvulus cneorum Bush Morning Glory	1 gal	Can Full
	135	Dalea frutescens Black Dalea	1 gal	Can Full
	718	Lantana camara "New Gold" New Gold Lantana	1 gal	Can Full
MISCELLANEOUS	QTY	BOTANICAL NAME	REMARKS	
	202,915 sf	3/4" Minus Express Brown Granite	None	
	11,471 sf	Cynodon dactylon "Madron" Bermuda Grass	sod	



The Bungalows
On Greenway

COLEMAN
DESIGN GROUP
landscape architecture

111 E. DUNLAP AVENUE, SUITE 1-107
PHOENIX, AZ 85020
602-432-5507 www.colemandesigngroup.net



NOTES:

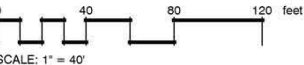
FIRE APPARATUS ACCESS GATES:

- THE MINIMUM GATE WIDTH SHALL BE 20 FEET (6096 MM).
- GATES SHALL BE OF THE SWINGING OR SLIDING TYPE.
- CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON.
- GATE COMPONENTS SHALL BE MAINTAINED IN AN OPERATIVE CONDITION AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE.
- MANUAL OPENING GATES SHALL NOT BE LOCKED WITH A PADLOCK OR CHAINED AND PADLOCKED UNLESS THEY ARE CAPABLE OF BEING OPENED BY MEANS OF FORCIBLE ENTRY TOOLS OR APPROVED KNOX PADLOCK, 3750 SERIES.
- LOCKING DEVICE SPECIFICATIONS SHALL BE SUBMITTED FOR APPROVAL BY THE FIRE CODE OFFICIAL.

ELECTRIC GATES:

- THE INSTALLATION OF SECURITY GATES ACROSS A FIRE APPARATUS ACCESS ROAD SHALL BE INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200. THE ELECTRIC GATE SHALL HAVE BATTERY BACKUP, AND SHALL BE PROVIDED WITH ELECTRONIC PREEMPTION EQUIPMENT, CONTROLS, ELECTRONIC KNOX KEY SWITCH AND MANUAL RELEASE MECHANISM APPROVED BY THE FIRE CHIEF. THE SECURITY GATES AND THE EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325.

SCALE:	1" = 40'-0"	NO:	DATE:	REVISION:
DESIGNED:	JBC	1	5/24/16	CITY COMMENTS
CHECKED:	JBC			
ISSUED FOR:	CITY APPROVAL			



Bungalows on Greenway

CITIZEN REVIEW MEETING DETAILS

DATE: Monday, June 13, 2016
TIME: 6:30 PM to 7:30 PM
LOCATION: Holiday Inn Express & Suites
16540 N. Bullard Ave.
Surprise, Arizona 85374

Notice was sent by the Jamie Sullivan per the City of Surprise on 5/23/16 to all residents and HOA's within 300 feet of the property. It was also sent to the paper May 23, 2016. Signs reflecting the meeting schedule were put on the property. (See attached notice)

Attendance: 22

Bungalows on Greenway Representatives:

Jon Hamelø Cavan Companies (Developer representative)
Andy Jochumsø Beus Gilbert PLLC Planning Consultant

Neighbor Participants (Sign-in Sheet)

Hobart Wingard
Sandy Treece
Ken Remley
Jim Hegedus
Doc Sullivan
Adam McDaniel
Lindsay McDaniel
Gail Daly
Ginger Montemery

Bernardo Brazil
Laura Wibeto
Sandie Caywood
Tom Runvan
Lidsay Pico
M. Ulrich
B. Kenworthy

A meeting was held on June 13th to notify the neighborhood and other interested parties of the PAD application for Parcel 8 of Sierra Verde.

The following is a list of questions/concerns posed at the Public Meeting and the answers provided.

1. **How many units are you proposing to build?** Current site plan reflects 128 single story rental units.
2. **Why has this site been rezoned so many times?** Each owner who has purchased this property has considered different uses for the property. This is the first time the current prospective buyers have looked to rezone this property.
3. **Will this be Section 8 Housing?** Developer has no intention of allowing section 8 housing in this project. This project will garner competitive rents to the higher end of the rental

market for the area. Similar product by another developer have established rents 18-20% higher than the surrounding traditional multifamily rentals.

4. **Will 140th Drive be widened or changed as part of this development?** The Traffic impact analysis shows that the additional traffic from this site being developed will not impact the roads beyond what they were originally built for in the area.
5. **What turning movements will there be onto Greenway road?** Only from 140th Drive. There is an emergency access gate for the fire department only on Knox box that would have access to Greenway in times of emergency. The site will have main access off of 140th Drive with egress right turn only on Litchfield.
6. **Concern over children walking to school across both Greenway and Litchfield Roads.** This is the same as any children currently in the Sierra Verde subdivision. Dysart schools was contacted and are in support of the project and did not express concerns with school access at this time.
7. **Will the crime rate increase?** We do not believe that the crime rate will go up due to this development. We will use qualifying methods that are standard for the industry such as income verification, credit checks, and background checks.
8. **Will rental rates remain high or will the site be open to lowering rents to increase occupancy rates?** We believe this site will remain as the premier multifamily development in Surprise and as such will continue to garner some of the highest rental rates in the market.
9. **Is there enough open space for the residents, concern over residents in community using Litchfield Manor facilities** We feel that residents will utilize the open recreation spaces within our development. If they want access to sports facilities they will utilize the Surprise Community Park just about a mile away.
10. **Do you have a dedicated dog park?** No residents will utilize the dog park at the Surprise Community Park or utilize the recreation areas within the development. Each unit also has a private backyard that residents can use along with pets.
11. **Will there be enough parking?** The site parking is in line with the City of Surprise requirements.
12. **Why so few garages, will they just be used for stuff?** The number of garages is part of the overall parking for the site. If too many garages were built we would not have adequate parking. Garages if rented must be used for parking, not for storage as part of the lease agreement.
13. **Will the construction traffic impact 140th Drive traffic?** Yes we will have traffic entering the site from 140th drive as that is the main entry. We will be parking all of the construction traffic on the site and utilize the exit on Litchfield to assist in the traffic flows on and off of the site.
14. **“We purchased with the expectations of no apartments on this site”** We are not building traditional high rise apartments on the site, but small homes that are rentals. This is very similar to all adjacent neighborhoods that have significant registered rental properties based on the assessor tax record.
15. **Is this pool big enough?** In our review of other sites we feel that for the size of our project the pool is sufficient for the community.
16. **What type of Management 24/7?** We will have traditional professional property management on the site. They will have staff that is responsible for the property 24/7, but we do not anticipate the managers to be located at the property at all times of the day.

17. **Can you restrict Satellite Dish placements?** We will follow the Section 207 of the Telecommunications Act of 1996 for this type of use.
18. **How many months do you anticipate it taking to complete?** We anticipate we will start the improvements on grading the site within 60 days of closing (post all rezoning requirements). This work will take up to 6 months to complete. We will then begin the vertical construction the first 20-25 units will take 4 months to complete and we expect to continue 20-25 per month each month after. The entire development should take 12-18 months if we do not have delays based on City reviews, weather, or unforeseen conditions.
19. **Can you only develop half the site then sell the rest?** No we will work as quickly as we can to complete the development with a quality product for the neighborhood.
20. **Will this development will bring down my property values?** No, this type of development will not bring down property values. A development of this type and finish will be a perfect transition from the remaining commercial to the traditional single family homes.

CITY OF SURPRISE

CITIZEN REVIEW MEETING

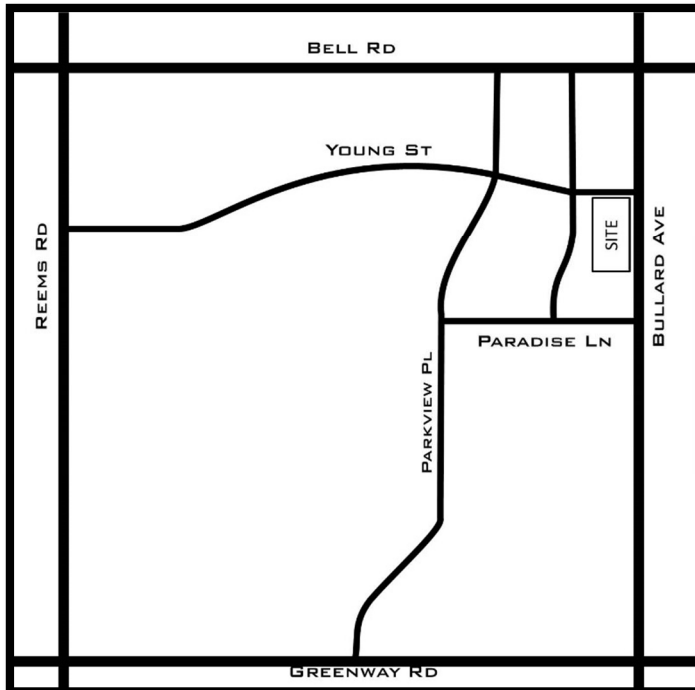
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Hobart Wingard
623-222-3156

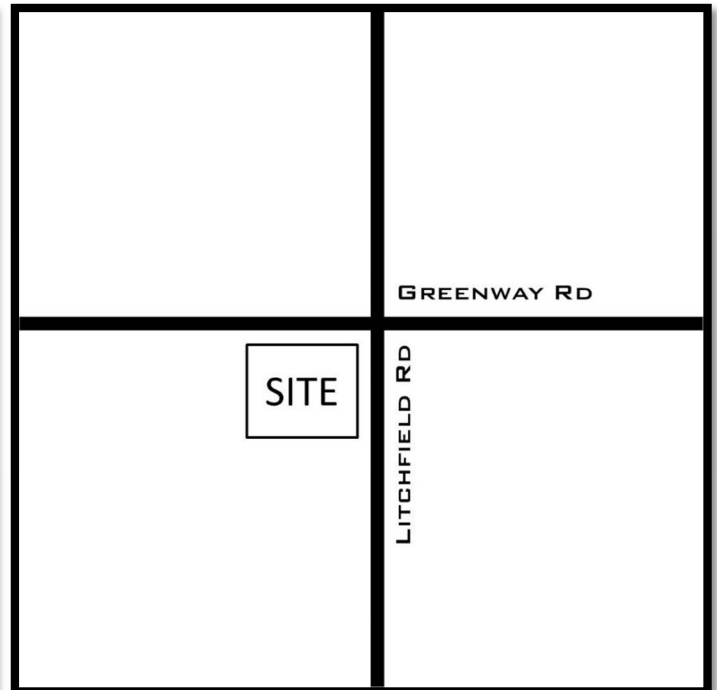
CITIZEN REVIEW MEETING DETAILS

DATE: Monday, June 13, 2016
TIME: 6:30 PM to 7:30 PM
LOCATION: Holiday Inn Express & Suites
16540 N. Bullard Ave.
Surprise, Arizona 85374

Meeting Location Map



Project Location Map



PROJECT DESCRIPTION: The applicant is requesting approval of an amendment to the Sierra Verde PAD to modify the development standards for Parcel 8 (Case FS16-158) to allow for 128 multi-family residential rental units.

Sign In Sheet--Bungalows on Greenway

[illegible]

Sign In Sheet--Bungalows on Greenway

[illegible]

Bungalows on Greenway

Southwest Corner of Litchfield & Greenway Roads

Case # FS16-158

Name: MID & MRS MIKE ULRICH

Address: 14339 N. 137 LANE SURPRISE, AZ 85379

Phone: 623.308-1213 Email: MIKEULRICH@COX.NET

Please leave any Comments, Concerns, or Questions below:

I BELIEVE THAT THIS PROJECT IS IN THE WRONG LOCATION WITH SEVERAL VALUE CATERFOLD MAPS AND WEST POINT HOMES. A REMARKING THE CENTER OF TOWN IS NOT ATTRACTIVE TO OUR HOMES AND OUR H.O.A.'S

I ALSO BELIEVE THAT THIS "WILL" REDUCE PROPERTY VALUES AND INTRUSION ON OUR RENTAL PROPERTIES.

140TH IS AND WILL BE MORE CONGESTED

THE AREA WOULD BE 'BEST' FOR THE TYPE OF PROJECT WOULD BE JUST SOUTH OF BELL BETWEEN LITCHFIELD & BURNARD

NO

Jack Eaton
Executive Director
Business Services

June 1, 2016

15802 North Parkview Place
Surprise, AZ 85374
Phone: 623-876-7008
Fax: 623-876-7046
jack.eaton@dysart.org

Cavan Companies
Attention: Jon Hamel
15300 N. 90th Street, Suite 200
Scottsdale, AZ 85260

www.dysart.org

Re: Development at Litchfield and Greenway – The Bungalows On Greenway

Dear Mr. Hamel,

This letter will confirm that the Dysart Unified School District No. 89 of Maricopa County, Arizona, a political subdivision of the State of Arizona (the "District") has an existing Donation agreement with Levine Investment Limited Partnership. This agreement provides for "successor" ownership to be bound by this agreement.

You have acknowledged that the new developer/owner of a portion of the site has agreed that the Donation agreement will be honored by your company.

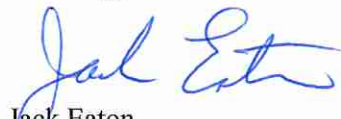
The Donation amounts per unit as stated in the Donation Agreement are:

House	\$1,000
Condominium	\$ 750
Apartment	\$ 400
Mobile Home	\$ 400

It is my current understanding that the new project will be Apartment Homes. As such, the agreed to fee per unit will be \$400, payable no later than 90 days after the building permit is issued by the City of Surprise.

You are hereby authorized to submit this letter to any governmental body with jurisdiction over the Project as proof of the Agreement, the donation amount, and that the District does not object to you proceeding with your Project.

Sincerely,



Jack Eaton
Executive Director, Business Services
Dysart Unified School District

Superintendent
Gail Pletnick, Ed.D.

Governing Board
Spencer Bailey
Suzanne Kellis
Bonnie Schroader
Traci Sawyer-Sinkbeil
Jennifer Tanner

cc: Raul Abad, Gust Rosenfeld



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

13 April 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: FS16-158; Bungalows on Greenway

Dear Ms. Sullivan

Thank you for the opportunity to provide comments on the Zoning Amendment and Site Plan Application for the Bungalows on Greenway, Sierra Verde Parcel 8 Planned Area Development (PAD). Sierra Verde Parcel 8 is a 17.48 acre portion of the larger 320 acre Sierra Verde PAD, located at the southwest corner of Litchfield and Greenway Roads. The zoning on the 17.48 gross acre parcel currently allows a mix of employment, office, and retail commercial along with multi-family residential limited to no more than 234 units. Previous approved use in August 2002 the site was approved for Mixed-Use with an overall gross residential density of 4.75 du/acre. In October 2006 Parcel 8 was changed from a mixed-use designation to medium/high density residential to allow for a townhome project. In order to preserve the residential dwelling unit counts under the Luke Air Force Graduated Density Concept, Parcel 8, was limited to no more than 234 residential units, and in July 2008, it was changed back to Mixed-Use (234 units). The number of units, for this request, will remain the same at 234, however currently the existing PAD restricts the development of apartments, this request is to allow apartments/rental residential. The site is approximately 1/2 mile outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone," as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With a density of 13.9 du/ac the Bungalows on Greenway do not meet these guidelines.

However, due to prior comments made by Luke AFB, see the attached letter dated 13 Apr 2009, we will not now object to this request not meeting the GDC. The earlier 2009 comments provided that the mixed used development, addressing 234 units, would not negatively impact the flying operations. As described, the revised PAD development does not increase the total amount of units (234) but rather allows for a rental community within the Sierra Verde parcel 8. Given there is no increase in the total number of units, and in light of our earlier comments respective to a determination of impact that may or may not have taken into consideration our GDC, the specific request to now allow for rental residential within the Sierra Verde parcel 8 will not negatively impact the flying operations at Luke AFB. Since this site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. 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 is essential to inform tenants about Luke AFB operations.

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

Sincerely

for Barbara Plante
JAMES R. MITCHELL

Attachment:
LAFB Ltd, Dtd 13 April 2009

cc:

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

13 April 2009

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

Ms. Rebecca Rosales
City of Surprise Planning Department
12425 West Bell Road
Surprise AZ 85374

Re: Case #PA09-0005 Greenway & Litchfield, Sierra Verde Parcel 8 PAD

Dear Ms. Rosales

Thank you for the opportunity to provide comments on the Preliminary Plat Application for the Greenway & Litchfield, Sierra Verde Parcel 8 PAD. Sierra Verde Parcel 8 is a 17.48 acre portion of the larger 320 acre Sierra Verde PAD, located at the southwest corner of Litchfield and Greenway Roads. The plan is submitted for a new Mixed-Use development to include restaurant, daycare and convenience store and phase 2 for retail and an assisted living facility with up to 140 units. Previous approved use in August 2002 was for Planned Area Development, Mixed-Use with up to 403 units. Parcel 8 was changed in October 2006 from mixed use to medium/high density residential (234 units) and commercial, and in July 2008, it was changed back to Mixed-Use (234 units). The future phase 2 development of the assisted living facility with 140 units is less than originally approved for the Sierra Verde PAD. The site is approximately 1/2 mile outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone," as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461.

As described, this revised mixed-use development will not negatively impact the flying operations at Luke AFB. Since this site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. 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 is essential to inform tenants about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Mr. Bob Dubsky, at (623) 856-6195.

Sincerely

//signed//

JAMES R. MITCHELL

cc:
Colonel Henry M. Reed III, Vice Commander, 56th Fighter Wing

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Sierra Verde, Parcel 8 Planned Area Development (PAD) Amendment

OVERALL PUBLIC INVOLVEMENT LEVEL:

A Citizen Review Meeting was held at the Holiday Inn Express located at 16540 N Bullard Avenue, Development Information signs were placed on 2 location on the site, all landowners within 300 feet of the site were notified of the project by mail, and the project information was published in a local newspaper.

IDENTIFY STAKEHOLDERS:

Residents, property owners, and businesses located in the area of the intersection of Litchfield and Greenway Roads.

OBJECTIVES:

The purpose of the outreach is to inform of a change in the zoning of the subject project and have their concerns heard by staff and the governing bodies so that a well informed determination can be made by the City.

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Monday, June 13, 2016 from 6:30 PM to 7:30 PM

Future Council Work Session/Meetings target dates Tuesday, August 16, 2016

Election dates (if applicable) Not applicable

Project start/completion dates To be determined

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☒ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☒ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☒ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☒ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates

ORDINANCE 2016-22

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE/PLANNED AREA DEVELOPMENT (PAD) AMENDMENT FOR PARCEL 8 OF THE SIERRA VERDE PAD PROVIDING DEVELOPMENT STANDARDS AND ALLOWING FOR AN ATTACHED AND DETACHED RENTAL HOUSING UNIT PROJECT LOCATED ON THE SOUTHWEST CORNER OF LITCHFIELD AND GREENWAY ROADS.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located on the southwest corner of Litchfield and Greenway Roads;

WHEREAS, the subject site is zoned Planned Area Development (PAD);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations and uses;

WHEREAS, the current uses allowed in the PAD include mixed use development (Commercial, Office and Residential – maximum 234 units of multi-family residential allowed), but does not allow apartments or the proposed separated rental unit product;

WHEREAS, the proposed Rezone satisfies the requirements set forth in Chapter 122 of the Surprise Municipal Code;

WHEREAS, this Rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on July 21, 2016, the Planning and Zoning Commission recommended approval of the Sierra Verde Parcel 8 PAD Amendment.

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

Section 1. The parcel legally described on Exhibit A and depicted on Exhibit B, known as “Sierra Verde Parcel 8” is rezoned by PAD Amendment providing development standards and allowing for an attached and detached rental housing unit project subject to the following stipulations:

- A. Development and use of the site shall be in conformance with the project narrative entitled "Sierra Verde Parcel 8" consisting of 29 pages dated revised June 1, 2016 and stamped received June 2, 2016, except as modified by the following stipulations.
- B. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.
- C. The Property owner and successors waive claim for diminution in value if the City takes action to rescind approval of this zone change request due to non-compliance with the stipulations of approval.

Section 2. No Codification. This Ordinance is not of a general nature and shall not be codified.

Section 3. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 portions thereof.

Section 5. Effective Date. This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this ____ day of _____, 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

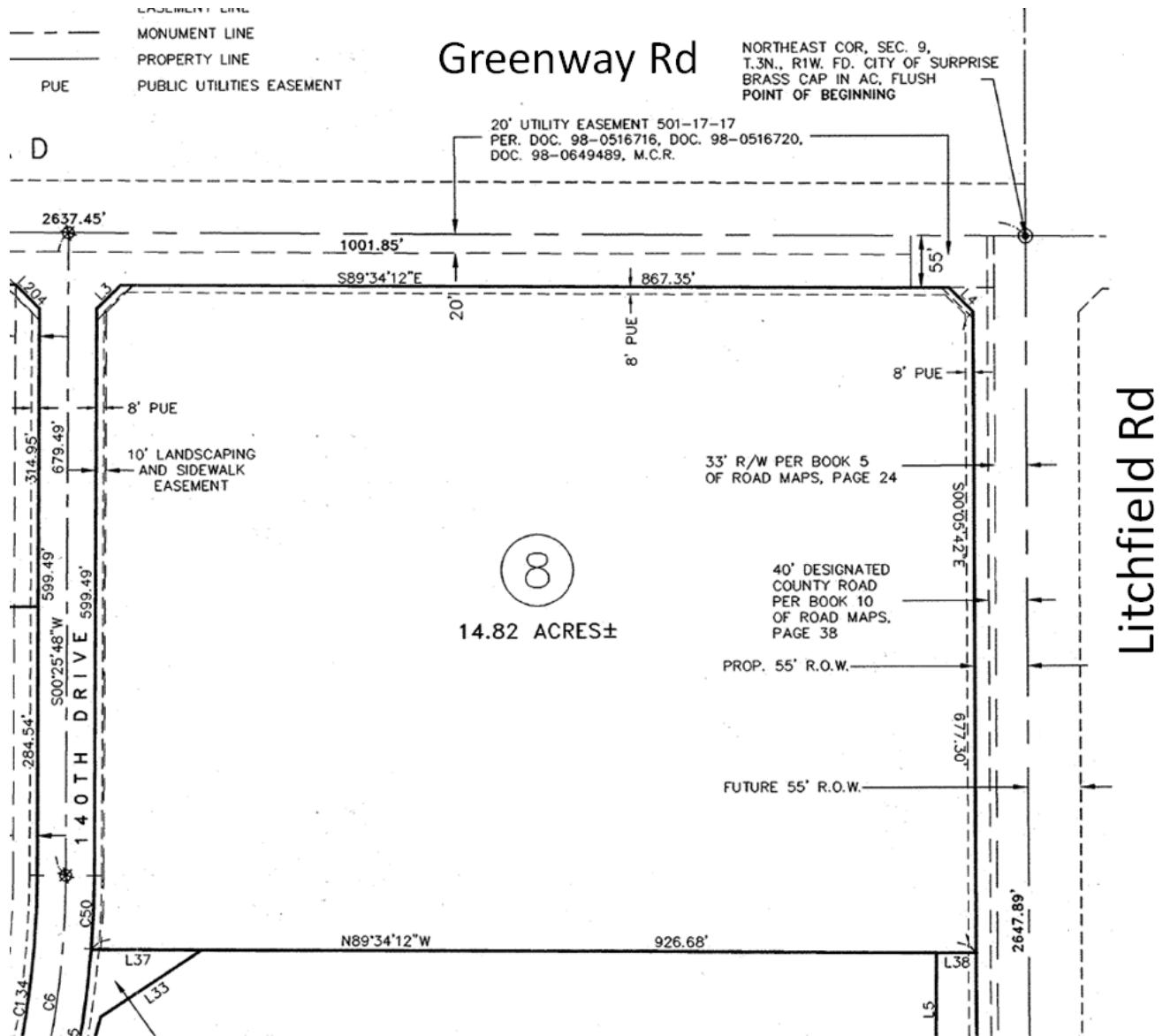
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A – LEGAL DESCRIPTION FOR PROPERTY TO BE RE-ZONED

LOT 8 OF SIERRA VERDE INFRASTRUCTURE RECORDED IN BOOK 645 OF MAPS, PAGE 13 LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXHIBIT B – DEPICTION OF THE PROPERTY TO BE RE-ZONED



FS16-158

Sierra Verde - Parcel 8

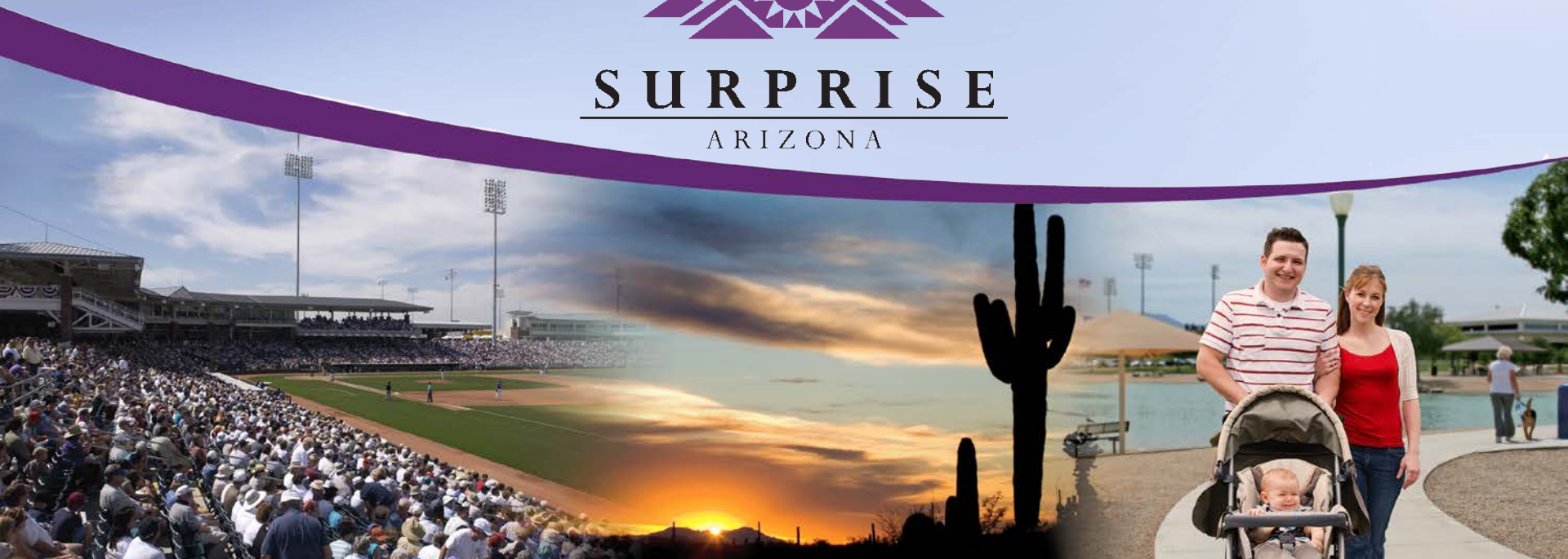
Rezone/PAD Amendment

City Council

August 16, 2016



SURPRISE
ARIZONA



VICINITY MAP



VICINITY MAP



Surprise
Center

West Point
Towne Center

Greenway Road

Litchfield Road

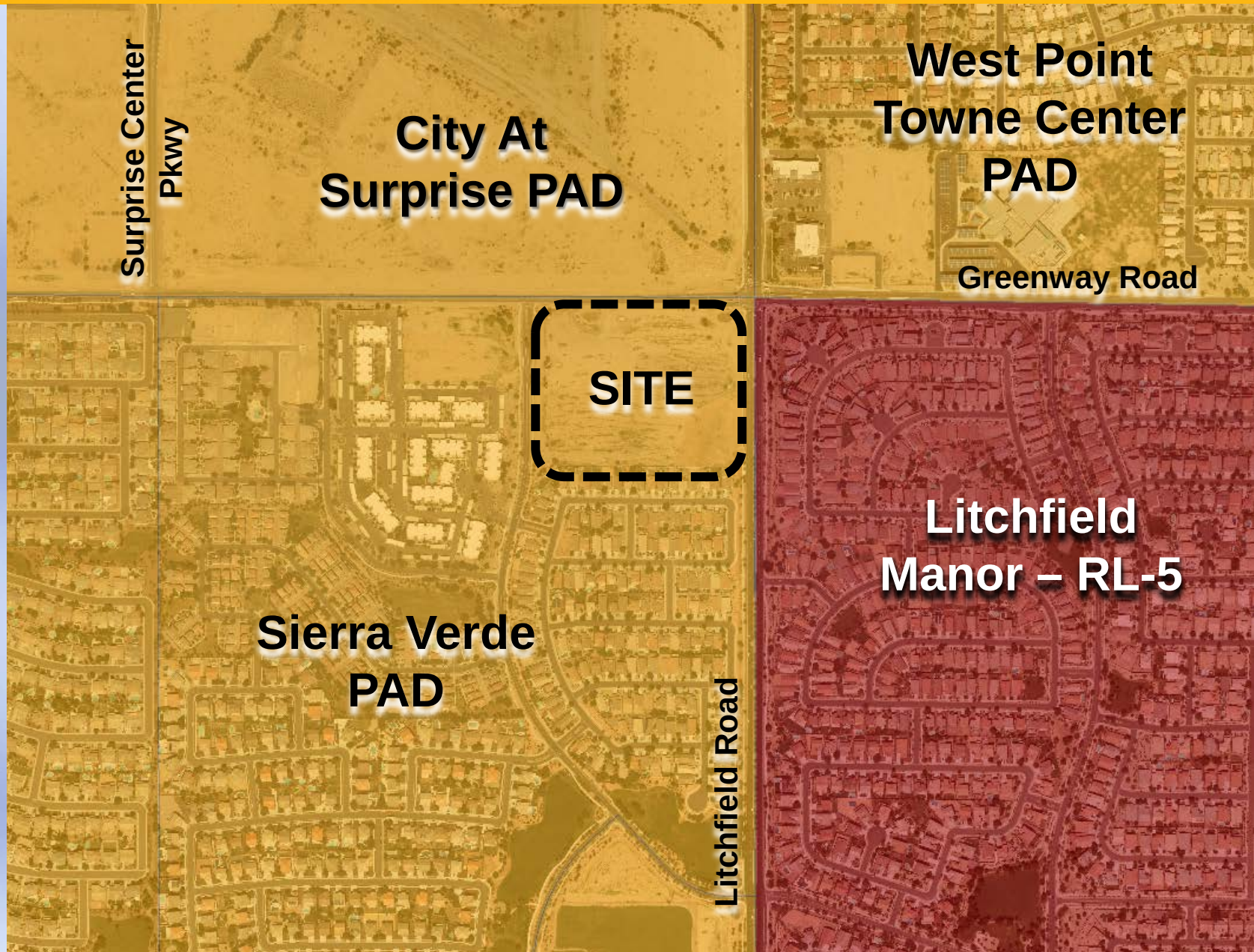
N 140th Drive

SITE
14.82 Acres

Sierra
Verde

Litchfield
Manor

ADJACENT ZONING



PROPOSED PAD AMENDMENT

- **Mixed Use Designation Remains**
- **Uses Refer to Current Code**
- **Allows for “Apartments”**
- **Follows RM-12 Dimensional Standards**



ADDITIONAL STANDARDS

Bungalows on Greenway General Development Standards	
Density Standards	
Maximum Gross Project Density	12 du/ac
Primary and Accessory Building/Structure Standards	
Maximum Building Height	20 Feet ^{(A)1}
Minimum Property Line Setbacks ^(B)	
Street Setback	20 Feet
Commercial Property Setback	15 Feet
Single Family Residential Property Setback	20 Feet ²
Minimum Building Separation on same lot	6 Feet ^{(C)3}
Walls and Fence Standards	
Perimeter Walls ^(D)	6' solid wall
Interior Walls and Fences ^(D)	
Private Backyards	5' solid wall
Pool Fence	5' maximum view fence ^(E)

ADDITIONAL STANDARDS

Bungalows on Greenway Open Space & Landscape Standards

Open Space

Minimum Required Overall Open Space	40%
Minimum Common Amenity Open Space ^(A)	225 sq. ft. per Unit ^(B)
Minimum Private Yard Open Space	
One Bedroom	200 sq. ft.
Two Bedroom	296 sq. ft.
Three Bedroom	360 sq. ft.

Frontage Landscape

Minimum Road Frontage Landscape

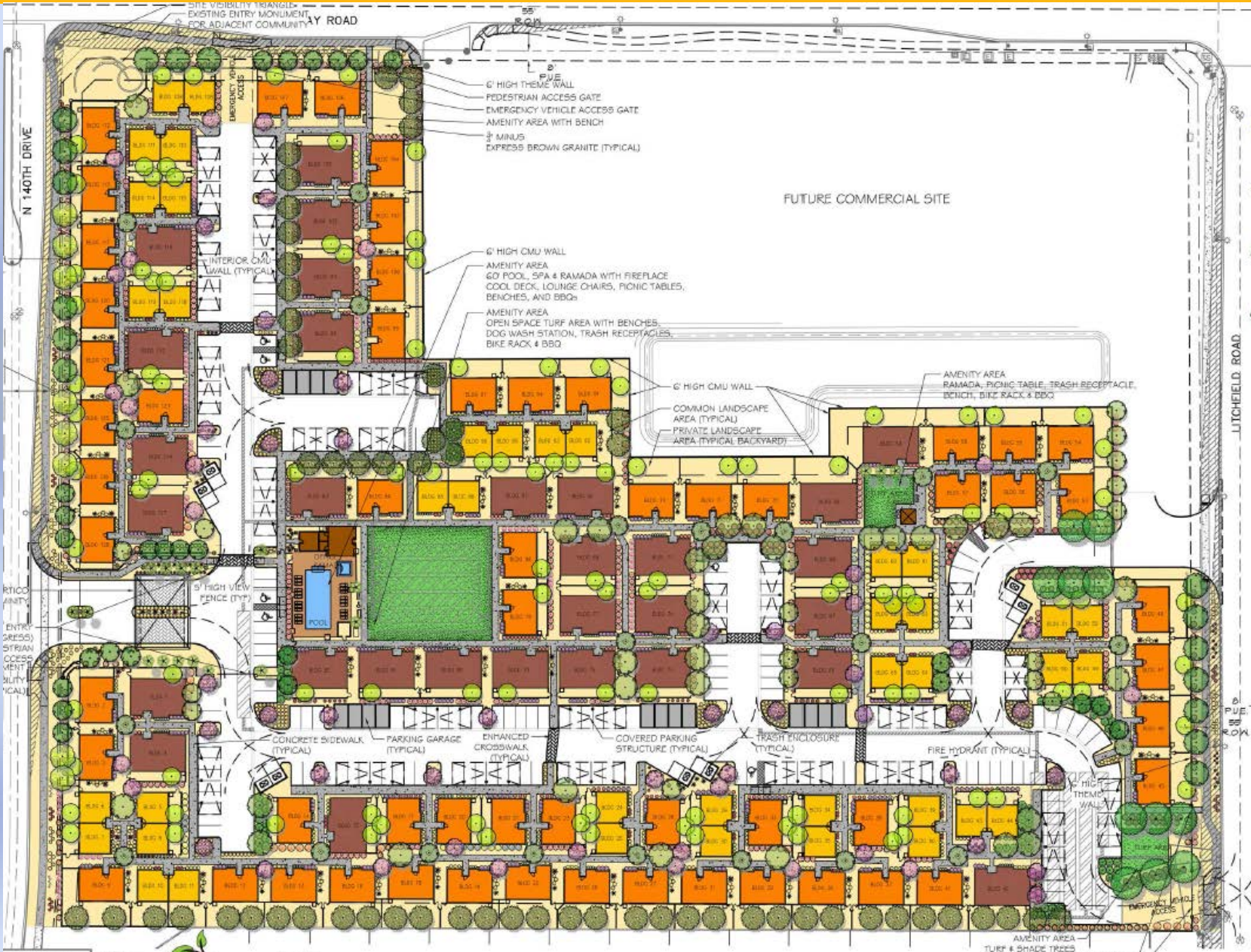
One 24 inch box tree and four 5 gallon shrubs or groundcover plants every 25 linear feet. ^(C)

Parking Lot Landscape

Minimum Parking Lot Island Landscape

One 15 gallon tree and three shrubs ^(D)

SITE PLAN



STRUCTURES

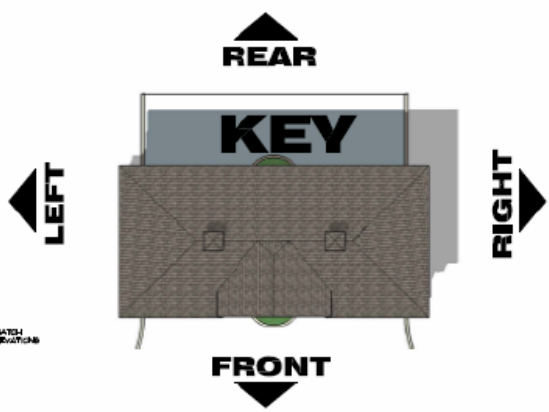


REAR



LEFT

- CONCRETE TILE
 - 6x WOOD PARADE
 - BOUNCE LIGHT EACH CORNER
 - PRECAST TUSCAN COLUMN
 - STONE VENEER WITH 1/2 BRICK CHAP
- NOTE: MATERIALS TO MATCH ON DECK AND PORCH ELEVATIONS



RIGHT



FRONT

STRUCTURES



REAR



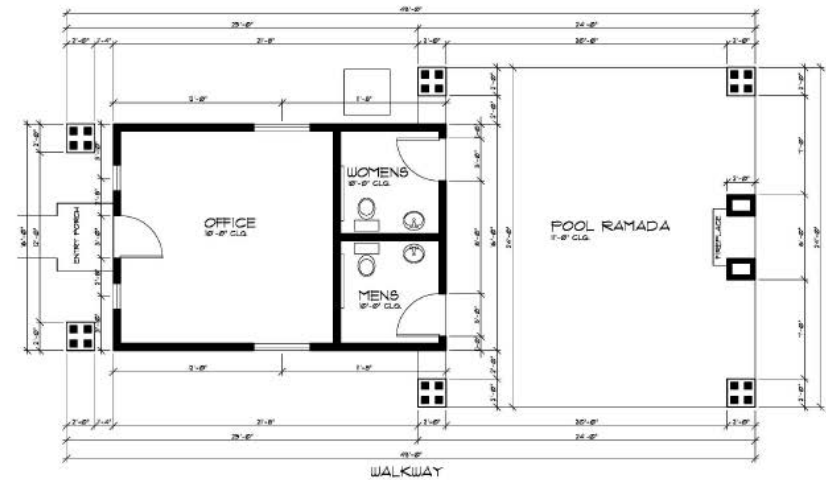
FRONT



LEFT



RIGHT



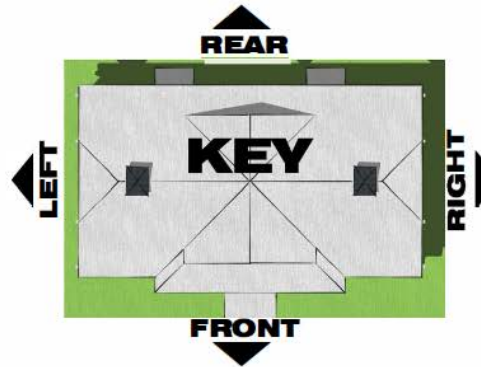
OFFICE / RAMADA
SCALE: 1/4" = 1'-0"



REAR



LEFT



RIGHT



FRONT

- METAL ROOF
- ARCHITECTURAL GRADE CONCRETE SHINGLES
- PRE-FAB CORNICES WITH ACCENT COLOR
- 2X4 CLUMP BRUSH
- PRE-FAB BUTTRESS AND METAL ROOF PAINTED WITH ACCENT COLOR
- SHALLOO (SHRUB) PLANTED AT WINDOWS
- STONE VENEER WITH 4" STUCCO CAP
- NOTE: MATERIALS TO MATCH ON SIDE AND REAR ELEVATIONS

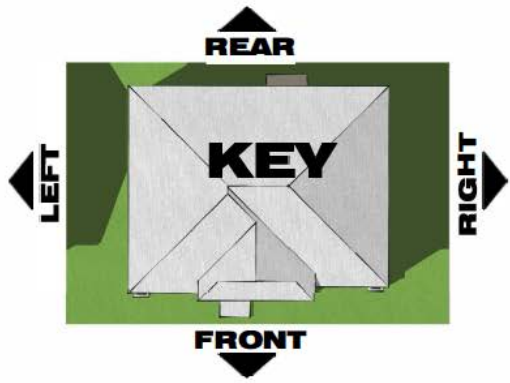
PLAN 1



REAR



LEFT



RIGHT



FRONT

PLAN 2

STRUCTURES

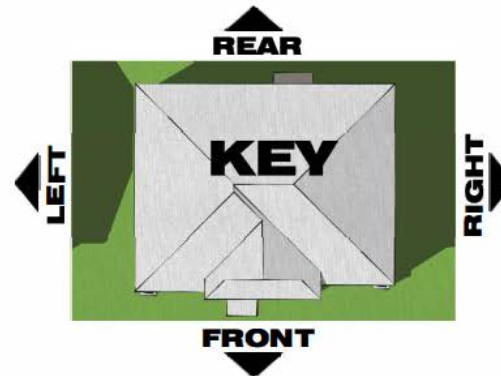


REAR



STONE VENEER UNDER WINDOW ADDED FOR ACCENT

LEFT



STONE VENEER RETURN WINDOW ADDED FOR ACCENT

STONE VENEER UNDER WINDOW ADDED FOR ACCENT

RIGHT

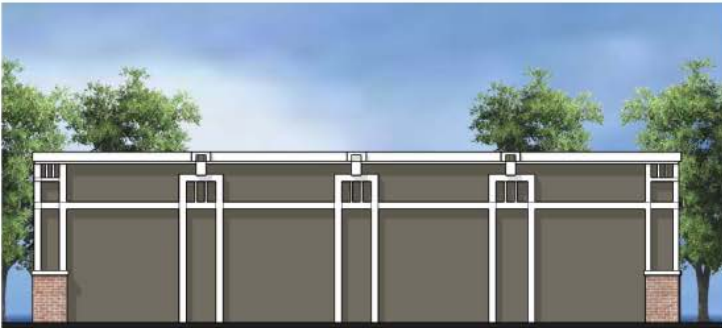


- 4X WOOD TRIMMED GABLE DETAIL
- PRE-FAB CORBELLS WITH ACCENT COLOR
- ARCHITECTURAL GRADE CONCRETE SHINGLES
- 4X WOOD COLUMNS W/ ACCENT COLOR
- 2X WOOD FASCIA
- PRE-FAB SHUTTERS PAINTED WITH ACCENT COLOR
- 2X WOOD BURROUND DETAILS AT WINDOWS
- STONE VENEER WITH 4" STUCCO CAP
- NOTE: MATERIALS TO MATCH ON SIDE AND REAR ELEVATIONS

FRONT

PLAN 3

STRUCTURES



REAR



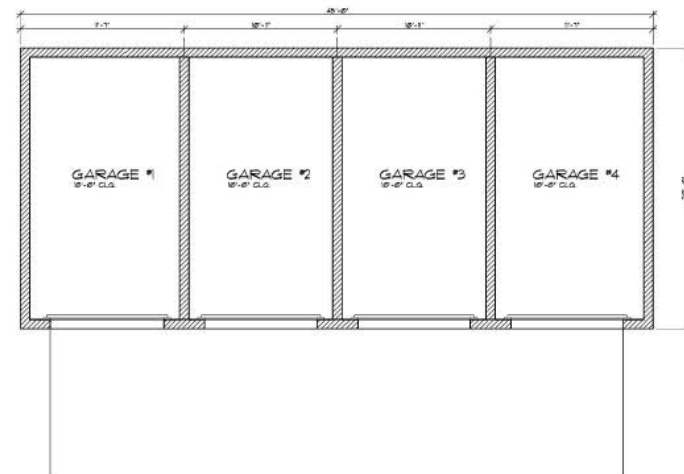
FRONT



LEFT



RIGHT



TYPICAL GARAGE UNIT

SCALE: 1/4" = 1'-0"

PARKING

Unit Type	Yield	Beds	Percentage of Units
1 Bedroom (634 sf)	40	40	32 Percent
2 Bedroom (990 sf)	58	116	45 Percent
3 Bedroom (1,314 sf)	30	90	23 Percent
	128	246	100 Percent

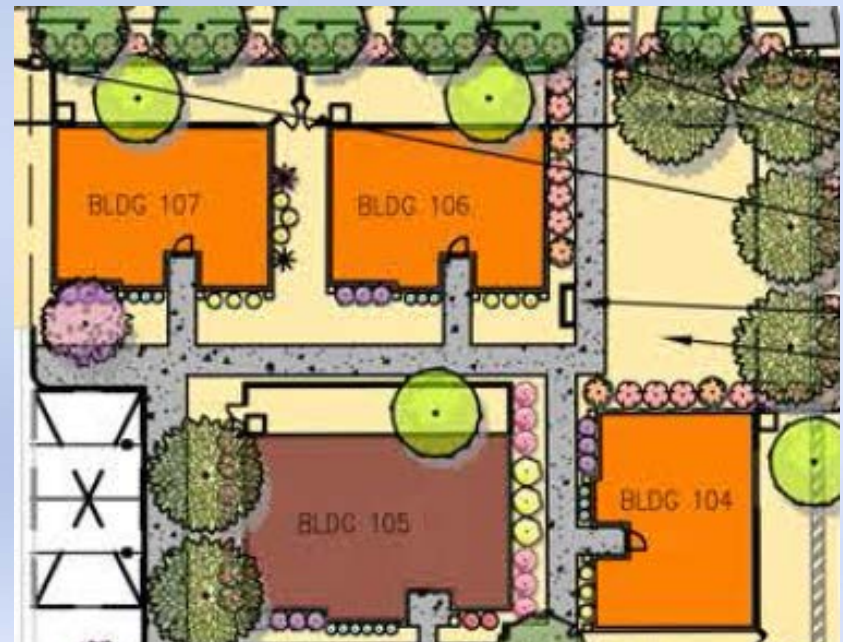
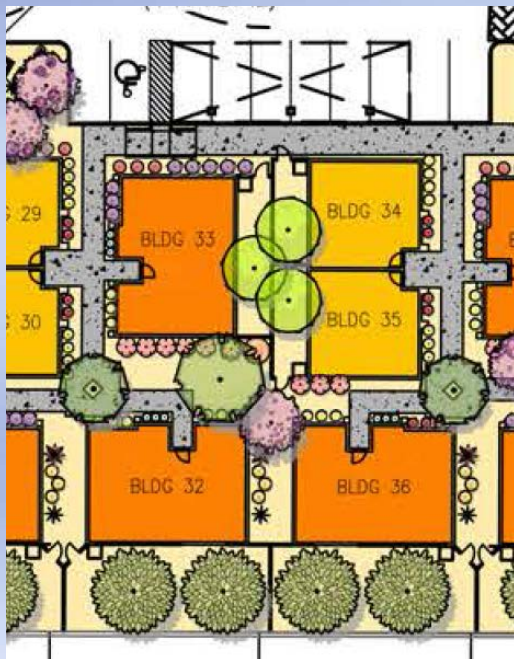
Common Amenity Area Comprises Approximately 0.68 Acre of Space

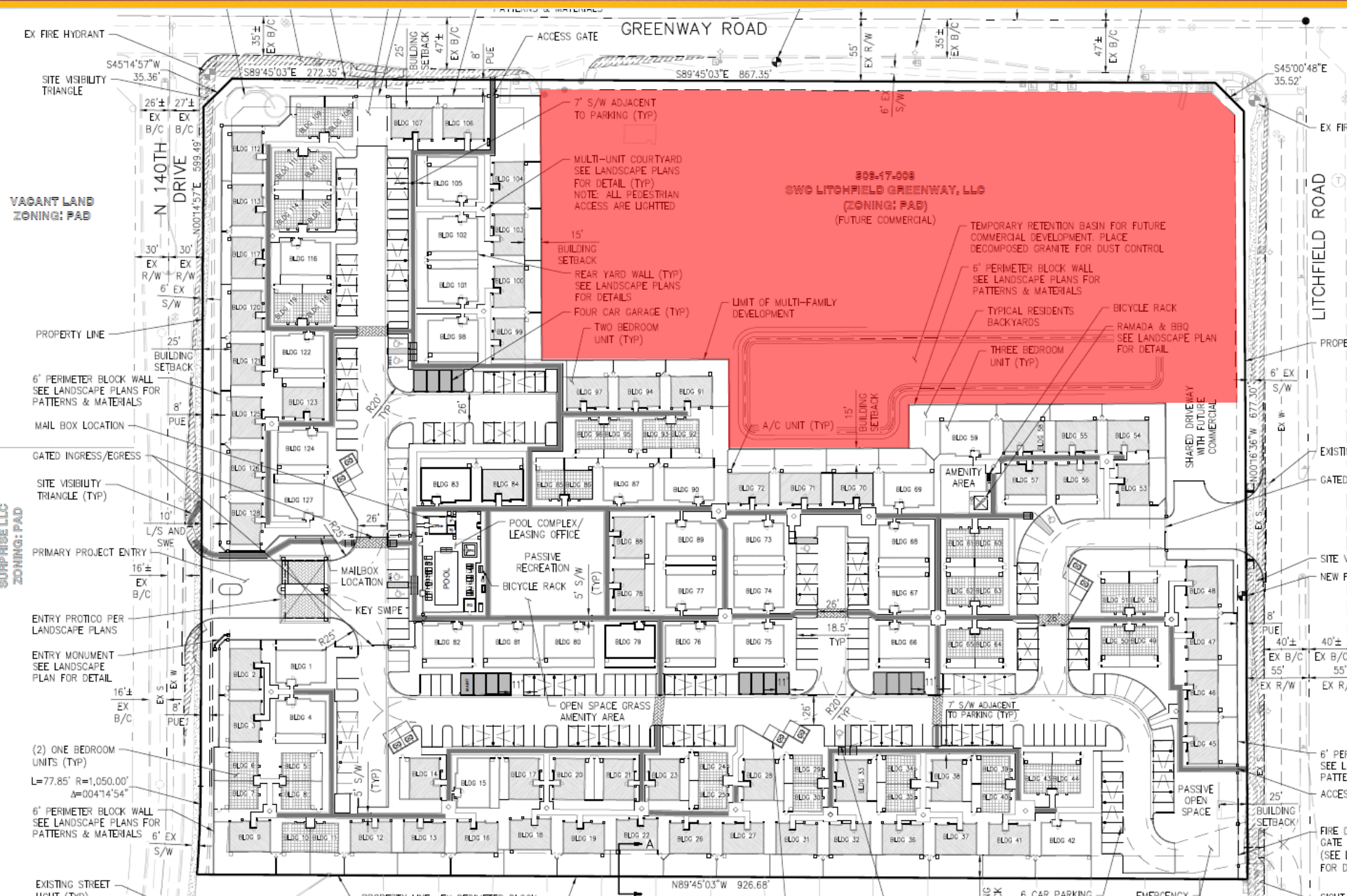
- Pool and Ramada - 4,207 sf
- Passive field - 14,026 sf
- Ramada and BBQ - 4,744 sf
- Pocket amenities - 6,750 sf



Open Space Walking Area Comprises Approximately 3.29 Acres

Individual Units Will Have a Private Gated Yard of Approximately 473 Square Feet





Concerns:

- Security
- Children Walking to School
- Only Renters
- Concerned How this would affect HOA
 - Dues
 - Facilities
- Lowering of Property Values

Questions or Comments?





CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	Lindsey Duncan, Finance Director
Submitting Department:	Finance Dept	District:	Citywide
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action pertaining to a fiscal year 2017 budget amendment reallocating appropriations from various funds for the fiscal year 2017 budget and adjusting budget authority; Resolution # 2016-102.

Motion:

I move to approve Resolution # 2016-102.

Background:

The adoption of the FY2017 budget occurred prior to the completion of FY2016. To ensure that the new fiscal year had enough budget authority for all potential expenditures, conservative FY2016 expenditure estimates were used and remaining balances for items such as grants and CIP projects were carried forward into FY2017 and included in the adopted budget. With FY2016 nearing completion, the remaining balances are reexamined and adjustments to the FY2017 budget are made as necessary. For example, if a project expended more than the estimated amount in FY2016, the FY2017 budget must be reduced to keep the total project budget equal to that approved by the Mayor and Council.

The action identifies three main categories of amendments for FY2017. The first category involves the change of budget authority that was carried forward from FY2016. The amendments are made due to actual expenditures varying from estimates for FY2016. The second category is budget adjustments for various operating items and to assign separate project numbers to various capital items for tracking purposes. The third category involves transfer of actual funds to support the reallocation of appropriations from the first two categories.

This action will update budget amounts to allow for improved management of the City's funds. As the audit of FY2016 financials is currently underway, further changes to FY2016 may impact FY2017 carry forward amounts and require future action by the Mayor and Council.

Objective Analysis:

Due to state laws regarding expenditure limits that are set by the adopted budget, it makes practical sense to use conservative expenditure estimates for the prior fiscal year with respect to grants and CIP

projects. This will normally result in a total budget, and the resulting expenditure limit, that may be a little larger than necessary, but provides some built in contingency for future items. It becomes important to continue to track the prior year activity and adjust the current year as needed. Without the adjustment, the current year budget no longer reflects the total grant or project budgets approved by the Mayor and Council or the actual financial position of the City.

Policy Compliant:

City Council approval is required for budget amendments across funds, CIP projects, and grants per the Budget Amendment Policies and Procedures.

Financial Impact:

There is no direct financial impact of this item. All amendments are adjustments to budget authority that will have no net financial impact across FY2016 and FY2017.

The adjustments includes the expenditure of \$50,000 for the City's contribution to the West Valley Veterans Success Center that was not included in the FY2017 adopted budget.

Budget Impact:

This action reallocates spending authority without an increase or decrease to the total budget for FY2017 and does not represent an actual transfer of funds. The action will also sweep in excess of \$8.6 million of budget authority into contingency. This authority cannot be spent without future action by the Mayor and Council. Each of the items is considered one-time in nature.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [FY 2017 Amendments Presentation](#)
 - ☐ [RESOLUTION](#)
-

Budget Amendments Fiscal Year 2017

City Council Meeting
August 16, 2016



Fiscal Year 2017

- Carry Forward Adjustments
- Other Adjustments
- Transfers
 - Grant contingency increase of \$8,623,600
 - Grant contingency is budget authority only
 - Backed by unforeseen revenue

- Carry Forward Adjustments (\$7,891,500)
 - Adjust authority based on FY2016 expenses
 - Capital Improvement Plan
 - Operating Items
 - Art Display Plan
 - Legal service

- Other Adjustments (\$732,100)
 - West Valley Veterans Success Center
 - Donations fund authority
 - Add project number for tracking
 - Intelligent Transportation System Strategic Plan
 - Vehicle replacement
 - Adjust grants for actual award

- Other Adjustments (cont.) (\$732,100)
 - Between departments
 - Enterprise Resource Planning
 - Utility Billing
 - Neighborhood Services
 - Remove offsetting budget amounts

- Transfers \$0
 - Reduce amounts from operating to capital
 - Highway User Revenue
 - Water
 - Wastewater
 - Sanitation
 - Result of reduction from carry forwards

Questions or Comments?



RESOLUTION # 2016-102

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2017 BUDGET BY REALLOCATING APPROPRIATIONS BETWEEN VARIOUS PROJECTS AND FUNDS FOR THE PURPOSE OF ADJUSTING BUDGET AUTHORITY.

WHEREAS, in preparing the FY2017 budget, there were specific budgeted items in various funds and departments with amounts dependent on FY2016 expenditure estimates;

WHEREAS, FY2016 expenditure activity has been largely completed with actual amounts varying from the estimates used when preparing the FY2017 budget;

WHEREAS, movement of authority between projects is necessary for tracking purposes;

WHEREAS, these amendments will allow the City to have current and updated budgetary amounts and help departments manage their project and line item expenditures;

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

WHEREAS, this action will necessitate a budget adjustment; and

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

NOW, THEREFORE, BE IT RESOLVED by the City 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 # 2016-102
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.

1. Carry Forwards – To adjust budget authority for items previously approved by Council that require adjustment from what was originally estimated during the FY2017 budget process due to expenditure activity in the prior fiscal year.

Fund / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
General Capital Projects Fund / Bell Rd Sidewalks E of Grand #P61020	\$ 158,800	\$ (95,000)	\$ 63,800
General Capital Projects Fund / Cactus Rd 175th to Cotton Ln #P61080	177,500	(91,700)	85,800
General Capital Projects Fund / City Entry Monuments #P61160	8,400	(7,600)	800
General Capital Projects Fund / Dove Valley Pkwy 203rd to 187th Av #P61030	90,200	(86,100)	4,100
General Capital Projects Fund / Elec Svc Upgr At Techcelerator #P61220	134,600	(100)	134,500
General Capital Projects Fund / Electrical Panel Split #P61250	165,900	(14,200)	151,700
General Capital Projects Fund / Enterprise Resource Planning System #P17010	1,333,700	68,600	1,402,300
General Capital Projects Fund / Greenway Rd Imp Litchfld-Bullard #P61010	1,500,500	(1,056,600)	443,900
General Capital Projects Fund / Jerry St and Rimrock Drainage #P61240	340,000	(111,900)	228,100
General Capital Projects Fund / Jomax 147 To 132 Pave Dirt Rd #P61130	163,400	(2,500)	160,900
General Capital Projects Fund / Medians at Waddell W Litchfld #P61230	11,400	(2,900)	8,500
General Capital Projects Fund / Reems Fiber Opt Waddell Peoria #P61260	96,200	25,800	122,000
General Capital Projects Fund / RWC Radio Replacement #P31010	330,000	(308,300)	21,700
Highway User Revenue Capital / Median and ROW Landscaping #P61150	525,700	(349,100)	176,600
Highway User Revenue Capital / Vehicle and Equipment Replacement #A61070	27,900	(27,900)	0
Highway User Revenue Capital / Sidewalk Gaps #P61170	41,900	(39,300)	2,600

(Continued)			
Fund / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
Park/Rec Dev Fee 2012 Law / Veramonte Park #P54030	15,900	(9,800)	6,100
Public Works Dev Fee / Reems Fiber Opt Waddell Peoria #P61260	147,400	(31,100)	116,300
Public Works Dev Fee / Vehicles (PW DIF) #P61340	275,400	(248,400)	27,000
Sewer Operations / Wastewater Financial Support / Supplies	31,700	99,400	131,100
Sewer Utility Capital / Vehicle and Equipment Replacement #A61070	593,100	(43,400)	549,700
Sewer Utility Capital / Enterprise Resource Planning System #P17010	123,400	(89,800)	33,600
Sewer Utility Capital / Greenway Rd Imp Litchfld-Bullard #P61010	1,098,900	(364,000)	734,900
Sewer Utility Capital / Greewnwy Rd Lift Station Rehab #P71140	280,700	(4,300)	276,400
Sewer Utility Capital / Litchfld E Sd Cactus Desert Cv #P61200	435,200	(313,300)	121,900
Sewer Utility Capital / Solar Biosolids Dryer #P71110	356,800	(700)	356,100
Sewer Utility Capital / SPA1 Conf Training Center #P71200	2,570,900	(989,900)	1,581,000
Sewer Utility Capital / SPA1 WRF N Entr Gate Wall #P71100	57,200	(14,200)	43,000
Solid Waste Capital / Vehicle and Equipment Replacement #A61070	3,488,200	(9,900)	3,478,300
Solid Waste Capital / Enterprise Resource Planning System #P17010	192,700	(91,300)	101,400
SPD RICO / Asset Repl-Police #A31010	275,600	(269,200)	6,400
Stadium Gov Construction 2015 / Clubhouse Improvements #P54060	1,721,800	(1,525,800)	196,000
Tourism / Clubhouse Improvements #P54060	16,300	(9,500)	6,800
Transportation Improvement / Bullard Ave Greenway Rd to Peoria #P61320	220,000	(10,800)	209,200
Transportation Improvement / Cactus Rd 175th to Cotton Ln #P61080	291,100	(157,000)	134,100
Transportation Improvement / Jomax 147 To 132 Pave Dirt Rd #P61130	153,600	(2,500)	151,100
Transportation Improvement / Medians at Waddell W Litchfld #P61230	40,800	(2,000)	38,800
Transportation Improvement / Peoria (Sarival to Reems) #P61070	823,900	(100)	823,800
Vehicle Replacement / Vehicle and Equipment Replacement #A61070	4,962,100	(769,700)	4,192,400
Vehicle Replacement / Pumper 4029 Replacement #A34040	0	(7,900)	(7,900)

(Continued)			
Fund / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
Vehicle Replacement / LT 4026 Replacement #A34030	0	53,200	53,200
Water Operations / Customer Service - Capital Vehicles	0	165,000	165,000
Water Operations / Customer Service - Supplies	87,700	31,400	119,100
Water Utility Capital / Enterprise Resource Planning System #P17010	146,700	(68,600)	78,100
Water Utility Capital / Vehicle and Equipment Replacement #A61070	254,400	(130,700)	123,700
Water Utility Capital / Booster Station Bell Rd Lake #P61090	295,700	(5,400)	290,300
Water Utility Capital / Hydraulic Protection #P71180	109,600	(84,000)	25,600
Water Utility Capital / Site and Security Improvements #P71030	195,100	(19,400)	175,700
Water Utility Capital / SPA1 Conf Training Center #P71200	2,259,300	(474,900)	1,784,400
Wtr Res SPA 1 Dev Fee / SPA1 Effluent Strg Reser Covers #P71070	754,500	(418,000)	336,500
General Fund / City Manager / Arts and Cultural	64,700	32,700	97,400
General Capital Fund / City Attorney / Civil	457,400	(8,800)	448,600
Grants Fund / Contingency	12,497,200	7,891,500	20,388,700
	\$ 40,401,100	\$ 0	\$ 40,401,100

2. Other Adjustments

- A. General Fund – The City has a partnership with the Maricopa Community Colleges Foundation to fund initial start-up and operations of a West Valley Veterans Success Center. As previously presented by the City Manager, the FY2017 budget was intended to include funding for the City contribution to this project, but the adopted budget did not include this amount. This action will utilize unreserved fund balance. Per the City's financial policies, all use of contingency must be approved by Council.

Fund / Department / Program	Current Appropriation	Increase (Decrease)	Amended Appropriation
General Fund / City Manager / Intergovernmental Relations	\$ 497,200	\$ 50,000	\$ 547,200
General Fund / General Operations / Contingency	675,300	(50,000)	625,300
	\$ 1,172,500	\$ 0	\$ 1,172,500

- B. Donations Fund - To adjust budget authority in order to incur expenditures for donations being received in FY2017. Per the City's financial policies, all use of contingency must be approved by Council.

Fund / Department	Current Appropriation	Increase (Decrease)	Amended Appropriation
Expenditures			
Donations Fund / City Manager	\$ 0	\$ 5,000	\$ 5,000
Donations Fund / Contingency	362,000	(5,000)	357,000
	<u>\$ 362,000</u>	<u>\$ 0</u>	<u>\$ 362,000</u>
Revenues			
Donations Fund / City Manager	\$ 0	\$ 5,000	\$ 5,000
Grants / Other Revenue	12,497,200	(5,000)	12,492,200
	<u>\$ 12,497,200</u>	<u>\$ 0</u>	<u>\$ 12,497,200</u>

- C. Highway User Revenue Fund (HURF) – The City entered into an IGA with the Arizona Department of Transportation (ADOT) for an Intelligent Transportation System (ITS) Strategic Plan in June 2016. The City match requirement of \$8,500 is included in the FY2017 adopted budget under HURF, Traffic Engineering Operations. The City will be tracking the ITS Strategic Plan for grant related purposes. This action will allow the City to establish a project for the ITS Strategic Plan and reallocate appropriations from operating to capital.

Fund / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
Highway User Revenue Fund / Traffic Engineering	\$ 777,300	\$ (8,500)	\$ 768,800
Highway User Revenue Capital Fund / ITS Strategic Plan #P61370	0	8,500	8,500
	<u>\$ 777,300</u>	<u>\$ 0</u>	<u>\$ 777,300</u>

- D. Vehicle Replacement Fund – The City will be tracking the purchase of various vehicles for FY2017 that may potentially cross into the following fiscal year. Per the City's financial policies, projects within the capital project funds need to have sufficient budget authority.

Vehicle Replacement Fund Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
Pumper 4029 Replacement #A61040 (Fleet)	\$ 477,100	\$ (477,100)	\$ 0
Pumper 4029 Replacement #A34040 (Fire)	0	477,100	477,100
F550 Truck 2492 Replacement #A34050	0	180,000	180,000

(Continued)

Vehicle Replacement Fund Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
I740 4379 Replacement #A34060	0	600,000	600,000
Eone HUSH 3272 Replacement #A34070	0	750,000	750,000
Vehicle and Equip Replacement #A61070	4,962,100	(1,530,000)	3,432,100
	\$ 5,439,200	\$ 0	\$ 5,439,200

E. Grants and Contingency Fund - To adjust budget authority for grants that were previously approved during the budget process that require adjustments due to change in the amount of various awards.

Fund / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
Expenditures			
Neighborhood Revitalization / CDBG-Services	\$ 1,448,500	\$ (551,400)	\$ 897,100
Neighborhood Revitalization / HOME-Services	725,800	(247,700)	478,100
Grants / Suppl DEA OT Reimb #G31170	0	9,500	9,500
Grants / DEA – Tactical Diversion #G31030	0	2,500	2,500
Grants / Contingency	12,497,200	787,100	13,284,300
	\$ 14,671,500	\$ 0	\$ 14,671,500
Revenue			
Neighborhood Revitalization / CDBG-Grant Revenues	\$ 1,448,500	\$ (551,400)	\$ 897,100
Neighborhood Revitalization / HOME- Grant Revenues	725,800	(247,700)	478,100
Grants / Suppl DEA OT Reimb #G31170	0	9,500	9,500
Grants / DEA – Tactical Diversion #G31030	0	2,500	2,500
Grants / Other Revenue	12,497,200	787,100	13,284,300
	\$ 14,671,500	\$ 0	\$ 14,671,500

F. Personnel Adjustments – To adjust budget authority between various departments to properly account for personnel expenditures.

Personnel Fund / Dept / Program or Project	Current Appropriation	Increase (Decrease)	Amended Appropriation
General Capital Projects Fund / IT / Enterprise Resource Planning System #P17010	\$ 332,600	\$ (135,000)	\$ 197,600
General Capital Projects Fund / Finance / Enterprise Resource Planning System #P17010	0	117,600	117,600
General Capital Projects Fund / Human Resources / Enterprise Resource Planning System #P17010	0	17,400	17,400
Water Operations / WRM / Customer Service	431,600	(129,200)	302,400
Water Operations / Finance / Utility Billing	282,100	129,200	411,300
Sewer Operations / Finance / Wastewater Financial Support	802,200	(115,600)	686,600
Sewer Operations / IT / Application Services Admin	0	115,600	115,600
	\$ 1,848,500	\$ 0	\$ 1,848,500

G. Neighborhood Services Operations Program – To remove two offsetting amounts that were included as a part of the FY2017 budget. The personnel costs are included in the individual grants as appropriate, so there is no change in the number of positions.

Fund / Program	Current Appropriation	Increase (Decrease)	Amended Appropriation
Neighborhood Revitalization / Personnel	\$ 110,000	\$ (110,000)	\$ 0
Neighborhood Revitalization / Services	(110,000)	110,000	0
	\$ 0	\$ 0	\$ 0

3. Transfers – With the implementation of a new financial system, new HURF, Water, Sewer, and Solid Waste funds were created for capital projects. The FY2017 adopted budget includes transfers from the HURF, Water, Sewer, and Solid Waste operating funds to the newly created capital funds in order to fund capital projects. The carry forward adjustments presented in this exhibit affect the total amount of actual funds needed in the capital funds. Therefore, a reallocation of actual funds is necessary to support the reallocation of appropriations.

Fund / Category	Current Appropriation	Increase (Decrease)	Amended Appropriation
Highway User Revenue Fund / Transfer out	\$ 2,455,700	\$ (407,800)	\$ 2,047,900
Highway User Revenue Capital Fund / Transfer In	(2,455,700)	407,800	(2,047,900)
Water Operations / Transfer out	8,924,200	(783,000)	8,141,200
Water Utility Capital / Transfer In	(5,894,100)	783,000	(5,111,100)
Sewer Operations / Transfer out	17,318,100	(1,819,600)	15,498,500
Sewer Utility Capital / Transfer In	(10,686,700)	1,819,600	(8,867,100)
Solid Waste Operations / Transfer out	6,353,300	(101,200)	6,252,100
Solid Waste Capital / Transfer In	(3,696,300)	101,200	(3,595,100)
	\$ 12,318,500	\$ 0	\$ 12,318,500



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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Council Meeting Date:	August 16, 2016	Contact Person:	Nicole Lance, Deputy City Manager
Submitting Department:	City Mgr	District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action pertaining to support of the League of Arizona Cities and Towns 2017 Legislative Resolutions.

Motion:

I move to support the 2017 League Resolutions consistent with the attached summary chart.

Background:

Annually, the League of Arizona Cities and Towns drafts legislative policy resolutions for adoption by all 91 cities and towns at the annual League Conference. These resolutions come from ideas submitted by the municipalities or from issues that have arisen during the preceding year. The intent of this agenda item is to establish Council direction for voting on the Resolutions at the upcoming meeting.

For reference and detail on the individual resolutions, the Resolutions packet prepared by the League has been attached to this item as well as a summary chart with notes from staff regarding the resolutions being put forward by the League. Regarding the staff notes, items are annotated with either "Strong Support, Support, Neutral/Support, or Neutral". It is intended that this provide context for the Council's consideration not only as it relates to the adoption of these Resolutions but for ongoing activity related to these issues if they proceed.

Items marked Strong Support are items that either Surprise has submitted for consideration or that are key components of our legislative agenda and should be actively supported as such throughout the year.

Items marked Support are items that generally relate to our legislative agenda and/or standard municipal operations and should be supported as opportunities arise.

Items marked Neutral/Support are items that could be supported in theory but the level to which ongoing engagement and support is provided will need to be determined based on the receptivity to the concepts by the Legislature.

Items marked Neutral are items which will require ongoing monitoring based on the receptivity of the

Legislature and mechanics of details worked out regarding any potential legislation that arises.

Objective Analysis:

Surprise successfully submitted two legislative proposals this year, receiving full support of the relevant policy committees for both proposals. Pending Council conversation, the remainder of the League Resolutions (even the item noted as "Neutral") can all be supported at the League Conference without adverse impact to Surprise. However, ongoing engagement will be driven by the evolution of the conversations surrounding each Resolution.

Policy Compliant:

Submittal of Resolution proposals was completed in compliance with existing operating protocols and in conjunction with the currently adopted City of Surprise State Legislative Agenda.

Financial Impact:

There is no fiscal impact directly related to this item. Future fiscal impacts may be determined based on eventual outcomes of any legislation that is implemented.

Budget Impact:

There is no budget impact directly related to this item. Future budget impacts may be determined based on eventual outcomes of any legislation that is implemented.

FTE Impact:

There is no FTE impact from this item.

ATTACHMENTS:

Click to download

- ☐ [Resolutions Packet](#)
 - ☐ [Resolutions Summary Chart](#)
 - ☐ [Resolutions Presentation](#)
-

July 8, 2016

Dear Mayor:

It is my privilege to appoint you to the 2016 Resolutions Committee of the League of Arizona Cities and Towns. Jonathan Rothschild, Mayor of Tucson and a member of the League's Executive Committee, has agreed to serve as Chairman.

The Committee is responsible for recommending items for inclusion in the League's legislative program based upon a review of the Resolutions submitted by Arizona's cities and towns. The adopted Resolutions are outlined in the annual Municipal Policy Statement which serves as the principal guide for the League's legislative program for the upcoming session.

The Chairs of the five League Policy Committees will present the Resolutions discussed in their respective committees to the Resolutions Committee at the Annual Conference.

Included in this packet you will find the:

- Resolutions Committee Calendar
- Resolutions Committee Procedures
- Policy Committee Reports and Resolutions

The Resolutions Committee will meet on Tuesday, August 23, 2016 at 1:30 p.m. as the first item of business at the League Annual Conference at the Fairmont Princess Resort in Scottsdale. Lunch will be provided before the meeting. The actions of the full Resolutions Committee will be formally adopted at the League's Annual Business Meeting on **Thursday August 25, 2016** at 4:00 p.m.

Please officially accept your appointment or designate a council representative to serve your city/town on the 2016 Resolutions Committee, by clicking here www.leagueaz.org/resolutions.

We look forward to having all 91 cities and towns participate on the Resolutions Committee. If you have any questions or comments regarding the Resolutions Committee, your appointment or the resolution submittal process, please do not hesitate to contact the League office.

Sincerely,

A handwritten signature in black ink that reads "Mark W. Mitchell".

Mayor Mark Mitchell, Tempe

League President

Enclosures

cc (via email): Managers, Clerks without Managers, Intergovs, Intergovs 2

2016 Resolutions Committee Calendar

- April:** Mayor Rothschild appointed as 2016 Resolutions Chairman.
- April-June** Policy Committees meet.
- July 8:** League to send out resolutions packets to membership.
- August 23:** Resolutions Committee meeting at the Annual Conference in Tucson.
- August 25:** Resolutions ratified at the Annual Business Meeting.

LEAGUE OF ARIZONA CITIES AND TOWNS RESOLUTIONS COMMITTEE PROCEDURES

1. Resolutions Committee Appointment

The President shall appoint the Chairman and members of the Resolutions Committee. Only one elected official from each city or town shall be appointed to the Committee.

2. Duties

The Resolutions Committee shall adopt statements of policy amending the annual Municipal Policy Statement, special resolutions and such other resolutions of courtesy, commendation or appreciation as the Committee deems appropriate.

3. Submission of Resolutions

A. All resolutions, including resolutions of courtesy, commendation or appreciation, may be considered by the Committee provided such resolutions are submitted to the Chairman of the Committee or to the League office for consideration by the Policy Committees. The resolutions process allows cities and towns to submit policy ideas to the League at any time during the year without the requirement of a co-sponsoring city or town. If approved by a policy committee, League staff will draft the resolution for presentation to the full Resolutions Committee. Sponsoring cities and towns, or other interested stakeholders may be consulted to provide more information on the idea and also may be invited to speak to the issue at one of the policy committee meetings. Submissions received after June 1 may not be processed in time for the Annual Conference.

B. Except in the case of emergency as determined by the chair of the committee, no resolutions submitted after the deadline specified in subsection A of this section or that have not been vetted by the Policy Committees may be considered.

4. Resolutions Committee Process

A. The President shall assign submissions to the relevant Policy Committee. The Policy Committees will review submissions and develop pertinent resolutions for consideration by the Resolutions Committee. Only resolutions advanced by the Policy Committees shall be discussed at the Annual Conference Resolutions Committee.

B. Resolutions shall be amended according to the process established by the Chairman of the Committee.

C. The completed resolutions will go to the full Resolutions Committee at the Annual

Conference for consideration. The chairs of each policy committee will be responsible for presenting the resolutions and their committee activities to the full Resolutions Committee. Notice shall be given to each member at least four weeks in advance of the meeting.

5. Final Report

After the Resolutions Committee meeting, the Chairman of the Committee or a designee shall report to the entire league membership at the Annual Business Meeting those resolutions adopted by the Committee. Resolutions adopted by the Committee shall be formally adopted by the membership at the Annual Business Meeting and become the basis for the annual Municipal Policy Statement.

The following policy committee reports and resolutions are arranged in alphabetical order. The recommended resolutions are categorized by their respective committee initials and numbered according to the order in which they were approved.

Budget, Finance and Economic Development – BFED

General Administration, Human Resources and Elections – GAHRE

Neighborhoods, Sustainability and Quality of Life – NSQL

Public Safety, Military Affairs and the Courts – PSMAC

Transportation, Infrastructure and Public Works – TIPW

Chair's Report of the Budget, Finance and Economic Development Policy Committee

Mayor Kenny Evans, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 23, 2016

On June 27, 2016, the Budget, Finance and Economic Development Policy Committee (BFED) convened to discuss nine policy issues submitted by cities and towns, as well as by League staff, for consideration by the committee. Below is a summary of each of the policy issues considered by BFED:

1. Seek legislation to allow cities and towns to invest in infrastructure and other improvements in a designated area and pay for the investments via the increased tax revenue generated by the new development. – **Surprise**
2. Develop a coalition to assist with the passage of legislation that will allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis. – **Flagstaff**
3. Protect existing funding to cities and towns which support the quality of life for its residents. – **Flagstaff**
4. Protect local authority to bring revenue to cities and towns. – **Flagstaff**
5. Increase shared revenue to small towns in Arizona. – **Mammoth**
6. Provide an option to cities and towns to allow voters to replace and increase their existing primary property tax with a new tax levy to be used to fund operation and maintenance of police, fire and medical emergency services. – **Prescott**
7. Explore methods to finance the operation and maintenance of retention and detention basins including amending A.R.S. § 48-574 to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality. – **Yuma**
8. Explore options for accelerating the payoff of PSPRS debt. – **Globe**
9. Develop legislation for introduction next session that addresses the perceived problems with our construction sales tax system in order to create a long-term, sustainable policy that maintains state and municipal revenues, ensures revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance. – **League**

Below is a summary of the committee discussion and the recommendations:

The City of Surprise submitted **Policy Issue 1**. They are seeking a new economic development tool that would be available to cities and towns to help fund infrastructure. The proposed concept is designed to be a financing mechanism that reimburses eligible projects costs using the incremental gains in property tax attributed to project activity.

The Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 1 on the Resolutions Summary Chart.)

The City of Flagstaff presented **Policy Issue 2**. Stephanie Smith, Assistant to the City Manager, explained the issue. This proposal is requesting that the League assist in developing a coalition to work on passage of legislation that would allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis.

This legislation has been attempted in the past and has been unsuccessful because of the legislature's reluctance to create additional special districts. However, this year, other groups have shown an interest in this concept. This year's focus would be on developing a coalition with these other interest groups in an effort to pass legislation authorizing these districts.

The BFED Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 2 on the Resolutions Summary Chart.)

The City of Flagstaff also proposed **Policy Issues 3 and 4**. Stephanie Smith explained that her Council had concerns about the Legislature's attempts to reduce funding to cities and towns and to limit municipal authority regarding revenue sources and that they wanted to reiterate their support for local control over these issues.

The Committee discussed these policy submittals. However, since the protection of shared revenues and the preservation of local control are part of the League's core principles, the members decided it was not necessary to move these forward as individual resolutions.

Mayor Don Jones, on behalf of the Town of Mammoth, presented **Policy Issue 5**. This proposal would increase the amount of shared revenue that is allocated to small cities. Mayor Jones shared his concerns that the small and historic communities in Arizona could not continue to exist without additional revenue sources.

Members of the Committee discussed this issue and shared their concerns about opening up the revenue sharing formula. It was decided that this proposal would not be advanced as a resolution but that the League staff would put together a group to look at other options for increasing revenues or decreasing costs for these communities. The League will convene a group to further study this issue.

The City of Prescott submitted **Policy Issue 6** regarding a dedicated public safety property tax. Alison Zelms, Deputy City Manager, explained that they are looking for options for how to pay down their pension obligation debt faster.

League staff noted that the General Administration, Human Resources and Election Policy Committee (GAHRE) had also discussed a proposal about the cost of public safety pensions. After discussion by the Committee, it was decided that all of these policy issue submittals would be combined into one resolution that provides the League staff with the flexibility to look at a number of options for addressing this concern. The Committee voted to move this forward as a resolution. (Now: GAHRE Resolution #5 on the GAHRE Resolutions Summary Chart.)

Dan White, Assistant City Attorney, City of Yuma, presented **Policy Issue 7**. He explained that cities are not currently allowed to pay for the maintenance and operation of retention and detention basins out of the proceeds of improvement districts. However, the maintenance and operation of other similar amenities such as pedestrian malls, off-street parking facilities and parkways can be paid for through improvement district assessments. This proposal seeks to have retention and detention basins added to the list of eligible expenses.

The Committee voted to move this forward as a resolution. (Now: BFED Resolution 3 on the Resolutions Summary Chart.)

The City of Globe submitted **Policy Issue 8**. Paul Jepson, City Manager, explained that they were seeking authority to issue pension obligation bonds as a mechanism to save on the costs of retiring their pension obligation debt.

League staff again noted that the General Administration, Human Resources and Election Policy Committee (GAHRE) had also discussed a proposal regarding the cost of public safety pensions. The Committee decided that this issue would also be combined with the other policy issue submittals on this subject. The Committee voted to move this forward as a resolution. (Now: GAHRE Resolution #5 on the Resolutions Summary Chart.)

League staff submitted **Policy Issue 9**. This proposal seeks to develop legislation addressing changes to construction sales tax. Staff explained that there is momentum building at the Legislature to move from our current construction sales tax system to a tax on materials only at the point of purchase. This would result in a significant reduction in the revenues the state and municipalities collect from this activity.

The League has put together a task force to review this issue and to develop the information necessary to make informed decisions about the impact of any changes to construction sales tax. This information will help us be proactive in guiding the development of legislation rather than simply reacting to what is introduced. The Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 4 on the Resolutions Summary Chart.)

The table below summarizes the BFED Committee's actions:

Policy Issue	Disposition by Committee
1	Resolution BFED 1
2	Resolution BFED 2
3	League Core Principle

4	League Core Principle
5	League Study Committee
6	Resolution GAHRE 5
7	Resolution BFED 3
8	Resolution GAHRE 5
9	Resolution BFED 4

Kenny Evans
Mayor of Payson
Chair, Budget, Finance and Economic Development Policy Committee

League of Arizona Cities & Towns Resolution

Text of Resolution: Seek legislation to allow cities and towns to invest in infrastructure and other improvements in a designated area, and pay for the investments via the increased property tax revenue generated by the new development.

A. Purpose and Effect of Resolution

Economic Development Reimbursement Authority (EDRA) is a mechanism that allows cities and towns to stimulate new development that may not otherwise take place by reimbursing developers for eligible costs within the authority's boundaries. The reimbursements are funded with the incremental difference between property tax collections before the project and after the project. This new tool can attract business and jobs to a community and can also be used to assist in business expansion for existing enterprise. It is also a carefully crafted tool to ensure taxpayers and taxing jurisdictions are protected from private risk. Reimbursement is only authorized if certain conditions are met and an oversight committee made up of city, county, and school district representatives approves the costs.

B. Relevance to Municipal Policy

Promoting economic development and job creation is important to every city in the state of Arizona. Economic Development Reimbursement Authority would give municipalities another option for supporting these projects. For those proposals or projects that are pending financing, this legislation could serve as a catalyst for economic development. For municipalities that choose not to use this tool, this legislation would have no impact.

C. Fiscal Impact to Cities and Towns

The legislation calls for EDRA's to capture NEW property tax revenue that is generated as a result of a project being built and to use only that revenue for reimbursement of approved development related needs. Once the EDRA expires all of the property tax revenue will be distributed as usual. An EDRA cannot be formed without the agreement and support of the county and school districts. Municipal taxpayers located outside the district would also be held harmless.

D. Fiscal Impact to the State

No state funds would be involved in the funding of an EDRA because the legislation pertains only to property tax. However, the state would receive increased income tax collections from the new employees that work within the district in addition to increased corporate income tax receipts from the companies that move into the district.

E. Contact Information:

Sponsoring City or Town: City of Surprise

Name: Nicole Lance, Deputy City Manager

Phone: (623) 222-1030 Email: nicole.lance@surpriseaz.gov

League Staff: Patrice Kraus

League of Arizona Cities & Towns Resolution

Text of Resolution: Develop a coalition to assist with the passage of legislation that will allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis.

A. Purpose and Effect of Resolution

A renewable energy and conservation financing district authorizes local governments to facilitate the financing for related improvements for commercial property owners. Participation in the program should be voluntary, so property owners can opt-in to use the mechanism to finance their own energy efficiency improvements, renewable energy installation, and water conservation improvements. Such programs can deliver benefits beyond energy independence, including new economic development opportunities, increase property value, provide protection from increasing energy costs, and enhance community awareness.

Numerous communities across the nation already have energy efficiency, water conservation, and renewable energy financing programs. At least 30 states have passed enabling legislation allowing local government to establish similar financing districts. They also define energy efficiency, water conservation, and renewable energy as a public benefit, and grant local government the authority to issue bonds.

B. Relevance to Municipal Policy

State law (A.R.S. 9-461.05) requires local governments over a certain size to adopt energy efficiency elements in their general plan. This resolution supports municipalities that choose to promote energy efficiency, renewable energy and water conservation practices within their communities. Many Arizona communities are working to improve the efficiency of existing building stock in the residential and commercial sectors to promote sustainability and help protect community members from rising energy costs.

C. Fiscal Impact to Cities and Towns

With enabling legislation, local governments could voluntarily elect to establish an energy-efficiency, renewable energy and water conservation financing program and participation in the program would be completely voluntary for interested property owners. There would be no fiscal impact on the city or town.

D. Fiscal Impact to the State

There are no fiscal impacts to the State. Energy district authority would allow for opt-in energy efficiency and renewable energy financing programs at the fiscal responsibility of the property owner.

E. Contact Information:

Sponsoring City or Town: City of Flagstaff

Name: Stephanie Smith, Assistant to the City Manager

Phone: (928) 213-2078 Email: ssmith@flagstaffaz.gov

League Staff: Patrice Kraus

League of Arizona Cities & Towns Resolution

Text of Resolution: Amend A.R.S. § 48-574 to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality.

A. Purpose and Effect of Resolution

Maintenance and operation of retention and detention basins has become an increasingly difficult and expensive proposition for cities and towns. This resolution would allow League staff to move forward with legislation that would help secure a funding mechanism in state law for such basins.

A.R.S. § 48-574 currently authorizes improvement districts for the operation, maintenance, repair and improvement of pedestrian malls, off-street parking facilities and parkways. The proposed statutory change makes retention and detention basins eligible for operation and maintenance cost payment through an improvement district.

Under current state law, improvement districts are not specifically authorized to maintain retention and detention basins. As a result, off-site retention, which benefits only a small, localized area, is often subsidized by landowners outside of the area receiving the benefit (and who may already bear the burden of on-site retention on their parcel). Alternatively, under current law, a municipality could require the formation of a homeowner's or neighborhood association to maintain basins. Permitting a developer the flexibility to form an improvement district would allocate such costs directly to and in proportion to the benefit without the requirement of a homeowner's or neighborhood association.

The proposed legislation would allow operation, maintenance, improvement and repair costs for retention and detention basins to be included in the tax levy as part of a property owner's tax bill in accordance with assessed value or assessment of each lot within the improvement district in proportion to the benefit to each lot. The district would not have the authority to issue improvement bonds or to engage in any activity other than operation, maintenance, repair and improvement of the retention and/or detention basin.

B. Relevance to Municipal Policy

Improvement districts are prevalent across the state. A uniform process that allows cities and towns to more fairly distribute the perpetual maintenance costs of retention and detention basins will provide long-term cumulative savings to municipalities, provide developers with an alternative to homeowner's or neighborhood associations, and facilitate ease of payment for homeowners.

C. Fiscal Impact to Cities and Towns

Cities and towns that approve retention and detention basin improvement districts would realize savings that could be spent for other improvements or services. A copy of the proposed amendment to the statute is attached.

D. Fiscal Impact to the State

There is no fiscal impact to the state.

E. Contact Information:

Sponsoring City or Town: City of Yuma

Name: Steve Moore: City Attorney

Phone: 928 373-5057 **Email:** steve.moore@yumaaz.gov

League Staff: Patrice Kraus

Proposed Statutory Amendment

A.R.S. § 48-574 Improvement districts for operation, maintenance, repair and improvement of pedestrian malls, off-street parking facilities, retention and detention basins, parkings and parkways

A. In addition to the purposes for which an improvement district may be formed under the provisions of § 48-572, an improvement district may be formed for the sole purpose of the operation, maintenance, repair and improvements of pedestrian malls, off-street parking facilities, retention and detention basins, parkings and parkways.

League of Arizona Cities & Towns Resolution

Text of Resolution: Develop legislation for introduction next session that addresses the perceived problems with our construction sales tax system in order to create a long-term, sustainable policy that maintains state and municipal revenues, ensures revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.

A. Purpose and Effect of Resolution

In 2013 legislation was enacted that required state collection and administration of all transaction privilege taxes. As part of the negotiations on that bill, there was effort to move to taxing only materials at the point of sale rather collecting tax under our existing construction sales tax process. Although the effort was unsuccessful, subsequent changes were made to how repair services were taxed. These changes have created a great deal of confusion for some members of the construction industry and have led to a general lack of compliance in the remittance of taxes related to construction activity.

Based on the direction of the League's Executive Committee, a task force has been appointed to look at this issue and to develop the information necessary to make informed decisions about any changes to our construction sales tax process. The work of this task force would provide the basis of any reform efforts.

B. Relevance to Municipal Policy

Both municipalities and the state would lose significant revenues if we moved to a "materials only/point of sale" method of taxing construction activity. Since there is most likely going to be pressure from legislators and the industry to introduce legislation on this issue next session, it is in our best interest to develop the information that will be needed to help guide any policy changes.

C. Fiscal Impact to Cities and Towns

The current tax system is imposed on 65% of the contract value or the selling price of new construction at the city level. A shift to taxing materials only will reduce that percentage to an estimated 30%-40%, resulting in a general reduction in revenues. Some of this reduction may be offset by the higher State Revenue Sharing rate assigned to the Retail class. However, the amount offset will depend on whether these materials are purchased from vendors within the state versus out-of-state vendors. Out-of-state purchases are subject to Use Tax, but that is not currently part of the shared revenue pool. Additionally, since materials used in construction are currently exempt from taxation, some of the lost revenues to cities and towns may be offset by eliminating the misuse of this exemption. Another complicating factor is the redistribution of direct city tax revenues since the purchase of these materials will likely occur in the urban centers. A model compiled by the cities in 2013 estimated the net impact to city revenues at an overall reduction of roughly \$80 million.

D. Fiscal Impact to the State

State revenues would also be reduced by taxing materials only. Analysis done by the Joint

Legislative Budget Committee in 2013 estimated the loss to the State General Fund due to changes in the Contracting classification to be between \$65 and \$150 million.

E. Contact Information:

Sponsoring City or Town: League of Arizona Cities and Towns

League Staff: Patrice Kraus

Phone: 602-258-5786 **Email:** pkraus@azleague.org

Chair's Report of the General Administration, Human Resources and Elections Policy Committee

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 23, 2016
Mayor Lana Mook, El Mirage, Chair

The General Administration, Human Resources and Elections Policy Committee (GAHRE) met several times at the League of Arizona Cities and Towns Office from October 2015 to June 2016 to discuss eight policy issues that had been submitted by cities and towns for consideration. Those eight policy issues and the sponsoring cities are summarized below:

1. Set the requirements to achieve a valid legal protest relating to re-zoning as 20% of the area within the re-zoned area or 20% of the area of lots of property owners within 150 feet of the property to be re-zoned whether adjacent (sharing a border) or non-adjacent (e.g., across the street). – **Sedona**
2. Indirect discrimination against disabled workers' access to pension. ARS 38-849 intends to prevent pre-arranged reemployment following retirement. However it does not consider the Americans with Disabilities Act (ADA) which requires employers to offer an available, vacant position as an accommodation of last resort. Example: A police officer injured in the line of duty suffers permanent impairments and is awarded PSPRS accidental disability retirement. The employer identifies a vacant Police Property Custodian position, which is an equal or lesser paying position in which the employee meets minimum qualifications and can perform all essential functions. By accepting this position as an accommodation, the employee cannot draw their retirement for a period of one year. ARS 38-849.E states "the system (PSPRS) shall not make pension payments to the retired member during the period of reemployment." This statute arguably violates Title I and II of the ADA by penalizing members who accept a job reassignment, therefore discouraging them from participation in the ADA interactive process. - **Surprise**
3. The existence of county islands within Arizona cities is becoming a growing problem. County codes are designed to address rural areas, and state budget cuts to counties have been impacting enforcement. The result is deteriorating properties surrounded by incorporated cities/towns, and no ability to apply consistent enforcement from one street to the next. What's worse is that conditions are bleeding out into incorporated areas, causing increases in enforcement expenses and impacting crime and resident safety. In the Sierra Vista area, Assessor records show that a disproportionate number of properties in tax title are in unincorporated areas and others within just 1/4 mile of county islands. Annexation is the only solution, and long-term viability of these areas is at stake. – **Sierra Vista and Yuma**
4. There are some of our smallest towns that have lost population, do not have the ability to attract sufficient qualified staff, do not have a tax base to support city services and yet are

still required by law to follow all the legal requirements of our largest cities and towns. While the idea of dis-incorporating is distasteful and contrary to the League's interest in promoting cities and towns, there are some limited cases in which it may make financial and practical sense to actually dis-incorporate. – **League Staff**

5. To remain solvent, Arizona's public pension systems must accumulate sufficient assets during members' working years to pay all promised benefits when members retire. Employees and employers pay a substantial amount for each employee in each respective system. After a series of audits for the actuarial methods used by PSPRS to project system costs, the employer rate is increasing drastically, and stands to increase again in the future based on further adjustment and the outcome of pending litigation in the Hall and Parker cases. - **Prescott**
6. Uphold and restore the principle of local control. – **Flagstaff**
7. The cost to hold special recall and initiative elections is very expensive and we have experienced that this year. We recognize it is the citizens' right to have access to the democratic process through the use of petitions. But, we also recognize the need for a process which is consistent in its requirements and to provide the clarity necessary for those wishing to engage in the petition process by using specifics rather than generalities when challenging elected officials. – **Camp Verde**
8. Seek to clarify state sign laws in light of the Reed case and existing statutes regarding signage. This clarity does not need to be achieved through legislative means and could include requesting clarification from the Attorney General. – **Flagstaff**

Discussion on **Policy Issue 1** related to a rezoning case that occurred in the City of Sedona. The confusing, inconsistent language in current statute allowed one single property owner to set the protest of the rezoning in motion and the supermajority voting requirement associated with it. Councilmember Thompson of Sedona provided a map and a PowerPoint presentation that clearly illustrated the problem. After consultation with experienced attorneys, it was determined that mirroring the language that exists in state statute for county rezoning efforts would provide the clarity needed. Committee members voted to move **Policy Issue 1** forward as a Resolution (see Resolution GAHRE #1 on the Resolutions Summary Chart).

The City of Surprise provided background on **Policy Issue 2** that relates to PSPRS statute and the Americans with Disabilities Act. There is an inconsistency between the statute's intention to curb prearranged reemployment after retirement but unintentionally prohibiting the city from providing available ADA accommodations in specific situations such as when an officer suffers a permanent impairment and goes into PSPRS accidental disability retirement. Committee members voted to move **Policy Issue 2** forward as a Resolution (see Resolution GAHRE #2 on the Resolutions Summary Chart).

The Cities of Sierra Vista and Yuma provided background on **Policy Issue 3** and informed the members of the Committee about the ongoing public safety, health and welfare issues that are created by the county islands in their respective communities. Committee members discussed

that this was a sensitive issue with elected officials and decided to direct League staff to limit the scope of possible legislation to securing equitable participation for all property owners included in a proposed annexation of property in a county island. With that stipulation, Committee members voted to move **Policy Issue 3** forward as a Resolution (see Resolution GAHRE #3 on the Resolutions Summary Chart).

Discussion on **Policy Issue 4** related to discussions that the League has had with a few of our smallest communities. They have expressed concerns that declining populations and declining revenues are getting to the point of making them less viable as communities. In some very specific instances, it may make sense for them to dis-incorporate as communities and come under the administration of the county once again. ARS 9-102 already contains a process for disincorporation in general, and committee members discussed the need to make sure that such a change to the statute has strict parameters placed on it so that the scope is limited. Specifically, the intent is to make it easier for a town to dis-incorporate if it has small and declining population and insufficient budget. Committee members voted to move **Policy Issue 4** forward as a Resolution (see Resolution GAHRE #4 on the Resolutions Summary Chart).

Discussion on **Policy Issue 5** related to ideas on how to deal financially with the significant unfunded liability in the PSPRS system. The Committee received input from the City of Prescott and several other communities about the significant burden that the unfunded liability creates. The Committee was also made aware that similar policy issues had been sent to other policy committees for review. League staff suggested that they be combined into one resolution that would come from the GAHRE Committee. Committee members voted to move **Policy Issue 5** forward as a Resolution (see Resolution GAHRE #5 on the Resolutions Summary Chart).

The City of Flagstaff, through **Policy Issue 6**, provided a simple request to keep protection of local control at the forefront of the League’s legislative activities. Committee members determined that Issue 6 was included within the continuing “Guiding Principles” provided each year in the League’s Policy Statement. Committee members voted to move **Policy Issue 6** forward as a Guiding Principle in the League’s Policy Statement.

The Town of Camp Verde provided background on **Policy Issue 7** and informed the members of the Committee that some of the aspects of recall and initiative elections were costly to the city and unfair to elected officials. The discussion centered on the determination of petition signature sufficiency and the reason statement for recall. Committee members felt that this topic would benefit from more Committee discussion and research and will be taking the issue up again at its next quarterly meeting.

Discussion on **Policy Issue 8** related to signage ordinances and policies in cities and towns and how they have been affected by the recent decision in the *Reed* case. Cities and towns are struggling on how to deal with the *Reed* decision and how to revise their sign codes. As there is no clear cut path to resolving this issue, the Committee voted to work on **Policy Issue 8** with League staff, city and town attorneys and other interested parties.

The table below summarizes the GAHRE Committee’s actions:

Policy Issue	Disposition by Committee
Policy Issue 1	GAHRE #1

Policy Issue 2	GAHRE #2
Policy Issue 3	GAHRE #3
Policy Issue 4	GAHRE #4
Policy Issue 5	GAHRE #5
Policy Issue 6	Guiding Principle
Policy Issue 7	Continued Committee Work
Policy Issue 8	Continued Committee Work

Lana Mook
Mayor of El Mirage
Chair, General Administration, Human Resources and Elections Policy Committee

League of Arizona Cities & Towns Resolution

Text of Resolution: Set the requirements to achieve a valid legal protest relating to re-zoning as 20% of the area within the re-zoned area or 20% of the area of lots of property owners within 150 feet of the property to be re-zoned whether adjacent (sharing a border) or non-adjacent (e.g., across the street).

A. Purpose and Effect of Resolution.

Current state statute allows a protest to be filed against a proposed zoning amendment. The protest can be filed if 20% of the owners of the adjacent lots or those lots within 150 feet of the proposed change are opposed to the amendment. The proposed amendment cannot become effective unless three-fourths of the council vote in favor of the amendment (a supermajority vote requirement.)

Current statutory language describing the determination of the lots affected by the rezoning amendment is very convoluted. A.R.S. §9-462.04 (H) states the following: “If the owners of twenty per cent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of the opposite lots...” It is possible for this vague language to create a situation where a rezoning amendment on an odd-shaped parcel would allow for only one small property owner to file a protest and trigger the supermajority voting requirement. There is a specific case of this happening in the City of Sedona.

This resolution proposes using statutory language similar to that provide for county rezoning amendments. A.R.S. §11-814(E), states the following: “If twenty per cent of the owners of property by area and number within the zoning area file a protest to the proposed rezoning, the change shall not be made except by a three-fourths vote of all members of the board for those counties with five or more supervisors...In calculating the owners by area, only that portion of a lot or parcel of record situated within three hundred feet of the property to be rezoned shall be included. In calculating the owners by number or area, county property and public rights-of-way shall not be included.”

This resolution proposes simplifying the language for cities and towns to reflect the more direct language of the county language.

B. Relevance to Municipal Policy.

This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

C. Fiscal Impact to Cities and Towns. There is no fiscal impact from this proposed resolution.

D. Fiscal Impact to the State. There is no fiscal impact from this proposed resolution.

E. Contact Information:

Sponsoring City or Town: City of Sedona

Name: Karen Daines, Asst. City Manager

Phone: 928-203-5067 **Email:** kdaines@sedonaaz.gov
League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Text of Resolution: Create an exception within the statute to remove any limitation or penalty in accessing PSPRS retirement benefits during such time as the member is transitioning into a job reassignment as an accommodation under the Americans with Disabilities Act (ADA).

A. Purpose and Effect of Resolution

There appears to be indirect discrimination against disabled workers' access to pension. ARS 38-849 intends to prevent pre-arranged reemployment following retirement; however it does not consider the Americans with Disabilities Act (ADA) which requires employers to offer an available, vacant position as an accommodation of last resort. Example: A police officer injured in the line of duty suffers permanent impairments and is awarded PSPRS accidental disability retirement. The employer identifies a vacant Police Property Custodian position, which is an equal or lesser paying position in which the employee meets minimum qualifications and can perform all essential functions. By accepting this position as an accommodation, the employee cannot draw their retirement for a period of one year. ARS 38-849.E states "the system (PSPRS) shall not make pension payments to the retired member during the period of reemployment." This statute arguably violates Title I and II of the ADA by penalizing members who accept a job reassignment, therefore discouraging them from participation in the ADA interactive process.

B. Relevance to Municipal Policy. This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

C. Fiscal Impact to Cities and Towns. There is no fiscal impact from this proposed resolution.

D. Fiscal Impact to the State. There is no fiscal impact from this proposed resolution.

E. Contact Information:

Sponsoring City or Town: City of Surprise

Name: Nicole Lance, Asst. City Manager

Phone: 623-222-1030 **Email:** Nicole.Lance@surpriseaz.gov

League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Text of Resolution: The League, interested legislators, and other stakeholders should convene to discuss issues related to county islands and design legislation that will improve the county island annexation process without undue burden to any one party.

A. Purpose and Effect of Resolution. The existence of county islands within Arizona cities is becoming a growing problem. County codes are designed to address rural areas, and state budget cuts to counties have been impacting enforcement. The result is deteriorating properties surrounded by incorporated cities/towns, and no ability to apply consistent enforcement from one street to the next. What's worse is that conditions are bleeding out into incorporated areas, causing increases in enforcement and impacting crime and resident safety. In the Sierra Vista area, Assessor records show that a disproportionate number of properties in tax title lien are in unincorporated areas and others within just 1/4 mile of county islands. Another consequence is that when an emergency arises in an unincorporated area that is wholly within or adjoining a city's boundaries, there is often confusion over which agency should respond. These areas contribute to a city's economy, but also create burdens on cities that surround them, and on the counties they look to for services. Long-term viability of these areas is at stake.

B. Relevance to Municipal Policy. This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

C. Fiscal Impact to Cities and Towns. There is no fiscal impact from this proposed resolution.

D. Fiscal Impact to the State. There is no fiscal impact from this proposed resolution.

E. Contact Information:

Sponsoring City or Town: City of Sierra Vista, City of Yuma

Name: Mary Jacobs, Assistant City Manager, Sierra Vista;

Phone: 520-458-3315 **Email:** mary.jacobs@sierravistaAZ.gov

Name: Steve Moore, City Attorney, City of Yuma

Phone: 928-373-5057 **Email:** Steve.Moore@YumaAZ.gov

League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Text of Resolution: Rewrite the disincorporation portion of statute, A.R.S. §9-102, so that in very limited situations it could be implemented by council action when there are no other practical alternatives. The legislation should contain limits on population, budget, etc., when such an alternative could be used, and should empower the city or town council to petition the county supervisors to authorize an election within the incorporated area on the question of disincorporation.

A. Purpose and Effect of Resolution. There are some of our smallest towns that have lost population, do not have the ability to attract sufficient qualified staff, do not have a tax base to support city services and yet are still required by law to follow all the legal requirements of our largest cities and towns. Allowing a council to request the Supervisors to refer the question of disincorporation to a vote would be simpler and more direct than a petition requiring the signatures of 2/3 of registered voters in the city or town. Such an action would clearly signal whether the residents are no longer in support of their municipal structure, or are willing to impose new and higher taxes on themselves to support their community. While the idea of disincorporating is distasteful and contrary to the League's interest in promoting cities and towns, there are some limited cases in which it may make financial and practical sense to actually disincorporate.

B. Relevance to Municipal Policy. This situation could present itself in any small city or town across the state, so the change in language will help them.

C. Fiscal Impact to Cities and Towns. There is no fiscal impact from this proposed resolution.

D. Fiscal Impact to the State. There is no fiscal impact from this proposed resolution.

E. Contact Information:

Sponsoring City or Town: League of Arizona Cities and Towns

Name: Ken Strobeck, Executive Director

Phone: 602-258-5786 **Email:** kstrobeck@azleague.org

League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Text of Resolution: Direct League staff to explore options that create funding solutions and/or financing authority to deal with PSPRS unfunded pension liabilities.

A. Purpose and Effect of Resolution. To remain solvent, Arizona's public pension systems must accumulate sufficient assets during members' working years to pay all promised benefits when members retire. Employees and employers pay a substantial amount for each employee in each respective system. The funded status of PSPRS is low and it has large unfunded liabilities which have resulted in large employer contributions. The most recent actuarial projections show the system's financial condition will continue to deteriorate and employer contribution rates will continue to increase. The financial condition will further deteriorate if the pending litigation is upheld (i.e. *Hall* and *Parker* cases).

The recent PSPRS reform applies only to employees hired after July 1, 2017 and will reduce employer pension costs. These savings can be applied to existing unfunded liabilities but are not enough by themselves to eliminate the existing unfunded liabilities. As a result, cities and towns are seeking additional options that, when combined with the savings from reform, allow us to significantly address unfunded liabilities.

B. Relevance to Municipal Policy. This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

C. Fiscal Impact to Cities and Towns. There is no proposed fiscal impact from this resolution.

D. Fiscal Impact to the State. There is no proposed fiscal impact from this resolution.

E. Contact Information:

Sponsoring City or Town: League of Arizona Cities and Towns

Name: Ken Strobeck, Executive Director

Phone: 620-258-5786 **Email:** kstrobeck@azleague.org

League Staff: Tom Belshe

Chair's Report of the Neighborhoods, Sustainability and Quality of Life Policy Committee

Councilman Gilbert Lopez, Coolidge, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 23, 2016

On Monday, June 13, 2016 the Neighborhoods, Sustainability and Quality of Life (NSQL) Policy Committee met at the League of Arizona Cities and Towns to discuss three policy issues submitted by cities and towns for. Here is a summary of each of the policy issues considered by NSQL along with the sponsoring municipalities.

1. Alleviate blight and streamline the lien process - **Globe**
2. Improve forest health-**Flagstaff**
3. Restore the Arizona Housing Trust Fund. – **Flagstaff**

The City of Globe presented **Policy Issue 1**. The city is experiencing a fair amount of blight and is looking for suggestions as to ameliorate this, including ideas on improving the lien process. Committee members agreed to continue to look at this issue via a League task force, and not move this forward as a resolution at this time.

The City of Flagstaff presented **Policy Issue 2**. Flagstaff wants to address forest health through a myriad of approaches, including statewide awareness and attention to the value of collaborative planning, implementation, and monitoring of forests to improve forest health. Committee members moved this issue to go forward as a resolution (now resolution NSQL 1 on the resolutions summary chart).

The City of Flagstaff presented **Policy Issue 3**. They proposed that the state should restore the Arizona Housing Trust Fund. Currently the fund is capped at \$2.5 million. At its height it was \$55 million, and \$350 million was then leveraged through the Arizona Housing Alliance. Committee members moved this issue forward as a resolution (now resolution NSQL 2 on the resolutions summary chart).

The table below summarizes the NSQL Committee's actions:

Policy Issue	Disposition by Committee
1	To be resolved non-legislatively.
2	Resolution NSQL 1
3	Resolution NSQL 2

Gilbert Lopez, Councilman, Coolidge
Chair, Neighborhoods, Sustainability and Quality of Life Policy Committee

League of Arizona Cities & Towns Resolution

Text of Resolution: Enhance efforts to improve forest health in Arizona.

A. Purpose and Effect of Resolution

There needs to be a renewed focus on the condition of our forests and ways to improve their health. Catastrophic fires have greatly impacted Arizona, and yet there has not been a sustained effort to reduce fire fuel. Statewide awareness and attention to the value of collaborative planning, implementation, and monitoring of our forests to improve forest health needs to be a higher priority in our state. This resolution strives to accentuate the need to effectively plan with the governor's office, the state forester and other interested parties in an effort to reduce risk, including but not limited to right of way fuel reduction, forest restoration and thinning, debris disposal, prescribed fire, and biomass utilization.

B. Relevance to Municipal Policy

Communities across the state face increasing economic and health threats as the result of unhealthy and unsustainable forest and range conditions. The threat is not only catastrophic wildfire that destroys the natural environment, but also includes post-fire effects. Loss of property, sales tax and tourism, livelihood, displacement of residents, erosion, flooding, loss of wildlife habitat, impacts to water supplies, etc. exists for all jurisdictions because of the statewide impact. Joint-action by all parties (local, county, state, and federal) is required to adequately and satisfactorily address the issue which starts with planning at the local and regional levels.

C. Fiscal Impact to Cities and Towns

The long term costs of the past catastrophic fires to each area of the state rose to billions of dollars. Every community that has nearby forests has a financial stake in this issue.

D. Fiscal Impact to the State

There has already been a tremendous economic impact to the state from past fires. It would be financially sound for the state to appropriate planning funds for forest health.

E. Contact Information:

Sponsoring City or Town: City of Flagstaff

Name: Stephanie Smith, Asst. to the City Manager

Phone: (928)-213-2078 **Email:** ssmith@flagstaffaz.gov

League Staff: Dale Wiebusch

League of Arizona Cities & Towns Resolution

Text of Resolution: Restore the Arizona Housing Trust Fund.

A. Purpose and Effect of Resolution

Created in 1988 to provide a flexible funding source to assist in meeting the needs of low-income households in Arizona, the Housing Trust Fund receives money from the sale of unclaimed property. The Housing Trust Fund was initially funded by 35% of unclaimed property proceeds, and then increased over time to 55% to better address rural housing needs. Prior to the Great Recession, the Housing Trust Fund received over \$30 million annually. Due to state budgetary constraints, in 2010 the Housing Trust Fund was capped at \$2.5 million.

B. Relevance to Municipal Policy

Cities and towns, as well as non-profits, are eligible to apply to receive an allocation of the Housing Trust Fund to further housing objectives within their communities. Restoration of funding to the Trust Fund will enable a greater number of grant applications to be funded and other funding to be leveraged.

C. Fiscal Impact to Cities and Towns

Funding from the Housing Trust Fund has the potential to bring much needed money to communities to address housing needs, either through the city, town or a non-profit application for use to further local housing objectives.

D. Fiscal Impact to the State

When the Housing Trust Fund was capped at \$2.5 million in 2010, the funding from the sale of unclaimed property was reallocated to other areas. Restoration of funding to the Trust Fund will potentially pull funding away from the areas to which it was reallocated.

E. Contact Information:

Sponsoring City or Town: City of Flagstaff

Name: Stephanie Smith, Asst. to the City Manager

Phone: (928)-213-2078 **Email:** ssmith@flagstaffaz.gov

League Staff: Dale Wiebusch

Chair's Report of the Public Safety, Military Affairs and the Courts Policy Committee

Mayor Jerry Weiers, Glendale, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 23, 2016

On Monday, June 20, 2016 the Public Safety, Military Affairs and the Courts (PSMAC) Policy Committee met at the League of Arizona Cities and Towns to discuss two policy issues submitted by cities and towns for. Below is a summary of each of the policy issues considered by NSQL along with the sponsoring municipalities.

1. Support for military installations-**Sierra Vista**
2. Prohibit guns in public buildings –**Flagstaff**

Summary of the committee discussion and the recommendations

The City of Sierra Vista presented policy issue number one. They cited the long standing support for the military presence in Arizona that the League has endorsed and viewed this policy submission as granting authority for the League to demonstrate support for pro-installation legislation. Committee members agreed to move this forward as a resolution at this time (now resolution PSMAC #1 on the resolutions summary chart).

The City of Flagstaff presented policy issue number two. Flagstaff wanted to have the League oppose all efforts to allow guns in public buildings. Committee members discussed how this issue is best left to local government decision making, and saw the guiding League principle of local control as superseding this policy submission. Committee members decided to not move this as a resolution.

The table below summarizes the PSMAC Committee's actions:

Policy Issue	Disposition by Committee
1	Resolution PSMAC 1.
2	Not to be moved as a resolution.

Jerry Weiers, Mayor, Glendale
Chair, Public Safety, Military Affairs and the Courts Policy Committee

League of Arizona Cities and Towns Resolution

Text of Resolution: Support military installations and their presence in Arizona.

A. Purpose and Effect of Resolution

Arizona's military sector is an essential component of the state and local economies. Jobs connected to the military are especially valuable to the Arizona economy because they are largely unaffected by routine economic cycles. Maintaining these operations and the jobs and economic output they support should be a priority of state and local government.

This resolution seeks to continue the long tradition of support of Arizona's local governments, through the Arizona League of Cities and Towns, for any and all strategies associated with the support of our military presence. This is a general policy issue, with no specific legislation proposed. Inclusion in the League legislative agenda would insure support could be offered on behalf of the cities and towns in the state for legislation that may be proposed in support of Arizona's installations.

B. Relevance to Municipal Policy

At a time in which every dollar of local revenue is even more precious to cities and towns, we must guard against inadvertent or blatant measures that could jeopardize existing military installations and their direct contributions to local government. Military installations are also a source of local pride.

C. Fiscal Impact to Cities and Towns

Failure to protect such a valuable asset to the state will have a direct and potentially devastating effect on local government. The military industry directly contributes hundreds of millions in tax revenues annually to local government alone.

D. Fiscal Impact to the State

Similarly, Arizona's military installations contribute millions in revenue annually to the state government. Any loss of missions could erode that revenue, as well as impact future expansion opportunities for both military and non-military missions.

E. Contact Information

Sponsoring City or Town: City of Sierra Vista

Name: Mary Jacobs, Asst. City Manager

Phone: 520-458-3315 **Email:** Mary.Jacobs@SierraVistaAZ.gov

League Staff: Dale Wiebusch

Chair's Report of the Transportation, Infrastructure and Public Works Policy Committee

Mayor Jonathon Rothschild, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 23, 2016

On May 4, 2016, the Transportation, Infrastructure and Public Works Committee (TIPW) convened to discuss one policy issue submitted by the Town of Paradise Valley. Below is a summary of the issue considered by TIPW:

1. Explore options for controlling costs of federally funded local projects.

Below is a summary of the committee discussion and recommendations:

The Town of Paradise Valley submitted **Policy Issue 1**. Kevin Burke, Town Manager, explained that the Arizona Department of Transportation (ADOT) is currently responsible for administering federally funded local transportation projects for those municipalities that have not been certified to administer their own projects. Under these circumstances, the local jurisdiction lacks control over the project design, timeliness and costs.

League staff provided a number of alternatives that could be explored as possible solutions. After discussion by the committee, it was decided this would not move forward as a resolution. However, League staff will establish a working group to develop options for addressing the issues related to ADOT administration of these local projects.

The table below summarizes the TIPW Committee's actions:

Policy Issue	Disposition by Committee
1	League Study Committee

Jonathan Rothschild
Mayor of Tucson
Chair, Transportation, Infrastructure and Public Works Policy Committee

**League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions**

Number	Resolution	Sponsor	Notes
BFED 1	Seek legislation to create the Economic Development Reimbursement Authority (EDRA) system for infrastructure and improvements.	Surprise	Strong support; this is the Economic Development Reimbursement Authority we have been working on but also allows flexibility for other options. Supports our legislative agenda relative to economic development.
BFED 2	Create renewable energy and conservation financing districts for commercial properties.	Flagstaff	Neutral/Support; this issue is still being worked on with stakeholders and the goal is to build a coalition of support. Historically the legislature has been hesitant to establish new special districts. Will monitor conversation for ongoing support.
BFED 3	Amend statute to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality.	Yuma	Neutral/Support; proposal seeks to add retention/detention basins to list of eligible expenses similar to other eligible amenities that can be paid for via improvement districts. Likely to be opposition to the creation of a new special taxing district although the changes may positively impact developers, giving them options in lieu of HOAs. Will monitor conversation for

**League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions**

			ongoing support.
BFED 4	Create workable, mutually beneficial construction sales tax reform.	League	Strong support; League task force is currently reviewing this issue proactively with industry partners.
GAHRE 1	Simplify the re-zoning language for cities and towns to reflect the more direct county language.	Sedona	Support; relevant to all cities and provides clarity.
GAHRE 2	Seek legislation to remove any limitation or penalty in accessing PSPRS retirement benefits as the member is transitioning into a job reassignment as an accommodation under the Americans with Disabilities Act (ADA).	Surprise	Strong support; Surprise sponsored this as we have been directly challenged with this and believe it to be an unintended consequence of previous legislation. Supports our legislative agenda relative to public safety.
GAHRE 3	Design legislation to improve the county island annexation process without undue burden to any one party.	Sierra Vista Yuma	Support; no fiscal impact to State/Cities/Towns. Creates opportunity to improve process.
GAHRE 4	Revise and update the disincorporation statutes.	League	Neutral/Support; applies to limited number of cities/towns. No anticipated significant impact.
GAHRE 5	Explore options that create funding solutions and/or financing authority to deal with PSPRS unfunded pension liabilities.	League	Support; appropriate next step in PSPRS reform, builds on previous adjustments.
NSQL 1	Develop strategies to enhance forest health.	Flagstaff	Support; fiscal impacts from past catastrophic fires to the State has been significant.
NSQL 2	Restore the Arizona Housing Trust Fund.	Flagstaff	Neutral; this will draw funds

**League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions**

			away from other areas; the Legislature will need to balance its budget priorities and is unlikely to restore funding.
PSMAC 1	Support the presence of military installations.	Sierra Vista	Strong support; this is a key component of our local legislative agenda.

Budget, Finance and Economic Development – BFED

General Administration, Human Resources and Elections – GAHRE

Neighborhoods, Sustainability and Quality of Life – NSQL

Public Safety, Military Affairs and the Courts – PSMAc

Transportation, Infrastructure and Public Works – TIPW

These are the only items that will be voted on. The other submissions that did not move forward as resolutions will be explained at the Resolutions Committee.

2016/2017 Proposed League Resolutions



League Resolution Process



- 91 municipalities have the opportunity to play a role in formulating the policy direction of the League of Arizona Cities and Towns
- Surprise is just one piece of the puzzle



New Resolutions Process

Formulating the Municipal Policy Statement of the League of Arizona Cities & Towns



Municipal Ideas

Municipalities identify ideas of statewide benefit that can potentially be addressed via legislation and submit those to the League.

Assignment

The League President assigns the proposed concepts to one of five policy subcommittees.

Policy Committees

Policy committees vet the concepts and create proposed resolutions to be forwarded to the full Resolutions Committee.



City of Surprise

Councils consider the resolutions and provide input to the designee who will serve on the Resolutions Committee.

Resolutions Committee

Full Resolutions Committee meets at the Annual League Conference and considers the resolutions.

League Direction Set!

Resolutions adopted and League direction set for the upcoming Legislative Session.

2016 League Policy Committees

Comprised of Municipal Elected Officials and Staff



- Budget, Finance & Economic Development (BFED)
- General Administration, Human Resources and Elections (GAHRE)
- Neighborhoods, Sustainability and Quality of Life (NSQL)
- Public Safety, Military Affairs and the Courts (PSMAC)
- Transportation, Infrastructure and Public Works (TIPW)

Proposed League Resolutions

League Policy Committees Recommend Approval



Number	Resolution	Sponsor	Notes
BFED 1	Seek legislation to create the Economic Development Reimbursement Authority (EDRA) system for infrastructure and improvements.	Surprise	Strong Support
BFED 2	Create renewable energy and conservation financing districts for commercial properties.	Flagstaff	Neutral/Support
BFED 3	Amend statute to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality.	Yuma	Neutral/Support
BFED 4	Create workable, mutually beneficial construction sales tax reform.	League	Strong Support
GAHRE 1	Simplify the re-zoning language for cities and towns to reflect the more direct county language.	Sedona	Support

2016 Proposed League Resolutions (cont'd)

League Policy Committees Recommend Approval



Number	Resolution	Sponsor	Notes
GAHRE 2	Seek legislation to remove any limitation or penalty in accessing PSPRS retirement benefits as the member is transitioning into a job reassignment as an accommodation under the Americans with Disabilities Act (ADA).	Surprise	Strong Support
GAHRE 3	Design legislation to improve the county island annexation process without undue burden to any one party.	Sierra Vista Yuma	Support
GAHRE 4	Revise and update the disincorporation statutes.	League	Neutral/Support
GAHRE 5	Explore options that create funding solutions and/or financing authority to deal with PSPRS unfunded pension liabilities.	League	Support
NSQL 1	Develop strategies to enhance forest health.	Flagstaff	Support
NSQL 2	Restore the Arizona Housing Trust Fund.	Flagstaff	Neutral
PSMAC 1	Support the presence of military installations.	Sierra Vista	Strong Support

Council Discussion



Provide feedback for the purpose of voting at the Resolutions Committee on August 23rd at the Annual Conference.





CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

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

Council Meeting Date:	August 16, 2016	Contact Person:	VM Biundo & CM Winters
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action pertaining to the August 8, 2016 ethics complaint filed by Vice-Mayor, Jim Biundo against Mayor, Sharon Wolcott based on her campaigning and fundraising for candidates for Surprise City Council under the auspices of the official title of "Mayor".

Motion:

A motion, if any, will depend on the findings of the City Council.

Background:

On August 8, 2016, the City Attorney received an "Ethics Complaint" from Vice Mayor Biundo. Per City Council Policies & Procedures, amended as of September 02, 2014, upon the report of an alleged violation of policy, the City Attorney is directed to place the matter on the next regular Council agenda for consideration and action.

Objective Analysis:

N/A

Policy Compliant:

N/A

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

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[Council Rules and Procedures Manual](#)

Memorandum

To: Robert Wingo, City Attorney, City of Surprise
Bob Wingenroth, City Manager, City of Surprise

From: Jim Biundo, Vice Mayor, Council District 2 Member, City of Surprise 

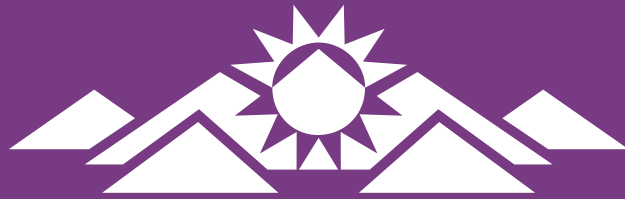
Re: Ethics Complaint

Date: August 8, 2016

I am filing an official ethics complaint against Sharon Wolcott, Mayor of Surprise, based on her campaigning and fundraising for candidates for Surprise City Council **under the auspices of the official title of 'Mayor.'**

I also am requesting a special public meeting of City Council to discuss the City of Surprise Code of Ethics as it pertains specifically to Council Members' activities during political campaigns.

Council Member Roland Winters has agreed to second my request for a special meeting.



SURPRISE

ARIZONA

CITY OF SURPRISE **POLICIES & PROCEDURES** MANUAL



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PROLOGUE

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

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

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

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

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

-The Athenian Oath

INTRODUCTION

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

RULES OF CONDUCT AND DEMEANOR

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

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

Rule 1. Act in the Public Interest

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

Rule 2. Comply with the Law

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

Rule 3. Professional Conduct

The professional and personal conduct of members must be above reproach and devoid of even the appearance of impropriety. Members must refrain from abusive conduct, harassment, personal charges or verbal attacks upon the character or motives of other members of Council, boards, commissions, and committees, City staff or members of the public.

Rule 4. Respect for Process

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

Rule 5. Conduct of Public Meetings

Members must prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. Members must refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

Rule 6. Decisions Based on Merit

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

Rule 7. Transparent Governance

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

Rule 8. Advocacy

Members must represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members must explicitly state that the member does not represent the City of Surprise or its Council, and may not allow the inference of such representation to exist. Until and unless the Mayor and Council take an **official** position on an issue as a collective public body in a public meeting, any statements or written correspondence should reflect clearly that the position taken is that of the individual in his/her personal capacity.

Rule 9. Policy Role of Members

The Role of each Member, as an individual, is to represent the community and to share their ideas, recommendations, and point of view forward during consideration of matters before the body. Members must respect and adhere to the Council-manager structure of the Surprise City government as outlined in City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, committees and City staff. Members therefore may not interfere with the administrative functions of the City or the professional duties of City staff; nor impair the ability of staff to implement Council policy decisions. Members should also refrain from individually directing the City Manager in the performance of his/her job responsibilities.

Rule 10. Positive Work Place Environment

Members must support and maintain a positive and constructive work place environment for City employees, residents, and businesses dealing with the City. Members must recognize the special role of the Council in dealings with City employees and refrain from creating the perception of inappropriate direction to staff.

Rule 11. Conflict of Interest

Members must be constantly on guard against conflicts of interest, whether real or perceived. Officials must not be involved in discussing or deciding any issue over which the Council may have jurisdiction and which may impact a financial or property interest of either the member or a family member (spouse, children, grandparent, grandchildren, in-laws).

If a member believes that a conflict of interest (or even a possible conflict) exists, then the member must disclose the fact as soon as possible on the record. From that point on, the member may not participate in any manner (by discussing, questioning or voting) in that matter. Declaring a conflict and not participating should be recognized as a necessary part of preserving public trust and should not be avoided simply because of delays or inconvenience. Indeed, members should declare possible conflicts to avoid any appearance of impropriety.

Rule 12. Accepting Gifts, Favors or Benefits

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

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

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

Members must recognize, and avoid at all costs, the appearance of impropriety. When a member does receive a gift, benefit, or favor, as defined above, in either (a) the member's capacity as an elected official (a non-personal gift), or (b) from parties with business before the City or which may come before the City; and when the value of such individually or combined will all gifts, benefits, or favors received in a 24 hour period, has a market value of \$50 or more, the member must disclose such in writing. Written disclosure of any gift, benefit, or favor must

be made to the City Clerk within 10 business days after receipt and must include a description of the gift, benefit, or favor, the estimated value, the date of receipt, and the source. The disclosure of gifts will be posted on the City's web page along with the member's financial disclosure statements. Under no circumstances may a member accept a gift, benefit or favor that can be construed to be a bribe or reflects to a reasonable person an effort to influence the member contrary to that member's responsibility to the public to act impartially and on the merits of a matter. The acceptance of such gifts or benefits should be in the best interest the parties involved should the transaction be publicized, i.e. how would it look to the public ("headline test"). If the publication of the transaction would make any of the parties involved uncomfortable, it is likely not appropriate.

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

Examples of items that are gifts, favors, or benefits that must be disclosed include: tickets to a sporting event given by a developer doing business in Surprise; sports equipment/clothing given by a vendor, contractor, developer, etc. doing business in Surprise; a series of meals and small gifts given over 24 hours the aggregate value of which is \$50 or more.

In the event of uncertainty, contact the City Attorney.

PARLIAMENTARY PROCEDURE

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

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

Rule 1. Powers of the Chair

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

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

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

Rule 2. Consent Agenda

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

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

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

Rule 3. When the Chair Is in Active Debate

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

***Comment:** Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet, an unfair advantage accrues to the side whose advocate controls access to the floor. This rule is designed to ensure even-handed treatment to both sides during a heated debate. Ordinarily, if the Chair is leading the meeting, he or she should ask the Vice Chair to*

preside in this situation. But, if that person also engaged in the debate, the Chair should feel free to call on some other member in order to achieve the purpose of this rule.

Rule 4. One Motion at a Time

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

Comment: *None.*

Rule 5. Substantive Motions

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

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

Rule 6. Debate

The Chair will state the motion and then open the floor to debate on it. The Chair will preside over the debate according to the following general principles:

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

Comment: *None.*

Rule 7. Ratification of Actions

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

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

Rule 8. Withdrawal of Motion

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

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

Rule 9. Procedural Motions

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

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

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

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

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

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

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

or day, or to refer the matter to a committee. Only as a last resort should the Council use a motion to suspend the rules, in order to allow the motion to adjourn to interrupt deliberation on the matter.

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

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

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

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

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

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

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

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

- 1. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration*

occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting.

2. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

3. Discussion or consultation for legal advice with the attorney or attorneys of the public body.

4. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

5. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.

6. Discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal Council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town.

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

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

Comment: *This motion is debatable.*

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

Comment: *With small boards, a minimum period of debate on every proposal that comes before it strikes a superior balance between efficiency and effective representation by all Council members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote. Fifteen minutes is merely a suggested minimum period of time. This rule avoids the practice followed by some boards of allowing any member to end debate by simply saying "call the question," without the Council actually taking a*

vote on that procedural issue. Such a practice is contrary to regular parliamentary procedures. In addition, such a practice allows individual members to impose their will unilaterally on the group, in defiance of the principle of majority rule on which these rules are based.

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

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

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

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

Motion 11. To Amend.

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

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

(c) Any amendment to a proposed legislative action (resolution/ordinance) must be reduced to writing before the vote on the amendment is taken.

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

Some Councils allow a “substitute motion” when major changes in a motion are proposed. Such a motion is, in effect, a type of amendment. To avoid confusion,

“substitute motions” are not allowed under these rules. All proposals for changes in a motion or in an amendment are treated as motions to amend, no matter how major their potential effect.

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

Subpart (c) of the rules for this motion imposes an additional writing requirement for amendments to legislative actions. The rule assumes that amendments to proposed ordinances, like the ordinances themselves, should be in written form before they are voted on, both because of the importance of ordinances and to make it easier to maintain the required ordinance book and the minutes of the Council accurately. Similarly, amendments to orders, policies, and resolutions should be in written form before they are voted on, because of their significance and to make it easier to record them in the minutes.

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

Motion 12. To Reconsider. The Council may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the "nos" prevail) and at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

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

USE OF CITY RESOURCES

Discretionary Funds:

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

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

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

Use of discretionary funds requires the member wishing to utilize such funds to provide a Disbursement Request to the Finance Department. Funds will be released consistent with this policy.

Expenses, Reimbursements and Stipends

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

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

Uses Barred

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

Council Offices

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

SUBCOMMITTEES & WORKING GROUPS

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

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

IMPLEMENTATION AND ENFORCEMENT

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

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

COMPLAINTS

Members have a duty to create the image and reality of a responsive, accessible, and fair City government. Accordingly, members have a duty to report if another member has violated law or policy. Moreover, members must never attempt to use their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any person with the intent of interfering with that person's duty to disclose such improper activity. Any violation of law or policy should be reported to the City Attorney who will place the matter on the next regular Council agenda for consideration and action consistent with this Section, or submit the complaint to the appropriate body or entity, such as the Attorney General or County Attorney.

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

APPENDIX

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

Statement of Commitment

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

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

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

Mayor /Council Member for District ____

Rules for the Public at Council Meetings

- 1) Presence in the Council Dais Area. During a Council meeting, members of the public are permitted within the area in front of the Council dais only at the invitation or consent of the chair for purposes of making presentations and providing information to Council.
- 2) Addressing Council
 - a) Any member of the public desiring to address the Council may not proceed to the lectern until after being recognized by the Chair.
 - b) At the lectern, the member of the public should clearly state their name, and approximate cross streets for the record.
 - c) Statements will be limited to four (4) minutes per item to allow the meeting to proceed and end in a timely manner. The time limit may be extended at the option of the Chair.
 - d) If several speakers desire to speak regarding a single topic, the Chair can limit the number of speakers or limit the time given to each group; however, an equal amount of time will be given to each side of an issue.
 - e) Oral communications during the City Council meeting may not be used to lodge charges or complaints against any employee of the City or members of the body, regardless of whether such person is identified in the presentation by name or by any other reference that tends to identify him/her. Any such charges or complaints should be submitted during normal business hours to the City Manager for appropriate action.
- 3) No loud vocalization (shouting or calling out) will be permitted from the seating area of the Council Chamber.



CITY OF SURPRISE
Regular City Council Meeting

August 16, 2016 @ 6:00:00 PM

+ Back Print

Council Meeting Date:	August 16, 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 recess into executive session for discussion and consultation for legal advice with the City Attorney pertaining to litigation in Haga v. City of Surprise pursuant to A.R.S. 38-431.03 (A)(3).

Motion:

I move to recess into executive session for the purpose noticed.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

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No Attachments Available