



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

Tuesday, January 20, 2026 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Any prayer or invocation that may be offered before the start of the Regular Council Meeting is a voluntary offering by a private resident of Surprise; has not been previously reviewed or approved by City Council or City staff; should not be considered an endorsement of any particular religion by the City or its officials, as the beliefs, viewpoint, and content are personal to the speaker; and no participation by any person in attendance is required. A list of volunteers is maintained by the office of the City Clerk and interested persons should contact the Clerk's Office for further information.

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

Human & Sex Trafficking Awareness Month

E. City Manager Report

City Award Presentation from JustServe

F. City Clerk Report

- | | | | |
|----|----------|---|---------------------------------|
| 1. | Citywide | Consideration and action pertaining to selection of a Vice Mayor in accordance with City Code Sec. 2-41 and direct the City Clerk to administer the Oath of Office. | Kristi Passarelli
City Clerk |
| 2. | Citywide | Consideration and action to approve the recommendation of Lisa Everett to the Planning and Zoning Commission, Term Expiration June 30, 2027. | Kristi Passarelli
City Clerk |

G. Regular City Council Meeting Agenda

CONSENT AGENDA:

- | | | | |
|----|------------|---|---------------------------------|
| 3. | Internal | Consideration and action to approve the January 6th, 2026 Regular City Council Work Session, and Regular City Council Meeting Minutes. | Kristi Passarelli
City Clerk |
| 4. | Citywide | Consideration and action to approve the revised version of the City Council Meeting Dates for 2026. | Kristi Passarelli
City Clerk |
| 5. | Citywide | Consideration and action pertaining to acceptance of the City's Arizona Lottery Fund (ALF) allotment for FY2026 in the amount of \$364,134; Resolution #2026-13. | Eric Boyles
Transportation |
| 6. | District 3 | Consideration and action declaring to enlarge an existing street light improvement district ("SLID") known as CITY OF SURPRISE, ARIZONA, AUTOSHOW EAST 2 #127 (the "District"), pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2026-01. | Kristin Tytler
Public Works |
| 7. | Citywide | Consideration and action pertaining to the acceptance and continuation of the Memorandum of Understanding with the U.S. Department of Justice (DOJ), U.S. Marshals Service, and amending the Fiscal Year 2026 budget by moving budget in the amount of \$10,000 to project G31368; Resolution #2026-12; RFLS 10424. | Evan Becher
Police |

- | | | | |
|-----|------------|---|--|
| 8. | District 1 | Consideration and action pertaining to vacating approximately 0.26 acres of right of way comprised of the east side of Cottontail Lane between Jomax Road and Happy Valley Road; Resolution No. 2026-04. | Lloyd Abrams
Community
Development |
| 9. | District 1 | Consideration and action pertaining to vacating approximately 0.27 acres of right of way comprised of the west side of Cottontail Lane between Jomax Road and Happy Valley Road; Resolution No. 2026-05. | Lloyd Abrams
Community
Development |
| 10. | District 1 | Consideration and action pertaining to vacating approximately 2.35 acres of right of way generally located on the east side of Jomax Road, between 169th Lane and 174th Lane; Resolution No. 2026-07. | Lloyd Abrams
Community
Development |
| 11. | District 1 | Consideration and action pertaining to vacating approximately 0.46 acres of right of way generally located on Jomax Road between 174 th Avenue and 177th Avenue; Resolution No. 2026-08. | Lloyd Abrams
Community
Development |
| 12. | District 1 | Consideration and action pertaining to vacating approximately 0.67 acres of right of way generally located on the south side of Pat Tillman Boulevard between 173rd Avenue and 177th Avenue; Resolution No. 2026-10. | Lloyd Abrams
Community
Development |
| 13. | District 1 | Consideration and action pertaining to vacating approximately 1.53 acres of right of way generally located on Pat Tillman Boulevard between 177th Avenue and 178th Avenue; Resolution No. 2026-06. | Lloyd Abrams
Community
Development |
| 14. | District 1 | Consideration and action pertaining to vacating approximately 0.80 acres of right of way generally located on the north side of Pat Tillman Boulevard west of Asante Boulevard between 173rd Avenue and 177th Avenue; Resolution No. 2026-09. | Lloyd Abrams
Community
Development |
| 15. | District 1 | Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Dewayne Neitzel on Jomax at 159 th Avenue. | Lloyd Abrams
Community
Development |
| 16. | District 1 | Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Michael Batchelor on Jomax at 157 th Avenue. | Lloyd Abrams
Community
Development |
| 17. | District 1 | Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Gary Icke on Jomax at 158 th Drive. | Lloyd Abrams
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|---|
| 18. | Citywide | Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - Utilities, Article V Sewers and Sewage Disposal, Ordinance No. 2026-03. | Michael Boule
Water Resource
Management |
| 19. | Citywide | Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - Utilities, Article VI Stormwater Service, Ordinance No. 2026-04. | Michael Boule
Water Resource
Management |
| 20. | Citywide | Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - | Michael Boule |

- | | | | |
|-----|------------|---|--|
| | | Utilities, Article VII Water Conservation, Ordinance No. 2026-02. | Water Resource Management |
| 21. | Citywide | Consideration and action on the adoption of proposed updates to the Surprise Municipal Code Chapter 58 – Utilities, Article VIII High Water User Regulations, Ordinance No. 2026-07. | Michael Boule
Water Resource Management |
| 22. | District 1 | Consideration and action pertaining to the correction of a Resolution for the Intent to Annex for a portion of the project known as Vistas Montanas. Case# FS25-0291; Resolution 2026-19. | Chris Sexton
Community Development |
| 23. | Citywide | Presentation and discussion regarding the Surprise Police Department Strategic Plan. | Evan Becher
Police |

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. You may also [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.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item 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.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

- | | | |
|----------|--|-----------------|
| Internal | Consideration and action to recess into executive session to discuss and consider Fiscal Year 2027 goals for the City Manager pursuant to A.R.S. 38-431.03 (A)(1). | Human Resources |
|----------|--|-----------------|

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).

L. Adjournment

KRISTI PASSARELLI, CITY CLERK

POSTED: Friday, January 16th, 2026 @ 11:45 AM

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



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Manager Office
Staff Recommendations:

Contact Person:
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Human & Sex Trafficking Awareness Month

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

There is no anticipated financial impact related to this item.

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:



**CITY OF SURPRISE
Regular City Council Meeting**

Council Meeting Date: January 20, 2026
Submitting Department: City Manager Office
Staff Recommendations:

Contact Person:
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

City Award Presentation from JustServe

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Clerk
Staff Recommendations:

Contact Person: Kristi Passarelli, City Clerk
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to selection of a Vice Mayor in accordance with City Code Sec. 2-41 and direct the City Clerk to administer the Oath of Office.

Motion:

N/A

Background:

Process:

1. Not later than January 30 of each year, the city council shall select a member to serve as vice mayor.
2. Any councilmember (except for the Mayor) may serve as vice mayor - even if that councilmember has served as vice mayor previously.
3. The councilmember selected will serve as such until the member resigns from office, vacates council or is replaced by another councilmember as vice mayor.

Nominations:

1. Any councilmember may nominate any councilmember (including themselves)
2. The council must vote by written ballot.
3. The person receiving the majority of the votes will serve as vice mayor.

Runoff if necessary:

In the event that no person receives the **majority** of the votes, the top 2 candidates will be considered for a runoff.

Voting will repeat until a winner is determined by majority vote and announced by the City Clerk.

Oath of Office:

The City Clerk will administer the oath of office.

Objective Analysis:

Policy Compliant:

City Code Sec. 2-41. Vice-mayor; selection and role. (Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Clerk
Staff Recommendations:

Contact Person: Kristi Passarelli, City Clerk
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve the recommendation of Lisa Everett to the Planning and Zoning Commission, Term Expiration June 30, 2027.

Motion:

I move to approve the recommendation of _____ to the Planning and Zoning Commission, Term Expiration June 30, 2027.

Background:

This vacancy is due to resignation of commissioner Keating. The appointee will fill the remainder of the term which expires on June 30, 2027.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Clerk
Staff Recommendations:

Contact Person: Kristi Passarelli, City Clerk
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve the January 6th, 2026 Regular City Council Work Session, and Regular City Council Meeting Minutes.

Motion:

I move to approve the December 2nd, 2025 Regular City Council Meeting Minutes

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 010626 Regular Meeting Minutes DRAFT
 2. 010626 Work Sessoin Minutes DRAFT
-



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, January 6, 2026 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Sartor called the Regular Council Meeting of January 6th, 2026 to order at 6:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

1. Invocation

Ray Grimm, led in the Invocation

B. Roll Call

In attendance with Mayor Sartor were Vice Mayor Jack Hastings, Council members Chris Judd, Earle Greenberg, Patrick Duffy, Johnny Melton and Nick Haney.

C. Pledge of Allegiance

Boy Scout Troop Pack 400 led in the Pledge of Allegiance.

2. Led by Cub Scouts Troop

D. Proclamation and Community Acknowledgements

3. Community Champions — Shadow Ridge HS Theater | Overall Superior Award

Mayor Sartor nominated the Shadow Ridge Thespian Troupe as the Community Champions because they won an Overall Superior Rating from the Arizona Thespian Organization.

E. City Manager Report

4. Grant Presentation by Cox Group

Andrea Davis introduced Seth Dyson. Seth presented Daren Moffit from Cox Communications who came with a check for a grant for the Community Center.

Andrea Davis had Joann Estfan come up to present the Youth Council Members.

Desmond Robert, Willow Canyon High School

Jackson Freeman, Canyon Ridge School

F. City Clerk Report

5. Reports

City Clerk, Kristi Pasarelli, gave an update about the new photo booth that the City Clerk's Office offers for passport photos.

1. Consideration and action to approve the recommendation for appointment of Madelyn Volling to the Parks & Recreation Advisory Commission for the four-year term expiration on June 30, 2029.

Motion: To Approve

Initiated By: Nick Haney

Seconded By: Earle Greenberg

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

2. Consideration and action to approve the recommendation for appointment of Connie Loveland to the Board of Trustees, for the four-year term expiration on June 30, 2029.

Motion: To Approve

Initiated By: Nick Haney

Seconded By: Earle Greenberg

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

- G. Regular City Council Meeting Agenda

6. CONSENT AGENDA:

Motion: To Approve

Initiated By: Patrick Duffy

Seconded By: Nick Haney

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

3. Consideration and action to approve the December 16th, 2025 Special City Council Meeting, Executive Session, and Regular City Council Meeting Minutes.
4. Consideration and action pertaining to approval of an agreement with the Arizona Department of Public Safety, accepting funding for expenses related to reducing human trafficking, and approval of a Fiscal Year 2026 budget amendment moving budget in the amount of \$111,100 to project G31122 and amending the fiscal year 2026 Contract Awarding Authority List; Resolution #2026-03; RFLS #10395.
5. Consideration and action pertaining to entering into an agreement with the Tohono O'odham Nation to accept a grant award, approving a Fiscal Year 2026 budget amendment moving budget in the amount of \$209,000, \$109,000 to project G34205, and \$100,000 to project G17010 and amending the fiscal year 2026 Contract Awarding Authority List; Resolution #2026-11
7. REGULAR AGENDA ITEM - PUBLIC HEARING:
6. Consideration and action pertaining to a Rezone from Residential High (RH-15) with a Planned Unit Development (PUD) to Residential Medium Density (R-2) with a PUD overlay for property generally located at the southeast corner of 147th Avenue and Beardsley Canal. Case FS25-0420.

Chris Sexton, came to present this item. She talked about the Vicinity Map, FS25-0420 Existing Zone, Proposed Zone, Background, General Plan 2040 Compliance, Conceptual Plan,

Conceptual Plot Plans, Development Standards, Outreach, Recommendation, and current stipulations.

Andrew Yancy came on behalf of the developer to talk about Sierra Sol Ranch. He talked about the Vicinity Map, Rezone Details, Site Plan & Open Space, Amenities, PUD Development Standards Table, and PUD Setback Measurement.

Vice-Mayor Hastings, asked how many square feet would these homes be? Andrew said that the product would be between 1700 and 2500 square feet. Vice-Mayor Hastings asked if Oakwood has been in the City before? Andrew said they have a development elsewhere. Vice-Mayor asked if they were detached? Andrew said they were.

Councilmember Melton, asked about the approximate number of units? Andrew said they were looking around 92 units.

Councilmember Judd, asked how garbage pickup would work with the size of the development? Andrew said that is one of the issues they will try to address. Councilmember Judd asked if it would take up the whole street? Andrew said that it wouldn't.

Councilmember Haney, asked about the community outreach and the concerns regarding this development? Andrew said that there was some confusion about down zoning and it was positive. Councilmember Haney talked about his appreciation for this type of project.

Mayor Sartor, asked about the timeline? Andrew said that the developer is ready to go and construction would go quickly. Mayor Sartor asked how someone would go to Phoenix from this location? Andrew talked about the projected course of traffic there. Mayor Sartor was glad this wouldn't impact 163rd.

Vice-Mayor Hastings, talked about traffic increasing and the potential outcome of this project. He asked about the control City Council has? Andrew said that zoning is a set of permissions.

Councilmember Haney made clear that this was to down sizing the zone requirements.

Motion: To Approve
Initiated By: Nick Haney
Seconded By: Johnny Melton

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

8. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:
7. Consideration and action pertaining to the approval of a Resolution for the Intent to Annex for a portion of the project known as Vistas Montanas. Case# FS25-0291; Resolution 2026-02.

Chris Sexton, came to present this item. She talked about the Vicinity Map, Existing Boundaries, Annexation Locations, Proposed Boundary, and Annexation Steps.

Motion: To Approve
Initiated By: Nick Haney
Seconded By: Patrick Duffy

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle

Greenberg
No: None
Abstain: None

Vote Result: Passed

H. Call To The Public

Alex Christ, a Surprise Resident, came to talk about the Big 12 Tournament, and international visitors.

Lisa Everett, a Surprise Resident, came to talk about BNSF.

I. Other Business and Future Agenda Items

J. City Council Reports

Councilmember Haney, talked about the start of the year and his upcoming community meeting.

Councilmember Greenberg, talked about the new councilmembers.

Councilmember Duffy, talked about his upcoming meet and greet.

Councilmember Melton, thanked PD for their work on a recent accident. He talked about looking forward to the new year.

Vice-Mayor Hastings, talked about the new council and his experience as Vice-Mayor. He talked about his upcoming community meeting.

Councilmember Judd, talked about his upcoming community meetings.

Mayor Sartor, talked about his first year as Mayor. He talked about life guard job openings.

K. Executive Session

9. Executive Session Items

10. Executive Disclaimer - Part 1

11. Executive Disclaimer - Part 2

12. Executive Disclaimer - Part 3

L. Adjournment

Motion: To Adjourn
Initiated By: Nick Haney
Seconded By: Jack Hastings

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None
Abstain: None

Vote Result: Passed

Meeting adjourned at 6:55 PM

Kevin D. Sartor, Mayor

ATTEST:

Kristi Passarelli, City Clerk

CERTIFICATION:

I, Kristi Passarelli, 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, January 6, 2026.**

Kristi Passarelli, City Clerk



CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, January 6, 2026 @ 4:30 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Sartor called the Regular City Council Work Session of January 6th, 2026 to order at 4:30 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

B. Roll Call

In attendance with Mayor Sartor were Vice Mayor Jack Hastings, Council members Chris Judd, Earle Greenberg, Patrick Duffy, Johnny Melton and Nick Haney.

C. Pledge of Allegiance

Mayor Sartor led in the Pledge of Allegiance.

D. Regular City Council Work Session Agenda

1. CONSENT AGENDA:

2. REGULAR AGENDA ITEM - PUBLIC HEARING:

3. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

1. Fighter Country Partnership Update

Director of Government Relations, Jodi Tas, came to present this item. She introduced Ron Sites from Fighter Contry Partnership. Ron talked about where the FCF Support Goes, Different Programs, Luke Forward Campaign, and How it Continues.

Mayor Sartor, talked about the relationship the City has with the military.

2. Presentation and discussion regarding proposed updates to the municipal code, Chapter 58 — Utilities.

Water Director, Michael Boule, and Amy Peterson came to present this item. Amy talked about the Article VIII High Water User Regulations.

Councilmember Melton, asked if these regulations were in anticipation? Amy said that is correct, Michael said that any information shared wouldn't be retroactive.

Amy talked about the Division 1 Generally, Existing and Commercial Customer water usage, Division 2 Requirements of High Water Users, Sustainable Water Services Agreement.

Mayor Sartor, asked if the multiple water providers would be consistent with the City? Amy said that currently it would only apply to services the City provides directly, and that this would not apply to other entities like Epcor.

She talked about the Example of a Microbrewery, Example of Bottling Plant, Example of Data Center,

Councilmember Greenberg asked about future planning with pipes and who would pay to develop the pipes should a project would require it? Michael said that the water department is embedded in the development review process and would have the applicant pay for such development.

Councilmember Greenberg, asked if the water department would be apart of the review process? Michael said it is.

Councilmember Judd, asked how much discretion City Council would have? and if council could reject it? Michael said that it would be similar to a development project that comes before Council, and that staff would create a comprehensive recommendation that they could present Council. Councilmember Judd, talked about property rights with Zoning and if the user brought their own water, could the City say no? Michael said that if they brought their own water it wouldn't be an issue? Councilmember Judd asked if there was a way for council to stop it if they wanted to? Amy said that this would not be the way to stop such developments. Councilmember Judd asked how Gallons per Day was calculated? Amy said that it was an annual average. Councilmember Judd asked about 840 acre feet and if it covered 15 years? Michael said it was.

Amy went on to talk about Penalties, and Examples of Penalties.

Michael talked about the Strategic Priorities Alignment.

3. Flashing Yellow Arrow Safety Campaign

Transportation Director, Eric Boyles, came to present this item. He asked Councilmember Greenberg to talk about this item. Councilmember Greenberg gave some background of this item. Eric talked about the Background, Flashing Yellow Arrows, and Recent Studies.

Councilmember Judd asked what Eric meant by "noncompliance" when doing the study? Eric said it wasn't strictly legal.

Vice-Mayor Hastings, asked about the history of implementing the flashing yellow. He talked about the traffic build up at Bell and Litchfield. He asked about how a second lane was added at Reems and Bell? Eric said there was a project that went out to convert it to dual lefts. Vice-Mayor Hastings expressed his concern about people being able to turn left when it's flashing yellow? Eric talked about how it currently works, and they would be doubling the time for left turns. Councilmember Hastings, talked about the traffic at Bell and Litchfield and how he would like to expedite any projects for this.

Mayor Sartor asked when this would be going live? Eric said that it was going to out on the 12th and the notices would be given to the public.

Eric went on to talk about Bell & Litchfield Rd.

Mayor Sartor asked when construction would happen? Eric said it would go on by 2030 if not sooner depending on projects.

Councilmember Melton, asked if this addressing just the left lanes? Eric said it was just the left. Councilmember Melton asked about capacity for the right turn lanes? Eric said they could look into it.

Vice-Mayor Hastings, asked when at a left turn lane what driver's could do there? Chief Beecher said the operator of a vehicle can enter the intersection for a turn so long as there's a yellow light and complete the turn. Chief Beecher talked about his department's relationship with the Transportation Department.

Councilmember Haney, talked about combating bad driving behavior and keeping people safe. He talked about the history of this intersection and hoped that the City could pursuit any grant to develop this intersection. Eric talked about making the intersection safer. Councilmember Haney asked about the estimated timeframe for construction would be for an additional lane? Eric said that it wouldn't be too intrusive, and would do their best to do it quickly. Councilmember Haney asked if they would see the PSA today? Eric said they would.

Councilmember Judd, talked about the reputation of the intersection of Bell and Litchfield? Eric said that the numbers reflect the accident and no the number of fatalities. Councilmember Judd asked what incapacitated means? Eric said it is when they are not able to get out on their own. Councilmember Judd asked how this compares to other intersections within the City? Eric said that when it compares to the most crash prone intersection, this was the highest rated. Councilmember Judd asked how this compare with bad accidents? Chief Beecher, said that 163rd & Grand takes the lead, but this intersection is always second or third. Councilmember Judd, said that these numbers for accidents look low. Chief Beecher said he would be happy to pull stats to share later.

Eric went on to talk about the Flashing Yellow Arrow PSA Campaign, he asked Councilmember Greenberg to show the sign.

Councilmember Greenberg shared the sign.

Mayor Sartor asked how far back these signs would be? Eric said they would be position near the turn bay.

Eric talked about Sign locations, Sign Education, and shared the promotional video.

Councilmember Melton talked about the Video.

Councilmember Duffy, asked to see the accidents reports to compare all the intersections. Chief Beecher, talked about failure to yield on intersection usually leads to bigger accidents, and he would be generating a report. Councilmember Duffy talked about the caliber of accidents happening.

Councilmember Greenberg talked about his personal experience with left turns and thanked staff for their work on this.

Councilmember Hastings, thanked Councilmember Greenberg and staff for their work on this. He talked about the changes being done and how they have an impact at other intersections.

Mayor Sartor, thanked Councilmember Greenberg and staff.

E. Executive Session

1. Executive Session Items
2. Executive Disclaimer - Part 1
3. Executive Disclaimer - Part 2
4. Executive Disclaimer - Part 3

F. Adjournment

Motion: To Adjourn

Initiated By: Nick Haney

Seconded By: Earle Greenberg

Yes: Jack Hastings, Patrick Duffy, Chris Judd, Nick Haney, Kevin Sartor, Johnny Melton, Earle Greenberg

No: None

Abstain: None

Vote Result: Passed

Meeting Adjourned at 5:34 PM

Kevin D. Sartor, Mayor

ATTEST:

Kristi Passarelli, City Clerk

CERTIFICATION:

I, Kristi Passarelli, 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, January 6, 2026.**

Kristi Passarelli, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: City Clerk
Staff Recommendations:

Contact Person: Kristi Passarelli, City Clerk
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve the revised version of the City Council Meeting Dates for 2026.

Motion:

I move to approve the revised City Council Meeting Dates for 2026.

Background:

Due to a conflict with the AZ League of Cities and Towns Conference, the meeting date of March 17, 2026 is canceled and will be held on the following Tuesday, March 24, 2026 to keep the timeline on track.

Objective Analysis:

Majority vote of council is required to vacate/reschedule a meeting.

Policy Compliant:

City Code Sec. 2-65. - Meeting, location and time.

(a)

Regular meeting of the city council will be held on the first and third Tuesday of each month at 6:00 p.m. at City Hall, 16000 N. Civic Center Plaza, Surprise, Arizona, unless otherwise provided in the public notice.

(b)

Work sessions may be held for the purpose of presentations to and discussions with council. Action by council at work sessions is limited to general consensus, conveying questions or requesting information. No formal action of the city council may be taken at work sessions.

(c)

Special meetings may be convened by the mayor or at least three councilmembers at any time.

(d)

The city council may call, vacate, or change the date, time or location of a specific meeting by majority vote.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-2013; Ord. No. 2014-03, § 2, 1-28-2014; [Ord. No. 2024-28](#), § 1, 8-20-24)

Financial Impact:

There is no anticipated financial impact related to this item.

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:

1. DRAFT 2026 COUNCIL MEETING DATES AND AGENDA TIMELINES_revision approval
01202026
-



2026 City Council Meeting Dates Agenda Timeline

WORK SESSION / REGULAR MEETING DATE:	ITEMS DUE INTO CIVIC CLERK WORKFLOW: (15 DAYS PRIOR)	AGENDA CALL MEETING (14 DAYS PRIOR)
TUESDAY, JANUARY 6 (<i>Induction Ceremony</i>)	MONDAY, DECEMBER 22, 2025	TUESDAY, DECEMBER 16, 2025*
TUESDAY, JANUARY 20 (<i>Vice-Mayor Election</i>)	MONDAY, JANUARY 5	TUESDAY, JANUARY 6
TUESDAY, FEBRUARY 3	MONDAY, JANUARY 19	TUESDAY, JANUARY 20
TUESDAY, FEBRUARY 17	MONDAY, FEBRUARY 2	TUESDAY, FEBRUARY 3
TUESDAY, MARCH 3	MONDAY, FEBRUARY 16	TUESDAY, FEBRUARY 17
TUESDAY, MARCH 17	MONDAY, MARCH 2	TUESDAY, MARCH 3
TUESDAY, MARCH 24	MONDAY, MARCH 9	TUESDAY, MARCH 10
TUESDAY, APRIL 7	MONDAY, MARCH 23	TUESDAY, MARCH 24
TUESDAY, APRIL 21	MONDAY, APRIL 6	TUESDAY, APRIL 7
TUESDAY, MAY 5	MONDAY, APRIL 20	TUESDAY, APRIL 21
TUESDAY, MAY 19	MONDAY, MAY 4	TUESDAY, MAY 5
TUESDAY, JUNE 2	MONDAY, MAY 18	TUESDAY, MAY 19
TUESDAY, JUNE 16	MONDAY, JUNE 1	TUESDAY, JUNE 2
SUMMER BREAK - NO MEETINGS HELD IN JULY		
MONDAY, AUGUST 3*	MONDAY, JULY 20	TUESDAY, JULY 21
TUESDAY, AUGUST 18	MONDAY, AUGUST 3	TUESDAY, AUGUST 4
TUESDAY, SEPTEMBER 1	MONDAY, AUGUST 17	TUESDAY, AUGUST 18
TUESDAY, SEPTEMBER 15	MONDAY, AUGUST 31	TUESDAY, SEPTEMBER 1
TUESDAY, OCTOBER 6	MONDAY, SEPTEMBER 21	TUESDAY, SEPTEMBER 22
TUESDAY, OCTOBER 20	MONDAY, OCTOBER 5	TUESDAY, OCTOBER 6
MONDAY, NOVEMBER 2*	MONDAY, OCTOBER 19	TUESDAY, OCTOBER 20
TUESDAY, NOVEMBER 17	MONDAY, NOVEMBER 2	TUESDAY, NOVEMBER 3
TUESDAY, DECEMBER 1	MONDAY, NOVEMBER 16	TUESDAY, NOVEMBER 17

2027 JANUARY MEETINGS: 5th & 19th

*Indicates holidays or election conflicts

Clerk's Office - Council Packets: Mayor and Council will receive the electronic version of the council meeting packet one week prior to the scheduled meeting date. Final council meeting packets will be published and available online the Thursday prior to the meeting.

Prepared by Kristi Passarelli, City Clerk 08/14/2025, Approved by Council 9/2/2025

Revised 01/09/2026, Approved by Council _____



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Eric Boyles, Director -
Transportation

Submitting Department: Transportation

District: Citywide

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to acceptance of the City's Arizona Lottery Fund (ALF) allotment for FY2026 in the amount of \$364,134; Resolution #2026-13.

Motion:

I move to approve Resolution #2026-13.

Background:

Arizona Lottery Fund (ALF) is judicially mandated funding currently derived from Powerball lottery revenues to provide public transportation funding opportunities in Maricopa County. An allocation of \$11,200,000 has been made available for FY2026 distribution. The City of Surprise's eligible portion is \$364,134. The program was made "transit use only" so the funds can only be used for public transit or special needs transportation, sponsored by a local government. There is no local match requirement associated with ALF funds; other funds are called out in the application to highlight the City's contribution to transit services. This year's application is for the City contracted Regional Paratransit service and the City's RideChoice services. These state funds will be used to meet the City Council Strategic Planning Transportation goals. After submission of the application for funding, the City will receive the requested funds in the amount of \$364,134. The proposed resolution authorizes the application and acceptance of the funds upon receipt.

Objective Analysis:

Arizona Lottery Funds allow the City to leverage General Fund dollars to other City priorities without jeopardizing transit service to the Surprise residents on average in the amount of \$360,000 annually. By not accepting these funds, and if the City wanted to maintain the current level of service in its transit programs, the City would have to increase its General Fund obligations on average an additional \$360,000.

Policy Compliant:

This action is consistent with the Council Strategic Plan goal of identifying funding sources for the transportation system.

Financial Impact:

The approval of this item will allow the City to formally receive ALF funding in the amount of \$364,134 for FY2026 to support public transportation services.

Budget Impact:

The FY2026 budget was adopted including revenue and expense allocations of \$364,200 within the Arizona Lottery Fund for transit services.

FTE Impact:

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

ATTACHMENTS:

1. Resolution #2026-13_Arizona Lottery Fund Resolution_FINAL
 2. Signed FY2026 ALF Application
-

RESOLUTION # 2026-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AN ALLOCATION OF ARIZONA LOTTERY FUNDS FROM THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY IN THE AMOUNT OF \$364,134.00.

WHEREAS, the Regional Public Transportation Authority (“RPTA”) is awarding funding for local transit projects relating to all aspects of transit services;

WHEREAS, upon application, the Arizona State Legislature has authorized an allocation of Arizona Lottery Funds (“ALF”) to the City of Surprise to fund transit activities in the amount of \$364,134.00;

WHEREAS, the FY2026 budget, including the FY2026 Contract Awarding Authority List, was adopted by Council Resolution #2025-71 on June 3, 2025;

WHEREAS, the FY2026 adopted budget includes revenue and expense allocations of \$364,134.00 within the City’s ALF fund for transit services;

WHEREAS, the Council desires to accept the ALF allocation in the amount of Three Hundred Sixty-Four Thousand One Hundred Thirty-Four Dollars (\$364,134.00);

WHEREAS, this is the same amount RPTA awarded to the City for FY2025 and will not necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for acceptance of these funds.

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

Section 1. The City of Surprise hereby authorizes the City Manager or his designee to accept ALF award for FY2026 and receive funds in the amount of \$364,134.00 from the Regional Public Transit Authority.

[SIGNATURES ON FOLLOWING PAGE]

APPROVED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

ALF GRANT APPLICATION FOR FISCAL YEAR 2025-26

SECTION I: APPLICANT INFORMATION

Applicant: City of Surprise Contact: Kristen Taylor
Address: 16000 N. Civic Center Plaza Phone: 623-222-6021
Surprise, AZ 85374 Fax:
e-mail address: kristen.taylor@surpriseaz.gov

SECTION II: FUNDING REQUEST

Project Funding Summary (include funding from all project applications)

Table with 2 columns: Description and Amount. Row 1: Total all ALF Being Requested for Transit Projects (from Project Forms) \$ 364,134. Row 2: Total Other Funds included in the Projects (from Project Forms). Row 3: Grand Total all Funds \$ 364,134.

SECTION III: PRIOR YEAR ALF PROJECT STATUS

Funding is available for two years unless an extension is requested. Funding that is not spent within two years is subject to possible redistribution through the annual distribution process to other jurisdictions.
1. Have ALF distributions received by your jurisdiction on or before June 30, 2025 been expended? Yes [X] No
2. If the funds have been expended, were they spent on the projects as indicated in prior applications? Yes [X] No
3. If the funds described above have not been expended, what is your ALF fund balance? \$ 0.00
4. If the answer to lines 1 or 2 are no, provide a brief description of why the funds were not expended or were not expended on projects originally submitted in an application and explain when the funds are planned to be expended.

Authorized chief financial officer signature:

Signed by: Sandy Simmons Date: 1/7/2026 | 08:23 AM MST
Finance Director
Title

Authorized jurisdictional signature**:

DocuSigned by: Andrea Davis Date: 1/7/2026 | 08:53 AM MST
City Manager
Title

**Signatory should be city, town or county manager or program director.

**ALF GRANT APPLICATION FOR
FISCAL YEAR 2025-26**

SECTION I: APPLICANT INFORMATION

Applicant: City of Surprise Contact: Kristen Taylor

SECTION II: PROJECT REQUEST(S)

1. Transit Project

a. Project Title: City of Surprise Transit Operations

b. Project Location: City of Surprise

c. Project Description: The City of Surprise plans to use all ALF funds to help with bus operations in the City of Surprise. Surprise currently operates Paratransit and Ridechoice programs.

Additional project information may be attached.

d. ALF funding requested (also include on line 2a) \$ 364,134

e. Other Funds included in the Project (include on line 2b on page 1) \$ _____

f. Total Project Cost \$ _____

g. Type of Project: Planning Capital Operations Other _____

h. Is the project included in the Regional Transportation Plan? (Yes or No) Yes

i. Is the project included in the TIP or UPWP? (Yes or No) Yes

2. Transit Project

a. Project Title: _____

b. Project Location: _____

c. Project Description: _____

Additional project information may be attached.

d. ALF funding requested (also include on page 1 line 2a) \$ _____

e. Other Funds included in the Project (include on line 2b on page 1) \$ _____

f. Total Project Cost \$ _____

g. Type of Project: Planning Capital Operations Other _____

h. Is the project included in the Regional Transportation Plan? (Yes or No) _____

i. Is the project included in the TIP or UPWP? (Yes or No) _____



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Kristin Tytler, Department Director
District: District 3

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action declaring to enlarge an existing street light improvement district ("SLID") known as CITY OF SURPRISE, ARIZONA, AUTOSHOW EAST 2 #127 (the "District"), pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2026-01.

Motion:

I move to approve Resolution No. 2026-01

Background:

The District was formed in August 21, 2012 (Resolution 2012-71). Since the time of formation, new parcels have been formed in and around the original District boundary. We request enlarging the existing District to include the new parcels and extend existing boundaries to roadway centerlines. The City has verified that the Petition for the proposed street light improvement district enlargement contains the signatures of all the real property owners in the enlargement area of the District, exclusive of mortgagees and other lien holders. There is one (1) existing streetlight, which is on a collector road and will be billed to the District.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's streetlights through a property tax. All new developments in the City of Surprise require a SLID. This action will enlarge an existing SLID boundary to include the remainder of the parcels not within the District and extend existing boundaries to roadway centerlines. The District is paid for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District. The enlargement of the SLID will only affect the parcels joining into the District, as the valuation of the property may be increased.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a SLID is formed. The City strives to assure that residents are subject to only one SLID and that the boundaries

of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Once the SLID enlargement is illuminated, the City will begin levying the SLID to cover the additional SLID expenses. At the current time, the SLID is not incurring any expense because the SLID lights have not been illuminated, therefore there is no current financial impact.

Budget Impact:

Since the SLID enlargement is not illuminated, there is no revenue or expense budgeted in FY2026 nor are there budgets planned for FY2027 for the SLID. If the enlargement to the District is illuminated in FY2026 or FY2027, expenses will be charged to the District and recouped with a future levy.

FTE Impact:

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

ATTACHMENTS:

1. 01 Resolution 2026-01 SLID Enlargement - Autoshow East 2 127
 2. 02 SLID Petition FS25-0297 Ken Graff
 3. 03 Council Map FS25-0297 Ken Graff
-

RESOLUTION # 2026-01

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENT TO ENLARGE THE CITY OF SURPRISE, ARIZONA, AUTOSHOW EAST 2 #127 LIGHTING IMPROVEMENT DISTRICT AND ORDERING SUCH ENLARGEMENT.

WHEREAS, on August 21, 2012, the Mayor and City Council of the City of Surprise adopted Resolution No. 2012-71, ordering the formation of the CITY OF SURPRISE, ARIZONA, AUTOSHOW EAST 2 #127 LIGHTING IMPROVEMENT DISTRICT (the "District") for the purpose of purchasing energy for the lighting of the public streets and parks within the District;

WHEREAS, Ariz. Rev. Stat. § 48-616(M) permits the City to add new territory to an existing district, thereby enlarging the boundaries of an existing street lighting improvement district ("SLID") when proper notice has been given to the owners of property that will be added to the SLID in accordance with Ariz. Rev. Stat. Title 48, Chapter 4, Article 2;

WHEREAS, Ariz. Rev. Stat. § 48-617(A) gives the City immediate jurisdiction to adopt the resolution ordering the creation or enlargement of a SLID without the necessity of publication and posting of the resolution of intention when all owners of the real property being added to the SLID have petitioned the City to form or enlarge the SLID;

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of parcels of property which adjoin the District (hereinafter referred to as "Petitioners") acting pursuant to the provisions of Ariz. Rev. Stat. §§ 48-616(M) and 48-617(A), have petitioned the City to enlarge the District to include said property legally described in **Exhibit A** to this resolution, with such boundaries as shown in the map in **Exhibit B** to this resolution; and

WHEREAS, the City has verified and finds that Petitioners are the owners, exclusive of mortgagees and other lienholders, of all of the real property being added to the boundary of the District.

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

Section 1. *District Enlargement.* The CITY OF SURPRISE, ARIZONA, AUTOSHOW EAST 2 #127 LIGHTING IMPROVEMENT DISTRICT shall be enlarged by the addition of the property described in **Exhibit A** and shown in **Exhibit B**, which are incorporated by reference hereto into this Resolution. The annual tax levied upon the

District will remain in full force and effect, and, commencing in fiscal year 2027 will apply to the District as enlarged by this Resolution.

Section 2. *Recording and Filing of this Resolution.* A certified copy of this Resolution shall be recorded in the office of the Maricopa County Recorder. Certified copies of this Resolution shall also be filed with the Arizona Department of Revenue and the Maricopa County Assessor's office pursuant to Ariz. Rev. Stat. § 42-17257.

APPROVED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A
Legal Description



S.L.I.D.
PROPOSED LOT 2
SURPRISE, ARIZONA
October 1, 2025

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 OF THE FINAL PLAT FOR “LOT 5” OF PRASADA – PHASE 1A, LOTS 2 AND 3, A COMMERCIAL SUBDIVISION” AS RECORDED IN BOOK 998, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EAST LINE OF SAID LOT 2, SOUTH 00°23'36" WEST, A DISTANCE OF 460.63 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 674.73 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AUTOSHOW AVENUE, BEING A NON-TANGENT CURVE CONCAVE WEST;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, OF WHICH THE RADIUS POINT BEARS NORTH 89°12'43" WEST, A RADIAL DISTANCE OF 1,400.00 FEET, A CENTRAL ANGLE OF 00°32'59", AND A LENGTH OF 13.43 FEET;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 00°14'18" EAST, A DISTANCE OF 450.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;

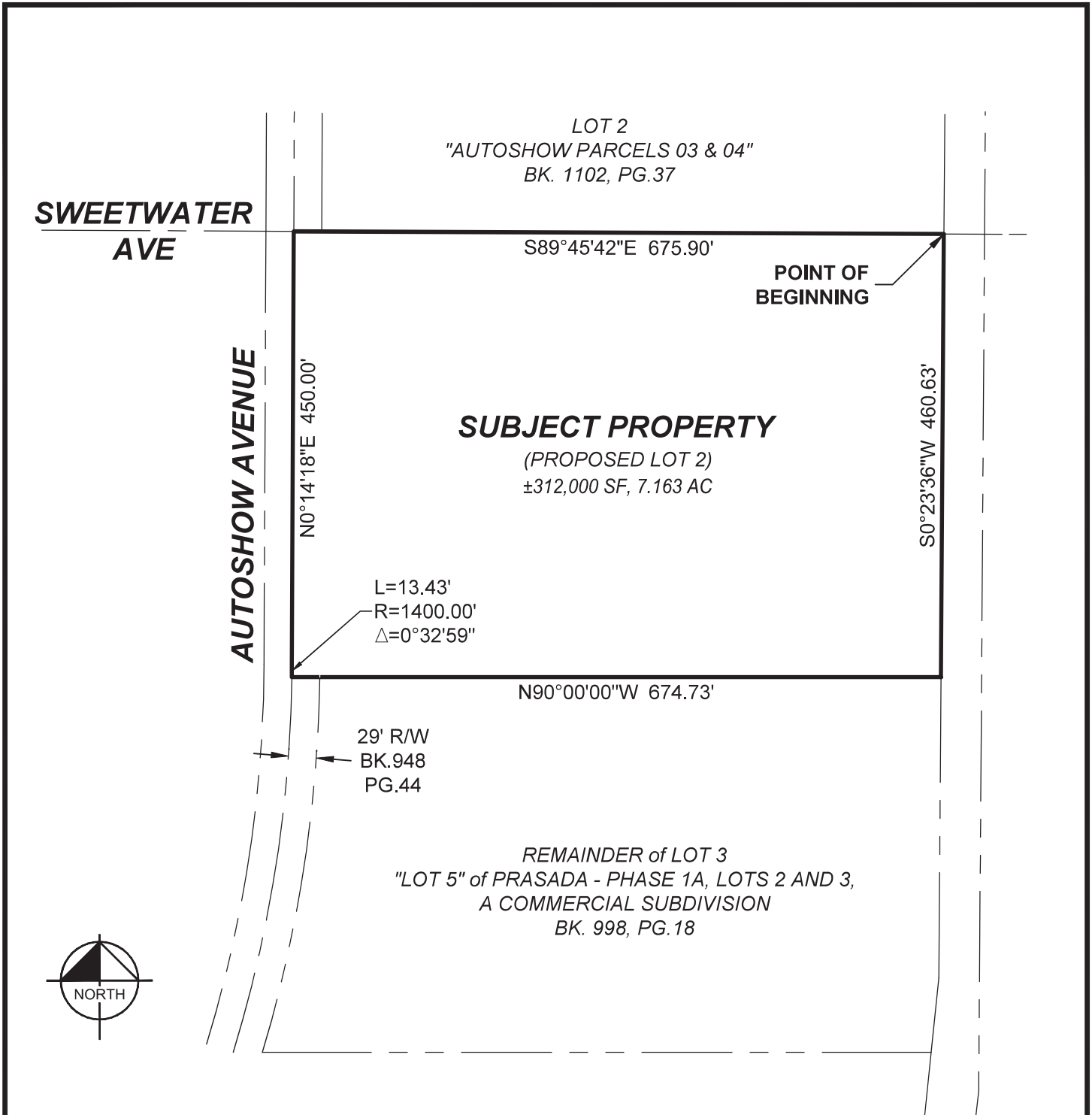
THENCE ALONG THE NORTH LINE OF SAID LOT 2, SOUTH 89°45'42" EAST, A DISTANCE OF 675.90 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 312,000 SQUARE FEET OR 7.163 ACRES, MORE OR LESS.



EXHIBIT B

Map



S.L.I.D. - LOT 2
 HYUNDAI SURPRISE
 SURPRISE, ARIZONA

Kimley»Horn

14648 North Scottsdale Road # 200
 Scottsdale, Arizona 85254

Tel. No. (602) 607-1244
 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	ELS	RMH	10/01/2025	093528029	1 of 1

STREET LIGHT IMPROVEMENT DISTRICT PETITION ENLARGEMENT

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, adjoining the district named below. We petition the City Council of the City of Surprise, Arizona, to enlarge the District to include said property legally described in Exhibit A with such boundaries as shown in the map in Exhibit B attached hereto. This petition includes a charge for maintaining the lighting facilities.

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

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

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

The name of the existing street light improvements district to be enlarged:

(Leave Blank - to be assigned by City staff)

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Hoppy Surprise, LLC	12925 N Autoshow Ave	501-40-971	Signed by: <i>Brett Hopkins</i> C49B95C1B74F4A8...



**RATE SCHEDULE E-68
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

AVAILABILITY

This rate schedule is applicable to those portions of cities, towns and unincorporated communities in which the Company does a general retail electric business and where the Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered after December 1, 2021.

DESCRIPTION

E-68 is a rate that is applicable for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities.

TIME PERIOD

Dusk: The time between sunset and full night when photocontrol senses the lack of sufficient sunlight and turns on the lights.

Dawn: The time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

CHARGES

The monthly bill will consist of the fixture and energy charges, plus adjustments:

I. FIXTURES (Includes Mounting Arm, if applicable)

Fixture Equipment Class	Fixture Cost Range (per unit)	Investment by Company Monthly Rate	Investment by Others Monthly Rate
A	\$ 1 - \$ 430	\$ 6.54	\$ 2.00
B	\$ 431 - \$ 520	\$ 7.97	\$ 2.43
C	\$ 521 - \$ 640	\$ 9.56	\$ 2.97
D	\$ 641 - \$ 820	\$ 11.43	\$ 3.80
E	\$ 821 - \$ 910	\$ 14.46	\$ 4.21
F	\$ 911 - \$ 1,010	\$ 16.10	\$ 4.67
G	\$ 1,011 - \$ 1,110	\$ 17.60	\$ 5.14
H	\$ 1,111 - \$ 1,250	\$ 19.95	\$ 5.77
I	\$ 1,251 - \$ 1,520	\$ 22.20	\$ 7.00
J	\$ 1,521 - \$ 1,670	\$ 27.06	\$ 7.70
K	\$ 1,671 - \$ 1,850	\$ 30.08	\$ 8.52

Note: Equipment cost greater than \$1,850 shall be Customer owned.



II. ENERGY (Includes Generation, T&D, RCS & SBC)

Monthly energy charges for new lighting fixtures will be determined by the Company using the following method:

$$\text{kWh} = \text{Fixture Wattage} \times 344 \text{ Usage Hours}$$

$$\text{Generation} = \text{kWh per month} \times \$0.07575$$

$$\text{T\&D, RCS, System Benefits} = \text{kWh per month} \times \$0.03068$$

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.
2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the Customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.
3. Listed kWh reflects the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.
4. kWh is determined by the company based on the rated wattage of the equipment and an established average hourly usage per month.
5. The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the Customer provides earthwork and conduit (excluding the underground to overhead transition).



**RATE SCHEDULE E-68
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

III. POLES

			CHARGES		
			Height	Investment by Company	Investment by Others
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	12 ft.	\$ 14.69	\$ 2.03
			22 ft.	\$ 16.53	\$ 2.28
			25 ft.	\$ 17.89	\$ 2.47
			30 ft.	\$ 20.55	\$ 2.83
			32 ft.	\$ 21.59	\$ 2.86
		2 Simplex Adapters	12 ft.	\$ 15.66	\$ 2.16
			22 ft.	\$ 18.00	\$ 2.48
			25 ft.	\$ 18.77	\$ 2.59
			30 ft.	\$ 21.82	\$ 3.01
			32 ft.	\$ 23.27	\$ 3.21
	Square Steel	5"	13 ft.	\$ 16.84	\$ 2.31
			15 ft.	\$ 15.04	\$ 2.07
			23 ft.	\$ 17.85	\$ 2.46
			25 ft.	\$ 19.62	\$ 2.70
			28 ft.	\$ 21.78	\$ 3.00
			32 ft.	\$ 21.66	\$ 2.99
Concrete		12 ft.	\$ 50.19	\$ 6.91	
Fiberglass		12 ft.	\$ 42.50	\$ 5.85	
Decorative Transit	4"	16 ft.	\$ 41.44	\$ 5.72	
Decorative Transit	6"	30 ft.	\$ 80.01	\$ 11.02	
Hinged Poles	Square	15 ft.	\$ 15.93	\$ 1.30	
	Round	19 ft.	\$ 14.40	\$ 1.18	
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	\$ 14.13	\$ 1.93
			22 ft.	\$ 15.98	\$ 2.20
			25 ft.	\$ 17.32	\$ 2.39
			30 ft.	\$ 20.00	\$ 2.77
			32 ft.	\$ 21.02	\$ 2.89
		2 Simplex Adapters	12 ft.	\$ 15.09	\$ 2.07
			22 ft.	\$ 16.86	\$ 2.31
			25 ft.	\$ 18.20	\$ 2.49
			30 ft.	\$ 21.26	\$ 2.92
			32 ft.	\$ 22.70	\$ 3.12
	3 Bolt Arm		32 ft.	\$ 26.09	\$ 3.58
	Square Steel	5"	13 ft.	\$ 16.29	\$ 2.25
			15 ft.	\$ 16.66	\$ 2.28
			23 ft.	\$ 17.29	\$ 2.39
			25 ft.	\$ 19.07	\$ 2.64
			28 ft.	\$ 21.19	\$ 2.92
32 ft.			\$ 22.00	\$ 3.01	



**RATE SCHEDULE E-68
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

III. POLES (cont.)

		CHARGES			
		Height	Investment by Company	Investment by Others	
C. Direct Bury	Round Steel	19 ft.	\$ 22.23	\$ 3.07	
		30 ft.	\$ 17.36	\$ 3.21	
		38 ft.	\$ 21.18	\$ 3.29	
		Self	40 ft.	\$ 26.09	\$ 4.13
		Stepped	25 ft.	\$ 60.01	\$ 4.90
			32 ft.	\$ 63.20	\$ 5.16
	49 ft.		\$ 78.45	\$ 10.81	
	Square Steel	4"	34 ft.	\$ 19.15	\$ 3.32
			5"	20 ft.	\$ 18.19
		30 ft.		\$ 18.96	\$ 3.12
		38 ft.		\$ 20.57	\$ 3.57
		8"		28 ft.	\$ 34.33
			32 ft.	\$ 35.89	\$ 2.94
	Decorative Transit	41 ft 6"	\$ 24.71	\$ 3.63	
	Decorative Transit	47 ft.	\$ 30.79	\$ 4.53	
	Steel Distribution Pole (for lighting only)	35 ft.	\$ 28.42	\$ 3.74	
D. Post Top	Decorative Transit Anchor Base	16 ft.	\$ 42.33	\$ 5.81	
	Gray Steel/Fiberglass	23 ft.	\$ 14.68	\$ 2.41	
	Black Steel	23 ft.	\$ 16.18	\$ 2.67	
E. Existing distribution pole suitable for streetlight use			\$ 1.78	--	
F. Wood	Wood Poles	30 ft.	\$ 10.80		
		35 ft.	\$ 10.80		
		40 ft.	\$ 15.00		

IV. ANCHOR BASE

		CHARGES		
		Height	Investment by Company	Investment by Others
A. Flush		4 ft.	\$ 11.96	\$ 1.65
		6 ft.	\$ 14.27	\$ 2.47
B. Pedestal		8 ft.	\$ 16.35	\$ 2.85
	For 32' Round Steel Pole only	4 ft. 6"	\$ 11.34	\$ 1.96



V. CHARGES FOR OPTIONAL OR ADDITIONAL COMPANY OWNED EQUIPMENT

Underground Circuit Charges	
a. Per foot of cable, installed under paving	\$ 0.19051
b. Per foot of cable, not installed under paving	\$ 0.06724

TRIP CHARGE

A \$150.00 trip charge per light will be charged when a Customer requests a disconnect or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street lighting equipment.

ADJUSTMENTS

The bill will include the following adjustments:

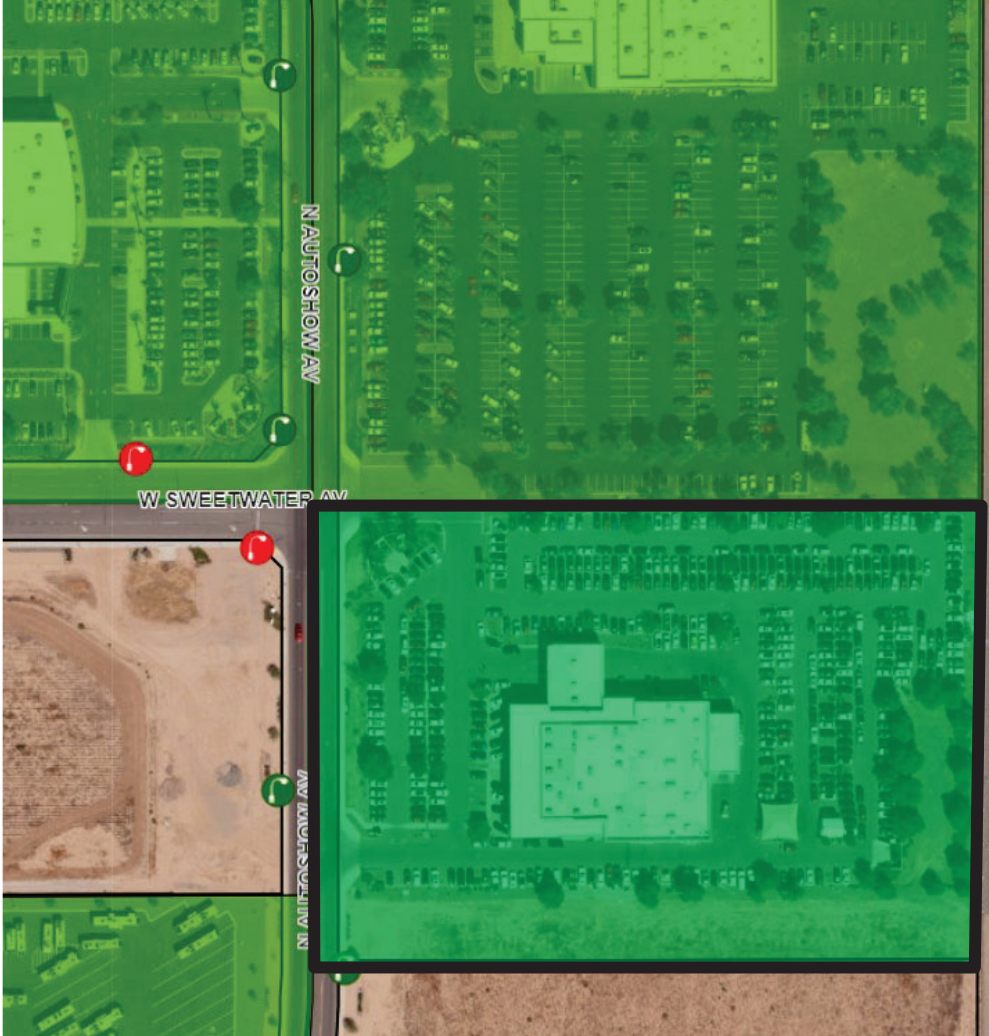
1. The Renewable Energy Standard charge, Adjustment Schedule REAC-1.
2. The Power Supply Adjustment charges, Adjustment Schedule PSA-1.
3. The Transmission Cost Adjustment charge, Adjustment Schedule TCA-1.
4. The Demand Side Management Adjustment charge, Adjustment Schedule DSMAC-1.
5. Direct Access Customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge, Adjustment Schedule RCDAC-1.
6. The Tax Expense Adjustor Mechanism charge, Adjustment Schedule TEAM.
7. The Court Resolution Surcharge, Adjustment Schedule CRS-1.
8. The System Reliability Benefit Adjustment Mechanism charge, Adjustment Schedule SRB-1.
9. Any applicable taxes and governmental fees that are assessed on APS's revenues, prices, sales volume, or generation volume.



SERVICE DETAILS


1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.
2. The Customer's bill will not be reduced due to photocontrol or cable repair or replacement outages.
3. Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.
4. The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the Customer. When the extension is underground, the customer will provide earthwork as specified in the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.
 - a. Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.
5. APS provides electric service under the Company's Service Schedules. These schedules provide details about how the Company serves its Customers, and they have provisions and charges that may affect the Customer's bill. In addition, service may be subject to special terms and conditions as provided for in a Customer contract, maintenance, or service agreement.

AUTOSHOW EAST 2 127



Street Lights:

Street Light Pole

 1 existing pole Collector

 SLID Enlargement Boundary



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Police
Staff Recommendations:

Contact Person: Evan Becher, POLICE CHIEF
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to the acceptance and continuation of the Memorandum of Understanding with the U.S. Department of Justice (DOJ), U.S. Marshals Service, and amending the Fiscal Year 2026 budget by moving budget in the amount of \$10,000 to project G31368; Resolution #2026-12; RFLS 10424.

Motion:

I move to approve Resolution #2026-12

Background:

The Surprise Police Department may receive up to \$10,000 in overtime funding from the U.S. Department of Justice, U.S. Marshals Service to cover overtime expenses associated with the participation of one Surprise Police Officer in the Joint Law Enforcement Operations (JLEO) Task Force from October 29, 2025, to September 30, 2026.

Objective Analysis:

Acceptance of this funding will provide reimbursement of overtime expenses for one Surprise Police Officer's participation in the activities of the JLEO task force subject to fund availability.

Policy Compliant:

This action is consistent with City and Council Policy. The City regularly partners with other government entities when it is beneficial to do so.

Financial Impact:

Acceptance and continuation of this MOU will provide up to \$10,000 in one-time funding to be used solely for overtime expenses incurred as a result of participation in the JLEO Task Force subject to fund availability. There is no city-match requirement; however, all employee related expenses associated with this overtime will be absorbed by the Police Department's current operating budget.

Budget Impact:

The FY2026 adopted budget did not include appropriations for revenue and expenses related to the FFY2026 U.S. Marshals JLEO MOU. Acceptance and continuation of this MOU will require an

amendment to the Fiscal Year 2026 budget by moving budget authority of \$10,000 from the General Contingency Fund to project G31368 – FFY26 JLEO in the Grants Fund. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

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

ATTACHMENTS:

1. 26.01.20 Res 2026-12 JLEO OT MOU_Submitted
 2. Surprise PD MOU_Submitted
 3. usm607 - Surprise
 4. AZDHS US Marshal Grant
-

RESOLUTION # 2026-12

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY TO ACCEPT FUNDING BY AMENDING THE FISCAL YEAR 2026 BUDGET BY MOVING BUDGET AUTHORITY IN THE AMOUNT OF \$10,000 FROM THE GENERAL CONTINGENCY FUND TO PROJECT G31368 IN THE GRANTS FUND PURSUANT TO A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES MARSHALS SERVICE JOINT LAW ENFORCEMENT OPERATIONS (JLEO) TASK FORCE.

WHEREAS, pursuant to Arizona Revised Statute §13-3872, *et seq.*, the City of Surprise has the authority to enter into agreements with other governmental entities for the purposes set forth within;

WHEREAS, the parties desire to continue a memorandum of understanding to coordinate and participate in a permanent regional fugitive task force for the purpose of locating and apprehending fugitives with the participation of one Surprise Police Department officer being assigned;

WHEREAS, the US DOJ, U.S. Marshals Service Fugitive Task Force (“Marshals Office”) as part of their commitment to this partnership, desires to reimburse overtime expenses incurred for one full-time officer up to the amount of \$10,000 subject to fund availability, and the City of Surprise desires to accept such funding;

WHEREAS, the previously entered into agreement provides overtime funding for one officer assigned to the Joint Law Enforcement Operations Task Force for the federal fiscal year 2025-2026 and such funding was not included in the budget;

WHEREAS, the FY2026 budget was adopted by Council Resolution #2025-71 on June 3, 2025;

WHEREAS, acceptance of this funding will necessitate a budget amendment, and;

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

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2025, through June 30, 2026.

Section 2. The Memorandum Of Understanding between the City of Surprise and the United States Marshals Service is attached as *Exhibit B*.

Section 3. The City Manager, or their designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

APPROVED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

RESOLUTION # 2026-12
Exhibit A

1. Appropriation - The allocation below represents movement of budget authority in the amount of \$10,000 from the General Contingency Fund to Project #G31368 FFY26 JLEO in the Grants Fund to reimburse up to \$10,000 of overtime expenses as a result of participation in the JLEO Task Force, subject to fund availability. The adopted FY2026 budget did not include appropriations for revenue and expenses related to the FFY26 JLEO MOU. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	Police	#G31368 FFY26 JLEO	E	-	10,000	10,000
Grants	Police	#G31368 FFY26 JLEO	R	-	10,000	10,000
Contingency	General Operations	Contingency	E	82,456,800	(10,000)	82,446,800
Contingency	General Operations	Other	R	81,281,700	(10,000)	81,271,700
Expense Total				82,456,800	-	82,456,800
Revenue Total				81,281,700	-	81,281,700

RESOLUTION 2026-12
EXHIBIT B

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF SURPRISE AND UNITED STATES MARSHALS SERVICE

(BEGINS ON THE NEXT PAGE)

United States Marshals Service
Fugitive Task Force
Memorandum of Understanding
For Non-Federal Agencies

Rev. 08/2024

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the

Surprise Police Department

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000, codified at 34 U.S.C. 41503, and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent Regional Fugitive Task Forces consisting of federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. *See also* Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation concerning the "Authority to Pursue Non-Federal Fugitives," issued by the U.S. Department of Justice (DOJ), Office of Legal Counsel, dated February 21, 1995; Memorandum concerning the "Authority to Pursue Non-Federal Fugitives," issued by the USMS Office of General Counsel, dated May, 1, 1995; 42 U.S.C. § 16941(a) ("The Attorney General shall use the resources of Federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements."), and 28 U.S.C. § 566(c) and (e)(1)(D) (USMS authorized to "assist State, local, and other Federal law enforcement agencies...in locating and recovering missing children" [566(e)(1)(A)]...and to... "command all necessary assistance to execute its duties" [566(c)]). Additional authority is derived from the Attorney General's Memorandum, Implementation of National Anti-Violent Crime Initiative (March 1, 1994); Attorney General's Memorandum, Policy on Fugitive Apprehension in FBI and DEA Cases (dated August 11, 1988); Memorandum of Understanding between the Drug Enforcement Administration and the United States Marshals Service (dated September 28, 2018, or as hereafter amended); and Federal Rules of Criminal Procedure 41 – Search and Seizure.

MISSION: The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active warrants for their arrest. The intent of the joint effort is to investigate and apprehend federal, local, state, tribal, and territorial fugitives, thereby improving public safety and reducing violent crime. Each participating agency agrees to refer cases for which they hold the primary warrant for the subject to the RFTF (Regional Fugitive Task Force) or VOTF (Violent Offender Task Force) for adoption and investigation. Cases will

be adopted by the RFTF/VOTF at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the RFTF/VOTF may also adopt felony violent crime arrest warrants non-participating law enforcement agencies in investigating, locating, and arresting their fugitives. Task force personnel will be assigned federal and adopted fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. All members of the RFTF/VOTF, including Task Force Officers (TFO), when operating on task force missions are prohibited from seeking “no knock” warrants or making “no knock” entries unless done in compliance with USMS policy and the DOJ Deputy Attorney General memorandum, dated September 13, 2021, restricting “no knock” entries to specific scenarios. Participating agencies retain responsibility for the cases they refer to the RFTF/VOTF. Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State, local, tribal, or territorial fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned agency. Specially deputized task force officers are authorized to assist with USMS missing child recovery investigations undertaken by the USMS pursuant to the applicable USMS Policy Directive and Standard Operating Procedure.

SUPERVISION: The RFTF/VOTF may consist of law enforcement and administrative personnel from federal, state, local, tribal, and territorial law enforcement agencies. Agency personnel must be approved by the RFTF/VOTF Chief Inspector/Chief Deputy prior to assignment to the RFTF/VOTF. Agency personnel may be removed at any time at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy. Direction and coordination of the RFTF/VOTF shall be the responsibility of the RFTF/VOTF Chief Inspector/Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel. A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS RFTF/VOTF personnel, may be established at the discretion of the RFTF/VOTF Chief Inspector/Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the RFTF/VOTF.

PERSONNEL: In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

REIMBURSEMENT: If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state, local, tribal, or territorial investigators who provide full time support to USMS RFTF/VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state, local, tribal, or territorial investigators in direct support of state, local, tribal or territorial investigators, the USMS shall, pending

availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided. Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped the equivalent 25% of a GS-1811-12 Step 1, of the general pay scale for the Rest of United States. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the RFTF/VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost. The request for reimbursement must be submitted to the RFTF/VOTF Chief Inspector/Chief Deputy, who will review the request for reimbursement, stamp and sign indication that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

Reimbursement for other types of qualified expenses (i.e., investigative or travel) shall be contingent upon availability of funds and the submission of a proper request for reimbursement. Task force personnel may incur investigative expenses or may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State, local, tribal, or territorial task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their authorized travel expenses in accordance with applicable USMS policy, federal laws, rules, and regulations. The request for reimbursement must be submitted to the RFTF/VOTF Chief Inspector/Chief Deputy, or IOD program Chief (i.e., SOIB or OCAG), and must include appropriate supporting documentation.

VEHICLES: Pending the availability of asset forfeiture funding, the USMS may acquire vehicles to be utilized by state, local, tribal, or territorial investigators assigned to the RFTF/VOTF. Vehicles provided by the USMS remain in the control of the USMS and must be used solely in support of RFTF/VOTF operations. The vehicles must be available for exclusive use of the TFOs assigned to the RFTF/VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the RFTF/VOTF, any USMS vehicle provided to the agency for use by TFO(s) must be returned to the USMS. Operators of USMS-provided vehicles must adhere to USMS policy regarding the use of government owned vehicles. Any violation of the USMS vehicle policy may result in the vehicle being repossessed by the USMS and the operator and/or agency forfeiting the opportunity to utilize a USMS-provided vehicle in the future. Vehicles provided to state, local, tribal, or territorial investigators may be subject to additional regulations or restrictions pursuant to USMS lease agreements. Replacement or removal of any vehicle provided by the USMS will be at the discretion of the USMS and/or subject to lease agreement terms. DUSMs and SDUSM task force officers involved in USMS missing child recovery investigations may only transport recovered missing children in USMS GOVs consistent with applicable USMS Policy Directives, SOPs, and current official guidance.

EQUIPMENT: Pending the availability of Asset Forfeiture funding, the USMS may purchase equipment for state, local, tribal, or territorial investigators assigned to the RFTF/VOTF.

Equipment purchased by the USMS using Asset Forfeiture funding must be used solely in support of RFTF/VOTF operations. The equipment must be available for exclusive use of the TFOs assigned to the RFTF/VOTF by the undersigned participant agency for the duration of the agency's participation on the task force. If the agency is no longer a participating member of the RFTF/VOTF, any equipment purchased with Asset Forfeiture and provided to TFOs from the agency may be retained by the agency. Equipment provided by the USMS that is not purchased using Asset Forfeiture funding remains the property of the USMS and will be issued to state, local, tribal, or territorial investigators for exclusive use in support of the RFTF/VOTF. If the investigator or agency is no longer a participating member of the RFTF/VOTF, any equipment issued that was not purchased with Asset Forfeiture funding will be returned to the USMS.

BODY-WORN CAMERAS AND TASK FORCE OFFICERS: As per USMS Policy, Body Worn Cameras (BWC) may be worn by TFOs operating on a USMS Task Force when their parent agency mandates their use by personnel assigned to the task force. A partner agency must formally request to participate in the TFO BWC program and, upon approval, comply with all USMS policies, procedures, documentation, and reporting during their participation. The USMS will inform all partner agencies of which other partner agencies, if any, have been authorized to have their TFOs wear BWCs on the Task Force. Accordingly, all partner agencies should be aware that TFOs may be participating in the TFO BWC program and may be operating with BWCs on USMS task force operations in their agency's jurisdiction. TFOs whose parent agency is not approved for participation in the TFO BWC program are not allowed to deploy with BWCs on USMS missions. As of September 2021, DOJ law enforcement components are implementing BWC into their agency missions. Accordingly, all partner agencies should be aware that USMS and other DOJ law enforcement personnel may be operating with BWCs on USMS task force operations.

RECORDS, REPORTS, EVIDENCE, AND TESTIMONY: After the RFTF/VOTF has adopted a warrant, all investigative reports, evidence, and other materials generated, seized or collected by the RFTF/VOTF, relating to the fugitive investigation, shall be material within the custody and control of the RFTF/VOTF. Physical evidence, such as drugs, firearms, counterfeit credit cards, and related items may be released to the appropriate prosecuting agency. Records and information obtained during the RFTF/VOTF fugitive investigation are ordinarily not evidence and may not be released unless authorized by the Office of General Counsel (OGC). A participating agency may retain copies of RFTF/VOTF investigative reports, and other documents or materials, but they may be released only upon approval of the USMS (OGC), in consultation with the local U.S. Attorney's Office, if and as applicable. If an applicable state law mandates the release of records or reports pertaining to RFTF/VOTF activities, those documents may only be released after coordination with USMS OGC.

RFTF/VOTF records and documents will be maintained in USMS electronic records and/or paper case files. All investigative reporting will be prepared in compliance with existing USMS policy and procedures utilizing USMS case management systems. Every effort should be made to document investigative activities on USMS forms, such as USM-11s and USM- 210s. Reports should never contain information related to sensitive USMS programs that are deemed privileged

and not subject to reporting. Task force statistics will be maintained in the USMS case management systems. Statistics will be made available to any participating agency upon request.

In accordance with Department of Justice guidance, all firearms and fired cartridge casings seized as part of a Department-funded criminal investigation shall be promptly entered into the ATF's National Integrated Ballistic Information Network (NIBIN). If a partner agency seizes the firearm or fired cartridge casings, they shall process the seized items per their NIBIN agreement with the ATF. Partner agencies that do not have a NIBIN agreement with the ATF should request assistance from the ATF to accomplish NIBIN processing at an ATF Field Division or NIBIN lab site.

To the greatest extent possible, all communications regarding USMS task force operations should be conducted on USMS email accounts and USMS cellular devices (if issued to the TFO). If required as per policy, a TFO may complete parent agency investigatory forms pertaining to task force operations. However, copies of such investigatory forms will be provided to the task force's USMS supervisory personnel for inclusion in the relevant USMS case file. The USMS has an interest in reports documenting task force related investigations or activities prepared by a TFO on their parent agency form, and any task force related email or text exchanges done on a parent agency issued account or device. Accordingly, if a state open records request for task force records held on parent agency electronic systems or devices or in paper files is received by a TFO, and an applicable state records law mandates the disclosure of task force records, the parent agency agrees to notify USMS of the request and coordinate with the USMS prior to any proposed disclosure.

Information that identifies, or tends to identify, a USMS confidential source, a USMS sensitive program, or the use of sensitive equipment/techniques will not be recorded on parent agency forms or parent agency issued devices and will not be released outside of the USMS unless approved by the Office of General Counsel (OGC). Absent exceptions noted below for discovery related purposes, information related to RFTF/VOTF activities will not be disseminated at any time to any third party (including a non-task force law enforcement officer or other law enforcement agency) by any task force member without notification to the RFTF/VOTF Chief Inspector/Chief Deputy or his/her designee, in consultation with USMS OGC where appropriate. This guidance applies to requests to share reports, memoranda, or other records (both formal and informal) compiled during the course of RFTF/VOTF operations. Nothing in this paragraph supersedes requirements pursuant to federal discovery obligations and/or the DOJ Touhy regulations, 28 C.F.R. § 16.21, et seq.

All requests for task force-related information, testimony (including any preparation in support) and documents (whether maintained in USMS systems and/or parent agency systems) in connection with state or federal litigation require compliance with the DOJ Touhy Regulations. Any disclosure of records pertaining to task force operations in state and federal litigation will only be done by or with the permission of the U.S. Attorney's Office (Civil Division) and the Office of General Counsel. The partner agency agrees TFOs receiving requests to testify in federal or state litigation regarding task force matters, or for the disclosure of records pertaining to task force matters in federal or state court, will notify the Office of General Counsel. The

TFO will await authorization for such testimony or record disclosure prior to testifying, engaging in trial preparation with a prosecutor, and/or providing records, consistent with the DOJ Touhy regulations.

TFOs whose parent agency are properly onboarded to the USMS Body Worn Camera Program (BWCP) may wear parent agency issued BWC during certain USMS task force operations. TFOs are governed by the provisions set forth in the USMS TFO BWC Standard Operating Procedures and USMS Policy Directive 2.11, Body Worn Cameras. Any copy of TFO BWC recording shared with the USMS upon culmination of an enforcement action is deemed a federal record, subject to federal disclosure laws and DOJ policies. If a partner agency receives a request for TFO BWC footage pursuant to state records laws, that agency agrees to provide USMS with advance written notification of the request and proposed disclosure. Requests to the USMS for footage in connection with state or federal criminal prosecutions or civil litigation will be handled pursuant to the DOJ Touhy Regulations and/or applicable federal discovery rules and routed to the USMS Office of the General Counsel.

CONFIDENTIAL SOURCES / CONFIDENTIAL INFORMANTS: Pending the availability of funds, the USMS may provide funding for payment of Confidential Sources (CS) or Confidential Informants (CI). The use of CS/CIs, registration of CS/CIs and all payments to CS/CIs shall comply with USMS policy. USMS payment to an individual providing information or “tip” related to a USMS offered reward on an active fugitive case shall be accomplished by registering the individual or “tipster” through the established USMS CS payment process.

USE OF FORCE: All members of the RFTF/VOTF will comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-than lethal devices, to include completing all necessary training and certification requirements. All members of the RFTF/VOTF when operating on task force missions will adhere to the DOJ Policy Statement on the Use of Force, dated May 20, 2022, and the DOJ Policy Statement on the Use of Less-Than-Lethal Devices, dated May 16, 2011, and their parent agencies will review the Policy Statement to assure that they approve. Additionally, all members of the RFTF/VOTF when operating on task force missions will adhere to the DOJ Deputy Attorney General memorandum, dated September 13, 2021, prohibiting the use of chokeholds or carotid restraint techniques unless deadly force is authorized. Copies of all applicable firearms, deadly force, and less-than-lethal policies shall be provided to the RFTF/VOTF Chief Inspector/Chief Deputy and each concerned TFO. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s). Additionally, in the event of a shooting, the required reporting for the FBI National Use of Force Data Collection (NUOFDC) should be accomplished by the involved task force personnel's employing agency when the TFO is inside their primary/physical jurisdiction and by the USMS when the TFO is outside their employing agency's primary/physical jurisdiction. If the employing agency wishes to submit such NUOFDC entries regardless of the physical location of the event, that is allowed under this MOU with prior written notice to the USMS.

NO KNOCK ENTRIES: It is the policy of both the Department of Justice (DOJ) and the USMS to limit the use of “no knock” entries into residences in connection with the execution of arrest

and search warrants. This includes those warrants adopted by the USMS regardless of the issuing court or tribunal.

A per policy, "No knock" entries are limited to circumstances where there is an imminent threat of physical harm. This threshold is narrower than that permitted by law - for example, USMS personnel must "knock and announce" even when they have reason to believe that doing so could result in the destruction of evidence.

In the absence of a judicially-authorized "no knock" warrant, task force personnel operating on a task force mission may conduct a "no knock" entry only when there arises at the scene exigent circumstances such that knocking and announcing would create an imminent threat of physical violence which could result in serious injury or death to anyone present (i.e., law enforcement, the subject, the public, etc.).

NEWS MEDIA: Media inquiries will be referred to the RFTF/VOTF Chief Inspector/Chief Deputy. A press release may be issued, and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force and participant agencies.

All media inquiries and press releases related to missing child investigations will be handled in accordance with the applicable USMS Standard Operating Procedure and should only be done in conjunction with the lead investigative agency as part of the overall coordinated effort to locate and recover the missing child.

RELEASE OF LIABILITY: The Parties acknowledge that this MOU does not alter the applicable law governing civil liability, if any, arising from the conduct of personnel assigned to the RFTF/VOTF.

Each participating agency shall immediately notify the USMS Office of General Counsel of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the agency receives notice, concerning or arising from the conduct of personnel assigned to the RFTF/VOTF or otherwise relating to the RFTF/VOTF. Each participating agency acknowledges that financial and civil liability, if any and in accordance with applicable law, for the acts and omissions of each employee detailed to the RFTF/VOTF remains vested with his or her employing agency. If a civil claim or complaint is brought against a state or local officer assigned to the RFTF/VOTF, the officer may request legal representation and/or defense by DOJ, under the circumstances and pursuant to the statutes and regulations identified below.

For the limited purpose of defending against a civil claim arising from alleged negligent or wrongful conduct under common law under the FTCA, 28 U.S.C. § 1346(b) and §§ 2671-2680: an individual assigned to the RFTF/VOTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request to be certified by the U.S. Attorney General or his designee as having acted within the scope of federal employment at the time of the incident giving rise to the suit. 28 U.S.C. § 2679(d)(2). Upon such certification, the individual will be considered an "employee" of the United States government for the limited purpose of defending the civil claim

under the FTCA, and the claim will proceed against the United States as sole defendant. 28 U.S.C. § 2679(d)(2). Once an individual is certified as an employee of the United States for purposes of the FTCA, the United States is substituted for the employee as the sole defendant with respect to any tort claims. Decisions regarding certification of employment under the FTCA are made on a case-by-case basis, and the USMS cannot guarantee such certification to any RFTF/VOTF personnel.

For the limited purpose of defending against a civil claim arising from an alleged violation of the U.S. Constitution pursuant to 42 U.S.C. § 1983 or *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971): an individual assigned to the RFTF/VOTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request individual-capacity representation by DOJ to defend against the claims. 28 C.F.R. §§ 50.15, 50.16. Any such request for individual-capacity representation must be made in the form of a letter from the individual defendant to the U.S. Attorney General through the USMS Office of General Counsel. In the event of an adverse judgment against the individual, he or she may request indemnification from DOJ. 28 C.F.R. § 50.15(c)(4). Requests for DOJ representation and indemnification are determined by DOJ on a case-by-case basis. The USMS cannot guarantee the United States will provide legal representation or indemnification to any RFTF/VOTF personnel.

Liability for any conduct by RFTF/VOTF personnel undertaken outside of the scope of their assigned duties and responsibilities under this MOU shall not be the responsibility of the USMS or the United States and shall be the sole responsibility of the respective employee and/or agency involved.

EFFECTIVE DATE AND TERMINATION: This MOU is in effect once signed by all parties. Participating agencies may withdraw their participation after providing 30 days advanced written notice to the RFTF/VOTF Chief Inspector/Chief Deputy.

Task Force: AZ-D VOTF

UNITED STATES MARSHAL:

Print Name: Van Bayless

Signature:

Date:

RFTF COMMANDER (where applicable):

Print Name:

Signature:

Date:

PARTNER AGENCY:

Name: Surprise Police Department

Location (City, State): Surprise, AZ

PARTNER AGENCY REPRESENTATIVE:

Print Name and Title:

Signature:

Date:

**ASSISTANT DIRECTOR, INVESTIGATIVE OPERATIONS
DIVISION:**

Print Name:

Signature:

Date:

INSTRUCTIONS: See last page for detailed instructions.

SECTION 1: OBLIGATION

DOCUMENT CONTROL #: M-26-D08-O-000021

SECTION 2: PARTICIPATING AGENCIES

Notification to state and local agencies of funding provided in support of Joint Law Enforcement Operations, pursuant to the Memorandum of Understanding (MOU) between:

Surprise Police Department

and

District of Arizona (08)

All other terms and conditions of the MOU remain the same.

SECTION 3: PERIOD OF PERFORMANCE

October 29, 2025 to September 30, 2026

SECTION 4: APPROPRIATION DATA

FISCAL YEAR	ORGANIZATION	FUND	PROJECT	SOC / PURPOSE	DOLLAR AMOUNT
2026	D08	AFF-B-OP	JLEOTFOT	25205 - TFO Overtime	\$10,000.00

Total Obligation Amount: **\$10,000.00**

ADD OBLIGATION LINE

SECTION 5: DESCRIPTION OF OBLIGATION

Task Force overtime funding for Surprise Police Department in the amount of \$10,000.00 for services rendered between October 29, 2025 through September 30, 2026. Funds are to be used solely for Overtime and shall not include any supplemental benefit costs such as retirement, FICA, and other expenses.

SECTION 6: CONTACT INFORMATION

DISTRICT/RFTF CONTACT:

STATE/LOCAL CONTACT:

Name: Alicia Wynn

Name: Amanda Correia

Phone: 602-824-7996

Phone: 623-222-1848

E-mail: alicia.wynn1@usdoj.gov

E-mail: amanda.correia@surpriseaz.gov

SECTION 7: AUTHORIZATION

USMS Representative - Certification of Funds:

Signature: CASSANDRA HUGHES

Digitally signed by CASSANDRA HUGHES
Date: 2025.11.20 15:25:50 -0700

Date: _____

Cassandra Hughes - Acting AO

Chief Deputy or RFTF Commander - Obligation Approval:

Signature: GAVIN MURPHY

Digitally signed by GAVIN MURPHY
Date: 2025.11.24 15:39:40 -0700

Date: 11/24/2025

Gavin Murphy - (A)ACDUSM

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted monthly or quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the Task Force during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator.

Departmental Representative - Acknowledgement:

Signature: _____ Date: _____

[Type Name and Title]

FORM USM-607 INSTRUCTIONS

The Joint Law Enforcement Operations Task Force Obligation Document is designed to provide district and regional fugitive task forces with one standard obligating form to record new obligations in UFMS. To adjust funding in an existing obligation, please refer to Form USM-607A, Joint Law Enforcement Operations Task Force Modification Document. Funding in support of the JLEO mission is pursuant to the existing Memorandum of Understanding (MOU) between the USMS and the JLEO participant. Reimbursements are subject to the availability of funds and contingent upon the submission of proper documentation. Please note that overtime reimbursements require the submission of agency invoices and supporting documentation on a quarterly basis.

In the event that the USMS will use a payment method OTHER than reimbursement directly to the state or local agency, additional guidance will be provided by USMS Headquarters. The district or RFTF office is responsible for communicating payment procedures to their partnering agencies. All payments are made via Electronic Funds Transfer (EFT) through the U.S. Department of Treasury.

SECTION 1: Obligation Number

- A. Enter UFMS Document Control Number.

SECTION 2: Participating Agencies

- A. BOX 1: Enter name of state or local JLEO participating agency.
- B. BOX 2: Use drop down menu to select appropriate USMS District/RFTF.

SECTION 3: Period of Performance

- A. Insert valid period of performance for the obligation. Obligations created using the one-page JLEO Task Force Obligation Form may not cross fiscal years. If there is a need to cross fiscal years, please utilize a Purchase Order for the obligation.
- B. Period of performance must begin no earlier than the date of funds availability (provided by IOD and the Asset Forfeiture Division) and end no later than September 30 of the following calendar year.

SECTION 4: Appropriation Data

- A. Enter information across appropriate field for all items being obligated. All fields for a line item must be completed in order to proceed to the next step.
- B. Project Codes: District task force obligations are funded under the **JLEOTFS4** project code for a JLEO obligation. RFTF project codes have been assigned by region and will be entered by Headquarters IOD staff.

SECTION 5: Description of Obligation

- A. Enter description of obligation (optional). Include any pertinent information such as number of TFO vehicles, for example.

SECTION 6: Contact Information

- A. Enter District/RFTF contact information (Box 1) and State/Local contact information (Box 2).

SECTION 7: Authorization

- A. Certification of Funds: Signature will be applied by USMS District official or IOD representative (RFTF) after the Asset Forfeiture Division has confirmed that funds have been moved into the budget.
- B. Obligation Approval: Signature will be applied by District or RFTF representative upon receipt of obligation document. To ensure sufficient internal controls and proper segregation of duties, the district/RFTF representative approving obligation forms cannot also approve invoices or reimbursements related to the same obligation. (See U.S. Office of Management and Budget (OMB) Circular A-123 and USMS Office of Finance guidance for further information regarding internal controls.)
- C. Acknowledgement: Signature will be applied by state or local agency representative. The obligation is not valid until all parties have signed. When completed, the form will be returned to the District/RFTF office. Districts are responsible for entering obligations into UFMS. RFTF obligations will be forwarded to Headquarters IOD to be entered into UFMS.

U.S. Marshal's Joint Law Enforcement Operations Task Force Grant

**Surprise Police Department
Evan Becher
January 20, 2026**



SURPRISE

ARIZONA
Page 63 of 292

Grant Overview

U.S. Marshals Service - Joint Law Enforcement Operations Task Force

- Under the Presidential Threat Protection Act of 2000 (34 U.S.C. 41503), and under the direction of the U.S. Attorney General, the United States Marshals Service (USMS) is authorized to lead and coordinate Regional Fugitive Task Forces.
- These task forces are made up of federal, state, and local law enforcement agencies working together to find and arrest fugitives wanted by law enforcement or local courts. Immigration enforcement is not within the scope of this partnership.
- The Surprise Police Department has assigned a detective to serve on the Regional Fugitive Task Force and has done so for several years. Grant funding will be used to support overtime costs, associated with locating and apprehending fugitives to maintain public safety in our community.



SURPRISE

ARIZONA
Page 64 of 292

Surprise Police Department Award

Award amount: \$10,000

- Overtime reimbursement
 - The grant funding supports overtime expenditures or services rendered between October 29, 2025, and September 30, 2026.
 - Funds are to be used solely for Overtime and shall not include any supplemental benefit costs such as retirement, FICA, and other expenses.
 - Reimbursement is subject to fund availability (*government shutdown*).



SURPRISE

ARIZONA
Page 65 of 292

Council Action Requested

- Adopt Resolution No. 2026-12
- Authorize acceptance of grant funding from the U.S. Department of Justice (DOJ), U.S. Marshals Service



SURPRISE

ARIZONA
Page 66 of 292

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 67 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 0.26 acres of right of way comprised of the east side of Cottontail Lane between Jomax Road and Happy Valley Road; Resolution No. 2026-04.

Motion:

I move to approve Resolution No. 2026-04.

Background:

The City of Surprise annexed the area known as Asante North on August 28, 2006, under Ordinance Number 06-17. On March 22, 2007, the City Council passed Resolution No. 07-038, approving the "Asante North Phase One Map of Dedication," which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane west of 163rd Avenue.

On April 25, 2007, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2007-0479274.

On December 9, 2025, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 173rd Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with the resolution will decrease the width of the right of way along the east side of Cottontail Lane between Jomax Road and Happy Valley Road.

Objective Analysis:

Approval of this Resolution will allow the applicant the ability to vacate a portion of right-of-way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General Plan 2040 and the City of Surprise Land Development Ordinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-04 Asante Cottontail Lane East
 2. Asante North Cottontail East (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON THE EAST SIDE OF JOMAX ROAD AND COTTONTAIL LANE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 0.26 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development, requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Asante Development Partners, LLC.

Section 3. Asante Development Partners, LLC, shall assume both the costs of maintaining the public roadway and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeff Murray, City Attorney

EXHIBIT A

Resolution No. 2026-04
RFLS # 10399
Rev 11/24

**ASANTE NORTH – COTTONTAIL LANE(EAST)
RIGHT OF WAY REDUCTION
LEGAL DESCRIPTION**

A portion of Cottontail Lane dedicated on the Map of Dedication for Asante North – Phase One, as recorded at Book 918 of Maps, Page 8, Maricopa County Recorder's Office, Maricopa County, Arizona, situate within a portion of Section 2, Township 4 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 35, Township 5 North, Range 2 West, monumented by a 2-inch aluminum cap stamped "5N, 2W, SC S36, T4N, R2W, S2, 37174" dated 2007, from which the South Quarter Corner of said Section 36, Township 5 North, Range 2 West, monumented by a 2-inch brass cap stamped " General Land Office T5N, R2W, S34, S35, CC, T4N" dated 1916 bears as the Basis of Bearings, South 89°40'45" East, 2639.49 feet;

Thence North 89°41'31" West along the northerly line of said Section 2, a distance of 1348.75 feet;

Thence South 00°18'29" West, 130.00 feet to a point on the easterly Right of Way line of said Cottontail Lane, being the **POINT OF BEGINNING**;

Thence along said easterly Right of way line of Cottontail Lane the following 4 courses;

Thence South 00°17'20" West, 354.94 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 960.00 feet;

Thence southeasterly along said curve to the left, through a central angle of 46°45'59", an arc length of 783.58 feet to a point of tangency;

Thence South 46°28'39" East, 1148.36 feet to the northerly line of that property described in Book 1802 of Maps, Page 18, Maricopa County Recorder's office, Maricopa County, Arizona;

Thence South 43°31'21" West along said northerly line, 5.00 feet to a line parallel with and 5.00 feet westerly of said easterly line of Cottontail lane;

Thence North 46°28'39" West along said parallel line, 1148.36 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 965.00 feet;

Thence northwesterly along said curve to the right, through a central angle of 46°45'59", an arc length of 787.66 feet to a point of tangency and to a line parallel with and 5.00 feet westerly of said easterly line of Cottontail lane;

Thence North 00°17'20" East along said parallel line, 354.94 feet;

Thence South 89°42'40" East, 5.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 11,445 square feet (0.2627 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: Colliers Engineering and Design
4742 North 24th Street, Suite 270
Phoenix, AZ 85016
Project No. 1909
Date: September 2025

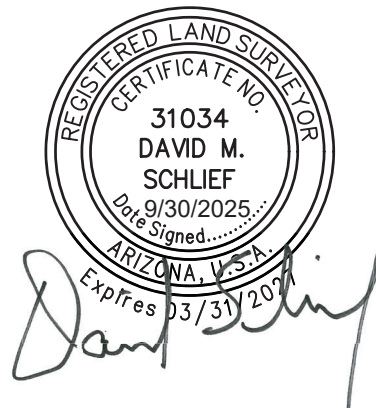
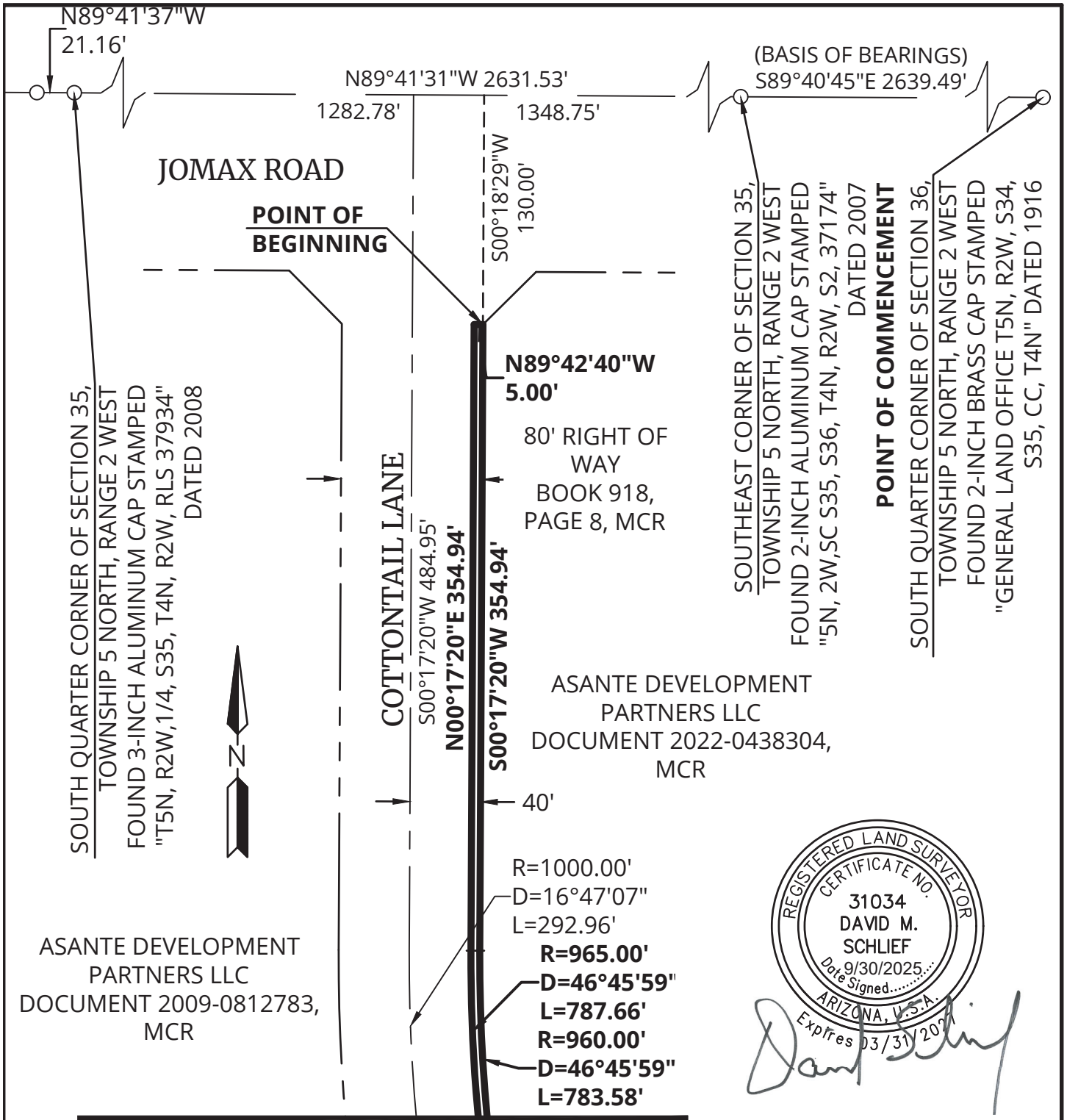


EXHIBIT B

Resolution No. 2026-04
RFLS # 10399
Rev 11/24



MATCH LINE SEE SHEET 2

PAGE 1 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909	ASANTE NORTH - COTTONTAIL LANE RIGHT OF WAY REDUCTION SURPRISE, ARIZONA
DATE:	SEP 2025	
SCALE:	1" = 80'	
DRAWN BY:	JK	
CHECKED BY:	DMS	EXHIBIT



Engineering & Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016

P: 602.490.0535 / F: 602.368.2436

MATCH LINE SEE SHEET 1

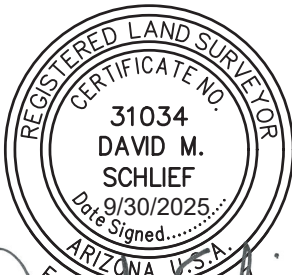


80' RIGHT OF WAY
BOOK 918, PAGE 8, MCR

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT 2022-0438304,
MCR

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT 2009-0812783,
MCR

R=1000.00' D=29°58'52" L=523.27'
R=995.00' D=46°45'59" L=787.66'
R=990.00' D=46°45'59" L=783.58'
COTTONTAIL LANE
40'



David Schlieff
Expires 03/31/2027

MATCH LINE SEE SHEET 3

PAGE 2 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	SEP 2025
SCALE:	1" = 80'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - JOMAX ROAD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

EXHIBIT

 Engineering & Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

MATCH LINE SEE SHEET 2

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT 2022-0438304,
MCR



80' RIGHT OF
WAY
BOOK 918,
PAGE 8, MCR

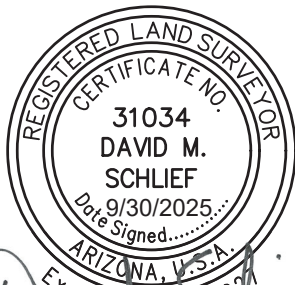
S46°28'39"E 1148.36'
N46°28'39"W 1148.36'
S46°28'39"E 1148.36'
COTTONTAIL LANE

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT 2009-0812783,
MCR

40'

N43°31'21"E
5.00'

ASANTE DEVELOPMENT PARTNERS LLC
BOOK 1802 OF MAPS, PAGE 18, MCR
(NOT A PART)



David M. Schlieff

PAGE 3 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	SEP 2025
SCALE:	1" = 80'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - JOMAX ROAD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA
EXHIBIT

Colliers Engineering & Design
4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

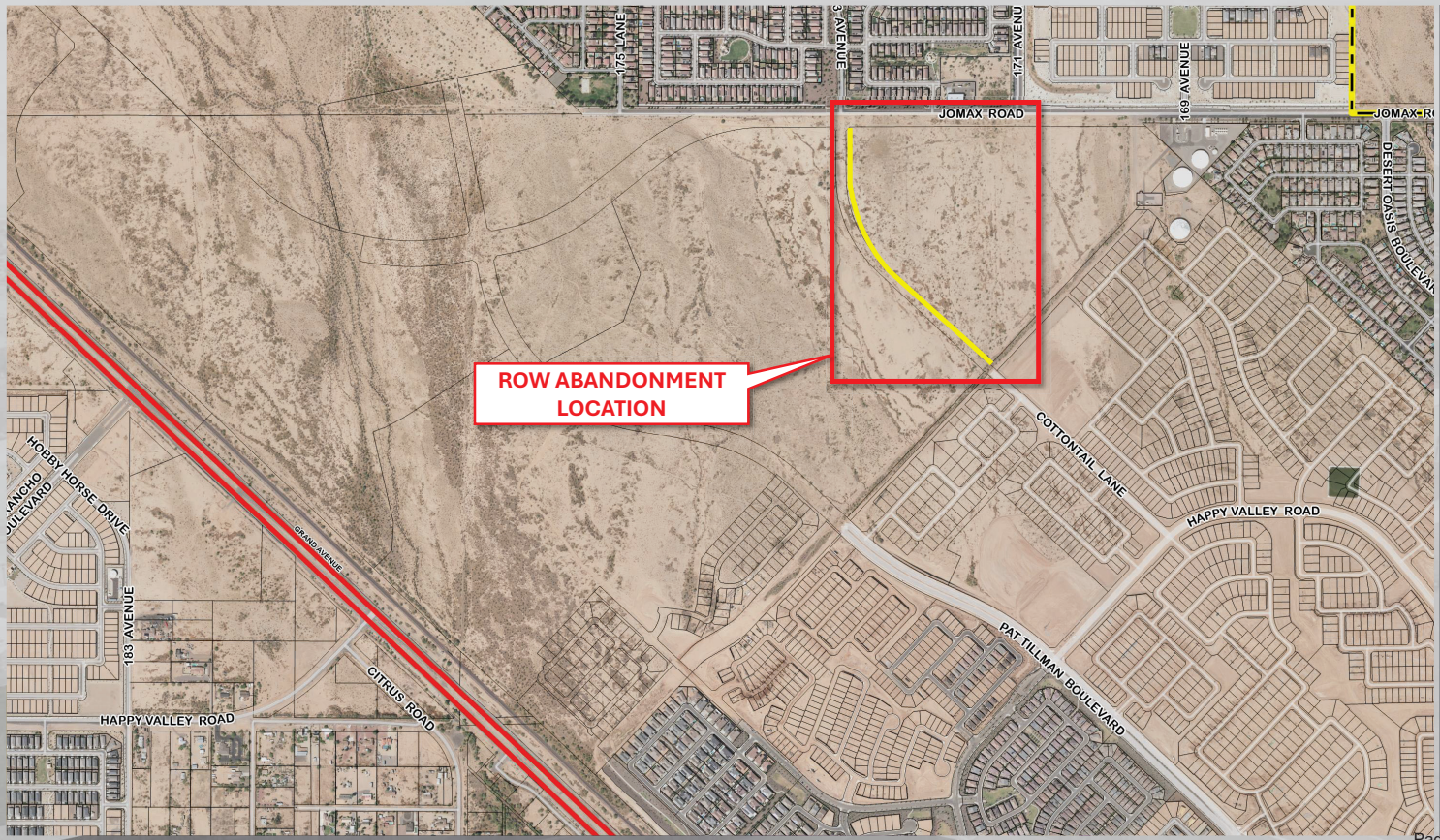
Asante North Cottontail - East *Right-of-way Abandonment*

City Council
January 20, 2026

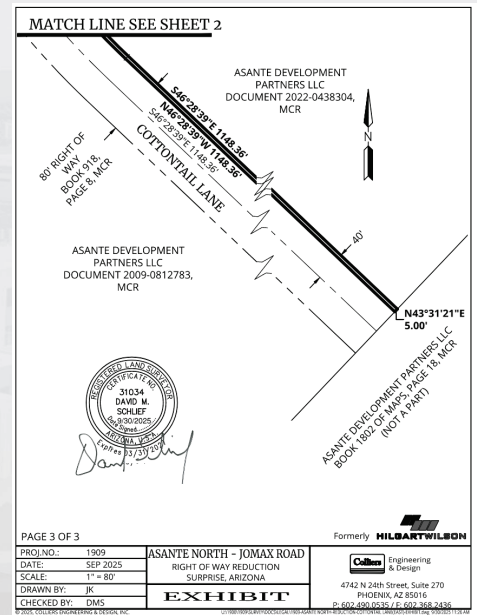
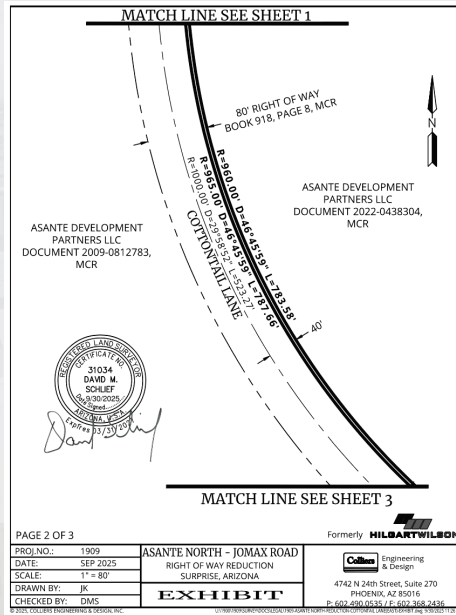
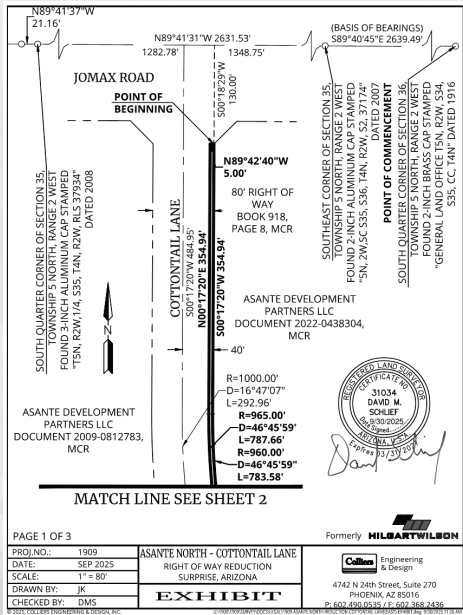


SURPRISE

ARIZONA
Page 79 of 292



**ROW ABANDONMENT
LOCATION**



EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 82 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 0.27 acres of right of way comprised of the west side of Cottontail Lane between Jomax Road and Happy Valley Road; Resolution No. 2026-05.

Motion:

I move to approve Resolution 2026-05

Background:

The City of Surprise annexed the area known as Asante North on August 28, 2006, under Ordinance Number 06-17. On March 22, 2007, the City Council passed Resolution No. 07-038, approving the "Asante North Phase One Map of Dedication," which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane west of 163rd Avenue.

On April 25, 2007, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2007-0479274.

On December 9, 2025, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 173rd Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with the resolution will decrease the width of the right of way along the east side of Cottontail Lane between Jomax Road and Happy Valley Road.

Objective Analysis:

Approval of this Resolution will allow the City to abandon a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General Plan 2040 and the City of Surprise Land Development Ordinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-05 Abandonment of RW on Cottontail Lane west
 2. Asante North Cottontail West (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-05

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON THE WEST SIDE OF JOMAX ROAD AND COTTONTAIL LANE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 0.27 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Asante Development Partners, LLC.

Section 3. Asante Development Partners, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-05
RFLS #10399
Rev 11/24

**ASANTE NORTH - COTTONTAIL LANE (WEST)
RIGHT OF WAY REDUCTION
LEGAL DESCRIPTION**

A portion of Cottontail Lane dedicated on the Map of Dedication for Asante North – Phase One, as recorded at Book 918 of Maps, Page 8, Maricopa County Recorder's Office, Maricopa County, Arizona, situate within a portion of Section 2, Township 4 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southeast Corner of Section 35, Township 5 North, Range 2 West, monumented by a 2-inch aluminum cap stamped "5N, 2W, SC S36, T4N, R2W, S2, 37174" dated 2007, from which the South Quarter Corner of Section 36, Township 5 North, Range 2 West, monumented by a 2-inch brass cap stamped "General Land Office T5N, R2W, S34, S35, CC, T4N" dated 1916 bears as the Basis of Bearings, South 89°40'45" East, 2639.49 feet;

Thence North 89°41'31" West along the northerly line of said Section 2, a distance of 1428.75 feet;

Thence South 00°18'29" West, 130.00 feet to a point on said Cottontail Lane, being the **POINT OF BEGINNING**;

Thence South 89°42'40" East, 5.00 feet to a line parallel with and 5.00 feet easterly of the westerly Right of Way line of said Cottontail Lane;

Thence South 00°17'20" West along said parallel line, 354.97 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 1035.00 feet;

Thence southeasterly along said curve to the left, through a central angle of 46°45'59", an arc length of 844.80 feet to a point of tangency and a line parallel with and 5.00 feet easterly of said westerly Right of Way line of Cottontail Lane;

Thence South 46°28'39" East along said parallel line, 1148.36 feet to the northerly line of that property described in Book 1802 of Maps, Page 18, Maricopa County Recorder's Office, Maricopa County, Arizona;

Thence South 43°31'21" West along said northerly line, 5.00 feet to the westerly line of said Cottontail Lane;

Thence along the westerly line of said Cottontail Lane the following 4 courses;

Thence North 46°28'39" West, 1148.36 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 1040.00 feet;

Thence northwesterly along said curve to the right, through a central angle of 46°45'59", an arc length of 848.88 feet to a point of tangency;

Thence North 00°17'20" East, 354.97 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 11,751 square feet (0.2698 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: Colliers Engineering and Design
4742 North 24th Street, Suite 270
Phoenix, AZ 85016
Project No. 1909
Date: September 2025

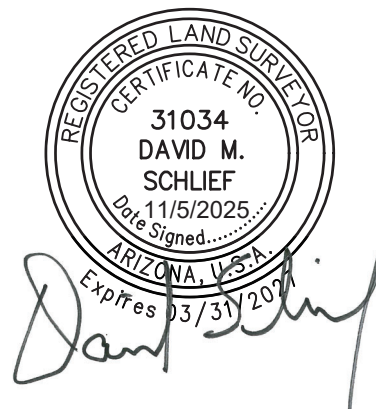
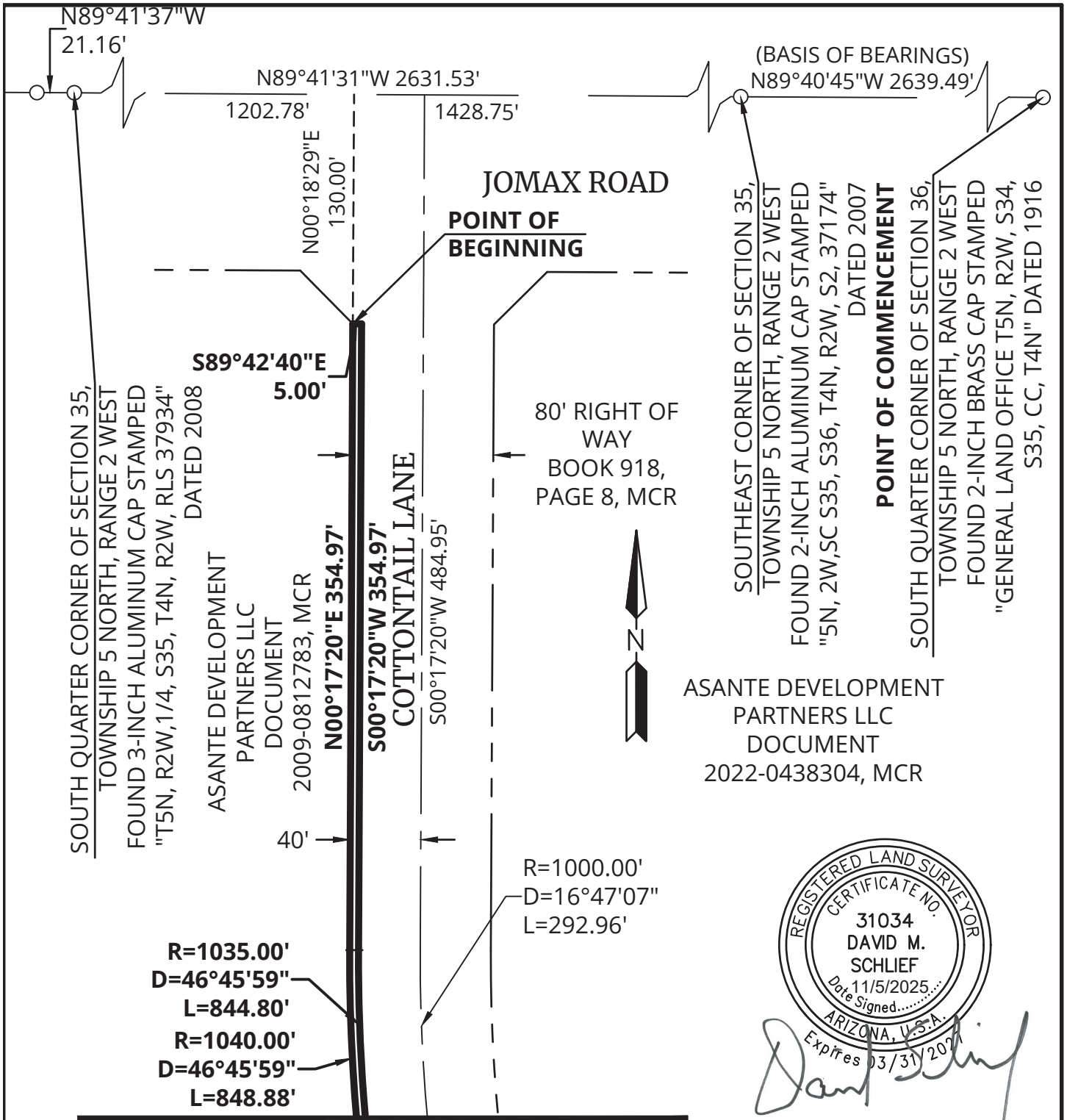


EXHIBIT B

Resolution No. 2026-05
RFLS #10399
Rev 11/24



SOUTH QUARTER CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST
FOUND 3-INCH ALUMINUM CAP STAMPED
"T5N, R2W, 1/4, S35, T4N, R2W, RLS 37934"
DATED 2008

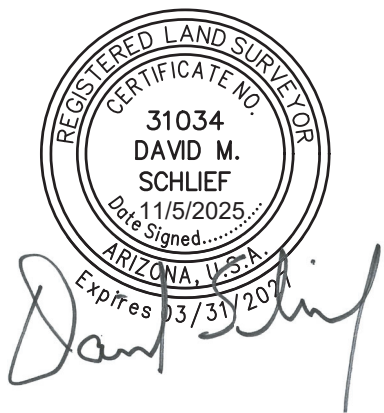
ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2009-0812783, MCR

(BASIS OF BEARINGS)
N89°40'45"W 2639.49'

SOUTHEAST CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST
FOUND 2-INCH ALUMINUM CAP STAMPED
"5N, 2W, SC S35, S36, T4N, R2W, S2, 37174"
DATED 2007

SOUTH QUARTER CORNER OF SECTION 36,
TOWNSHIP 5 NORTH, RANGE 2 WEST
FOUND 2-INCH BRASS CAP STAMPED
"GENERAL LAND OFFICE T5N, R2W, S34,
S35, CC, T4N" DATED 1916

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2022-0438304, MCR



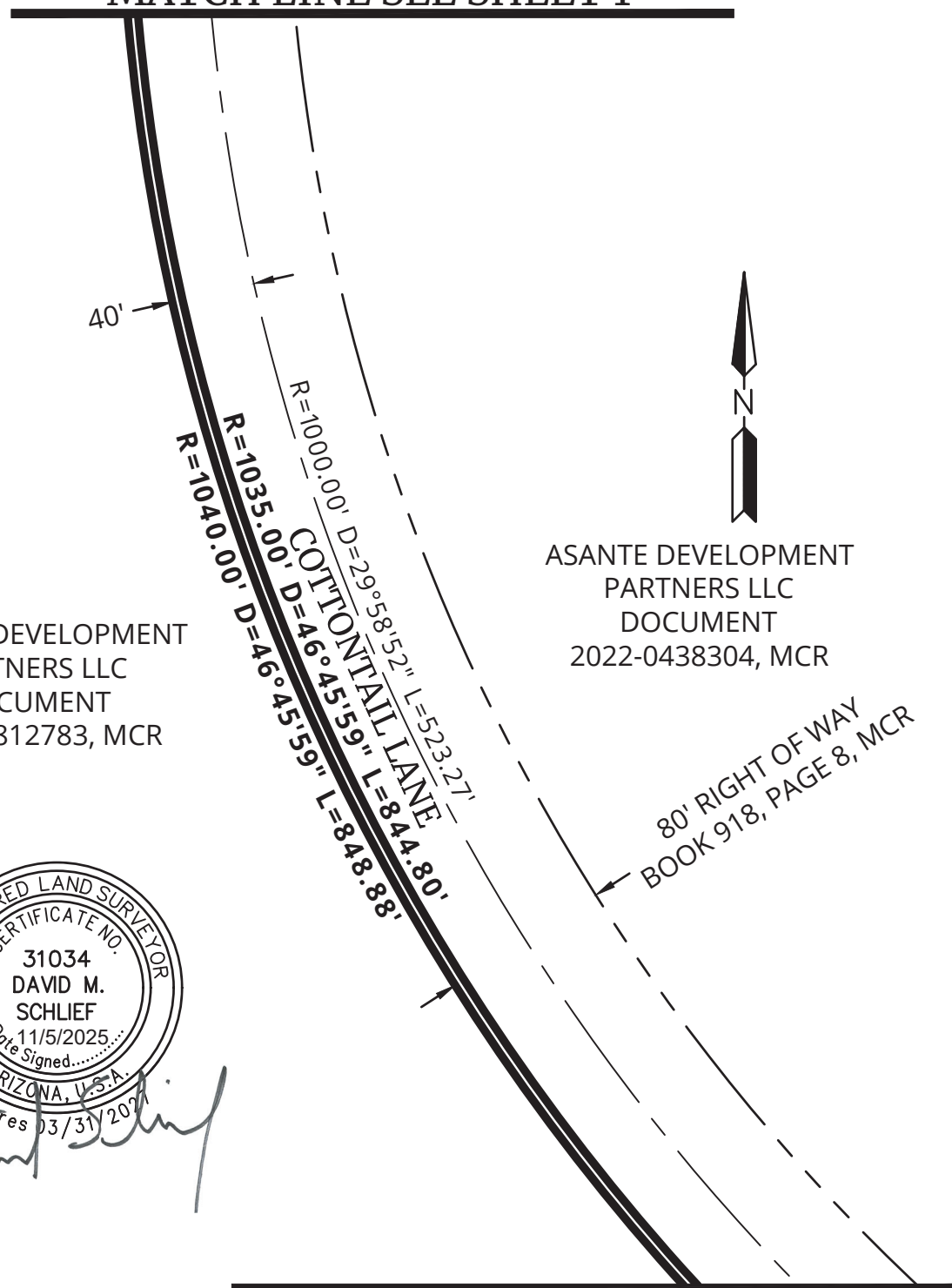
PAGE 1 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909	ASANTE NORTH - COTTONTAIL LANE RIGHT OF WAY REDUCTION SURPRISE, ARIZONA
DATE:	NOV 2025	
SCALE:	1" = 80'	EXHIBIT
DRAWN BY:	JK	
CHECKED BY:	DMS	

Colliers Engineering & Design
4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

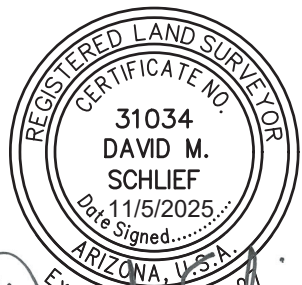
MATCH LINE SEE SHEET 1



ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2009-0812783, MCR

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2022-0438304, MCR

80' RIGHT OF WAY
BOOK 918, PAGE 8, MCR



David M. Schlieff

MATCH LINE SEE SHEET 3

PAGE 2 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	NOV 2025
SCALE:	1" = 80'
DRAWN BY:	jk
CHECKED BY:	DMS

ASANTE NORTH - COTTONTAIL LANE
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

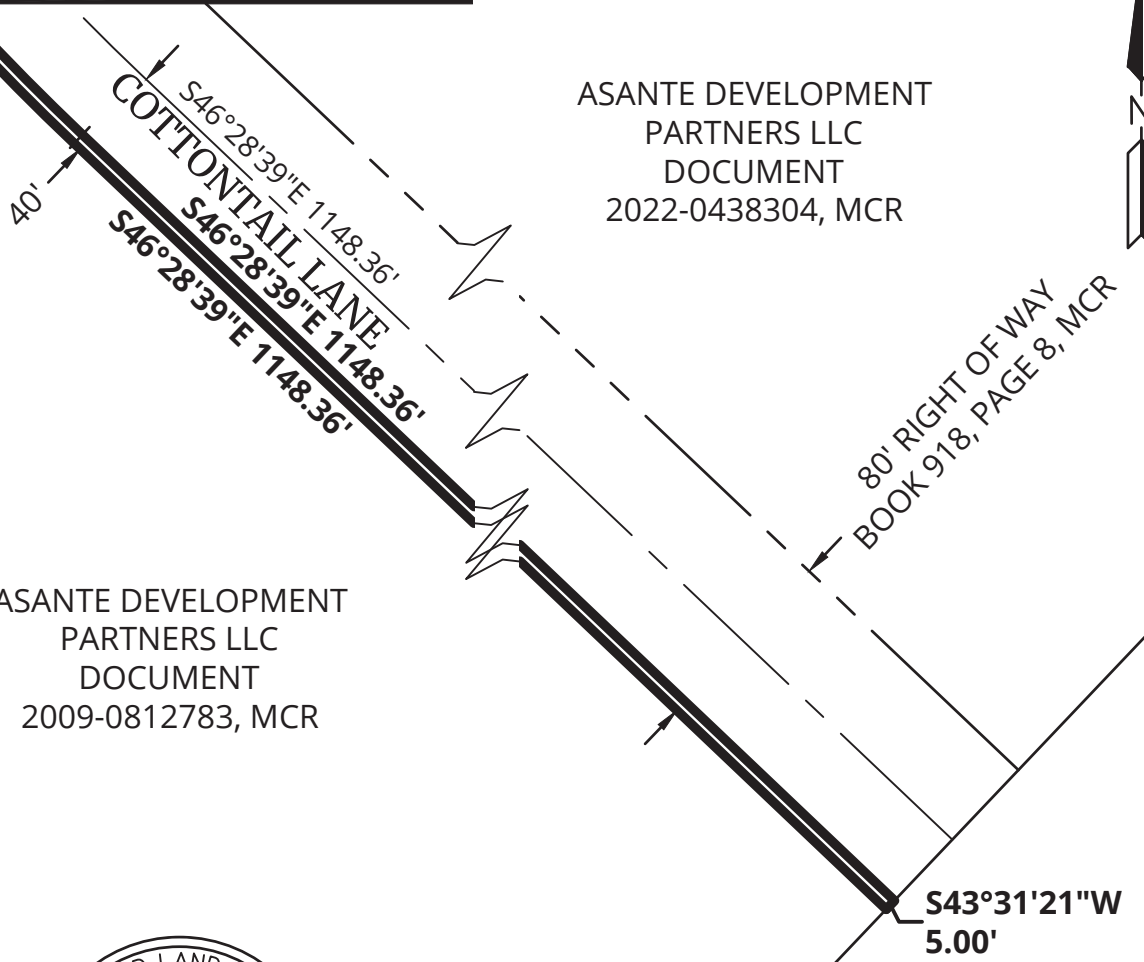
EXHIBIT

Colliers Engineering & Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

MATCH LINE SEE SHEET 2

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2022-0438304, MCR

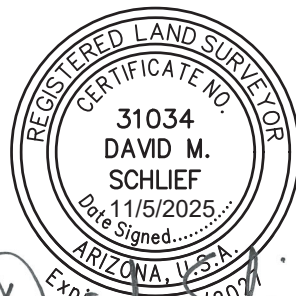


ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT
2009-0812783, MCR

80' RIGHT OF WAY
BOOK 918, PAGE 8, MCR

S43°31'21\"W
5.00'

ASANTE DEVELOPMENT
PARTNERS LLC
DOCUMENT BOOK 1802
OF MAPS, PAGE 18, MCR
(NOT A PART)



David M. Schlieff

PAGE 3 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.: 1909	ASANTE NORTH - COTTONTAIL LANE RIGHT OF WAY REDUCTION SURPRISE, ARIZONA	
DATE: NOV 2025		
SCALE: 1" = 80'	EXHIBIT	4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DRAWN BY: JK		
CHECKED BY: DMS		

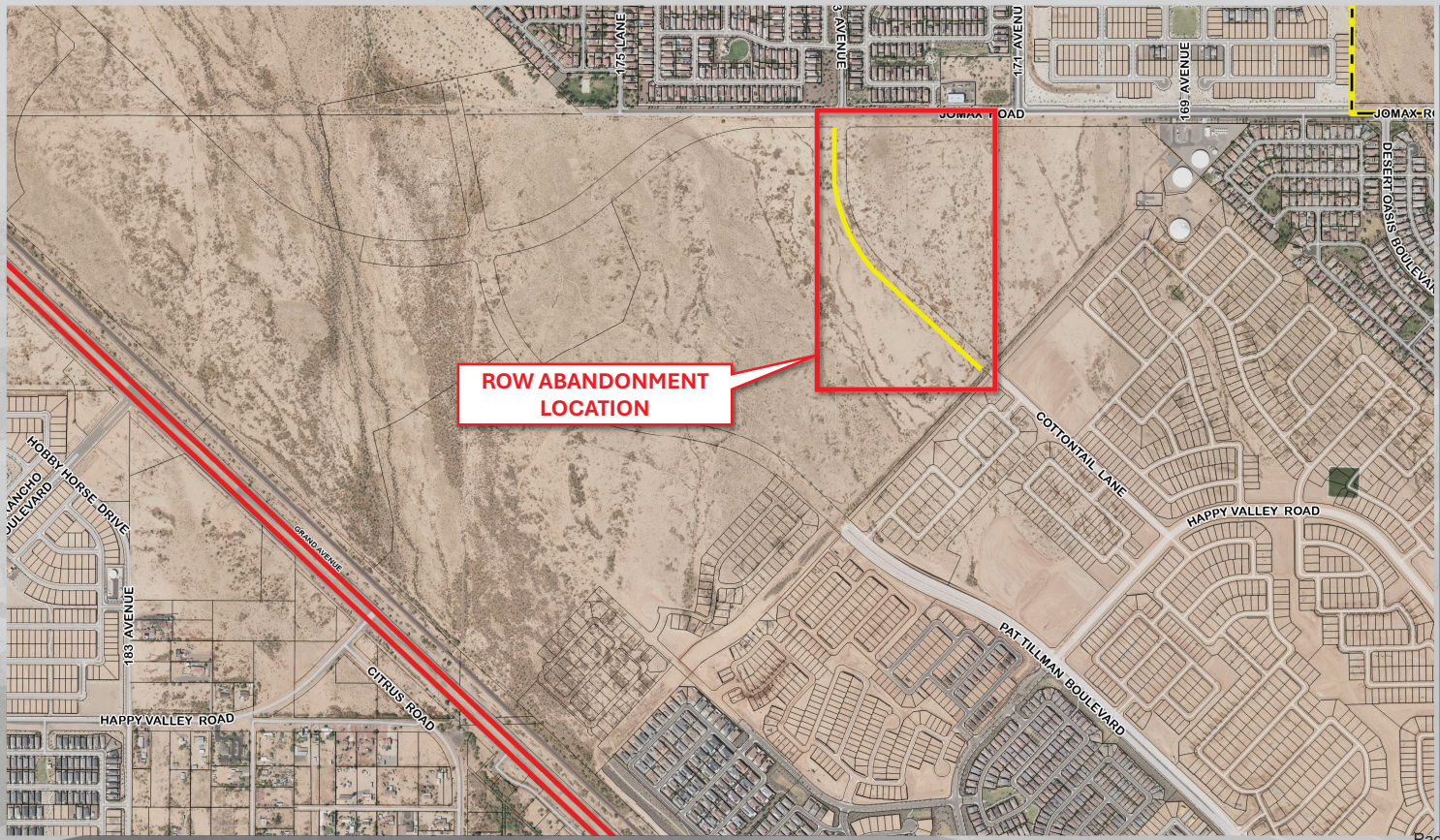
Asante North Cottontail - West *Right-of-way Abandonment*

City Council
January 20, 2026

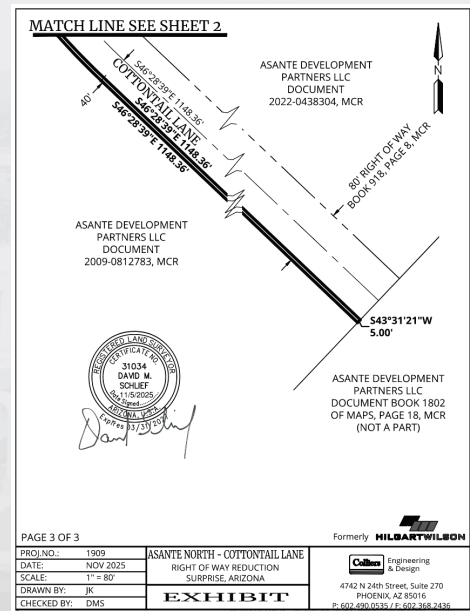
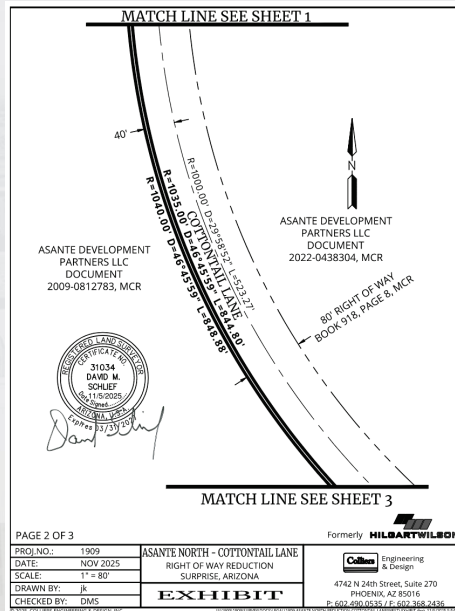
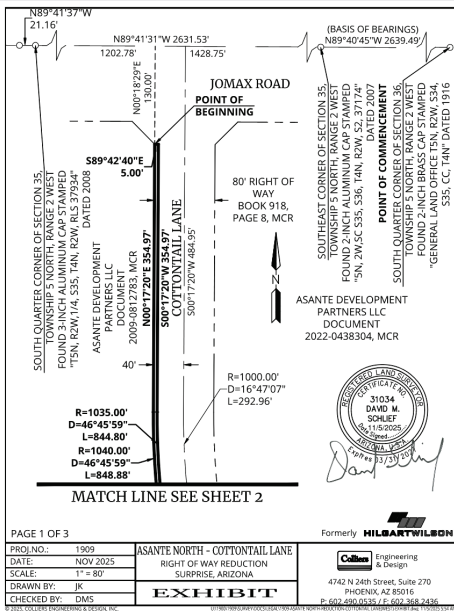


SURPRISE

ARIZONA
Page 94 of 292



VICINITY MAP



EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 97 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 2.35 acres of right of way generally located on the east side of Jomax Road, between 169th Lane and 174th Lane; Resolution No. 2026-07.

Motion:

I move to approve Resolution 2026-07

Background:

The City of Surprise annexed the area known as Asante North on August 28, 2006, under Ordinance No. 06-17. On March 22, 2007, the City Council passed Resolution No. 07-038, approving the “Asante North Phase One Map of Dedication,” which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane West of 163rd Avenue.

On April 25, 2007, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2007-0479274.

On December 9, 2025, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets and adjusting the right of way widths. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with this Resolution will decrease the width of the right of way along Jomax Road between 174th Lane and Pat Tillman Boulevard.

Objective Analysis:

Approval of this Resolution will allow the City to vacate a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General Plan 2040 and the City of Surprise Land Development Ordinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-07 Abandonment of RW on Jomax Road east
 2. Asante North Jomax East (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-07

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON THE EAST SIDE OF JOMAX ROAD AND 173RD AVENUE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 2.35 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the “Property”), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Asante Development Partners, LLC.

Section 3. Asante Development Partners, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-07
RFLS # 10399
Rev 11/24

**ASANTE NORTH – JOMAX ROAD(EAST)
RIGHT OF WAY REDUCTION
LEGAL DESCRIPTION**

A portion of Jomax Road dedicated on the Map of Dedication for Asante North – Phase One, as recorded at Book 918 of Maps, Page 8, Maricopa County Recorder’s Office, Maricopa County, Arizona, situate within a portion of Section 2, Township 4 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the South Quarter Corner of Section 36, Township 5 North, Range 2 West, monumented by a 2-inch brass cap stamped “ General Land Office T5N, R2W, S34, S35, CC, T4N” dated 1916 from which the Southeast Corner of Section 35, Township 5 North, Range 2 West, monumented by a 2-inch aluminum cap stamped “5N, 2W, SC S36, T4N, R2W, S2, 37174” dated 2007, bears as the Basis of Bearings, North 89°40’45” West, 2639.49 feet;

Thence North 89°40’45” West along the northerly line of said Section 2, a distance of 1731.55 feet to the easterly line of that property described in the Document recorded at instrument number 2009-0486173, Maricopa County Recorder’s Office, Maricopa County, Arizona;

Thence South 00°46’45” West along said easterly line, 55.00 feet to the **POINT OF BEGINNING**;

Thence South 00°46’53” West along said easterly line, 45.00 feet to the southerly Right of Way line of said Jomax Road;

Thence along said southerly Right of Way line the following 3 courses;

Thence North 89°40’45” West, 907.13 feet;

Thence North 89°41’31” West, 1318.75 feet;

Thence South 45°17’55” West, 42.42 feet;

Thence North 89°42’40” West, 5.00 feet;

Thence North 00°17’20” East, 55.01 feet;

Thence North 45°17'55" East, 28.27 feet to a line parallel with and 55.00 feet southerly of the northerly line of the Northwest Quarter of said Section 2;

Thence South 89°41'31" East along said parallel line, 1333.78 feet to a line parallel with and 55.00 feet southerly of the northerly line of the Northeast Quarter of said Section 2;

Thence South 89°40'45" East along said parallel line, 907.50 feet to the **POINT OF BEGINNING.**

The above described parcel contains a computed area of 102,149 square feet (2.3450 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: Colliers Engineering and Design
4742 North 24th Street, Suite 270
Phoenix, AZ 85016
Project No. 1909
Date: September 2025

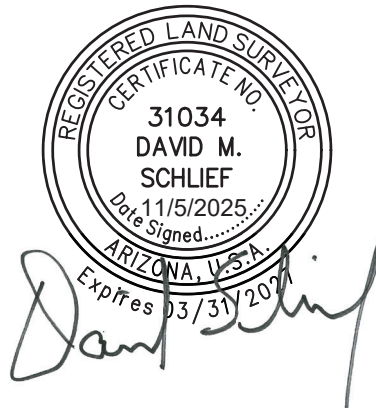
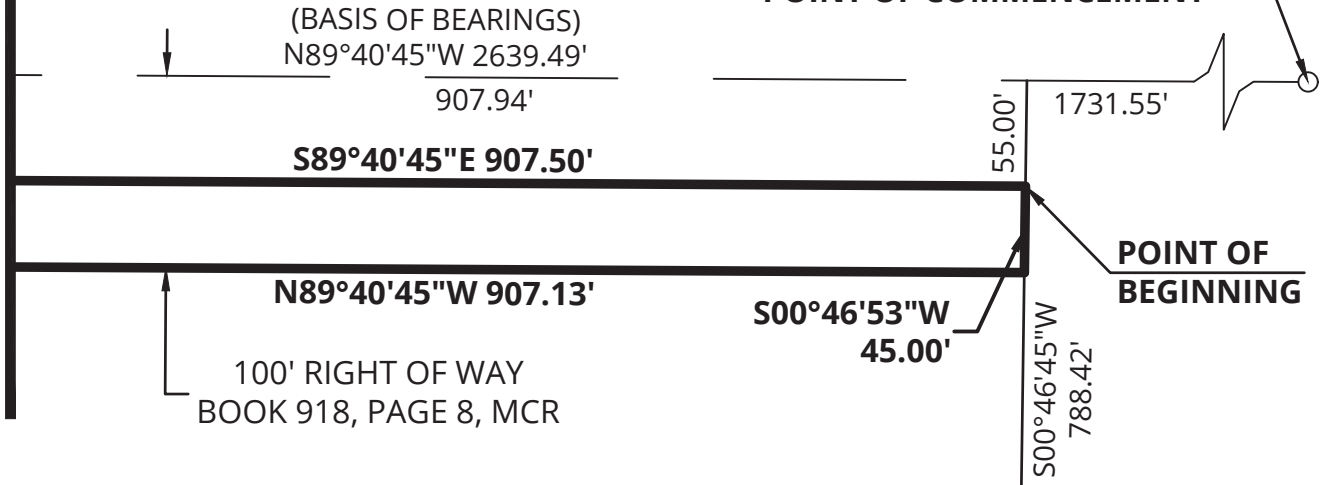


EXHIBIT B

Resolution No. 2026-07
RFLS # 10399
Rev 11/24

MATCH LINE SEE TOP OF SHEET 2

SOUTH QUARTER CORNER OF SECTION 36,
TOWNSHIP 5 NORTH, RANGE 2 WEST
FOUND 2-INCH BRASS CAP STAMPED
"GENERAL LAND OFFICE T5N, R1W, S34,
S35, CC, T4N" DATED 1916
POINT OF COMMENCEMENT



ASANTE DEVELOPMENT
PARTNERS LLC
DOC. 2009-0486173, MCR



David M. Schlieff



PAGE 1 OF 2

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	SEP 2025
SCALE:	1" = 100'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - JOMAX ROAD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

EXHIBIT



Engineering
& Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

MATCH LINE SEE BOTTOM RIGHT

SOUTHEAST CORNER OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST
FOUND 2-INCH ALUMINUM CAP
STAMPED "5N, SC S35, T4N, R2W, S2,
37174" DATED 2007
N89°41'31"W 2631.53'

(BASIS OF BEARINGS)
N89°40'45"W 2639.49'

S89°41'31"E 1333.78'

S89°40'45"E 907.50'

N89°41'31"W 1318.75'

N89°40'45"W 907.13'

100' RIGHT OF WAY
BOOK 918, PAGE 8, MCR

ASANTE DEVELOPMENT
PARTNERS LLC
DOC. 2009-0486173, MCR

MATCH LINE SEE SHEET 1



N45°17'55"E
28.27'

N89°41'31"W 2631.53'

JOMAX ROAD

S89°41'31"E 1333.78'

173RD AVENUE

N00°17'20"E

55.01'

N89°41'31"W 1318.75'

S45°17'55"W

42.42'

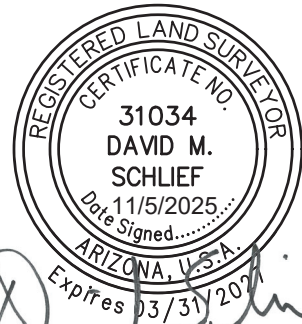
N89°42'40"W

5.00'

100' RIGHT OF WAY
BOOK 918, PAGE 8, MCR

ASANTE DEVELOPMENT
PARTNERS LLC
DOC. 2009-0486173, MCR

MATCH LINE SEE TOP LEFT



David Schlieff

PAGE 2 OF 2

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	SEP 2025
SCALE:	1" = 100'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - JOMAX ROAD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

EXHIBIT

Colliers Engineering & Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

Asante North

Jomax - East

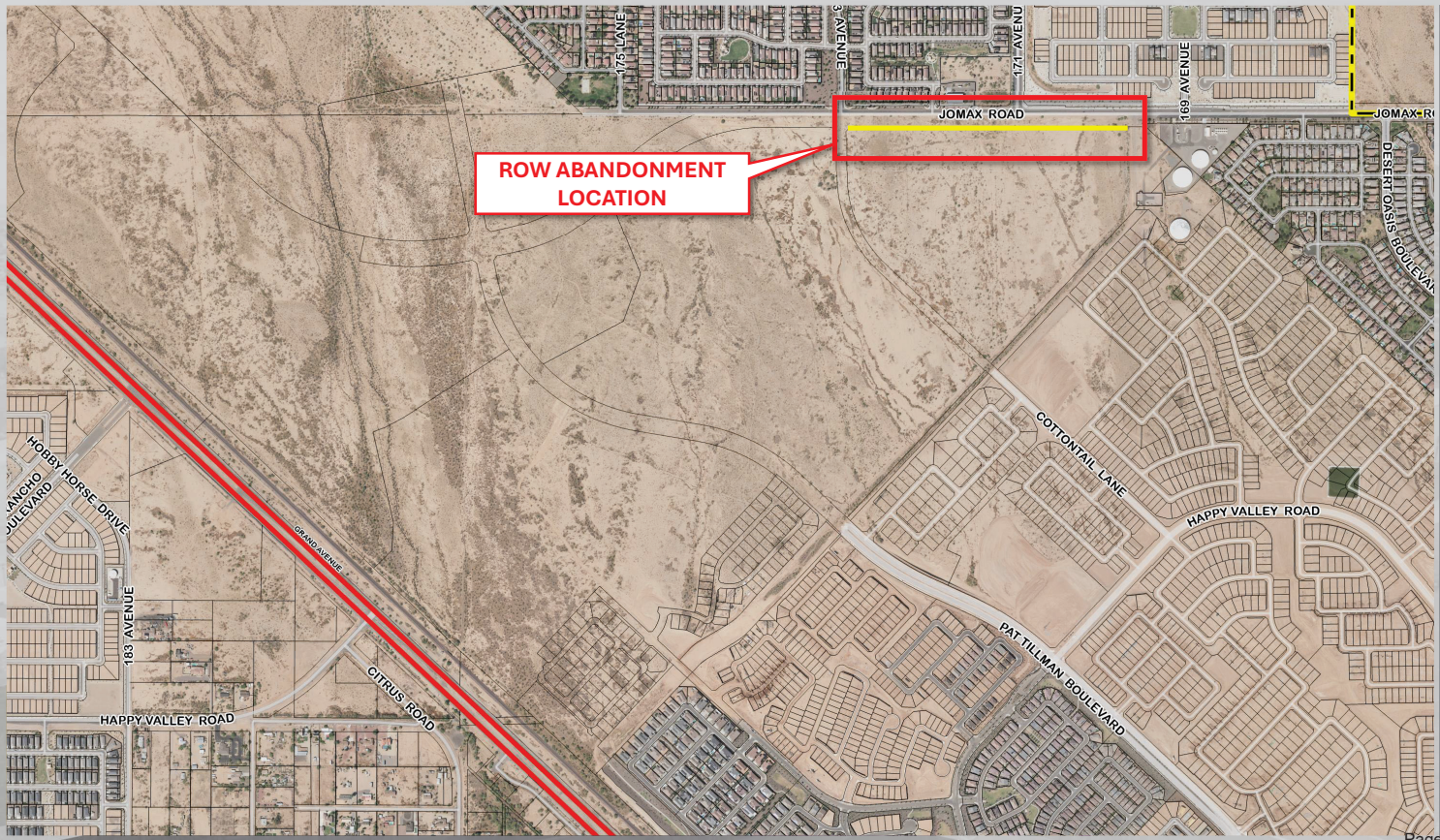
Right-of-way Abandonment

City Council
January 20, 2026

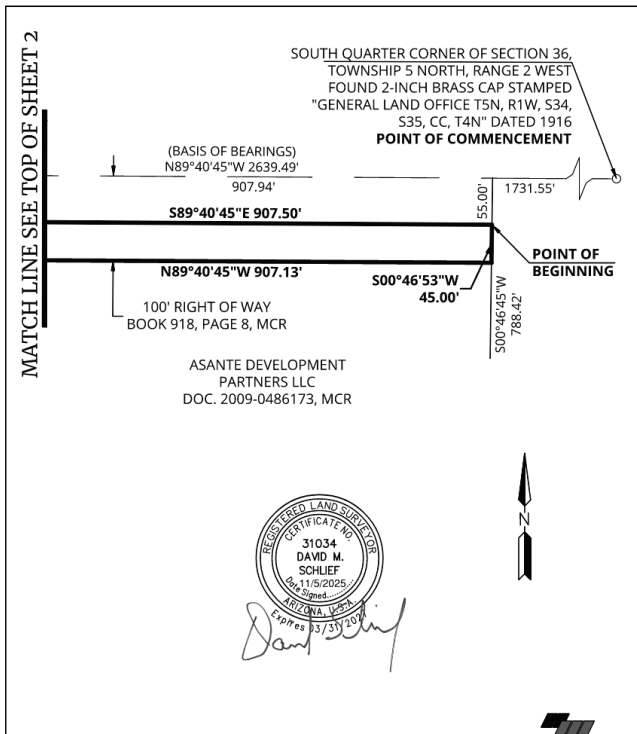


SURPRISE

ARIZONA
Page 108 of 292



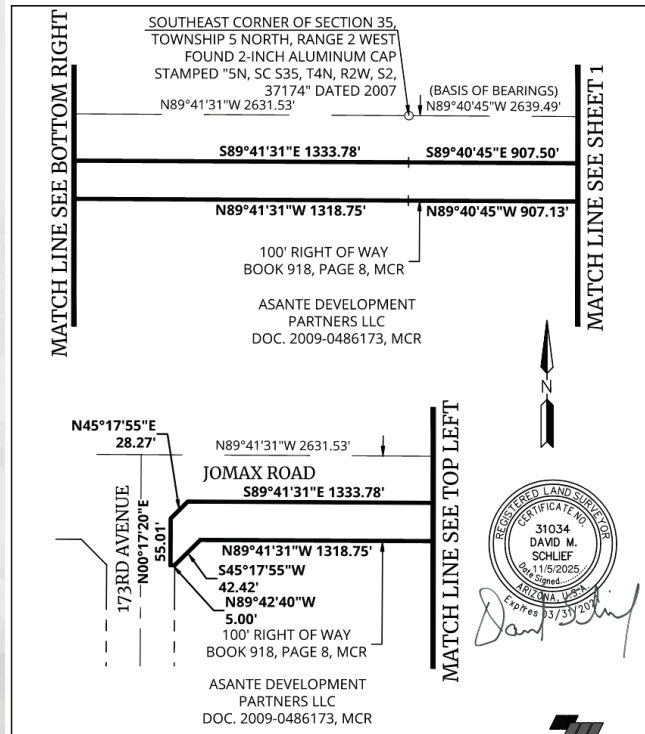
**ROW ABANDONMENT
LOCATION**



PAGE 1 OF 2

PROJ.NO.: 1909	ASANTE NORTH - JOMAX ROAD	Engineering & Design 4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: SEP 2025	RIGHT OF WAY REDUCTION	
SCALE: 1" = 100'	SURPRISE, ARIZONA	EXHIBIT
DRAWN BY: JK		
CHECKED BY: DMS		

© 2025, COLLIER ENGINEERING & DESIGN, INC. L:\1909\1909SUR\PROJ\SET\CALC\1909 ASANTE NORTH REDUCION JOMAX ROAD\1 EXHIBIT.dwg 9/30/2025 11:58 AM



PAGE 2 OF 2

PROJ.NO.: 1909	ASANTE NORTH - JOMAX ROAD	Engineering & Design 4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: SEP 2025	RIGHT OF WAY REDUCTION	
SCALE: 1" = 100'	SURPRISE, ARIZONA	EXHIBIT
DRAWN BY: JK		
CHECKED BY: DMS		

© 2025, COLLIER ENGINEERING & DESIGN, INC. L:\1909\1909SUR\PROJ\SET\CALC\1909 ASANTE NORTH REDUCION JOMAX ROAD\1 EXHIBIT.dwg 9/30/2025 11:58 AM

EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 111 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 0.46 acres of right of way generally located on Jomax Road between 174th Avenue and 177th Avenue; Resolution No. 2026-08.

Motion:

I move to approve Resolution 2026-08

Background:

The City of Surprise annexed the area known as Asante North on August 28, 2006, under Ordinance Number 06-17. On March 22, 2007, the City Council passed Resolution No. 07-038, approving the "Asante North Phase One Map of Dedication," which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane west of 163rd Avenue.

On April 25, 2007, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2007-0479274.

On December 9, 2025, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 173rd Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with this Resolution will decrease the width of the right of way along Jomax Road between 174th Lane and Pat Tillman Boulevard.

Objective Analysis:

Approval of this Resolution will allow the City to vacate a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General Plan 2040 and the City of Surprise Land Development Ordinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-08 Abandonment of RW on Jomax Road west
 2. Asante North Jomax (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-08

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN NORTHWEST QUARTER SECTION 2 AND NORTHEAST QUARTER SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON JOMAX ROAD BETWEEN 174TH AVENUE AND 177TH AVENUE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 0.46 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in Exhibit A and depicted in Exhibit B (the "Property"), is no longer needed for a public roadway, and that it has no market value to the City.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Asante Development Partners, LLC.

Section 3. Asante Development Partners, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-08
RFLS # 10399
Rev 11/24

EXHIBIT B

Resolution No. 2026-08
RFLS # 10399
Rev 11/24

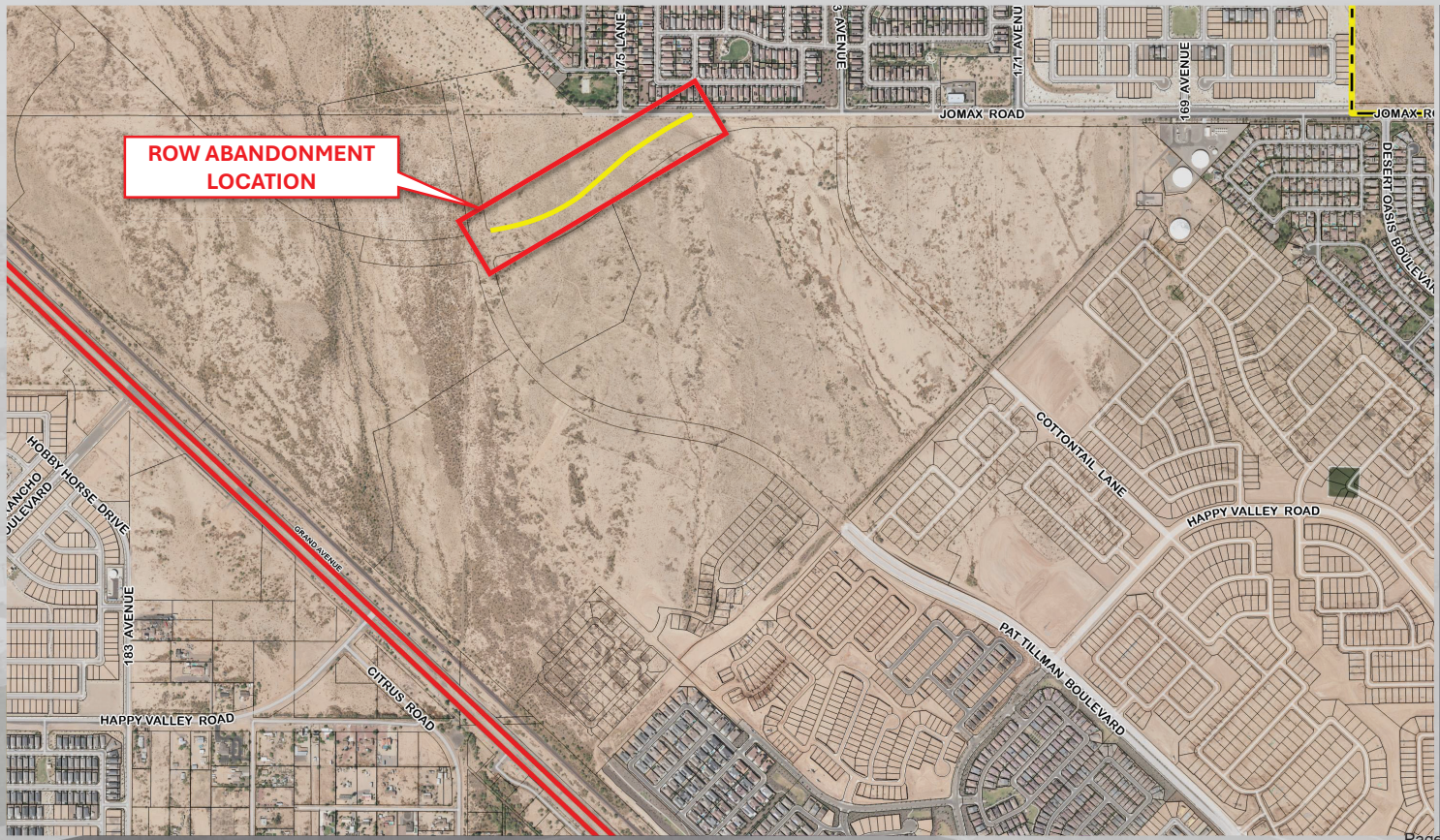
Asante North Jomax *Right-of-way Abandonment*

City Council
January 20, 2026

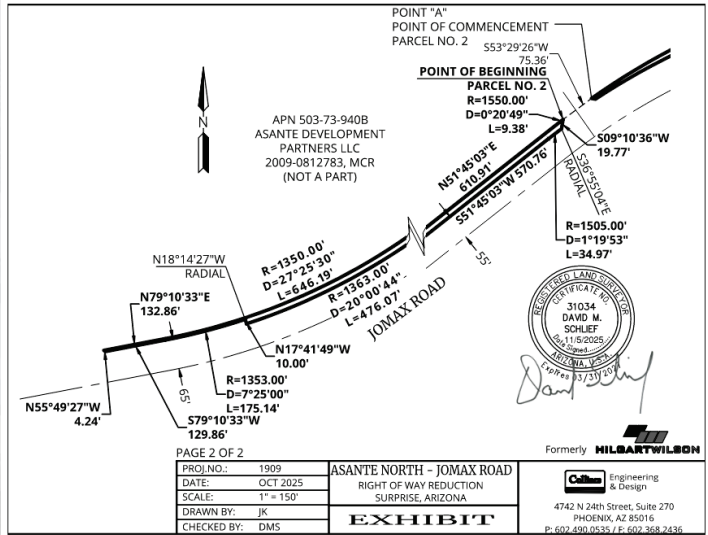
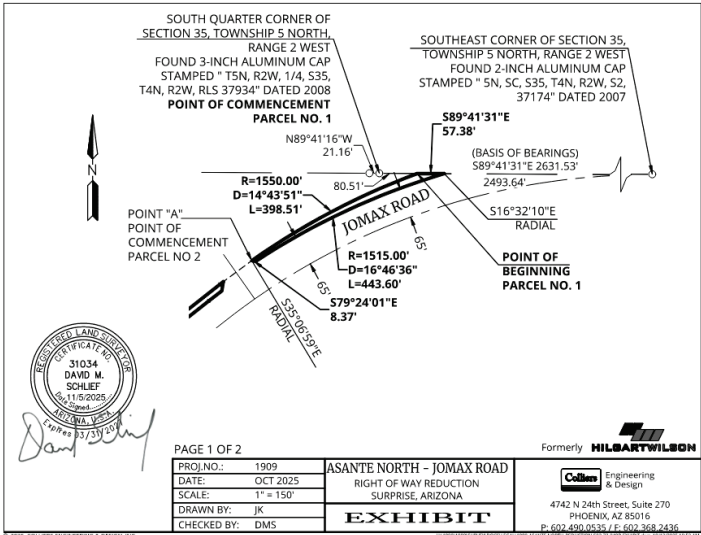


SURPRISE

ARIZONA
Page 118 of 292



VICINITY MAP



EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 121 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026 Contact Person: Lloyd Abrams, Director - Community Development
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 0.64 acres of right of way generally located on the south side of Pat Tillman Boulevard between 148th Avenue and 144th Avenue Resolution No. 2026-10.

Motion:

To move to approve Resolution 2026-10

Background:

The City of Surprise annexed the area known as Asante North on August 29, 2006, under Ordinance Number 06-14. On March 22, 2004, the City Council passed Resolution No. 04-08Q approving the "Asante North Phase 3 Final Map of Dedication," which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane west of 168th Avenue.

On April 29, 2004, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2004-0549245.

On December 9, 2023, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 148th Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with the resolution will decrease the width of the right of way along Pat Tillman Boulevard, south of Jomax Road.

Objective Analysis:

Approval of this Resolution will allow the City to vacate a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General Plan 2050 and the City of Surprise

Land Development 3 ordinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-10 Abandonment of RW on Patt Tillman
 2. Asante North Pat Tillman (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-10

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN THE WEST HALF OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON THE SOUTH SIDE OF PAT TILLMAN BOULEVARD BETWEEN 173RD AVENUE AND 177TH AVENUE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 0.67 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Millrose Properties Arizona, LLC.

Section 3. Millrose Properties Arizona, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-10
RFLS # 10399
Rev 11/24

EXHIBIT B

Resolution No. 2026-10
RFLS # 10399
Rev 11/24



Asante North

Pat Tillman Boulevard

Right-of-way Abandonment

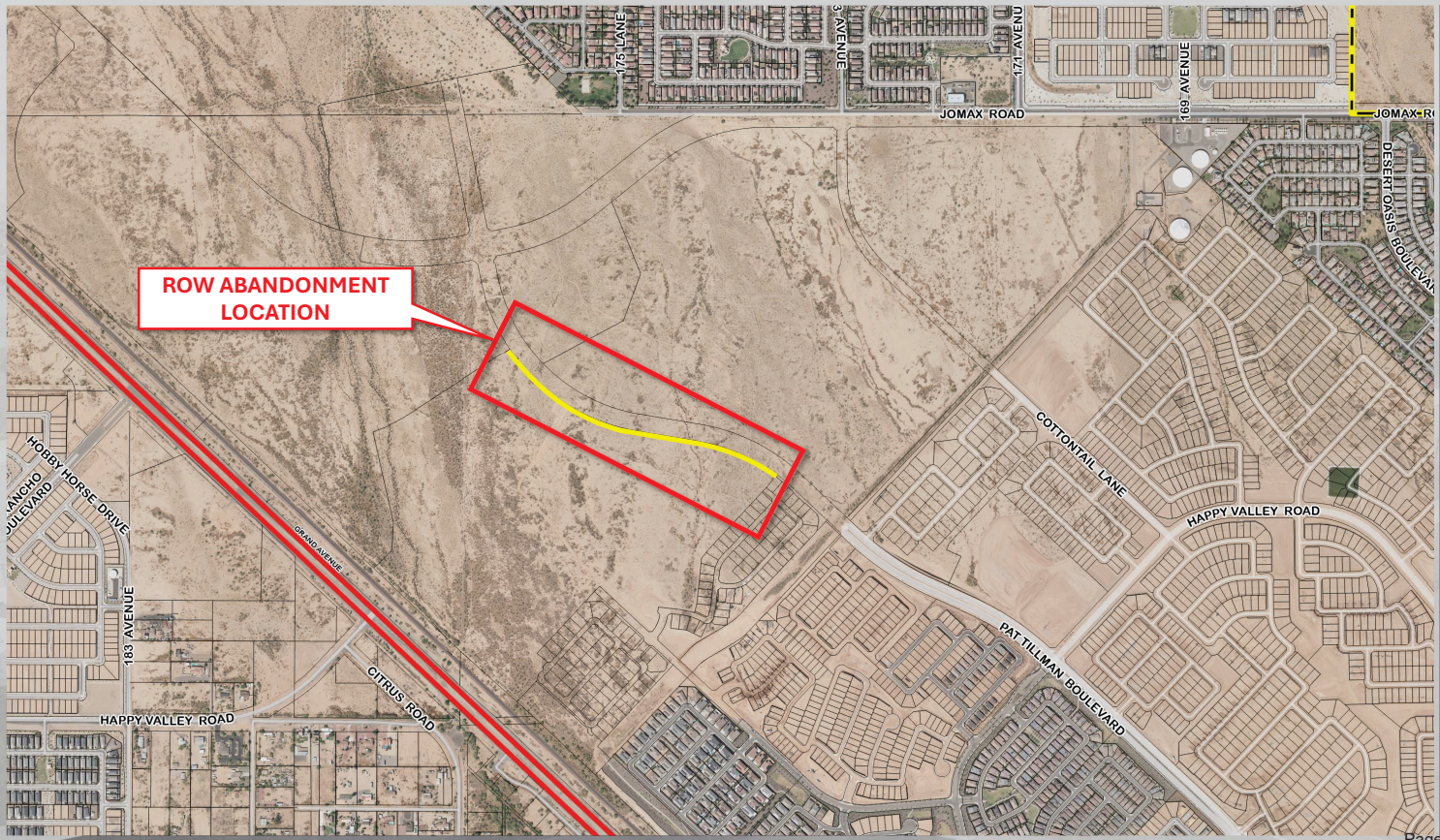
City Council
January 20, 2026



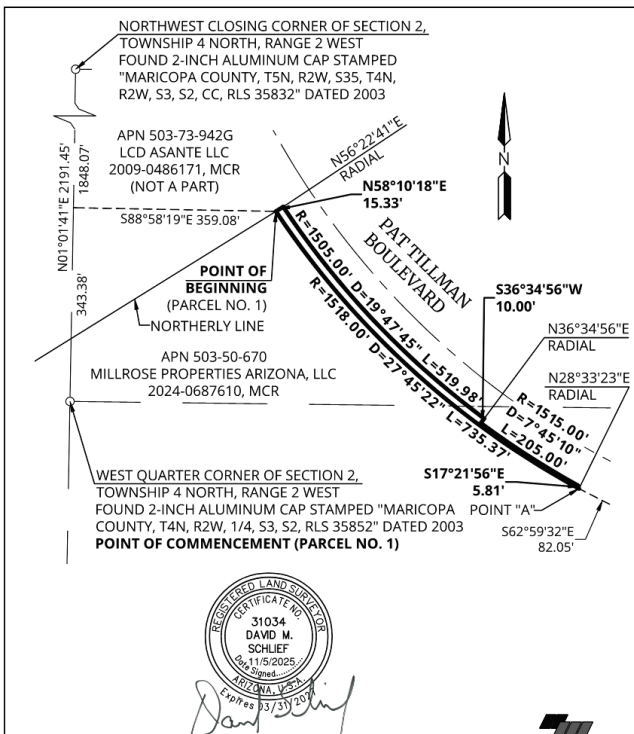
SURPRISE

ARIZONA

Page 128 of 292



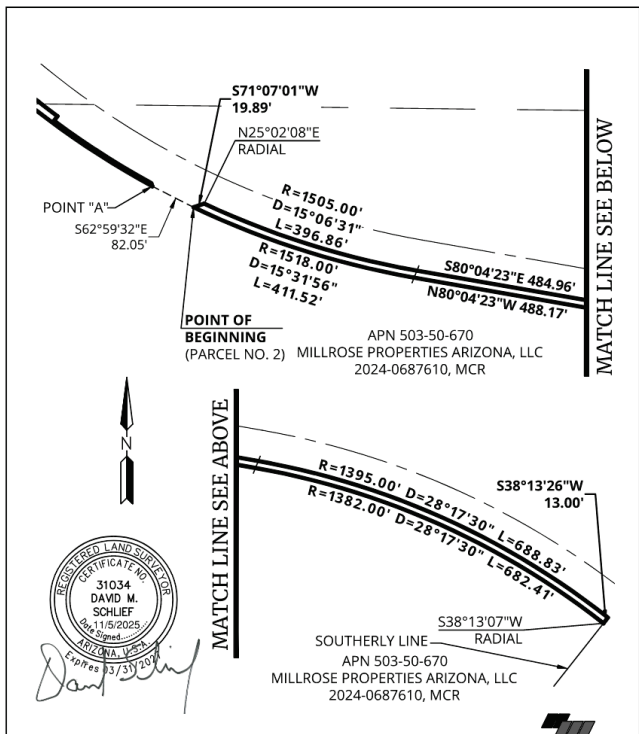
VICINITY MAP



REGISTERED LAND SURVEYOR
31034
DAVID M. SCHLIEF
Exp. 11/5/2025
ARIZONA, U.S.A.
Exp. Res. 03/31/2028

PAGE 1 OF 2 Formerly **HILBARTWILSON**

PROJ. NO.: 1909	ASANTE NORTH - PAT TILLMAN BOULEVARD	 Engineering & Design 4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: NOV 2025	RIGHT OF WAY REDUCTION	
SCALE: 1" = 150'	SURPRISE, ARIZONA	EXHIBIT
DRAWN BY: JK		
CHECKED BY: DMS		



REGISTERED LAND SURVEYOR
31034
DAVID M. SCHLIEF
Exp. 11/5/2025
ARIZONA, U.S.A.
Exp. Res. 03/31/2028

PAGE 2 OF 2 Formerly **HILBARTWILSON**

PROJ. NO.: 1909	ASANTE NORTH - PAT TILLMAN BOULEVARD	 Engineering & Design 4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: NOV 2025	RIGHT OF WAY REDUCTION	
SCALE: 1" = 150'	SURPRISE, ARIZONA	EXHIBIT
DRAWN BY: JK		
CHECKED BY: DMS		

EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 131 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 1.53 acres of right of way generally located on Pat Tillman Boulevard between 177th Avenue and 178th Avenue; Resolution No. 2026-06.

Motion:

I move to approve Resolution 2026-06

Background:

The City of Surprise annexed the area known as Asante North on August 28, 2006, under Ordinance Number 06-17. On March 22, 2007, the City Council passed Resolution No. 07-038, approving the "Asante North Phase One Map of Dedication," which dedicated right of way on Jomax Road, Pat Tillman Boulevard, and Cottontail Lane west of 163rd Avenue.

On April 25, 2007, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2007-0479274.

On December 9, 2025, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 173rd Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with the resolution will decrease the width of the right of way along Jomax Road and Pat Tillman Boulevard aligned with what was approved in the amendment.

Objective Analysis:

Approval of this Resolution will allow the City to vacate a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General plan 2040 and the City of Surprise Land Development Ordinance.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-06 Asante Pat Tillman S Jomax RW Abandonment
 2. Asante North Pat Tillman_Jomax (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-06

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN NORTHWEST QUARTER SECTION 2 AND NORTHEAST QUARTER SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON PAT TILLMAN BOULEVARD BETWEEN 177TH AVENUE AND 178TH AVENUE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 1.53 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, LCD ASANTE, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in LCD ASANTE, LLC.

Section 3. LCD ASANTE, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this _____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-06
RFLS # 10399
Rev 11/24

**ASANTE NORTH – PAT TILLMAN BOULEVAR/JOMAX ROAD
RIGHT OF WAY REDUCTION
LEGAL DESCRIPTION**

A portion of Jomax Road and Pat Tillman Boulevard as dedicated on the Map of Dedication for Asante North – Phase one, recorded at Book 918 of Maps, Page 8, Maricopa County Recorder's Office, Maricopa County, Arizona, situate within a portion of the Northwest Quarter of Section 2 and the Northeast Quarter of Section 3, Township 4 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 2, monumented by a 2-inch aluminum cap stamped " Maricopa County, T4N, R2W, ¼, S3, S2, RLS 35852" dated 2003, from which the Northwest Corner of said Section 2, monumented by a 2-inch aluminum cap stamped "Maricopa County, T5N, R2W, S35, T4N, R2W, S3, S2, CC, RLS 35852" dated 2003, bears as the Basis of Bearings, North 01°01'41" East, 2191.45 feet;

Thence North 01°01'41" East along the westerly line of said Northwest Quarter, 343.38 feet;

Thence South 88°58'19" East, 359.08 feet to the beginning of a non-tangent curve, concave northeasterly, whose radius point bears North 56°18'45" East, 1518.00 feet and the southerly Right of Way line of said Pat Tillman Boulevard being the **POINT OF BEGINNING**;

Thence northwesterly along said curve to the right, through a central angle of 22°51'48", an arc length of 605.74 feet to a point of tangency;

Thence continuing along said southerly Right of Way line the following 5 courses;

Thence North 10°49'27" West, 128.24 feet;

Thence North 55°49'27" West, 42.43 feet;

Thence South 79°10'33" West, 56.65 feet to the beginning of a tangent curve, concave northerly, having a radius of 2100.00 feet;

Thence westerly along said curve to the right, through a central angle of 22°59'11", an arc length of 842.50 feet to a point of non-tangency;

Thence North 12°09'44" East, 64.00 feet to the beginning of a non-tangent curve, concave northerly, whose radius point bears North 12°09'44" East, 2036.00 feet;

Thence easterly along said curve to the left, through a central angle of 16°28'47", an arc length of 585.61 feet to a point of non-tangency;

Thence South 04°19'03" East, 10.00 feet to the beginning of a non-tangent curve, concave northwesterly, whose radius point bears North 04°19'03" West, 2046.00 feet;

Thence northeasterly along said curve to the left, through a central angle of 06°30'24", an arc length of 232.35 feet to a point of tangency;

Thence North 79°10'33" East, 72.65 feet;

Thence South 55°49'27" East, 28.28 feet;

Thence South 10°49'27" East, 180.00 feet;

Thence North 79°10'33" East, 10.00 feet;

Thence South 10°49'27" East, 13.38 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 1505.00 feet;

Thence southeasterly along said curve to the left, through a central angle of 22°47'52", an arc length of 598.84 feet to a point of non-tangency on the southerly property line described in Special Warranty Deed as Instrument number 2009-0486171, Maricopa County Recorder's Office, Maricopa County, Arizona;

Thence South 58°10'18" West along said southerly property line, 15.33 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 66,569 square feet or 1.5282 acres more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: Colliers Engineering and Design
4742 North 24th Street, Suite 270
Phoenix, AZ 85016
Project No. 1909
Date: October 2025

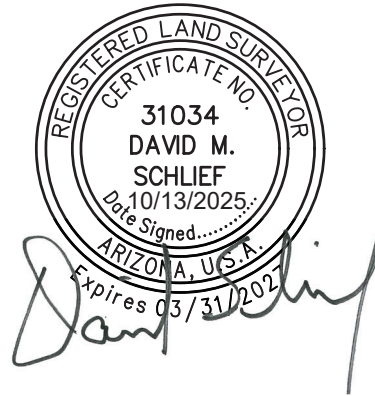


EXHIBIT B

Resolution No. 2026-06
RFLS # 10399
Rev 11/24

NORTHWEST CORNER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST
FOUND 2-INCH ALUMINUM CAP STAMPED
"MARICOPA COUNTY, T5N, R2W, S35, T4N,
R2W, S3, S2, CC, RLS 35832" DATED 2003

MATCH LINE SEE SHEET 2



APN 503-73-942G
LCD ASANTE LLC
2009-0486171, MCR

55'
PAT TILL MAN
BOULEVARD

(BASIS OF BEARINGS)
N01°01'41"E 2191.45'
1848.07'
343.38'

R=1518.00' D=22°51'48" L=605.74'
R=1505.00' D=22°47'52" L=598.84'

N56°18'45"E
RADIAL

POINT OF BEGINNING

S88°58'19"E 359.08'

SOUTHERLY
PROPERTY LINE OF
2009-048171, MCR

S58°10'18"W
15.33'



WEST QUARTER CORNER OF SECTION 2,
TOWNSHIP 4 NORTH, RANGE 2 WEST
FOUND 2-INCH ALUMINUM CAP STAMPED "MARICOPA
COUNTY, T4N, R2W, 1/4, S3, S2, RLS 35852" DATED 2003
POINT OF COMMENCEMENT

Formerly **HILGARTWILSON**

PROJ.NO.: 1909	ASANTE NORTH - PAT TILL MAN ROAD/ JOMAX ROAD	 Engineering & Design 4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: OCT 2025		
SCALE: 1" = 100'	RIGHT OF WAY REDUCTION SURPRISE, ARIZONA	
DRAWN BY: JK	EXHIBIT	
CHECKED BY: DMS		



MATCH LINE SEE SHEET 3

S04°19'03"E
10.00'
N04°19'03"W
RADIAL
R=2046.00'
D=6°30'24"
L=232.35'

JOMAX ROAD

N79°10'33"E
72.65'

S55°49'27"E
28.28'

PAT TILL MAN
BOULEVARD

S79°10'33"W
56.65'

N55°49'27"W
42.43'

S10°49'27"E
180.00'
N10°49'27"W
128.24'

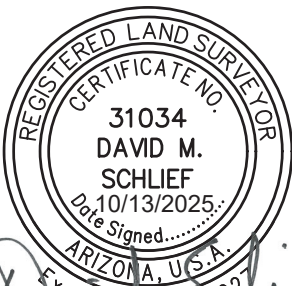
N79°10'33"E
10.00'

S10°49'27"E
13.38'

APN 503-73-942G
LCD ASANTE LLC
2009-0486171, MCR

55'

MATCH LINE SEE SHEET 1



David M. Schlieff



Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	OCT 2025
SCALE:	1" = 100'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - PAT TILL MAN ROAD/ JOMAX ROAD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

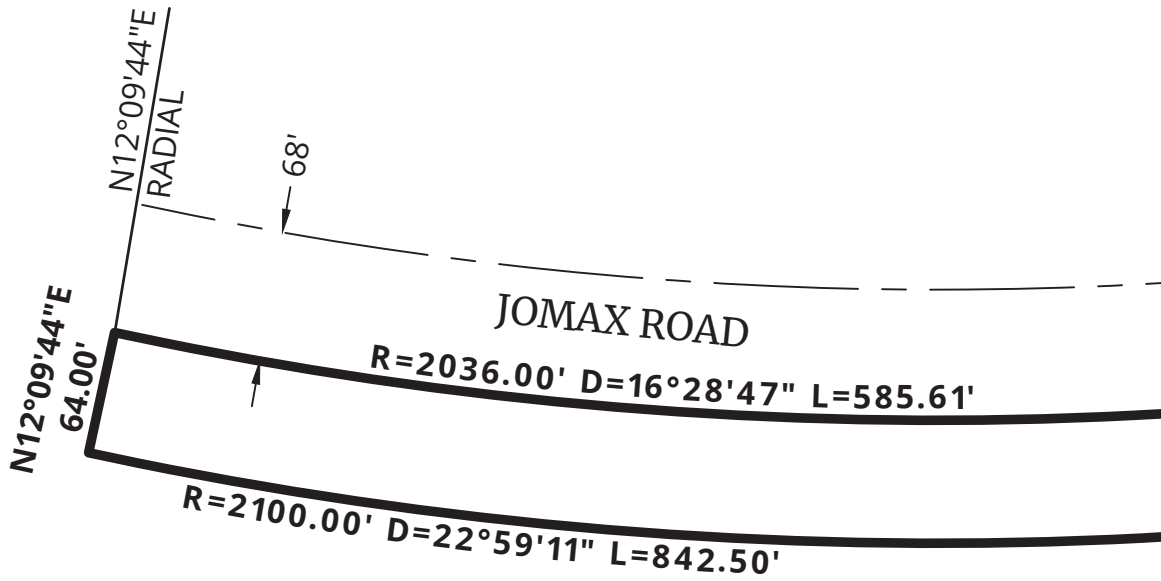
EXHIBIT



Engineering & Design

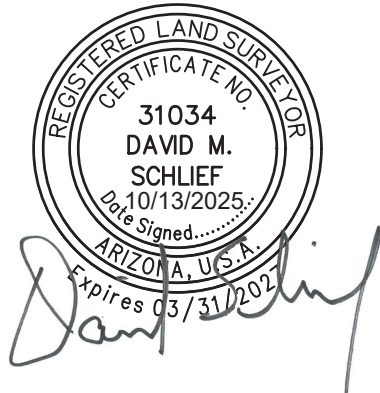
4742 N 24th Street, Suite 270
PHOENIX, AZ 85016

P: 602.490.0535 / F: 602.368.2436



MATCH LINE SEE SHEET 2

APN 503-73-942G
 LCD ASANTE LLC
 2009-0486171, MCR




 Formerly **HILGARTWILSON**

PROJ.NO.: 1909	ASANTE NORTH - PAT TILL MAN ROAD/ JOMAX ROAD RIGHT OF WAY REDUCTION SURPRISE, ARIZONA	 Engineering & Design
DATE: OCT 2025		
SCALE: 1" = 100'	EXHIBIT	4742 N 24th Street, Suite 270 PHOENIX, AZ 85016
DRAWN BY: JK		P: 602.490.0535 / F: 602.368.2436
CHECKED BY: DMS		

Asante North

Pat Tillman Boulevard / Jomax

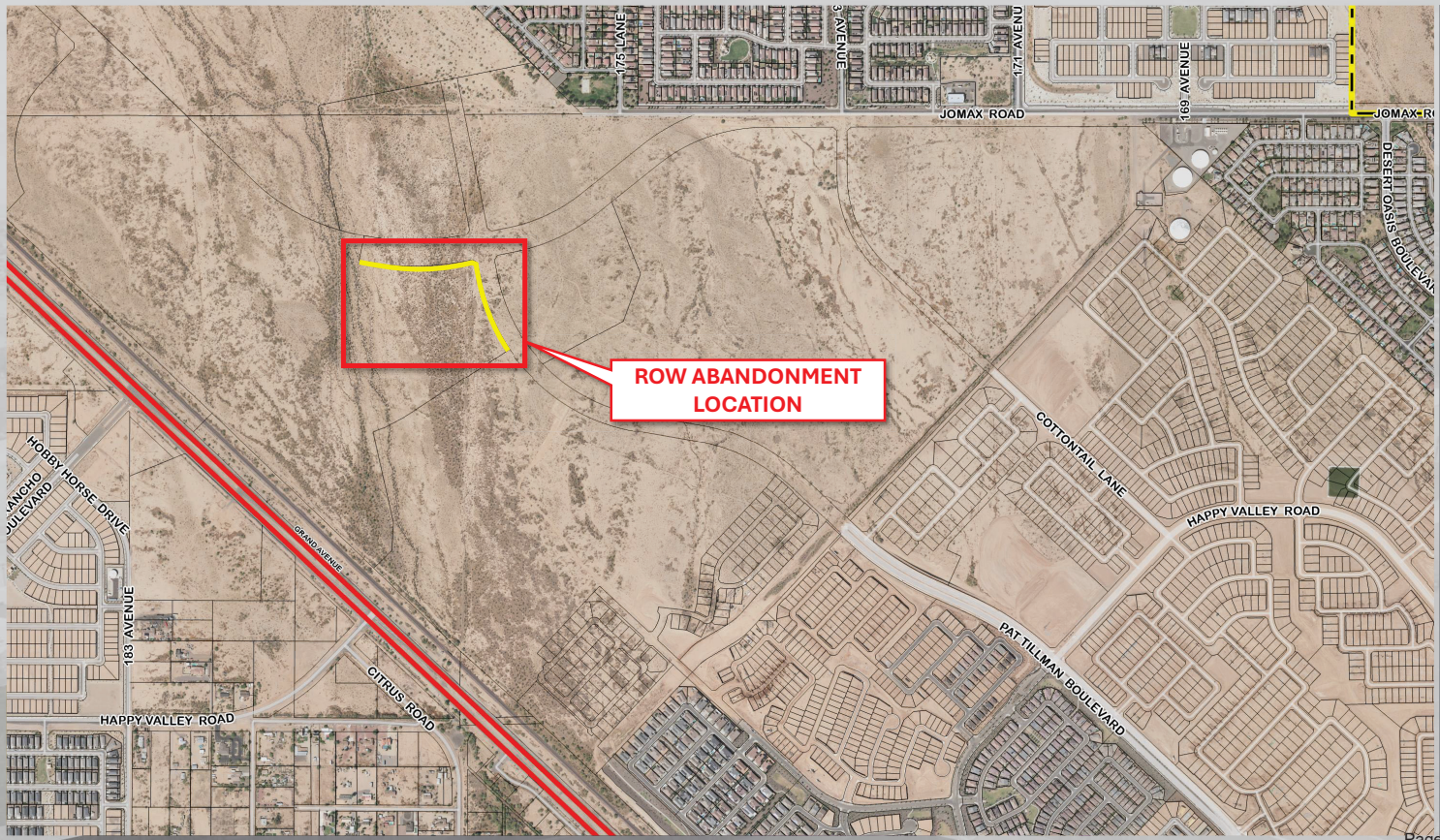
Right-of-way Abandonment

City Council
January 20, 2026

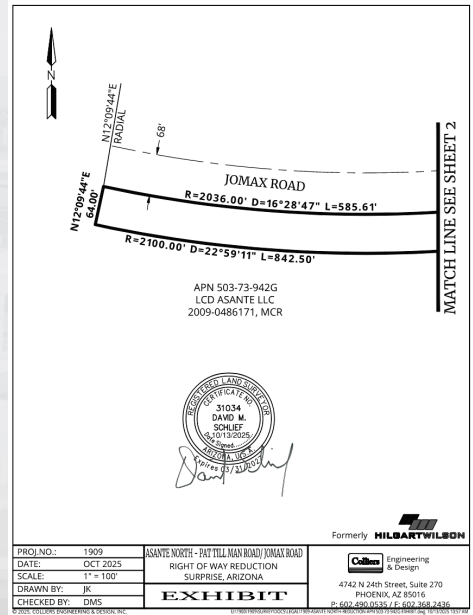
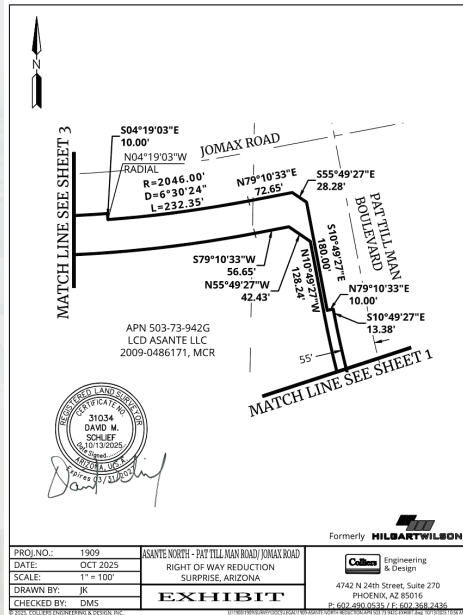
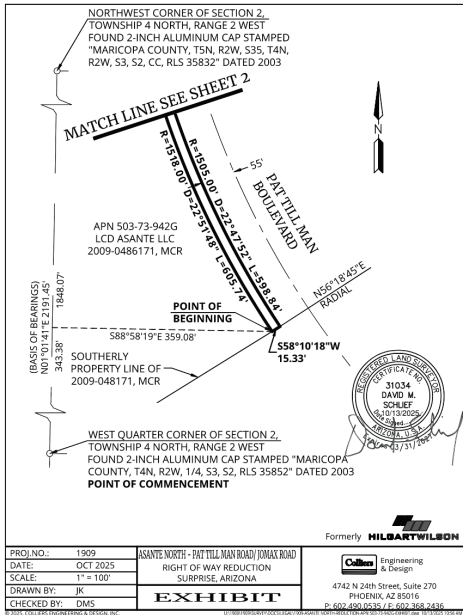


SURPRISE

ARIZONA
Page 144 of 292



VICINITY MAP



EXHIBIT

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 147 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026 Contact Person: Lloyd Abrams, Director - Community Development
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to vacating approximately 0.70 acres of right of way generally located on the north side of Pat Villman ; oulevard west of Asante ; oulevard between 15I rd Avenue and 155th AvenueTResolution No. 2026-0k.

Motion:

8move to approve Resolution 2026-0k

Background:

The City of Surprise annexed the area known as Asante North on August 27, 2006, under Ordinance Number 06-15. On March 22, 2005, the City Council passed Resolution No. 05-017, approving the "Asante North Phase 3 Final Map of Dedication," which dedicated right of way on Jomax Road, Pat Villman ; boulevard, and Cottontail Lane west of 161st Avenue.

On April 28, 2005, the City of Surprise recorded the plat dedicating various widths of right of way from Lennar Communities Development, Inc. per Maricopa County Recorded Document Number 2005-045k254.

On December 1, 2023, the City approved a minor amendment to the PAD for Asante North, effectively reclassifying the streets, adjusting the right of way widths, and changing the name from 151st Avenue to Cottontail Lane. As part of this amendment, the City updated the roadway circulation network. The right of way vacated with the resolution will decrease the width of the right of way along the east side of Cottontail Lane between Jomax Road and Happy Valley Road.

Objective Analysis:

Approval of this Resolution will allow the City to vacate a portion of right of way that is no longer needed.

Policy Compliant:

The proposed Resolution is consistent with the Surprise General plan 2040 and the City of Surprise

Land Development 3 rdinances.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

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:

1. Resolution No. 2026-0k Abandonment of RW on Pat Villman west
 2. Asante North Pat Villman West (RW Abandon) - CC 01.20.26
-

RESOLUTION #2026-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING THE CITY OF SURPRISE'S INTEREST IN A PORTION OF A ROADWAY WITHIN SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, GENERALLY LOCATED ON NORTH SIDE OF PAT TILLMAN BOULEVARD WEST OF ASANTE BOULEVARD BETWEEN 173RD AVENUE AND 177TH AVENUE.

WHEREAS, on August 28, 2006, the City annexed the area containing the roadway proposed to be vacated via Ordinance 06-17;

WHEREAS, a portion of the roadway proposed to be vacated was dedicated via Book 918 of Maps, page 8 of the Maricopa County Recorder;

WHEREAS, the area proposed to be vacated is approximately 0.80 acres;

WHEREAS, a portion of the roadway proposed to be vacated is located within the Asante North Development;

WHEREAS, Asante Development Partners, LLC, the developer of the Asante North Development requested the City vacate a portion of roadway;

WHEREAS, City staff has opined that the portion of roadway proposed to be vacated is no longer necessary for City roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the City Council may vacate a roadway;

WHEREAS, pursuant to A.R.S. § 28-7215(A), City staff has determined that any land adjoining the roadway will not be left without a public or private legal access connecting the land with an established public roadway, but nevertheless hereby expressly reserves herein the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land; and

WHEREAS, pursuant to A.R.S. § 28-7215(B), City staff has determined that the portion of the roadway proposed to be vacated has no public use, and the adjacent owner(s) and developer of the Asante North Development agree to and shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

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

Section 1. The City of Surprise hereby declares that the portion of roadway legally described in **Exhibit A** and depicted in **Exhibit B** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise acknowledges that pursuant to A.R.S. § 28-7205, upon vacating title to the Property, title will vest in Asante Development Partners, LLC.

Section 3. Asante Development Partners, LLC, shall assume both the costs of maintaining the public roadway, and all liability associated in any way with and for the public roadway.

Section 4. The City of Surprise hereby vacates its right, title, and interest in the Property, subject to expressly reserving the rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land, if any.

APPROVED AND ADOPTED this ____ day of _____ 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Resolution No. 2026-09
RFLS # 10399
Rev 11/24

**ASANTE NORTH
WEST PAT TILLMAN BOULEVARD
RIGHT OF WAY REDUCTION
LEGAL DESCRIPTION**

A portion of West Pat Tillman Boulevard dedicated on the Map of Dedication for Asante North – Phase One, as recorded at Book 918 of Maps, Page 8, Maricopa County Recorder's Office, Maricopa County, Arizona, situate within a portion of Section 2, Township 4 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 2, monumented by a 2 inch Maricopa County, aluminum cap with sectional markings dated 2004, RLS 35852, from which the West Quarter Corner of said Section 2, monumented by a 2 inch Maricopa County, aluminum cap with sectional markings dated 2003, RLS 35832 bears as the Basis of Bearings North 89°18'49" West, 5274.23 feet;

Thence North 89°18'49" West along the East – West Mid-section line of said Section 2, a distance of 1330.58 feet to the easterly line of that parcel as described in the document recorded at Instrument number 2009-0486173, Maricopa County Recorder's Office, Maricopa County, Arizona;

Thence South 43°31'21" West along said easterly line, 1332.70 feet to the northeast corner of said West Pat Tillman Boulevard and also being the **POINT OF BEGINNING**;

Thence South 43°31'21" West along the southwesterly prolongation of said easterly line, 13.00 feet to the southerly line of the northerly 13.00 feet of said West Pat Tillman Boulevard;

Thence North 46°28'39" West along said southerly line, 511.74 feet to the beginning of a tangent curve, concentric to the easterly Right of Way line for said West Pat Tillman Boulevard, concave southwesterly, having a radius of 1505.00 feet;

Thence northwesterly along said curve to the left, through a central angle of 33°35'44", an arc length of 882.46 feet to a point of tangency;

Thence North 80°04'23" West, 484.96 feet to the beginning of a tangent curve, non-concentric to the easterly Right of Way line for said West Pat Tillman Boulevard, concave northeasterly, having a radius of 1395.00 feet;

Thence northwesterly along said curve to the right, through a central angle of 36°17'28", an arc length of 883.59 feet to a point of non-tangency;

Thence North 46°13'05" East, 11.10 feet to the westerly corner of that property described in document 2009-0486173, Maricopa County Recorders Office, Maricopa County, Arizona, along the northeasterly Right of Way line for said West Pat Tillman Boulevard to the beginning of a non-tangent curve, concave northeasterly, having a radius of 1382.00 feet, the center of which bears North 46°06'39" East;

Thence along the northeasterly Right of Way line for said West Pat Tillman Boulevard the following Four (4) courses;

Thence southeasterly along said curve to the left, through a central angle of 36°11'02", an arc length of 872.77 feet to a point of tangency;

Thence South 80°04'23" East, 488.17 feet to the beginning of a tangent curve, concave southwesterly, having a radius of 1518.00 feet;

Thence southeasterly along said curve to the right, through a central angle of 33°35'44", an arc length of 890.08 feet to a point of tangency;

Thence South 46°28'39" East, 511.74 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 35,054 sq. ft. or 0.8047 acres more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: COLLIERS ENGINEERING AND DESIGN
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1909
Date: September 2025

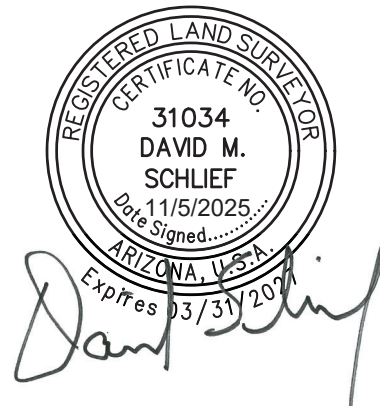
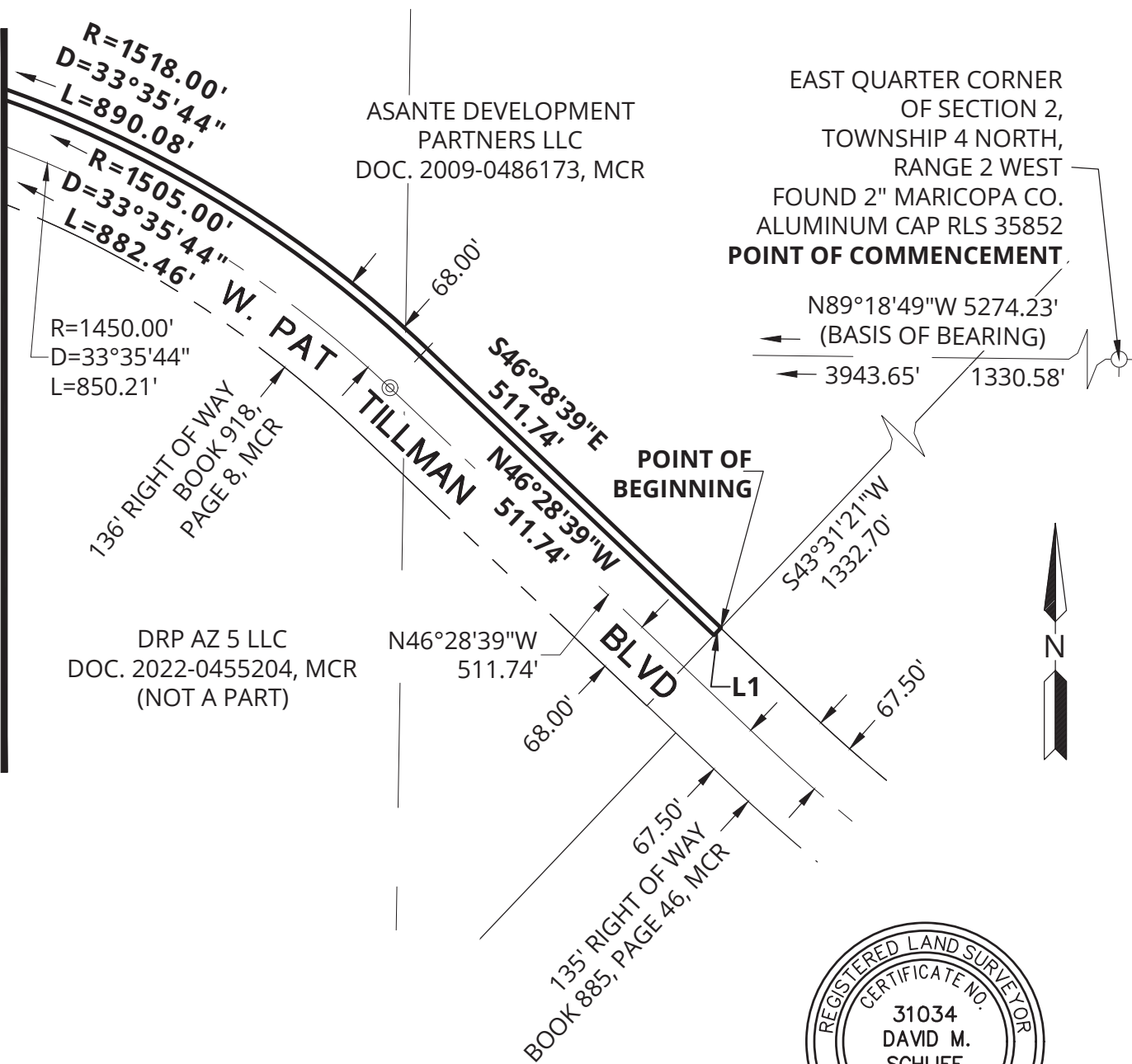


EXHIBIT B

Resolution No. 2026-09
RFLS # 10399
Rev 11/24

MATCH LINE SEE SHEET 2



LINE TABLE

LINE NO.	DIRECTION	LENGTH
L1	S43°31'21"W	13.00'



David M. Schlieff

SHEET 1 OF 3

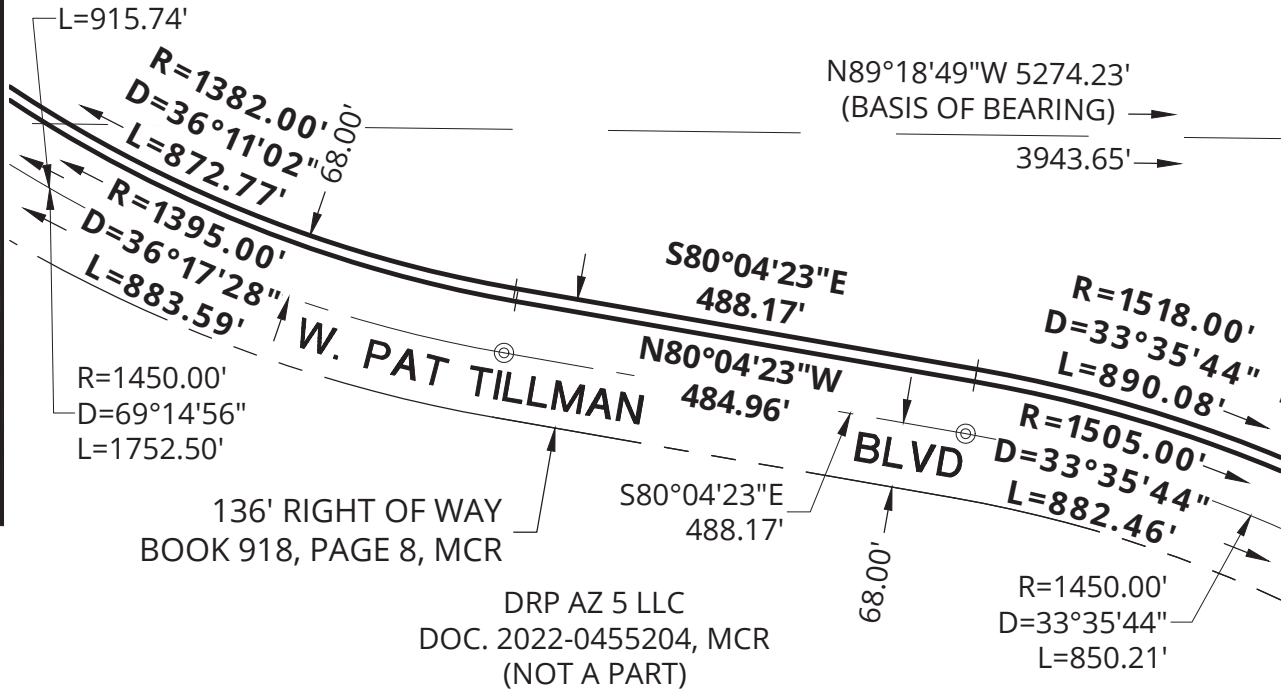
Formerly **HILGARTWILSON**

PROJ.NO.: 1909	ASANTE NORTH - PAT TILLMAN BLVD RIGHT OF WAY REDUCTION SURPRISE, ARIZONA	
DATE: NOV 2025		
SCALE: 1" = 200'	EXHIBIT	4742 N 24th Street, Suite 270 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DRAWN BY: JK		
CHECKED BY: DMS		

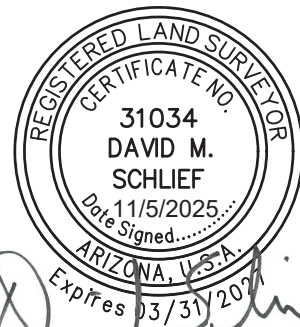
ASANTE DEVELOPMENT
PARTNERS LLC
DOC. 2009-0486173, MCR

MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 1



DRP AZ 5 LLC
DOC. 2022-0455204, MCR
(NOT A PART)



David M. Schlieff

SHEET 2 OF 3

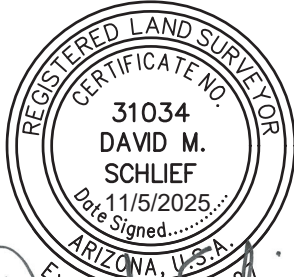
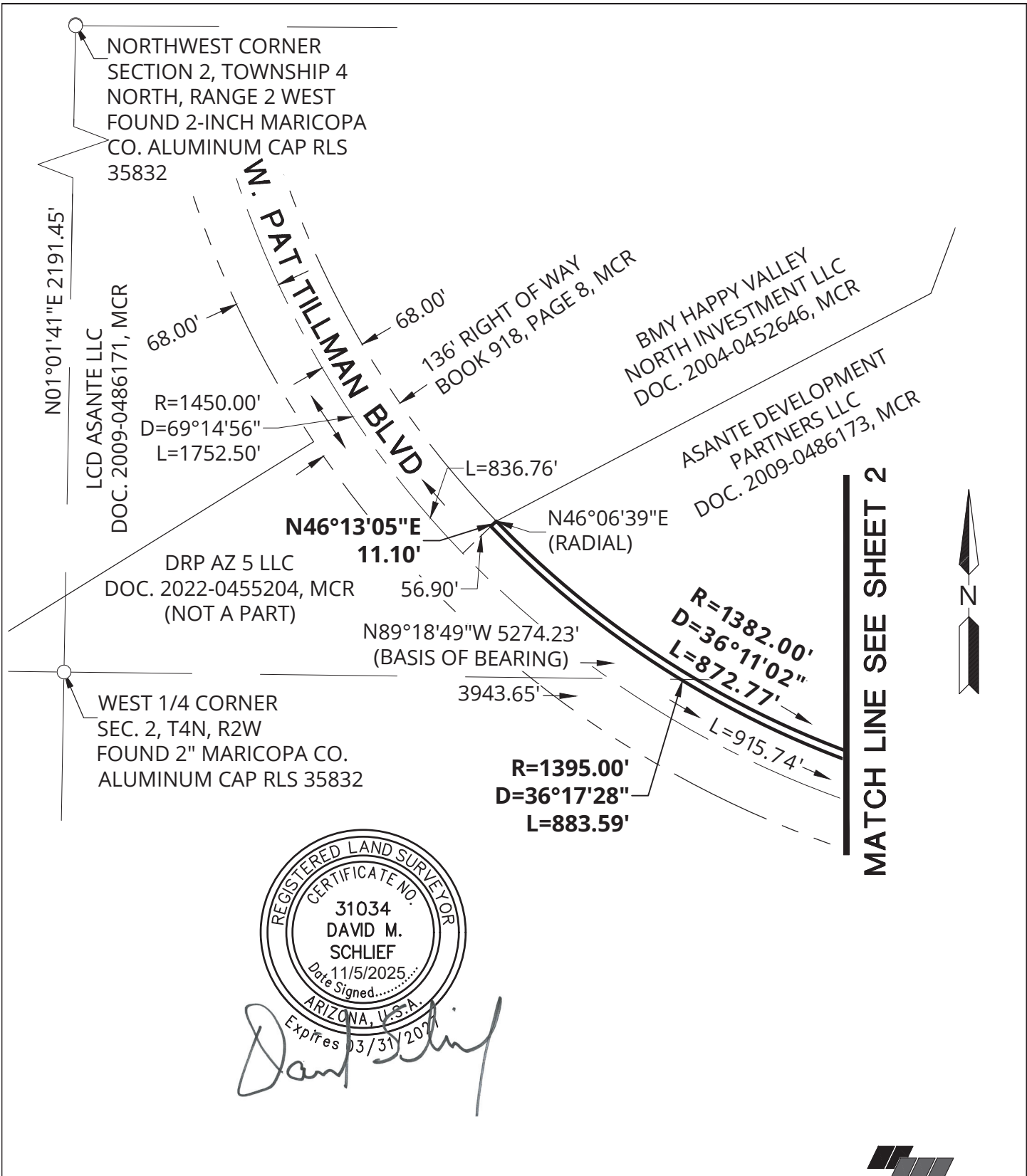
Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	NOV 2025
SCALE:	1" = 200'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - PAT TILLMAN BLVD
RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

EXHIBIT

Colliers Engineering & Design
4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436



David M. Schlieff

Expires 03/31/2027

SHEET 3 OF 3

Formerly **HILGARTWILSON**

PROJ.NO.:	1909
DATE:	NOV 2025
SCALE:	1" = 200'
DRAWN BY:	JK
CHECKED BY:	DMS

ASANTE NORTH - PAT TILLMAN BLVD

RIGHT OF WAY REDUCTION
SURPRISE, ARIZONA

EXHIBIT



Engineering & Design

4742 N 24th Street, Suite 270
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

Asante North

Pat Tillman Boulevard - West

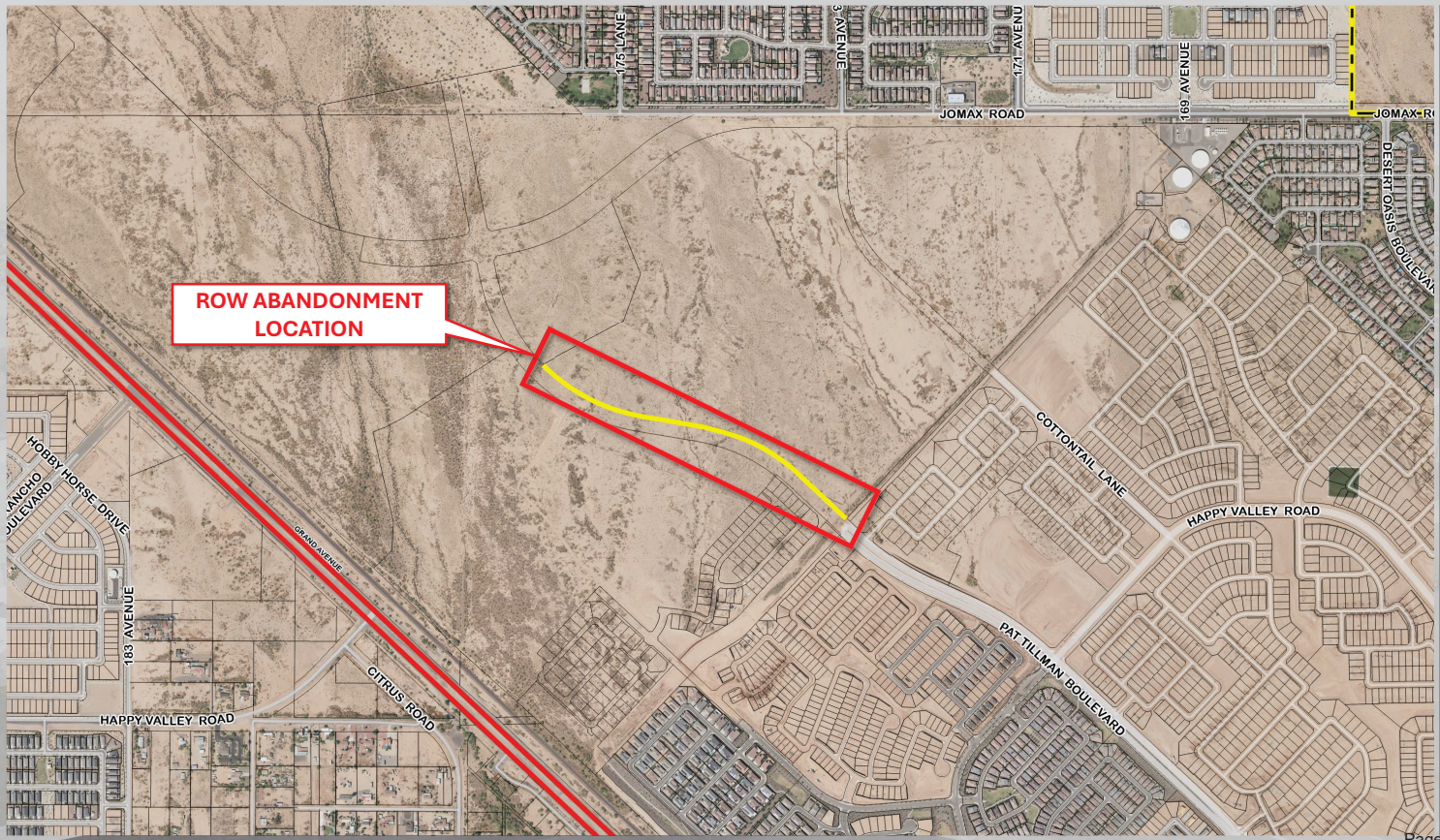
Right-of-way Abandonment

City Council
January 20, 2026

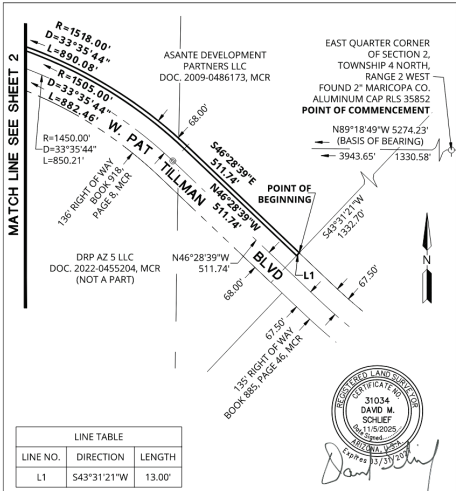


SURPRISE

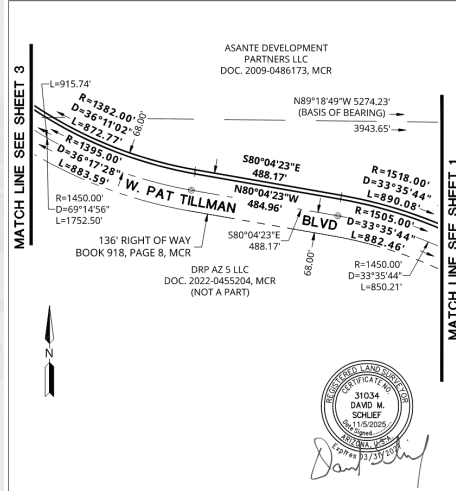
ARIZONA
Page 159 of 292



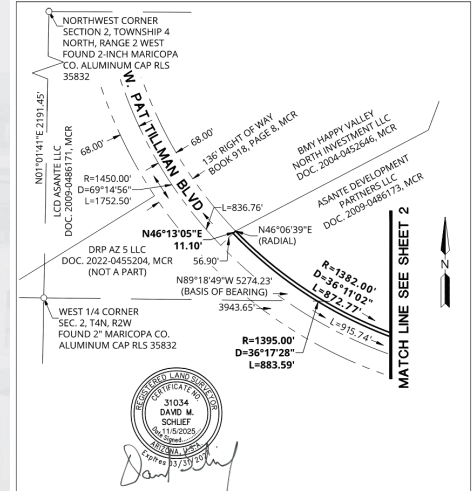
VICINITY MAP



SHEET 1 OF 3
 PROJ. NO.: 1909 ASANTE NORTH - PAT TILLMAN BLVD
 DATE: NOV 2025 RIGHT OF WAY REDUCTION
 SCALE: 1" = 200' SURPRISE, ARIZONA
 DRAWN BY: JK
 CHECKED BY: DMS
EXHIBIT
 Formerly **HILBARTWILSON**
 Colburn Engineering & Design
 4742 N 24th Street, Suite 270
 PHOENIX, AZ 85016
 P: 602.450.0525 / F: 602.368.2436



SHEET 2 OF 3
 PROJ. NO.: 1909 ASANTE NORTH - PAT TILLMAN BLVD
 DATE: NOV 2025 RIGHT OF WAY REDUCTION
 SCALE: 1" = 200' SURPRISE, ARIZONA
 DRAWN BY: JK
 CHECKED BY: DMS
EXHIBIT
 Formerly **HILBARTWILSON**
 Colburn Engineering & Design
 4742 N 24th Street, Suite 270
 PHOENIX, AZ 85016
 P: 602.450.0525 / F: 602.368.2436



SHEET 3 OF 3
 PROJ. NO.: 1909 ASANTE NORTH - PAT TILLMAN BLVD
 DATE: NOV 2025 RIGHT OF WAY REDUCTION
 SCALE: 1" = 200' SURPRISE, ARIZONA
 DRAWN BY: JK
 CHECKED BY: DMS
EXHIBIT
 Formerly **HILBARTWILSON**
 Colburn Engineering & Design
 4742 N 24th Street, Suite 270
 PHOENIX, AZ 85016
 P: 602.450.0525 / F: 602.368.2436

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 162 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Dewayne Neitzel on Jomax at 159th Avenue.

Motion:

I move to approve accepting a Special Warranty Deed from Dewayne Neitzel.

Background:

The Developers of the future Nobella residential subdivision are working to acquire right of way along Jomax between 157th and 160th Avenues to improve the transportation and utility network in the area. The additional right of way will allow the Nobella development to widen Jomax Road to allow for additional traffic to support the ongoing development in the area.

Objective Analysis:

The acceptance of this right of way will allow the developer of Nobella to improve Jomax Road to allow for safer traffic movements along Jomax Road going to the future Nobella development.

Policy Compliant:

Approval of this item is policy compliant and advances the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is currently no budgetary impact related to the approval of this item.

FTE Impact:

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

ATTACHMENTS:

1. Neitzel SWD
 2. Neitzel SWD - CC 01.20.26
-

When recorded mail to:
City Clerk
City of Surprise
1600 N. City Center Plaza
Surprise, AZ 85374

Exempt Pursuant to ARS § 11-1134(A)(3)

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, the undersigned Dewayne and Cindy Neitzel, (“Grantor”) does hereby convey to the City of Surprise, an Arizona municipal corporation, (“Grantee”) that certain real property located in Maricopa County, Arizona, more specifically described on Exhibit “A” attached hereto and incorporated herein by this reference, together with all rights and privileges appurtenant thereto.

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO: all current taxes, assessments, patent reservations, and all covenants, conditions, restrictions, reservations, easements, declarations, and other matters of record or to which reference is made in the public records, and any and all conditions, easements, encroachments, rights-of-way, or restrictions that a physical inspection or accurate survey of said real property would show.

And Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor but against none other.

Dated this 13 day of Nov 2025.

GRANTOR



Dewayne Neitzel

Cindy Neitzel

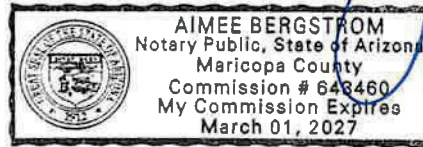
STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 13 day of November,
2025, by Dewayne Neitzel.

Aimee Bergstrom
Signature of Notary Public

My commission expires on

March 01, 2027



STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____,
2025, by _____.

Signature of Notary Public

My commission expires on

Exhibit "A" to Special Warranty Deed

Legal Description

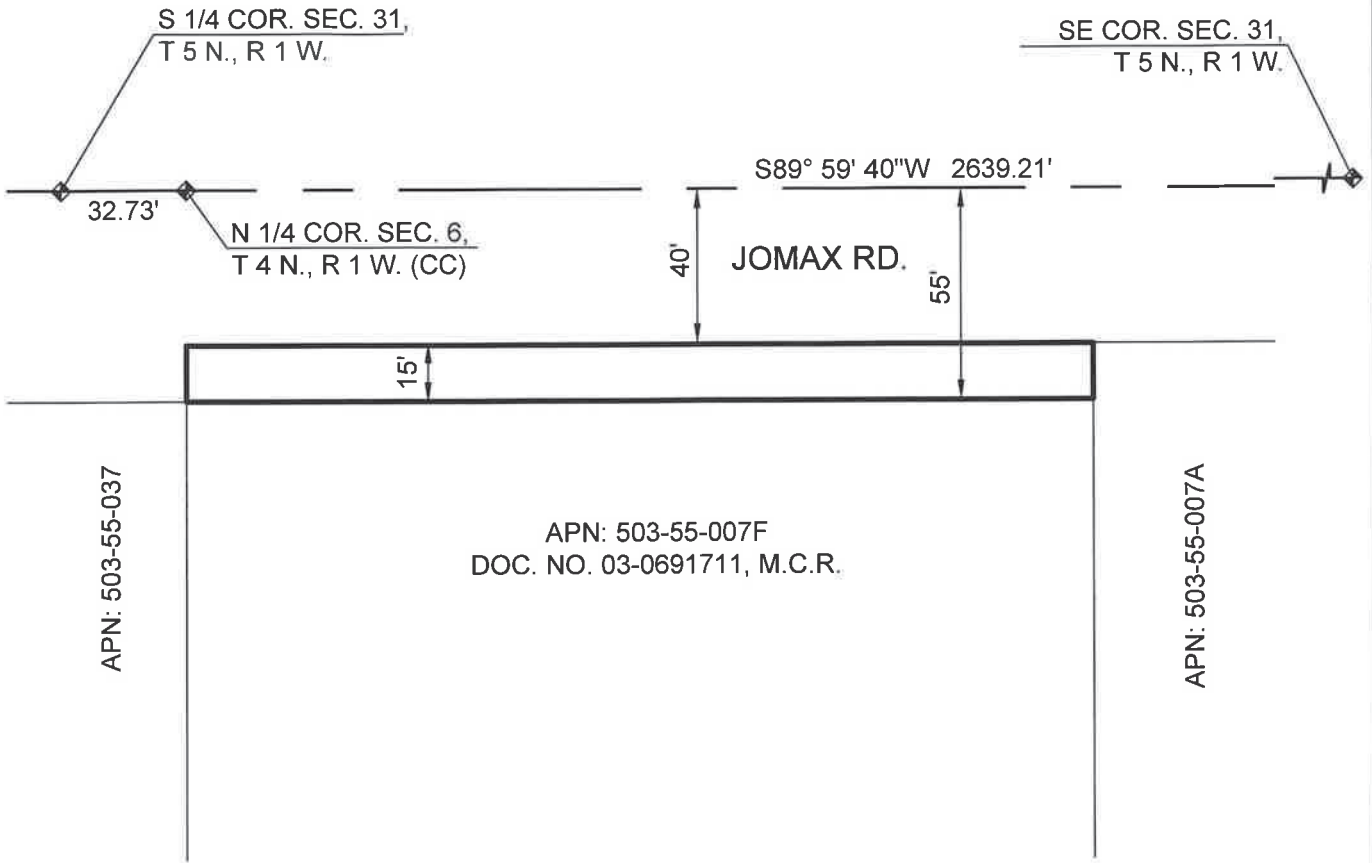
**Legal Description
For
Right of Way Dedication
APN: 503-55-007F**

Located in Northeast Quarter of Section 6, Township 4 North, Range 1 West, Gila and Salt River Meridian, Maricopa County, Arizona;

Being the North 15.00 feet of that certain parcel of land as described in document number 2003-0691711, Maricopa County records.



Plotted: 04/10/25 - 8:02 AM, By: mragdale
File: M:\1231 - Hines Development\MPC-Surprise\Survey Data\Exhibit Drawings\1231 EXH ROW 503-55-007F.dwg, --> EXH



APN: 503-55-037

APN: 503-55-007F
DOC. NO. 03-0691711, M.C.R.

APN: 503-55-007A



N.T.S.



EXHIBIT

RIGHT-OF-WAY DEDICATION

NOBELLA

SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

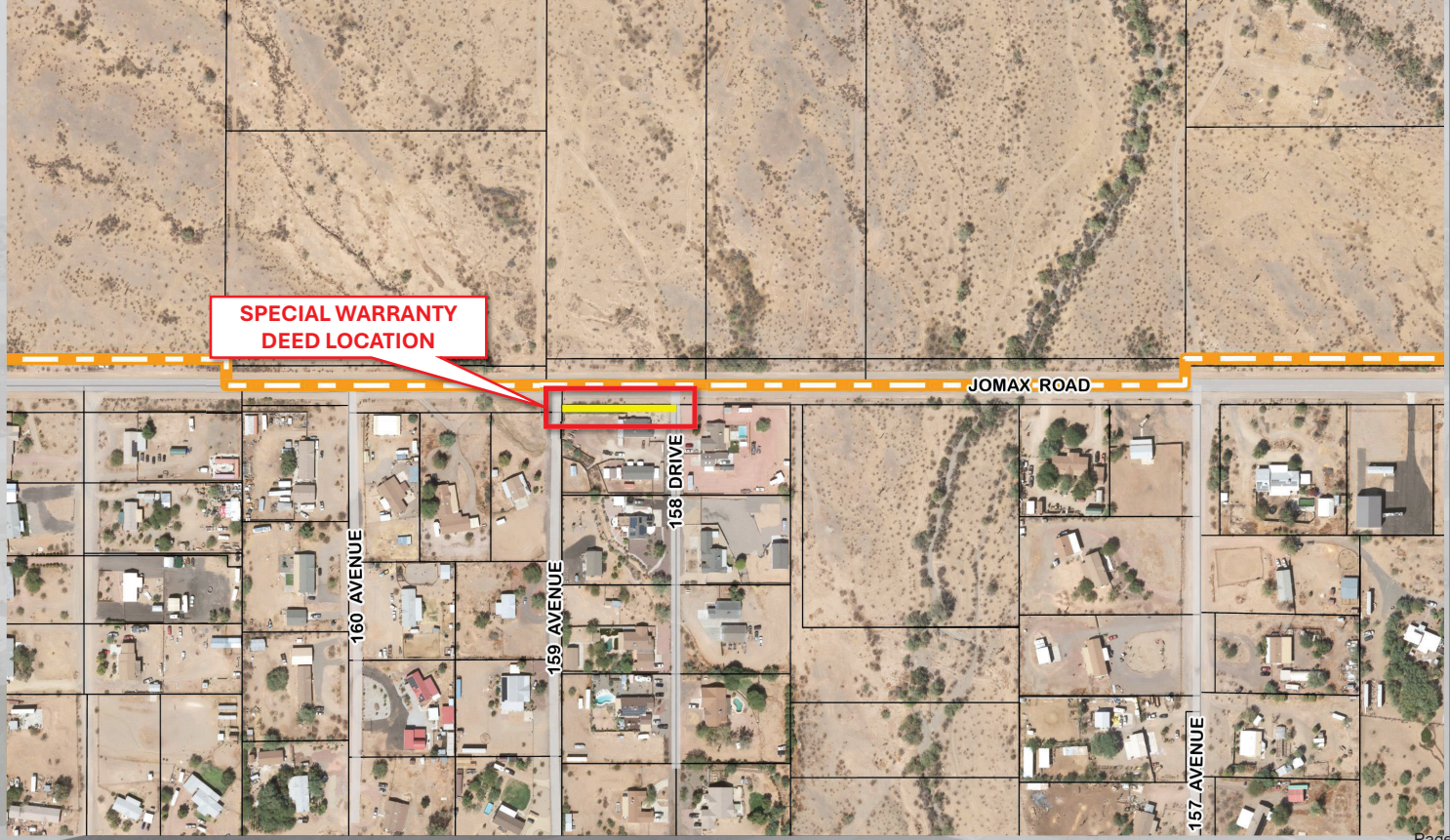
Neitzel Special Warranty Deed

City Council
January 20, 2026

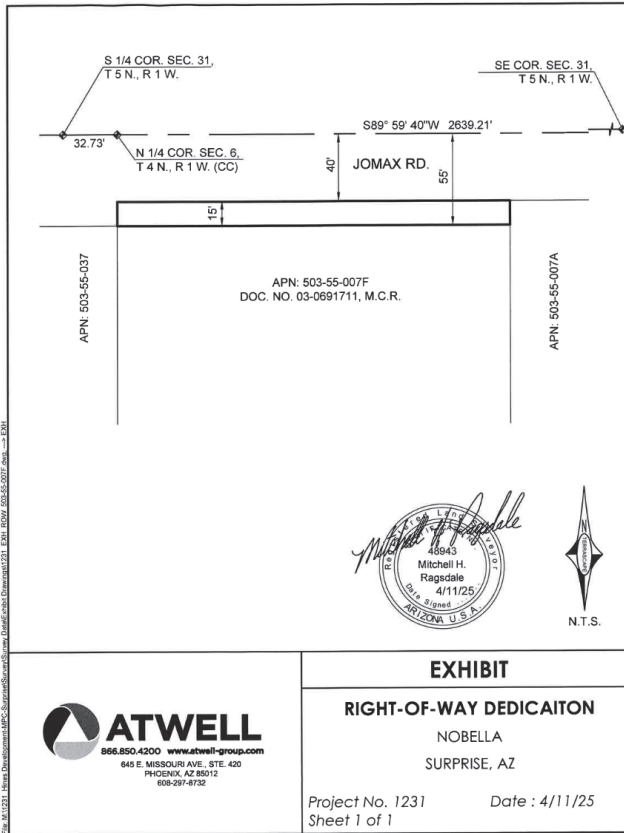


SURPRISE

ARIZONA
Page 170 of 292



VICINITY MAP



ATWELL
866.850.4200 www.atwell-group.com
845 E. MISSOURI AVE., STE. 420
PHOENIX, AZ 85012
602-297-8732

EXHIBIT

RIGHT-OF-WAY DEDICATION

NOBELLA
SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 173 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Michael Batchelor on Jomax at 157th Avenue.

Motion:

I move to approve accepting a Special Warranty Deed from Michael Batchelor.

Background:

The Developers of the future Nobella residential subdivision are working to acquire right of way along Jomax between 157th and 160th Avenues to improve the transportation and utility network in the area. The additional right of way will allow the Nobella development to widen Jomax Road to allow for additional traffic to support the ongoing development in the area.

Objective Analysis:

The acceptance of this right of way will allow the developer of Nobella to improve Jomax Road to allow for safer traffic movements along Jomax Road going to the future Nobella development.

Policy Compliant:

Approval of this item is policy compliant and advances the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is currently no budgetary impact related to the approval of this item.

FTE Impact:

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

ATTACHMENTS:

1. Batchelor SWD
 2. Batchelor SWD - CC 01.20.26
-

When recorded mail to:
City Clerk
City of Surprise
1600 N. City Center Plaza
Surprise, AZ 85374

Exempt Pursuant to ARS § 11-1134(A)(3)

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, the undersigned Michael Batchelor (“Grantor”), does hereby convey to the City of Surprise, an Arizona municipal corporation, (“Grantee”) that certain real property located in Maricopa County, Arizona, more specifically described on Exhibit “A” attached hereto and incorporated herein by this reference, together with all rights and privileges appurtenant thereto.

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO: all current taxes, assessments, patent reservations, and all covenants, conditions, restrictions, reservations, easements, declarations, and other matters of record or to which reference is made in the public records, and any and all conditions, easements, encroachments, rights-of-way, or restrictions that a physical inspection or accurate survey of said real property would show.

And Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor but against none other.

Dated this 4 day of December 2025.

GRANTOR



Michael Batchelor

STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 4 day of DEC,
2025, by Michael Batchelor.



Signature of Notary Public

My commission expires on

8/15/28



JEAN JACK IRIGOYEN GONZALEZ
Notary Public - Arizona
Maricopa Co. / #671862
Expires 08/15/2028

**Legal Description
For
Right of Way Dedication
APN: 503-55-003W**

Located in Northeast Quarter of Section 6, Township 4 North, Range 1 West, Gila and Salt River Meridian, Maricopa County, Arizona;

Being the North 15.00 feet of that certain parcel of land as described in document number 2022-0288080, Maricopa County records.



S 1/4 COR. SEC. 31,
T 5 N., R 1 W.

SE COR. SEC. 31,
T 5 N., R 1 W.

S89° 59' 40"W 2639.21'

JOMAX RD.

40'

55'

15'

40'

APN: 503-55-008K

APN: 503-55-003W
DOC NO. 2022-0288080, M.C.R.

APN: 503-55-003X



N.T.S.

Plotted: 04/10/25 - 11:57 AM. By: mragdsdale
File: M11231_Hinas Development-MPC-SurpriseSurveyDataExhibit Drawings1231_EXH ROW 503-55-003W.dwg. --> EXH



645 E. MISSOURI AVE., STE. 420
PHOENIX, AZ 85012
608-297-8732

EXHIBIT

RIGHT-OF-WAY DEDICAITON

NOBELLA

SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

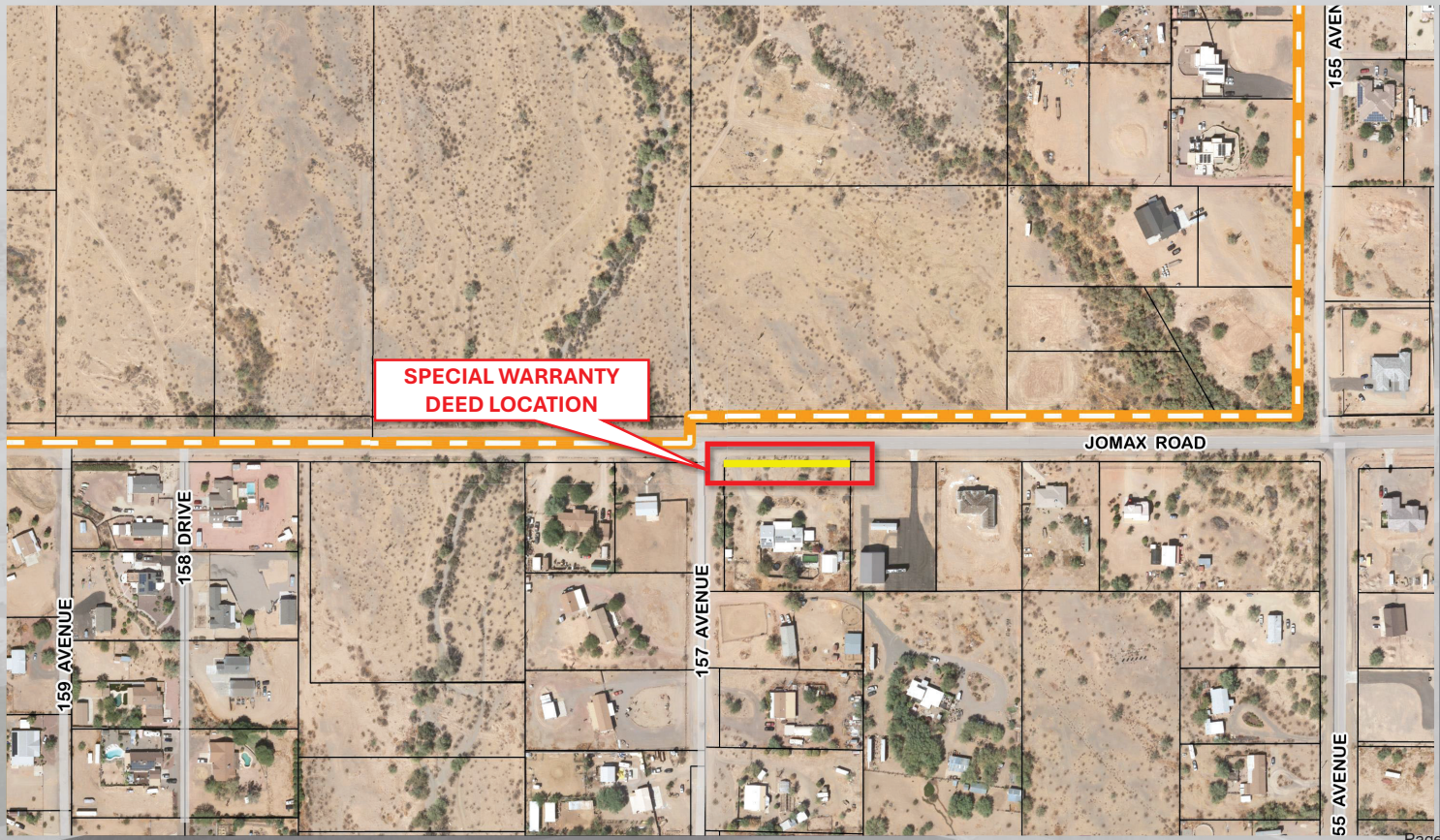
Batchelor Special Warranty Deed

City Council
January 20, 2026

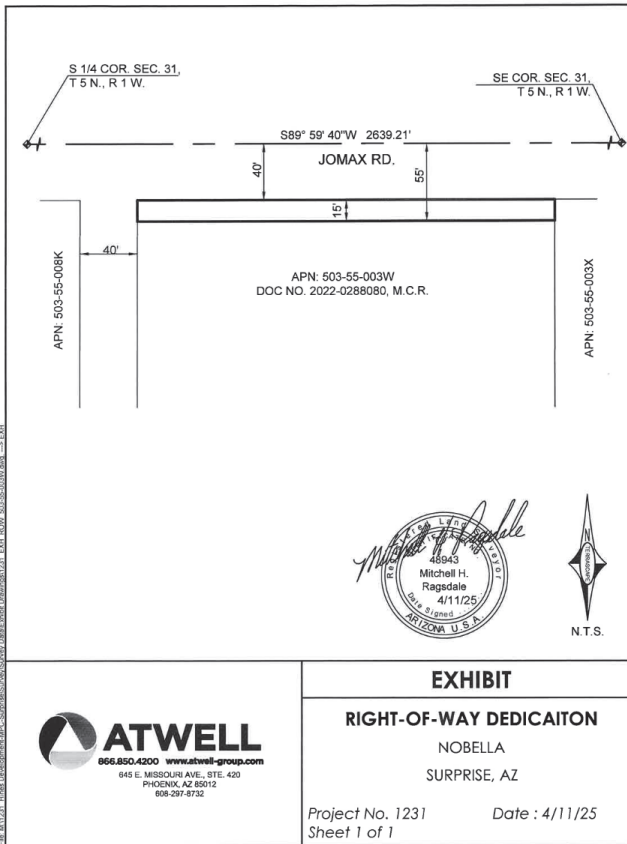


SURPRISE

ARIZONA
Page 181 of 292



VICINITY MAP



EXHIBIT

RIGHT-OF-WAY DEDICATION

NOBELLA
SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

Printed: 04/01/25, 11:57 AM by: mgroves
File: M1231 - Joma Dedicatoin.dwg (Drawing) | 1231 - EXHIBIT - 503-55-003W.dwg - EXH

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 184 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026

Contact Person: Lloyd Abrams, Director -
Community Development

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action on accepting a Special Warranty Deed for dedication of Right of Way from Gary Icke on Jomax at 158th Drive.

Motion:

I move to approve accepting a Special Warranty Deed from Gary Icke.

Background:

The Developers of the future Nobella residential subdivision are working to acquire right of way along Jomax between 157th and 160th Avenues to improve the transportation and utility network in the area. The additional right of way will allow the Nobella development to widen Jomax Road to allow for additional traffic to support the ongoing development in the area.

Objective Analysis:

The acceptance of this right of way will allow the developer of Nobella to improve Jomax Road to allow for safer traffic movements along Jomax Road going to the future Nobella development.

Policy Compliant:

Approval of this item is policy compliant and advances the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is currently no budgetary impact related to the approval of this item.

FTE Impact:

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

ATTACHMENTS:

1. Icke SWD
 2. Icke SWD - CC 01.20.26
-

When recorded mail to:
City Clerk
City of Surprise
1600 N. City Center Plaza
Surprise, AZ 85374

Exempt Pursuant to ARS § 11-1134(A)(3)

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, the undersigned Gary Icke, ("Grantor") does hereby convey to the City of Surprise, an Arizona municipal corporation, ("Grantee") that certain real property located in Maricopa County, Arizona, more specifically described on Exhibit "A" attached hereto and incorporated herein by this reference, together with all rights and privileges appurtenant thereto.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO: all current taxes, assessments, patent reservations, and all covenants, conditions, restrictions, reservations, easements, declarations, and other matters of record or to which reference is made in the public records, and any and all conditions, easements, encroachments, rights-of-way, or restrictions that a physical inspection or accurate survey of said real property would show.

And Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor but against none other.

Dated this 11 day of 13 2025.

GRANTOR



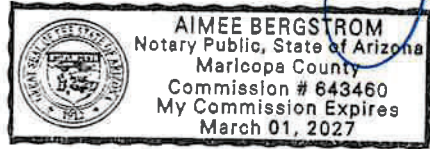
Gary Icke

STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 13th day of November, 2025, by Gary Luke.

Aimee Bergstrom
Signature of Notary Public

My commission expires on
March 01, 2027



STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 2025, by _____.

Signature of Notary Public

My commission expires on

Exhibit "A" to Special Warranty Deed

Legal Description

**Legal Description
For
Right of Way Dedication
APN: 503-55-007A**

Located in Northeast Quarter of Section 6, Township 4 North, Range 1 West, Gila and Salt River Meridian, Maricopa County, Arizona;

Being the North 15.00 feet of that certain parcel of land as described in document number 2022-0713025, Maricopa County records.



S 1/4 COR. SEC. 31,
T 5 N., R 1 W.

SE COR. SEC. 31,
T 5 N., R 1 W.

S89° 59' 40"W 2639.21'

40'

JOMAX RD.

55'

15'

APN: 503-55-007F

APN: 503-55-007A
DOC. NO. 22-0713025, M.C.R.

APN: 503-55-008T



N.T.S.

Plotted: 04/10/25 - 6:09 AM, By: mragdale
File: M:\1231_Hines Development-MPC-Surportset\Survey Data\Exhibit Drawings\1231_EXH ROW_503-55-007A.dwg, --> EXH



645 E. MISSOURI AVE., STE. 420
PHOENIX, AZ 85012
608-297-8732

EXHIBIT

RIGHT-OF-WAY DEDICAITON

NOBELLA

SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

Icke

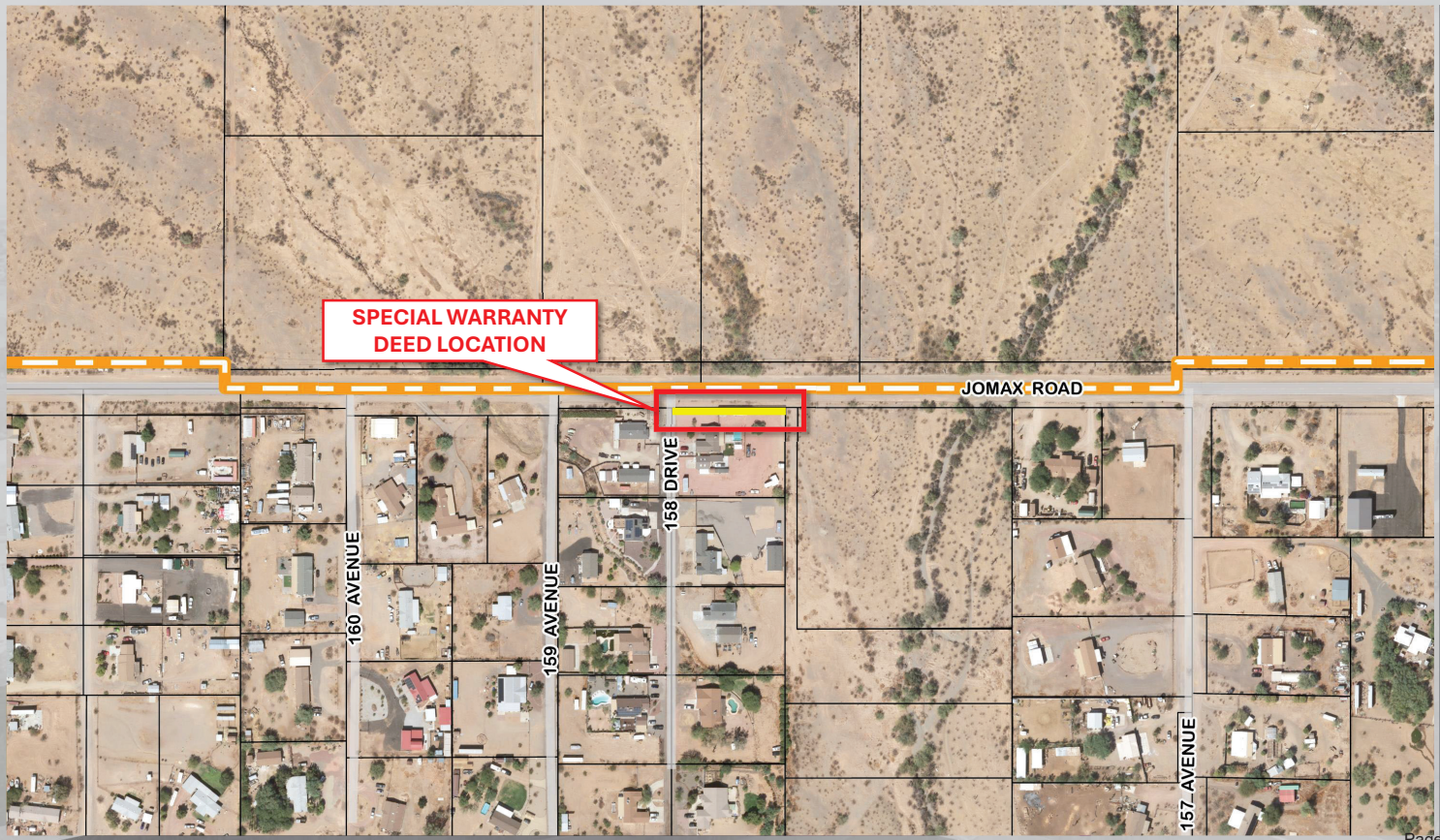
Special Warranty Deed

City Council
January 20, 2026

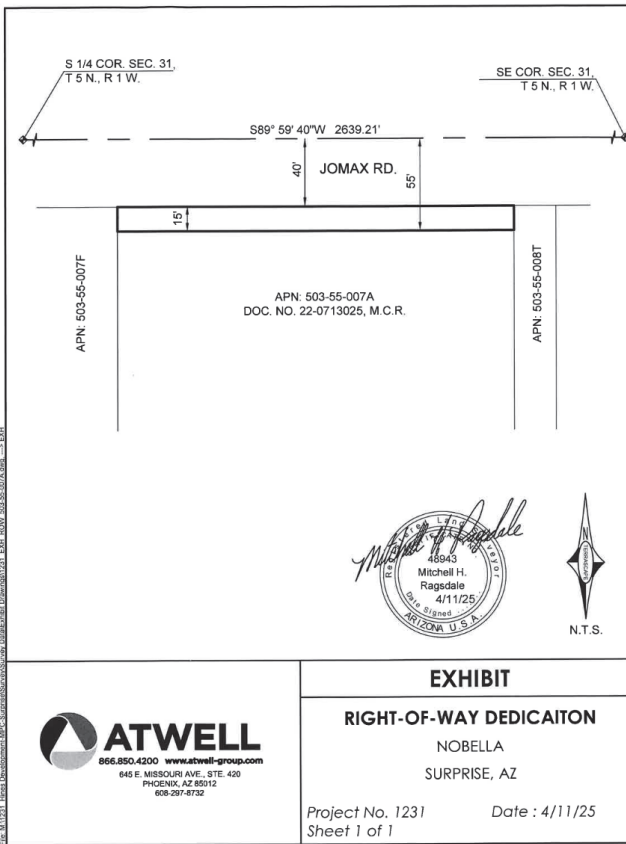


SURPRISE

ARIZONA
Page 192 of 292



VICINITY MAP



EXHIBIT

RIGHT-OF-WAY DEDICATION

NOBELLA
SURPRISE, AZ

Project No. 1231
Sheet 1 of 1

Date : 4/11/25

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 195 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Water Resource Management
Staff Recommendations:

Contact Person: Michael Boule, Director
District: Citywide

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - Utilities, Article V Sewers and Sewage Disposal, Ordinance No. 2026-03.

Motion:

I move to adopt Ordinance No. 2026-03.

Background:

Water Resource Management seeks to update portions of the Surprise Municipal Code pertaining to sewer pretreatment. The updates within Ordinance No. 2026-03 are intended to strengthen the City's ability to manage its water supply and protect sewer and stormwater infrastructure.

Objective Analysis:

This does not apply.

Policy Compliant:

The updates within Ordinance No. 2026-03 are consistent with the City Council Strategic Plan Goals 7.1, 7.2, 7.3, and 7.4, as well as the City's water conservation policy.

Financial Impact:

There is no anticipated financial impact related to this item.

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:

1. Ordinance 2026-03 - Article V Pretreatment
2. Presentation - Chapter 58 Code Amendments



ORDINANCE # 2026-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE CODE OF SURPRISE, ARIZONA, BY AMENDING CHAPTER 58, ARTICLE V, SECTIONS 58-275, 58-305, AND 58-306, PERTAINING TO PRETREATMENT AND INTERCEPTOR REQUIREMENTS; INCORPORATING THE RECITALS BY REFERENCE; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Arizona Revised Statutes § 9-276 provides cities the authority to regulate the use of sewers, and the Arizona Administrative Code § R-18-9-A906 provides general pretreatment regulations for existing and new sources of pollution;

WHEREAS, the Surprise Municipal Code currently contains definitions and regulations applicable to industrial users of the City's publicly owned treatment works ("POTW") and lacks similar provisions applicable to commercial users;

WHEREAS, the City's Water Resource Management Department seeks to protect the public health and safety of the City by ensuring both commercial and industrial users of a POTW must control the discharge of harmful pollutants into the POTW's sewerage system, including pretreatment interceptors; and

WHEREAS, this Ordinance is being adopted by the City Council to establish design and construction criteria for pretreatment interceptors for both commercial and industrial POTW users and to define the commercial users that shall be regulated by the City's pretreatment program.

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

Section 1. Chapter 58, Article V, Sections 58-275, 58-305, and 58-306 of the Surprise Municipal Code are hereby amended as described in the attached **Exhibit A** and incorporated herein by this reference.

Section 2. The recitals above are fully incorporated in this Ordinance by reference.

Section 3. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted herein by reference are repealed.

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of these amendments to the Surprise Municipal Code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of

competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 5. This ordinance will become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Ordinance No. 2026-03
RFLS # 8707
Rev 11/24

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

ARTICLE V. - SEWERS AND SEWAGE DISPOSAL

DIVISION 1. - GENERALLY

Sec. 58-275. Definitions.

The following words, terms and phrases, when used in this article and in the ~~sewer~~ sewer rate schedule (on file in the office of the ~~city~~ City clerk), shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assisted living facility means a residential care institution, including an adult foster care home, that provides or contracts to provide supervisory care services, personal care services, or directed care services on a continuous basis.

Automotive repair and maintenance shop means establishments involved in providing repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans, and all trailers.

BOD (biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees centigrade, expressed in milligrams per liter.

Branch sewer means a ~~sewer~~ sewer that receives sewage from more than one public ~~sewer~~ sewer from a relatively small area.

Building drain means the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside and that extends 30 inches in developed length of pipe beyond the exterior walls of the building and conveys the drainage.

Building sewer means the extension from the building drain to the ~~sewer lateral~~ sewer lateral or other place of disposal.

Bypass means the intentional diversions of any ~~wastewater~~ wastewater from any portion of the ~~industrial user's pretreatment facilities~~ industrial user's pretreatment facilities.

Carwash means establishments primarily engaged in cleaning, washing, and/or waxing automotive vehicles, such as passenger cars, trucks, and vans, and trailers.

Categorical standard (National/Federal Categorical Pretreatment Standards) means those standards promulgated by the U.S. Environmental Protection Agency (~~EPA~~ EPA) under the authority of section 307(b) and (c) of the Clean Water Act (33 USC 1317(b) and (c)) which apply to a specific category of ~~industrial user~~ industrial user and which are published in 40 CFR 401—471 and are incorporated in this article by reference.

Clothes washer discharge interceptor means an interceptor that is provided with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids 1/2 inch (12.7 mm) or larger in size, string, rags, buttons, or other materials detrimental to the public sewage system.

COD (chemical oxygen demand) means the quantity of oxygen consumed from a chemical oxidation of inorganic and organic matter present in the water or ~~wastewater~~ wastewater expressed in milligrams per liter.

Composite sample means a combination of individual samples obtained at regular intervals over a specified time period. The volume of each individual sample shall be either proportional to the flow rate during the sample

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

period (flow composite) or constant and collected at equal time intervals during the composite period (time composite) as defined in a ~~permit~~ permit.

Cooling water means the clean ~~wastewater~~ wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling or refrigeration.

CWA (Clean Water Act) means the Federal Water Pollution Control Act, as amended, 33 USC 1251 et seq., incorporated herein by reference.

Daily composite sample means a sample of effluent collected over a normal operating day.

Daily composite sample quality means the concentration of some ~~parameter~~ parameter tested in a daily ~~composite sample~~ composite sample, as that term is defined in this section, and reported proportional to flow.

Daily determination of concentration.

- (1) For ~~composite samples~~ composite samples, the term "~~daily determination of concentration~~" "~~daily determination of concentration~~" is the same as "~~daily composite sample quality~~," "~~daily composite sample quality~~," as that term is defined in this section.
- (2) For ~~grab samples~~ a grab sample, the "~~daily determination of concentration~~" "~~daily determination of concentration~~" is the arithmetic average (weighted by flow value) of all "~~grab sample qualities~~ grab sample qualities," as that term is defined in this section, determined for any calendar day.

Domestic waste means a typical residential-type waste which requires no ~~pretreatment~~ pretreatment under the provisions of this article before discharging into the ~~sanitary sewer~~ sanitary sewer system, excluding all commercial, manufacturing and ~~industrial wastes~~ industrial wastes.

Domestic wastewater means any ~~wastewater~~ wastewater derived from the ordinary living processes in a residential dwelling unit of such character as to permit satisfactory disposal, without special treatment, by conventional ~~POTW~~ POTW processes.

Drycleaning and laundry services means establishments primarily engaged in operating coin- or card-operated or similar self-service laundries and drycleaners; providing drycleaning and laundry services (except coin- or card-operated); supplying, on a rental or contract basis, laundered items (e.g., uniforms, gowns, shop towels, etc.); and supplying and servicing coin- or card-operated laundry and drycleaning equipment in places of business operated by others, such as apartments and dormitories.

Effluent means ~~wastewater~~ wastewater that has been treated in a ~~POTW~~ POTW.

Effluent limitation means a limitation imposed on discharges to the ~~POTW~~ POTW.

Emergency Floor Drain means a floor drain that does not receive the discharge of any drain or indirect waste pipe, and that protects against damage from accidental spills, fixture overflows, and leakage.

EPA means the United States Environmental Protection Agency.

Establishment or plant means any ~~establishment~~ or plant producing liquid waste, with or without suspended solids, required to be discharged into the ~~city~~ City sewer system.

Food service establishments means food service establishments as defined in 7 C.F.R. § 60.107.

Garages and service stations means establishments where automobiles are serviced, greased, repaired, or washed, or where gasoline is dispensed.

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

Garbage means solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Grab sample means an individual sample of ~~effluent~~ **effluent** collected in less than 15 minutes.

Grab sample quality means the concentration of some ~~parameter~~ **parameter** tested in a ~~grab sample~~ **grab sample**, as that term is defined in this section.

Grease interceptor means a fats, oils, and grease (FOG) disposal system that is a plumbing appurtenance that reduces nonpetroleum fats, oils, and greases in *effluent* by separation or mass and volume reduction.

Grease Trap means a *grease interceptor* intended to serve as a fixture trap for a single fixture or a combination sink of not more than three compartments where the vertical distance from the fixture outlet to the inlet of the *interceptor* does not exceed 30 inches (762 mm) and the developed length of the waste pipe from the most upstream fixture outlet to the inlet of the *interceptor* does not exceed 60 inches (1,524 mm).

Group homes means group homes as defined in A.R.S. § 36-551.

Hair, Nail, and Skin Care Services means *establishments* primarily engaged in one or more of the following: (1) providing hair care services; (2) providing nail care services; and (3) providing facials or applying makeup (except permanent makeup).

Hazardous waste means any waste defined as hazardous by current federal regulations.

Industrial discharge means any introduction into the ~~POTW~~ **POTW** of a nondomestic pollutant which:

- (1) Is produced by a source which would be subject to any ~~category standards~~ **category standards** or ~~pretreatment~~ **pretreatment** requirements if such source were to be discharged to the ~~POTW~~ **POTW**; and
- (2) Contains any substance or ~~pollutant~~ **pollutant** for which a discharge limitation or prohibition has been established by any ~~category standards~~ **category standards** or ~~pretreatment~~ **pretreatment** requirement.

Industrial user means:

- (1) Any nonresidential ~~user~~ **user** of the ~~sewer~~ **sewer** system which discharges more than the equivalent strength of 25,000 gallons per day of ~~domestic wastes~~ **domestic waste**;
- (2) Any nonresidential ~~user~~ **user** of the ~~sewer~~ **sewer** system which either discharges or produces a waste which potentially could be discharged to the ~~POTW~~ **POTW** which would be subject to any ~~category standards~~ **category standards** or ~~pretreatment~~ **pretreatment** requirement;
- (3) Has control over the disposal of waste as described in subsection (1) or (2) of this definition; or
- (4) Has the right of possession and control over any property which produces a waste as described in subsections (1), (2) and (3) of this definition.

Industrial user permit or *permit* means the ~~permit~~ **permit** granted by the ~~city~~ **City** which each ~~industrial user~~ **industrial user** must first obtain prior to causing or allowing any ~~industrial discharge~~ **industrial discharge** to the ~~POTW~~ **POTW**.

Industrial waste means any liquid, free flowing waste, including cooling water, resulting from any industrial or manufacturing process or from the development, recovery or processing of natural resources, with or without suspended solids, excluding uncontaminated water.

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

Instantaneous effluent limitation means the maximum allowable concentration permitted in a discharge at any time as measured in a ~~grab sample~~ **grab sample**.

Interceptor means a device used to separate oil, grease, and sand or any flammable wastes from ~~wastewater~~ **wastewater**. It can also refer to a device installed to separate and retain for removal deleterious, hazardous or undesirable matter from normal wastes, while permitting normal sewage or wastes to discharge into the drainage system by gravity.

Interference means a discharge which, alone or in conjunction with a discharge from other sources, both:

- (1) Inhibits or disrupts the ~~POTW~~ **POTW**, its treatment processes, or operations, or its sludge processes, use or disposal; and
- (2) Therefore is a cause of a violation of any requirement of any environmentally related ~~permit~~ **permit** issued by a governmental entity (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with federal statutory provisions and regulations or ~~permits~~ **permits** issued thereunder (or more stringent state or local regulations).

Main sewer means a ~~sewer~~ **sewer** that receives sewage from two or more branch ~~sewer~~ **sewers** as tributaries.

Maintenance means keeping the ~~sewerage works~~ **sewage works** in a state of repair, including expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

Natural outlet means any outlet into a watercourse, ditch, or other body of surface water or groundwater.

Nonhazardous liquid waste (NHLW) means waste hauled from residential septic systems, restaurant ~~grease traps/interceptors~~ **grease traps/interceptors** or chemical toilets.

Non-Significant Categorical Industrial User means non-significant categorical **industrial user** as defined in 40 C.F.R. § 403.3.

NPDES permit means a National Pollution Discharge Elimination System ~~permit~~ **permit**, issued to the ~~city~~ **City** by the ~~EPA~~ **EPA**, which imposes federal standards governing the quality of the treated ~~effluent~~ **effluent** discharged from the ~~POTW~~ **POTW**.

Nursing care facility means a residential care institution that provides inpatient beds or resident beds and **nursing services to persons who need continuous nursing services but who do not require a hospital or direct daily treatment from a physician (commonly known as nursing home).**

Offices of Dentists means this industry comprises **establishments of health practitioners having the degree of D.M.D. (Doctor of Dental Medicine), D.D.S. (Doctor of Dental Surgery), or D.D.Sc. (Doctor of Dental Science) primarily engaged in the independent practice of general or specialized dentistry or dental surgery.**

Oil and grease means a measure of the total ~~oil and grease~~ **oil and grease** content of a sample as determined by ~~EPA~~ **EPA** method 413.1, or any other equivalent method as approved by the department.

Oil and grease (TPH) means a measure of the petroleum and mineral oil in total petroleum hydrocarbons of a sample as determined by ~~EPA~~ **EPA** method 418.1 or other equivalent test method approved by the department.

Outside user means any ~~user~~ **user** outside the corporate limits of the ~~city~~ **City**.

Parameter means a fundamental characteristic of wastewater around which treatment is designed, such as flow, BOD, SS, and phosphorus.

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

Pass through means a discharge which exits the ~~POTW~~POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge from other sources, is a cause of a violation of any requirement of the ~~POTW~~POTW ~~NPDES permit~~NPDES permit (including an increase in the magnitude or duration of a violation) or which causes or contributes to a violation of an applicable numeric or narrative water quality standard.

Penalty policy plan means the plan established by the ~~city~~City to determine penalties for violations of the ~~pretreatment~~pretreatment requirements established in this article.

Permittee or permit holder means any person who owns, operates, processes or controls an ~~establishment~~establishment or ~~plant~~plant being operated under a valid ~~industrial user permit~~industrial user permit to discharge waste into the ~~city~~City's ~~sewer~~sewer system.

Pet and pet supply retailers means establishments primarily engaged in retailing pets, pet foods, and pet supplies.

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Photofinishing Laboratories means establishments primarily engaged in developing film and/or making photographic slides, prints, and enlargements.

Plant means any facility, person or process producing liquid wastes, with or without suspended solids, required to be discharged into the ~~city~~City's ~~sewer~~sewer system.

Pollutant means any dredged spoil, solid waste, incinerator residue, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial municipal and agricultural wastes.

POTW means the publicly owned treatment works and the connecting ~~sewer~~sewer collection system which are owned or operated, in whole or in part, by the ~~city~~City and which provides the ~~city~~City with wastewater collection and disposal services.

Pretreatment means the physical, chemical, biological or other treatment of any ~~industrial discharge~~industrial discharge prior to discharge to the ~~POTW~~POTW, for the purpose of:

- (1) Reducing the amount or concentration of any pollutant;
- (2) Eliminating the discharge of any pollutant; or
- (3) Altering the nature of any pollutant characteristic to a less harmful state.

Pretreatment facilities mean any facility that removes sufficient pollutants from ~~wastewater~~wastewater to allow the ~~wastewater~~wastewater to be discharged to the ~~POTW~~POTW.

Pretreatment requirements means all of the duties or responsibilities imposed upon ~~POTW users~~POTW users by this article.

Pretreatment standards means any regulation containing pollutant discharge limits promulgated by the ~~EPA~~EPA in accordance with CWA section 307(b) and (c) (33 USC 1317(b) and (c)) which applies to ~~industrial users~~industrial users.

Private septic tank system means a septic tank or other system that is maintained by the property owner.

Private sewer means a lateral, main or trunk ~~sewer~~sewer controlled and maintained by a private entity.

Process wastewater means ~~wastewater~~wastewater that is used in an industrial process.

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

Public sewer means a branch, main or trunk ~~sewer~~ **sewer** controlled and maintained by the ~~city~~ **City**.

Representative sample means a ~~composite sample~~ **composite sample** obtained by flow proportional sampling techniques. If the ~~city~~ **City** determines that flow proportional sampling is not feasible, the sampling by time proportional composite or composites of ~~grab samples~~ **grab samples** will be allowed according to ~~EPA~~ **EPA** requirements.

Residential setting care facilities means residential facility as defined in A.R.S. § 36-581.

Sanitary sewer means a ~~sewer~~ **sewer** that carries sewage and to which surface waters and groundwaters are not intentionally admitted.

Sewage works means all facilities for collecting, pumping, treating, and disposing of sewage. As used in this article, the terms "~~sewer~~ **sewer** system" and "sewerage works" shall have the same meaning and definition as sewage works.

Sewer means a pipe or conduit for carrying sewage.

Sewer lateral means the extension from a ~~sewer tap~~ **sewer tap** to the property line, or to the easement line of the property to be served, which is intended to connect to and receive discharge from a ~~building sewer~~ **building sewer**.

Sewer tap means the wye, saddle or other device placed on a public ~~sewer~~ **sewer** which is intended to connect to and receive discharge from a ~~sewer lateral~~ **sewer lateral**.

Significant industrial user (SIU) means:

- (1) All ~~users~~ **users** subject to ~~categorical pretreatment standards~~ **categorical pretreatment standards** under federal statute; or
- (2) All ~~users~~ **users** that:
 - a. Discharge an average of 25,000 gallons per day or more of process ~~wastewater~~ **wastewater** to the ~~POTW~~ **POTW** (excluding sanitary, noncontract cooling, and boiler blowdown ~~wastewater~~ **wastewater**);
 - b. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the ~~POTW~~ **POTW**; or
 - c. Are designated as such by the ~~city~~ **City** on the basis that they have a reasonable potential for adversely affecting the ~~POTW's~~ **POTW's** operation or for violating any ~~pretreatment standard~~ **pretreatment standard** or requirement.

Significant noncompliance (SNC) means an ~~industrial user~~ **industrial user** whose violations meet one or more of the following criteria:

- (1) Chronic violation of ~~wastewater~~ **wastewater** discharge limits; (*Chronic violation* means those violations where 66 percent or more of all of the measurements taken during a six-month period exceed the daily maximum limit or the average limit for the same ~~pollutant~~ **pollutant**.)
- (2) Technical review criteria (TRC) violations;
- (3) Any other violation of a ~~pretreatment~~ **pretreatment** effluent limit (daily maximum or longer-term average) that the ~~city~~ **City** determines has caused, alone or in combination with other discharges, interference or ~~pass-through~~ **pass through** (including endangering the health of ~~POTW~~ **POTW** personnel or the general public);

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

- (4) Any discharge of a ~~pollutant~~ **pollutant** that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the ~~POTW's~~ **POTW's** exercise of its emergency authority under this article to halt or prevent such a discharge;
- (5) Failure to meet, within 90 days after the schedule date, a compliance schedule deadline contained in a ~~permit~~ **permit** or enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) Failure to provide, within 30 days after the due date, required reports;
- (7) Failure to report noncompliance; or
- (8) Any other violation or groups of violations that the ~~city~~ **City** determines will adversely affect the implementation of the pretreatment program or the ~~POTW~~ **POTW**.

Slug discharge means any discharge of a nonroutine episodic nature, including, but not limited to, an accidental spill or a noncustomary batch discharge.

Standard methods means the procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater published by the American Health Association, or the most current edition of Manual of Methods of Chemical Analysis of Water and Wastes published by the U.S. Environmental Protection Agency.

Suspended solids (SS) means solids measured in milligrams per liter that either float on the surface of or are in suspension in water, wastewater or other liquids and which are largely removable by a laboratory filtration device, as defined under standard methods in this section.

Technical review criteria (TRC) violations means violations where 33 percent or more of all measurements for each ~~pollutant~~ **pollutant** taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC. The TRC for BOD, TSS, ~~oil and grease~~ **oil and grease** equals 1.4. The TRC for all other pollutants is 1.2, except ~~pH~~ **pH**.

Total organic carbon (TOC) means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedure.

Trunk sewer means a ~~sewer~~ **sewer** that receives sewage from many tributary main ~~sewers~~ **sewers** and serves as an outlet for a large territory.

User means any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or ~~permits~~ **permits** the discharge of ~~wastewater~~ **wastewater** into the sewerage system.

(Ord. No. 2012-06, § 1, 5-8-2012)

DIVISION 2. - DISCHARGES

Sec. 58-305. Pretreatment.

- (a) ~~Any industrial user~~ **All users**, at their sole cost and expense, of the ~~POTW~~ **POTW** shall ~~be in compliance~~ **comply** with all ~~pretreatment requirements~~ **pretreatment requirements** provided in this article.

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

- (b) ~~Any industrial user~~ All users of the POTW POTW shall provide, at his their expense, such pretreatment pretreatment as may be necessary to meet any effluent limitations of comply with this article and shall comply with all categorical pretreatment standards, local limits, and the prohibitions set out in limitations specified by the EPA, the State of Arizona, or this article, whichever is more stringent.
- (c) ~~All pretreatment facilities will be reviewed by the city for compliance with building codes and all appropriate permits shall be obtained. Approval of plans and inspection by the city shall not relieve the industrial user from complying with the pretreatment requirements provided in this article.~~ Users shall submit to the City for review their detailed plans describing such pretreatment facilities and operating procedures, and the users shall receive City approval before constructing such facilities. Approval of plans and inspection by the City shall not relieve the user from complying with the pretreatment requirements provided in this article or from modifying such facilities as necessary to produce a discharge in compliance with the provisions of this article.
- (d) ~~The city will enforce federal pretreatment requirements as provided under Federal law.~~ The user shall be responsible for the maintenance of all pretreatment facilities on a regular basis as necessary to produce a discharge in compliance with the provisions of this article.
- (e) ~~Where pretreatment facilities are provided for any discharge, they shall be maintained continuously in satisfactory and effective operation by the industrial user at his expense.~~ The City may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastewater systems from industrial wastewater systems, and require such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.

(Ord. No. 2012-06, § 1, 5-8-2012; 40 C.F.R. § 403)

~~Note(s)—Federal pretreatment requirements: 40 CFR 403.~~

Sec. 58-306. Interceptors.

- (a) ~~Required. In accordance with the City's Engineering Development Standards, including but not limited to, grease, oil and sand interceptors shall be provided for laundries, restaurants, service stations, auto repair shops, carwashes, garage bays with floor drains connected to the sewer system, other facilities operating in a residential zoned area use including nursing homes, assisted living facilities, congregate care facilities, group homes, residential setting care facilities, and sheltered care facilities and other facilities.~~ Users shall install interceptors to address discharges of grease, oil, sand, and other substances that impact wastewater treatment plants. ~~when in the opinion of the city they~~ interceptors are necessary for the proper handling of liquid wastes containing grease or oil in excessive amounts or any flammable wastes, sand, and other harmful ingredients.
- (1) Except that such interceptors interceptors shall not be required for private living quarters or dwelling units unless the residential unit is used for business purposes such as a nursing nursing care facility or group group home.
- (b) ~~Type, capacity and location.~~ All interceptors interceptors shall conform to current city City requirements ~~of~~ and standards and shall be ~~so~~ located, at all times, so as to be readily and easily accessible for cleaning and inspection ~~at all times.~~

Created: 2025-08-20 14:23:08 [EST]

(Supp. No. 64)

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

(c) Users shall install, in compliance with this article, lint traps, grease interceptors, and sand/oil separators.

(d) Businesses or activities that shall be required to have an interceptor shall include:

(1) Significant industrial users (SIU);

(2) Non-Significant Categorical Industrial Users; and

(3) Commercial Users, including, but not limited to: Assisted living facility; Automotive repair and maintenance shop; Carwashes; facilities with a Clothes washer; Drycleaning and laundry services; facilities with an Emergency Floor Drain; Food service establishments; Garages and service stations; Group homes; Hair, Nail, and Skin Care Services; Nursing care facilities; Offices of Dentists; Pet and pet supply retailers that provide grooming services; Photofinishing Laboratories; Residential setting care facilities.

(e) Grease and oil interceptors.

(1) ~~The owner of every grease and oil interceptor~~ All interceptors, separators, and traps shall be constructed ~~ed the interceptor of~~ using impervious materials capable of withstanding abrupt and extreme changes in temperature, as well as a pH of 3 and a pH of 9 or higher, using substantial watertight construction, and equipped with easily removable covers, and with gastight and watertight bolted covers, when required.

(2) ~~Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at the owner's expense, in continuously efficient operation at all times. The owner shall keep written records of all cleaning, repair, calibration, and maintenance at the facility for a minimum of three years and provide same to city upon request.~~ All interceptors, separators, and traps shall be of the type and capacity approved by Water Resource Management and shall be located so as to be easily accessible for cleaning and inspection. The user shall, at the user's expense, regularly inspect, clean, and repair all interceptors, separators, and traps to ensure their continuous, efficient operation at all times. The user shall keep for at least three (3) years, on the site where the interceptor, separator, or trap is located, written records of all cleaning, repair, calibration, and maintenance, and such records shall be available for inspection by the water utilities compliance manager, or designee, upon request.

(3) In accordance with the American Standards of Plumbing and Engineering (ASPE) Design Handbook Volume 2, Plumbing and Drainage Institute (PDI-G101), and International Plumbing Code (IPC, Chapter 10, Section 1003.3.5), the minimum size for all interceptors shall be a capacity of five hundred (500) gallons, and the maximum size for all interceptors shall be a capacity of two thousand five hundred (2,500) gallons. The appropriate size for interceptors and traps shall be determined according to the methodology outlined in the forementioned documents.

(4) After approved by the City for installation, all interceptors shall be made from materials which are not subject to corrosion. If the Interceptor is lined or coated with a durable material then the lining or coating shall be compatible with a pH of 3 and shall not be easily penetrated, scraped away, or removed. Acid Resistant Enamel (A.R.E.) coatings shall not be used.

(5) Requirements for interceptors. Interceptors shall:

i. Have a minimum five hundred (500) gallon capacity, two (2) chamber concrete container (fiber glass and/or other type of material that must be approved by the water utilities manager);

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

- ii. When calculated to have a capacity of seven hundred fifty (750) gallons or more, have three (3) chambers, each with a manway;
 - iii. Be constructed with inlet piping with a ninety degree (90°) elbow and minimum eighteen (18) inch down spout;
 - iv. Be constructed with outlet piping with a tee connection and a threaded cover with a minimum eighteen (18) inch down spout;
 - v. Be installed with a two (2) way clean-out within five (5) feet before and five (5) feet after the *interceptor*; and
 - vi. Be constructed with the appropriate traffic rated cover.
- (f) *Grease traps*. The City may permit *grease traps* when there are four (4) or fewer fixtures used for food preparation. In the context of sizing a *grease trap*, a fixture means the entire unit, e.g., a three (3) compartment sink shall be considered one unit. All *users* must install a *grease trap* as follows:
- (1) A *grease trap* shall be installed whenever a three (3) compartment sink is used.
 - (2) The minimum size *grease trap* to be installed shall be rated no smaller than fifty (50) gallons-per-minute with a one hundred (100) pound grease capacity.
 - (3) If the *grease trap* is placed below floor level, a flow restriction valve must be installed in a manner that allows for inspection and maintenance upstream of the *grease trap* and shall be vented.
 - (4) Except for *domestic wastewater*, *users* shall not install or replace equipment designed to convert garbage or solid waste into liquefied waste and introduce such waste into the *POTW* by means of a garbage grinder/disposal. *Users* shall dispose of garbage and solid waste as solid waste.
 - (5) The City may require *users* with the potential to discharge flammable substances to install and maintain a City-approved combustible gas detection meter.
 - (6) All facilities installing a dishwasher shall install a *grease interceptor*.

(Ord. No. 2012-06, § 1, 5-8-2012)

Water Resource Management

Municipal Code Updates- Chapter 58, Utilities

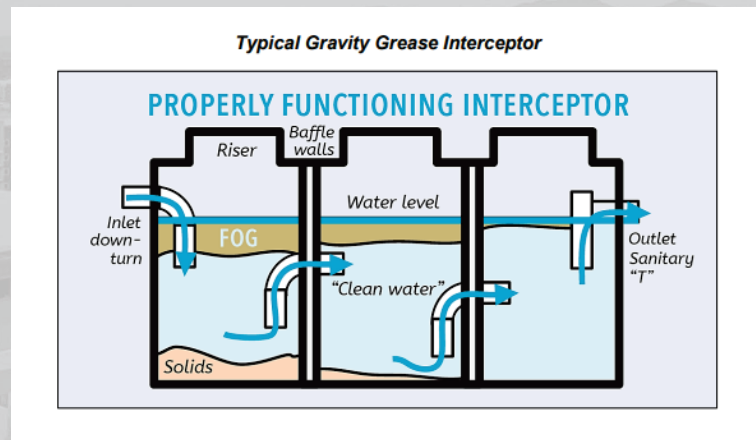


SURPRISE

ARIZONA
Page 211 of 292

Article V – Sewers and Sewage Disposal, Ordinance 2026-03

- Goal: protect wastewater infrastructure
- Scope of update:
 - Revises language to be more consistent with industry standard and current sewer pretreatment program practices
 - Defines commercial and industrial users that are required to provide pretreatment
 - Establishes design and construction criteria for sewer pretreatment interceptors
 - Standardizes the methodology for pretreatment interceptor sizing

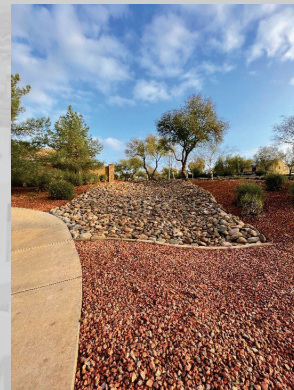


SURPRISE

ARIZONA
Page 212 of 292

Article VI – Stormwater Service, Ordinance 2026-04

- Goal: protect stormwater infrastructure
- Scope of update:
 - Revises language to be more consistent with industry standard and current stormwater program practices
 - Clarifies which releases to the city's stormwater system are prohibited versus exempt
 - Clarifies operation & maintenance responsibilities for privately owned stormwater facilities
 - Clarifies billing methodology for agricultural property
 - Clarifies how commercial properties may go about requesting a rate credit



SURPRISE

ARIZONA
Page 213 of 292

Article VII – Water Conservation, Ordinance 2026-02

- Goal: protect water resources
- Scope of update: establishes landscaping requirements for the installation of turfgrass in conformance with the City of Surprise Drought Preparedness Plan
- Only applies to new development
- Currently implemented through Engineering Development Standards
- Non-functional turf defined (5 criteria)
- Homebuilders of Central Arizona Input



SURPRISE

ARIZONA
Page 214 of 292

Article VIII – High Water User Regulations, Ordinance 2026-07

- Goal: establish requirements for high-volume water customers
- Applicability:
 - New industrial and commercial customers, and;
 - Existing industrial and commercial customers that seek to increase their water use > 100,000 gallons per day (gpd)
- Key Points
 - Aligns with the Water Resource Master Plan
 - Tool for discretion and creativity
 - Aligns high impact economic development projects with available resources



SURPRISE

ARIZONA
Page 215 of 292

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 216 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Water Resource Management
Staff Recommendations:

Contact Person: Michael Boule, Director
District: Citywide

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - Utilities, Article VOSTormwater Ser. ice, 3 rdinance NoI 2026-0vI

Motion:

Omo. e to adopt 3 rdinance NoI 2026-0vI

Background:

Water Resource Management seeks to update portions of the Surprise Municipal Code pertaining to sewer and stormwater infrastructureI The updates within 3 rdinance NoI 2026-0v are intended to strengthen the City’s ability to manage its water supply and protect sewer and stormwater infrastructureI

Objective Analysis:

This does not applyI

Policy Compliant:

The updates within 3 rdinance NoI 2026-0v are consistent with the City Council Strategic Plan Goals 7II, 7I2, 7I4, and 7Iv, as well as the City’s water conser. ation policyI

Financial Impact:

There is no anticipated financial impact related to this itemI

Budget Impact:

There is no anticipated budget impact related to this itemI

FTE Impact:

This item does not ha. e an impact on current staff le. elsI

ATTACHMENTS:

II 3 rdinance 2026-0v - Article VOSTormwater

ORDINANCE # 2026-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE CODE OF SURPRISE, ARIZONA, BY AMENDING CHAPTER 58, ARTICLE VI, SECTIONS 58-456 THROUGH 58-459, 58-491 THROUGH 58-495, 58-525, 58-526, 58-546 THROUGH 58-548, AND 58-551 THROUGH 58-561, RELATING TO STORMWATER SERVICE, DISCHARGE AND MAINTENANCE REQUIREMENTS, INSPECTIONS, AND ENFORCEMENT; INCORPORATING THE RECITALS BY REFERENCE; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Arizona Department of Environmental Quality (“ADEQ”) has modified the Phase II Small MS4 permit issued to the City of Surprise, Arizona, effective September 16, 2022, with direction to the City to review, revise, and update City stormwater regulations as applicable;

WHEREAS, after review, the City’s Water Resource Management Department has identified several provisions in the Surprise Municipal Code that require revision to meet the requirements of the new ADEQ Phase II Small MS4 permit; and

WHEREAS, this Ordinance is being adopted by the City Council to comply with the new ADEQ Phase II Small MS4 permit requirements and to correct conflicting references.

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

Section 1. Chapter 58, Article VI, Sections 58-456 through 58-459, 58-491 through 58-495, 58-525, 58-526, 58-546 through 58-548, and 58-551 through 58-561 of the Surprise Municipal Code are hereby amended as described in the attached **Exhibit A** and incorporated herein by this reference.

Section 2. The recitals above are fully incorporated in this Ordinance by reference.

Section 3. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted herein by reference are repealed.

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of these amendments to the Surprise Municipal Code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of

competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 5. This ordinance will become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Ordinance No. 2026-04
RFLS # 8706
Rev 11/24

(~~Red strikethrough~~ indicates deletions; edits or additions are highlighted)

ARTICLE VI. ~~STORM WATER~~ **STORMWATER** SERVICE

DIVISION 1. GENERALLY

Sec. 58-456. Title of provisions.

This article shall be known and may be cited as the "~~s~~**Stormwater** ~~o~~**Ordinance.**"

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-457. Purpose.

The purpose of this article is to provide for the health, safety, and general welfare of the citizens of the City of Surprise (the "~~e~~**City**") through the regulation of ~~discharges~~ **discharges** to the ~~public storm water system~~ **public stormwater system**. ~~This article will aid in the protection of the watershed and in preventing the pollution of surface water and groundwater supplies which are sources of drinking water for the city and surrounding communities.~~

This article sets forth requirements for the control of pollutants that are, or have the potential to be, ~~discharged~~ **discharged** to the ~~public storm water system~~ **public stormwater system**. These requirements have been established ~~in order~~ to improve the quality of ~~storm water~~ **stormwater** runoff and ~~to~~ enable the ~~e~~**City** to comply with all applicable ~~f~~**ederal** and ~~s~~**tate** laws, as well as any ~~storm water~~ **stormwater** permits issued to the ~~e~~**City**; including, but not limited to: the Clean Water Act (33 ~~United States Code~~ **U.S.C.** § 1251 et seq.); the ~~National Pollutant Discharge Elimination System (NPDES) Permit~~ **National Pollutant Discharge Elimination System (NPDES) Permit** (40 ~~Code of Federal Regulations~~ **CFR** Part 122); and, the Arizona Pollutant Discharge Elimination System (AZPDES) Permit (~~Arizona Administrative Code~~ **A.A.C.** R18-19-A902).

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-458. Definitions.

~~Throughout this article, unless the context otherwise requires, the following words and terms shall have the following meanings:~~

The City will use words and phrases as defined by the following: the Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1; the Arizona Administrative Code, Title 18, Chapter 9, Article 9 and Chapter 11, Article 1; the Clean Water Act as amended (33 USC 1251 et seq.); and the National Pollutant Discharge Elimination (~~NPDES~~) program (40 CFR 122.26(b)) are used as reference throughout this article.

Specifically used by the City, the following words and terms shall have the following meanings:

Discharge ~~means~~ the spilling, leaking, pumping, pouring, emitting, emptying, injecting, leaching, placing, storing, releasing, dumping, or disposing any substance or materials, on any land, or into any ~~storm water structure~~ **stormwater structure**, in such a manner that may cause the pollution of ~~storm water~~ **stormwater**.

Environmental Protection Agency (EPA) – The Federal agency charged with enforcement of environmental laws and regulations.

Erosion and Sediment Control – Actions, measures, or best management practices designed to minimize the accelerated erosion and suspension of sediment by water or wind.

Illicit connection | means an unlawful drain or conveyance to the ~~public storm water system~~ **public stormwater system**.

Impervious – Surfaces such as building rooftops, pavements, sidewalks, driveways, etc. that cannot effectively infiltrate rainfall.

Industrial MSGP | means any industry required under the ~~NPDES~~ **NPDES** or AZPDES programs to have coverage under a ~~storm water~~ **stormwater** multi-sector general permit excluding that pertaining to construction activities.

Land Disturbance – Construction activity including clearing, grading, excavating, and construction activities resulting in dust, erosion, trash, and other pollutants that have the potential to impact the municipal separate stormsewer system (MS4).

MEP | means maximum extent practicable.

MSGP | means multi-sector general permit (see ~~industrial MSGP~~ **industrial MSGP** definition).

NOI | means notice of intent.

National Pollutant Discharge Elimination System (NPDES) stormwater permit - A permit issued by the EPA which authorizes the *discharge* of stormwater pursuant to the Clean Water Act § 402 (33 U.S.C. § 1342).

NPDES | means national pollutant *discharge* elimination system.

Pervious – A porous surface that does not prevent the entry of water into the soil and decreases *stormwater* runoff.

Post-Construction Stormwater Control Measures – Those measures, either structural or non-structural, that are implemented and maintained to manage *stormwater* runoff after construction has been completed.

Premises – Any building, lot, parcel, real estate, land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

Privately-owned ~~storm water~~ stormwater structure | means any and all ~~storm water structures~~ **stormwater structures** installed in or on any private property and outside of the public right-of-way.

Public ~~storm water~~ stormwater system | means any and all ~~storm water structures installed within common areas of real property owned by or leased from the city, and those installed within the public right of way, excepting those that are owned or operated by another governmental agency.~~ All or any part of the public owned and maintained roads, streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, and drywells located within public easements, rights-of-way, parks, common areas, retention areas, or other City-owned or maintained real property designed or used for collecting, holding, or conveying *stormwater*.

Significant construction activities | means any construction activity that ~~results~~ includes clearing, grading, and excavating resulting in a ~~land disturbance~~ **land disturbance** that will disturb equal to or greater than ~~one~~ five acres ~~or the disturbance of~~ of land or will disturb less than one acre of total land area but is ~~if~~ part of a larger common plan of development or sale ~~with a planned disturbance equal to or greater than one acre.~~ that will ultimately disturb equal to or greater than five acres. Construction around a Special Flood Hazard Area (SFHA) or natural drainage channel will be considered on a case-by-case basis during the project submittal process.

Significant development | means any new development or redevelopment projects that results in a ~~land disturbance~~ **land disturbance** equal to or greater than one acre or the disturbance of less than one acre if part of a larger common plan of development or sale with a planned disturbance equal to or greater than ~~one~~ five acres.

Stormwater | means any flow of water which results entirely from a precipitation/rainfall event.

SWMP or ~~storm water~~ **stormwater** management plan means a plan drafted to address ~~storm water~~ **stormwater** runoff from any ~~significant development~~ **significant development** occurring during the post-construction phase of development. ~~SWMP~~ **SWMP's** will detail structural and non-structural BMPs necessary to reduce to the ~~MEP~~ **MEP** the pollution of ~~storm water~~ **stormwater** from activities occurring during all phases of land use [existing (in the case of redevelopment projects), proposed, and foreseeable land uses].

~~SWPPP or storm water pollution prevention plan means~~ **Stormwater Pollution Prevention Plan (SWPPP)** a plan, specifically that which is required by either the EPA or ADEQ that addresses storm water runoff and details structural and non-structural BMPs in order to reduce to the ~~MEP~~ any pollutants to storm water originating from industries or construction sites as required under the NPDES or AZPDES programs. Note: SWPPP development is detailed in the *Storm Water Management for Construction Activities, Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-005)* and the *Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-006)*, subsequent revisions to these documents, and any additional references within permit language; in addition to, other guidance documents available from federal, state, or local entities. A plan required by the City to outline the process through which an entity planning *land disturbance* activities thoroughly evaluates potential pollutant sources at a site and selects and implements appropriate best management practices or control measures designed to prevent or control the *discharge* of pollutants and sediment in *stormwater* runoff from migrating off-site and into the MS4 (see City of Surprise Engineering Development Standards).

~~Storm water~~ **Stormwater** structure means any naturally occurring drainage feature and water of the United States or tributary thereof; or, a structure constructed entirely or in part for the purpose of conveying, infiltrating, retaining, storing, or transporting ~~storm water~~ **stormwater**. See also definition for **Public Stormwater System**. [i.e.: alleyways, highways, roadways, or streets; street curbs, gutters, or street scuppers; catch basins, culverts, curb inlets; drywells, headwalls, or storm drain pipes; ditches, modified natural drainages, open channels, or graded swales; detention basins, infiltration basins, or retention basins; etc.].

Vertical Stormwater Pollution Prevention Plan (Vertical SWPPP) – The continuation of a City-required SWPP plan to address the additional BMPs required during the construction phase of single-family homes. This plan is an addendum to the existing **SWPPP** that is in place until full stabilization of the site occurs. This plan allows for incomplete individual lot protection to remain in place as the neighborhood is established (see City of Surprise Engineering Development Standards).

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-459. Authorities.

The property owner shall be responsible for the design, performance, and operation or maintenance of all privately owned storm water structures.

(Ord. No. 2012-06, § 1, 5-8-2012)

Secs. 58-460-459—58-490. Reserved.

DIVISION 2. DISCHARGE REQUIREMENTS

Sec. 58-491. Discharge restrictions to the public ~~storm-water~~ stormwater system.

- (a) Unless expressly ~~identified in this chapter or authorized by the city,~~ authorized or exempted by the City, no person shall ~~cause a discharge, either directly or indirectly, to the public storm water system containing any substance~~ release or allow the release of any substance that is not composed entirely of ~~storm water~~ stormwater; ~~or to cause a discharge composed entirely of storm water in~~ into a public right-of-way or ~~public stormwater system~~ public stormwater system in such a volume or at ~~such a volume or at~~ such a rate so as to cause damage to the ~~public storm water system~~ public stormwater system.
- (b) It shall be unlawful for any person to directly or indirectly ~~discharge~~ discharge any pollutant, with or without that person's knowledge, to either the ~~public storm water system~~ public stormwater system or to any ~~privately-owned storm water structure~~ privately-owned stormwater structure that may result in a violation of any ~~storm water~~ stormwater permit issued to the ~~city~~ City.
- (c) Unless expressly authorized or exempted by the City, no person shall use, store, spill, dump, or dispose of materials in a manner that could cause or contribute to the addition of pollutants to ~~stormwater~~ stormwater.
- ~~(c) The following sources of discharge to the public storm water system are expressly prohibited:~~
- ~~(1) Flows from crawl space pumps;~~
 - ~~(2) Flows from foundation and footing drains;~~
 - ~~(3) Non-agricultural irrigation, including landscape irrigation and lawn watering;~~
 - ~~(4) Recreational or aesthetic water bodies such as swimming pools, spas, hot tubs, fountains, ponds, etc.;~~
 - ~~(5) Refrigeration condensate/runoff, including that from air conditioners and evaporative coolers;~~
 - ~~(6) Vehicle washing activities where the wash water contains any pollutant. This includes any washing activities where the engine, transmission, brakes, or other operational components of a vehicle are cleaned; and,~~
 - ~~(7) Lot hosing/cleaning from any industrial, commercial, or retail facility.~~
- ~~(d) The following sources of discharge to the public storm water system require a permit or approval of the city:~~
- ~~(1) Diverted stream flows;~~
 - ~~(2) Fire hydrant flow tests;~~
 - ~~(3) Flows consisting of uncontaminated groundwater;~~
 - ~~(4) Waterline flushing; and,~~
 - ~~(5) Dye testing.~~
- ~~(e) The following sources of discharge to the public storm water system are permissible without a permit or approval from the public works director:~~
- ~~(1) Dust control activities;~~
 - ~~(2) Emergency fire fighting activities;~~
 - ~~(3) Flows from riparian habitats and wetlands;~~
 - ~~(4) Flows from natural springs and seeps;~~
 - ~~(5) Individual residential or not-for-profit vehicle washing, consisting of water without the addition of any pollutant and where the operational components of the vehicle are not cleaned; and,~~
 - ~~(6) Street washing activities, consisting of water without the addition of any pollutant.~~

(d) The following sources of *discharge* are exempt from the prohibitions set forth in subsections (a) through (c) of this Section, provided they are not carrying other pollutants to waters of the United States (WOTUS):

(1) *Discharges* authorized by a separate *NPDES* or *AZPDES stormwater* permit.

(2) The following categories of non-*stormwater discharges* are permissible,

- a. Water line flushing,
- b. Landscape irrigation, including flood irrigation,
- c. Irrigation water and lawn watering,
- d. Diverted stream flow,
- e. Rising groundwater,
- f. Uncontaminated groundwater infiltration,
- g. Uncontaminated pumped groundwater,
- h. Uncontaminated foundation and footing drains,
- i. Uncontaminated water from crawl space pumps,
- j. Air conditioning condensation and evaporative cooler run-off,
- k. Natural springs,
- l. Individual residential or not-for-profit vehicle washing, with proper protection in place to address detergents leaving the site and moving to the *public stormwater* system,
- m. Flows from riparian habitats and wetlands, as those areas are designated under applicable Federal and State laws,
- n. Dechlorinated swimming pool *discharges*,
- o. *Discharges* or flows resulting from firefighting activities,
- p. Street wash water; or
- q. *Discharges* from potable water sources.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-492. Construction site ~~storm-water~~ **stormwater** runoff control requirements.

- (a) All persons engaged in ~~significant construction activities~~ **significant construction activities** within the ~~e~~City who are required by ~~f~~Federal or ~~s~~State law to submit to the ~~EPA~~ **EPA** and/or the ADEQ an ~~NOI~~ **NOI** in order to comply with a ~~NPDES~~ **NPDES** or *AZPDES construction storm-water* **general** permit, shall provide to the ~~e~~City **engineer** copies of ~~the NOI form and~~ any authorization certificate or permit issued by such entities. Additionally, all persons shall submit a copy of ~~the any~~ **any** notices of termination ~~at the time of termination from such programs~~ **received from such entities**.
- (b) All persons engaged in ~~significant construction activities~~ **significant construction activities** within the ~~e~~City shall provide to the City for its review and approval a copy of ~~any and all SWPPP~~ **SWPPP**'s ~~that apply to all contiguous land under common ownership or control to the city engineer.~~ **for the area of disturbance and any applicable off-site areas proposed to be disturbed.** Such plans will be reviewed **and approved by the City**

Created: 2025-08-20 14:23:09 [EST]

(Supp. No. 64)

prior to the issuance of any permit associated with any grading, demolition, construction, grubbing, or other activity that may disturb the existing soil and/or drainage.

- (c) If the City determines that pollutants may enter the *public stormwater system* from construction activities at a site less than one-acre in size, the City shall require site-specific BMPs be submitted by the owner or assigned party through a *SWPPP* which the City will review prior to issuance of a construction permit. The permittee shall implement the *SWPPP* during construction activity.
- (ed) Any person operating under a construction ~~storm-water~~ *stormwater* permit issued by the EPA ~~EPA~~ or ADEQ shall not cause or contribute to any condition that may result in a violation of any ~~storm-water~~ *stormwater* permit issued by the City. Such person shall undertake any and all BMPs necessary to: minimize to the ~~MEP~~ *MEP* the potential of any pollutant being ~~discharged~~ *discharged* from the construction site; provide protection from accidental ~~discharge~~ *discharge* of pollutants to the ~~public storm-water system~~ *public stormwater system*; ensure sufficient ~~erosion and sediment controls~~ *erosion and sediment controls* are in place and adequately maintained; ensure construction materials are handled and stored in a manner such as to reduce to the ~~MEP~~ *MEP* the ~~discharge~~ *discharge* of pollutants associated with such materials; and control and properly dispose of any waste that may cause adverse impacts to water quality (i.e. discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, etc.).
- (ee) If any additional BMP is required or ordered by the City ~~e~~Engineer or during any stages of construction, and is so ordered to prevent a pollutant from entering the ~~public storm-water system~~ *public stormwater system*, that person receiving the notice of such requirement may petition the ~~city-engineer~~ *Director of Water Resource Management*, or their designee, to reconsider the application of such BMP to the ~~premises~~ *premises* or activity. The City must receive the written petition within 14 calendar days following such requirement or order, and the written petition ~~must be received in writing, within 14 calendar days following such requirement or order,~~ must set forth any reasons for not selecting and implementing such BMP, and must propose alternatives. ~~The city-engineer will act.~~ *The Director of Water Resource Management, or their designee, will make a determination* within 30 calendar days of receipt of the petition. An appeal of this decision must be delivered to the ~~City~~ *Manager* within five business days to ~~the city manager to~~ review and render a final decision.

The ~~e~~City ~~m~~Manager shall have the authority to permit exceptions to the requirements in this section in any case that ~~the director~~ *they* finds an exception is necessary to maintain adequate health and sanitation standards.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-493. Multi-sector industrial facility ~~storm-water~~ *stormwater* runoff requirements.

- (a) All persons operating a facility within the City who are required by the EPA ~~EPA~~ or ADEQ to submit an ~~NOI~~ *NOI* in order to comply with any ~~NPDES~~ *NPDES* or ~~AZPDES~~ *AZPDES* ~~industrial MSGP~~ *industrial MSGP* shall provide to the City copies of the ~~NOI~~ *NOI* form and the ~~storm-water~~ *stormwater* permit issued by such entities. Additionally, all persons shall submit a copy of the notice of termination at the time of termination from such programs.
- (b) ~~All persons required to develop a SWPPP as part of any NPDES or AZPDES industrial MSGP requirements shall submit a copy of the SWPPP to the city.~~ Any person operating under an *industrial MSGP* issued by the EPA or ADEQ shall not cause or contribute to any condition that may result in a violation of any *stormwater* permit issued to the City. Such person shall undertake any and all BMPs necessary to: minimize to the *MEP* the potential of any pollutant from being *discharged* from the facility, provide protection from accidental *discharge* of pollutants to the *public stormwater system*, ensure BMPs are in place and adequately maintained, ensure raw and processed materials are handled and stored in a manner so as to reduce to the

MEP the discharge of pollutants associated with such materials, and control and properly dispose of any wastes that may cause adverse impacts to water quality.

- (c) ~~These requirements are retroactive and shall apply to any such facility operating within the city at the time of approval of this article, and shall apply to any facility constructed or one that becomes incorporated into the city after this article has been approved. Such persons shall submit such documents within 60 calendar days of approval of this article for currently permitted facilities within the city, 30 calendar days following permit approval by the EPA or ADEQ for new facilities, or 30 calendar days from such time that an existing facility is incorporated into the city.~~
- (d) ~~Any person operating under an industrial MSGP issued by the EPA or ADEQ shall not cause or contribute to any condition that may result in a violation of any storm water permit issued by the city. Such person shall undertake any and all BMPs necessary to: minimize to the MEP the potential of any pollutant from being discharged from the facility; provide protection from accidental discharge of pollutants to the public storm water system; ensure BMPs are in place and adequately maintained; ensure raw and processed materials are handled and stored in a manner such as to reduce to the MEP the discharge of pollutants associated with such materials; and control and properly dispose of any wastes that may cause adverse impacts to water quality.~~
- (e) If any additional BMP is required or ordered by the City in order to prevent a pollutant from entering the ~~public storm water system~~ public stormwater system, that person receiving the notice of such requirement may petition ~~the public works director~~ the Director of Water Resource Management, or their designee, to reconsider the application of such BMP to the ~~premises~~ premises or activity. The petition must be received by the City in writing, within 14 calendar days following such requirement or order, and it must set forth any reasons for not selecting and implementing such BMP, and must propose alternatives. ~~The public works director will act~~ The Director of Water Resource Management, or their designee, will make a determination within 30 calendar days of receipt of the petition. An appeal of this decision must be delivered to the ~~city~~ City Manager, or their designee, within five business days to ~~the city manager or designee to~~ review and render a final decision.

The City Manager shall have the authority to permit exceptions to the requirements in this section in any case that ~~the director~~ they finds an exception is necessary to maintain adequate health and sanitation standards.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-494. Post-construction ~~storm water~~ stormwater runoff requirements.

- (a) ~~Any person involved in significant development within the city shall provide to the city an SWMP addressing post-construction storm water runoff considerations. Such plans will be reviewed prior to the issuance of any permit associated with any grading, construction, grubbing, or other activity that may disturb the existing soil and/or drainage. Any changes or updates to the SWMP will be provided to the public works director throughout the duration of the development.~~
- (a) Property owners or management companies shall ensure proper operation and maintenance of all post-construction stormwater facilities within their property boundaries. This includes, but is not limited to, retention basins, drywells, underground retention systems, scuppers, handrails, outfalls, pipes not in the right-of-way, and other measures implemented or installed at the site to control or direct stormwater runoff. Changes or alterations to stormwater features represented on the as-built plans shall be reviewed and approved by the City prior to implementation. The proposed alteration shall follow the guidance provided in the City's Engineering Development Standards (EDS).
- (b) The property owner and/or management company shall be responsible for annual inspection and maintenance of all stormwater post-construction facilities on the property. The property owner and/or

management company shall complete and retain an inspection form/log along with copies of any associated supporting documentation. These documents will be retained on site for review by City staff upon request.

- (c) City staff will conduct inspections of both public and private post-construction *stormwater* features throughout the City. If maintenance or other concerns are identified, the City will contact the property owner and/or management company and provide a list of deficiencies to be addressed.
- (bd) If any additional BMP is required or ordered by ~~the public works director~~ City staff ~~in order~~ to prevent a pollutant from entering the ~~public storm water system~~ *public stormwater system*, ~~that~~ the person receiving the notice of such requirements may petition the ~~public works director~~ Director of Water Resource Management, or their designee, to reconsider the ~~application~~ implementation of such BMP to the ~~premises~~ *premises or activity*. The petition must be received by the City in writing, within 14 calendar days of such requirement or order, and it must set forth any reasons for not selecting and implementing such BMP, and must propose alternatives. ~~The public works director will act.~~ The Director of Water Resource Management, or their designee, will make a determination within 30 calendar days of receipt of the petition. An appeal of this decision must be delivered to the City within five business days to the City Manager, or their designee, to review and render a final decision.

The City Manager shall have the authority to permit exceptions to the requirements in this section in any case that they find an exception is necessary to maintain adequate health and sanitation standards.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-495. Illicit connections to the public ~~storm water~~ *stormwater* system.

No person shall construct, establish, use, maintain, or continue any connection to the ~~public storm water system~~ *public stormwater system* that has caused, or has the potential to cause, any ~~discharge~~ *discharge* that may result in a violation of this chapter. This prohibition is retroactive and shall apply to any connection that was made in the past, regardless of whether it was made under permit or other authorization, or whether it was permissible under the law or practices applicable or prevailing at the time of the connection.

(Ord. No. 2012-06, § 1, 5-8-2012)

Secs. 58-496—58-524. Reserved.

DIVISION 3. MAINTENANCE REQUIREMENTS OF PRIVATELY-OWNED ~~STORM WATER~~ *STORMWATER* STRUCTURES

Sec. 58-525. Operation and maintenance of privately-owned ~~storm water~~ *stormwater* structures.

- (a) The property owner and/or management company shall be responsible for the design, performance, operation, and maintenance of all *privately-owned stormwater structures*. It shall be a violation of this ~~Chapter~~ Chapter for any property owner to operate or maintain any ~~privately-owned storm water structure~~ *privately-owned stormwater structure* in such a manner as to cause or potentially cause a ~~discharge~~ *discharge*

~~discharge~~ to the ~~public storm water system~~ *public stormwater system* that may result in the violation of any ~~storm water~~ *stormwater* permit issued by the city.

- (b) ~~All significant development~~ All property owners and/or management companies incorporating ~~privately-owned storm water structures~~ *privately-owned stormwater structures* shall have an ~~enforceable~~ applicable operation and maintenance ~~agreement with the city to ensure~~ manuals, annually scheduled inspection and maintenance, and associated record keeping ensuring the long-term operation of these structures and any associated BMPs.
- (c) ~~All property owners shall submit an annual operation and maintenance report to the public works director documenting inspections and maintenance performed on all privately-owned storm water structures.~~ All property owners and/or management companies shall maintain files and/or logs documenting inspections and maintenance performed on all *privately-owned stormwater structures*. These documents shall be made available for review upon City staff's request.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-526. ~~Storm water~~ *Stormwater* monitoring requirements.

The ~~city~~ *City* shall have the right to require the property owner of any ~~premises~~ *premises* from which a ~~discharge~~ *discharge* to the ~~public storm water system~~ *public stormwater system* has occurred or is likely to occur, to install monitoring equipment, perform analysis of the data, and submit reports and analyses as necessary. ~~Any necessary sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the property owner. The costs of monitoring, sampling, analyzing, and reporting shall be borne by the property owner.~~ The property owner shall at all times maintain in a safe and proper operating condition any necessary sampling and monitoring equipment. The costs of monitoring, sampling, analyzing, and reporting shall be borne solely by the property owner.

If any additional BMP is required or ordered by the ~~city~~ *City*, and is so ordered to prevent a pollutant from entering the ~~public storm water system~~ *public stormwater system*, that person receiving the notice of such requirement may petition the ~~public works director~~ *Director of Water Resource Management, or their designee*, to reconsider the application of such BMP to the ~~premises~~ *premises* or activity. The petition must be received in writing, within 14 calendar days of such requirement or order, and ~~it~~ must set forth any reasons for not selecting and implementing such BMP, and must propose alternatives. The ~~public works director will act~~ *Director of Water Resource Management, or their designee, will make a determination* within 30 calendar days of receipt of the petition.

(Ord. No. 2012-06, § 1, 5-8-2012)

Secs. 58-527—58-545. Reserved.

DIVISION 4. INSPECTIONS AND ENFORCEMENT

Sec. 58-546. Inspections.

- (a) It shall be unlawful for any person to, without good cause, interfere with or prohibit any authorized employee of the ~~city~~ *City* from conducting any activities in furtherance of the requirements of this ~~chapter~~ *Chapter*, including conducting inspections and collecting samples.
- (b) Upon presentation of credentials and at all reasonable or necessary hours, any authorized employee of the ~~city~~ *City* shall have access to all ~~premises~~ *premises* and to all records pertaining to those ~~premises~~ *premises*

(Supp. No. 64)

Created: 2025-08-20 14:23:10 [EST]

for the purpose of ensuring compliance with this ~~chapter~~ Chapter. Inspection, interviewing, copying, sampling, photographing, and other activities conducted on the ~~premises~~ premises shall be limited to those which are reasonable and necessary ~~in order~~ to determine compliance. These activities will be allowed to be conducted under safe and non-hazardous conditions with a minimum of delay.

- (c) ~~Discharges~~ Discharges to the ~~public storm water system~~ public stormwater system that are not permitted or allowed, or ~~discharges~~ discharges to any ~~privately-owned storm water structure~~ privately-owned stormwater structure that ~~does do~~ or may cause a violation of any ~~storm water~~ stormwater permit issued by the ~~city~~ City, shall be investigated to determine the source of the ~~discharge~~ discharge. Upon determination of the source of the ~~discharge~~ discharge, the person(s) conducting the ~~discharge~~ discharge shall be instructed to cease and desist such ~~discharge~~ discharge, and the ~~City will evaluate the~~ impact of the ~~discharge~~ discharge will be ~~evaluated~~. The property owner shall be held responsible for any damage to the ~~public storm water system~~ public stormwater system and/or any costs and expenses associated with the violation of any ~~storm water~~ stormwater permit issued by the ~~city~~ City.
- (d) ~~Any employee of the city that inspects or identifies a discharge to the public storm water system that may result in a violation of the city's storm water permit shall report such incident to the public works director.~~ Any authorized City employee who inspects any construction site will do so under the guidance of the ADEQ- Arizona Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Sewer Systems to Protected Surface Waters Permit, Section 6.4.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-547. Notification.

In the case of an accidental ~~discharge~~ discharge to the ~~public storm water system~~ public stormwater system, the property owner shall report ~~this the~~ incident to the ~~city~~ City within 24 hours of the ~~discharge~~ discharge. Notification by phone shall be confirmed in writing within 72 hours of the ~~discharge~~ discharge and include information identifying the source ~~and extent~~ of the ~~discharge~~ discharge, ~~the extent of the discharge,~~ any and all pollutants released, and measures taken to mitigate ~~the impact of the discharge.~~ discharge's impact.

(Ord. No. 2012-06, § 1, 5-8-2012)

Sec. 58-548. Violations and penalties.

(a) *Notice of opportunity to correct.*

- (1) Any authorized ~~employee of the city~~ City employee may issue a notice of opportunity to correct to any person who has violated this chapter.
- (2) In selecting to do so, such authorized employee of the ~~city~~ City must have identified the source of any attributing ~~discharge~~ discharge.
- (3) Failure to comply with any act required in the ~~notice of opportunity to correct~~ Notice of Opportunity to ~~Correct~~ shall result in a ~~notice of violation~~ Notice of Violation and may constitute an intentional violation of this ~~chapter~~ Chapter.

(b) *Notice of violation.*

- (1) Any authorized ~~employee of the city~~ City employee may issue a ~~notice of violation~~ Notice of Violation to any person who has violated or is in violation of this chapter.
- (2) Failure to comply with any act required in the ~~notice of violation~~ Notice of Violation shall ~~be a separate violation for each calendar beyond the 14th calendar day following the issuance of the notice of~~

(Supp. No. 64)

Created: 2025-08-20 14:23:10 [EST]

~~violation and may constitute an intentional violation of chapter.~~ constitute as a separate violation for each additional day beyond the 14th calendar day the Notice of Violation has been in effect with no corrective action performed. Each Notice of Violation issued after the 14th day of original issuance may constitute an intentional violation of this Chapter.

- (3) Any authorized ~~employee of the city~~ City employee that has issued a ~~notice of violation~~ Notice of Violation, and in which compliance has not been achieved by the 14th calendar day, shall report such violation to the ~~public works director~~ Director of Water Resource Management for further action.
- (c) *Civil and criminal penalties.*
- (1) Any authorized ~~employee of the city~~ City employee may issue a civil citation to any person who has violated, or continues to violate, any provision of this chapter or any related laws or regulations.
- (2) Any person that intentionally or negligently violates or continues to violate any provision of this chapter shall be guilty of a class 1 misdemeanor.
- (3) Intentional violations may constitute criminal violations of ~~federal, state,~~ Federal, State, and local laws, and that under such circumstances the ~~city~~ City may seek the assistance of the ~~federal, state,~~ Federal, State, and local legal authorities to commence criminal action against any person who violates any requirement of this chapter.
- (d) *Permit revocation.* In addition to, or in lieu of, all other available penalties, the ~~city~~ City may seek the services of other departments of the ~~city~~ City to revoke, modify, or withhold any permit, approval or license to construct improvements to real property or operate a business in the ~~city~~ City if the holder of such permit, approval, or license is in violation of any requirement of this ~~chapter~~ Chapter.
- (e) *Orders of consent.* The ~~manager~~ City Manager may enter into an order of consent, assurances of voluntary compliance, negotiated settlement agreements, or other similar documents establishing an agreement with any person responsible for non-compliance. Such documents will include specific action to be taken by the person in violation, a specified time frame for reaching compliance, and the identification and description of BMPs and measures to utilize in implementing such order. Such documents shall have the same force and effect as any other orders issued under this article and shall be judicially enforceable.
- (f) *Liability for costs incurred by the city.* Any person in violation of this article may be assessed liability for the costs incurred by the city in surveillance, sampling and testing, abatement, and remediation activities. Additionally the ~~city manager~~ City Manager may assess liability of the costs to any person whose ~~discharge~~ discharge resulted in a violation of any ~~storm water~~ stormwater permit issued to the ~~city~~ City.

(Ord. No. 2012-06, § 1, 5-8-2012)

Secs. 58-549, 58-550. Reserved.

DIVISION 5. ~~STORM WATER~~ STORMWATER UTILITY¹

¹Editor's note(s)—Ord. No. 2016-04, § 2(Exh. A), adopted March 15, 2016, set out provisions adding Div. 5, §§ 58-571—58-581. To preserve the existing §§ 58-571—58-581, and at the editor's discretion, said provisions have been included herein as §§ 58-551—58-561.

Sec. 58-551. Title of provisions.

This article shall be known and may be cited as the "~~storm water utility ordinance.~~" **Stormwater Utility Ordinance.**"

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-552. Purpose.

It is the intent of this chapter to equitably allocate the expenses of the ~~storm water~~ **stormwater** service to those served by the system in relation to the service received from the system. It is the intent of this chapter to provide for the establishment of system service fees and charges and provide that the fees and charges collected are set aside and designated solely for use for the maintenance, operations, improvements, regulatory requirements, and program costs of the system.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-553. Definitions.

Throughout this article, unless the context otherwise requires, the following words and terms shall have the following meanings:

Director - **The Director of the City of Surprise Water Resource Management Department.** ~~means and refers to the Director of Water Resource Management of the City of Surprise.~~

Equivalent dwelling unit (EDU) ~~means~~ - **A** a configuration of ~~impervious surface~~ **impervious surface** estimated to contribute an amount of runoff to the ~~city's~~ **City's** ~~storm water system~~ **stormwater system** which is approximately equal to that created by the average single family residential developed parcel in the City ~~of~~ **Surprise.**

Impervious surface ~~means and refers~~ - **Refers** to a surface area which either prevents or retards the entry of water into the soil mantle, and/or which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development.

Service charge ~~means the storm water utility~~ - **The stormwater utility** fee in an amount to be determined by applying the appropriate rate to a particular parcel of real property based upon factors established by this division.

Storm water **Stormwater** system (system) ~~means and refers~~ - **Refers** to any appurtenance of the city's ~~storm water~~ **stormwater** drainage system (shall include ditches, channels, creeks, ponds, intake structures, diversion structures, curbs, gutters, levies, storm sewers, pump stations, force mains, buildings, easements, machinery, equipment, connections and all other appurtenances necessary, useful or convenient for the collection, treatment and disposal of any surface water, nuisance ground or subsurface water or ~~storm water~~ **stormwater** collected into the city's municipal separate storm sewer system (MS4)).

Undeveloped land or parcel ~~means land~~ - **Land** that has not been disturbed from its native state, built upon, or used for development purposes.

Unit rate ~~means the~~ - **The** dollar amount charged per **EDU** **EDU**.

Utility ~~means the~~ - **The** ~~storm water utility~~ **stormwater utility** of the city.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-554. Storm-water Stormwater utility created.

There is hereby created and established a ~~storm-water utility~~ **stormwater utility** for the city **City**. The ~~utility~~ **utility** will have regulatory authority and responsibility for planning, design, construction, maintenance, administration, operation of and the services provided by the ~~city's storm-water system~~ **City's stormwater system**.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-555. Utility administration.

The ~~utility~~ **utility** shall be administered within the ~~department of water resource management~~ **Department of Water Resource Management**.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-556. Storm-water Stormwater utility service charges.

- (a) ~~Service charges~~ **Service charges** for the ~~storm-water utility~~ **stormwater utility** are hereby authorized and imposed on parcels within the service area in amounts and on terms consistent with this division.
- (b) The ~~service charges~~ **service charges** shall be based on the service provided to and the relative contribution of ~~storm-water~~ **stormwater** runoff to the ~~storm-water system~~ **stormwater system** from a given parcel. The estimated or measured ~~impervious surface~~ **impervious surface** area will be used to determine the relative impact to the system from the parcel.

~~Service charges~~ **Service charges** shall be determined as follows:

- (1) ~~Undeveloped land and parcels. Undeveloped land and/or parcels~~ **Undeveloped land and/or parcels** shall be deemed not to make use of the service of the ~~storm-water system~~ **stormwater system** and an ~~equivalent dwelling unit~~ **equivalent dwelling unit** shall not be assigned nor a ~~unit rate~~ **unit rate** charged.
- (2) ~~City streets.~~ City streets shall be deemed part of the ~~storm-water system~~ **stormwater system** and an ~~equivalent dwelling unit~~ **equivalent dwelling unit** shall not be assigned nor a ~~unit rate~~ **unit rate** charged.
- (3) ~~Single-family residences.~~ The ~~service charge~~ **service charge** for each single-family residence shall be the ~~unit rate~~ **unit rate** for one ~~equivalent dwelling unit (EDU)~~ **equivalent dwelling unit (EDU)**, regardless of square footage of ~~impervious surface~~ **impervious surface**.
- (4) ~~Recreational vehicles.~~ The ~~service charge~~ **service charge** for each recreational vehicle dwelling unit site shall be the ~~unit rate~~ **unit rate** for one ~~equivalent dwelling unit~~ **equivalent dwelling unit**, regardless of square footage of ~~impervious surface~~ **impervious surface**.
- (5) ~~Agricultural property.~~ The ~~service charge~~ **service charge** for developed agricultural parcels shall be determined by ~~adding the area of the impervious surfaces of such parcels and the area of the remaining pervious surfaces of such parcels times ten percent and dividing the total resulting area by the equivalent dwelling unit and multiplying that result to the unit rate and minus any approved rate credit for the parcel as determined under section 58-559.~~ **dividing the total impervious surfaces of such parcels by the equivalent dwelling unit and multiplying that result to the unit rate and minus any approved rate credit for the parcel as determined under section 58-559.**
- (6) ~~Other developed parcels.~~ The ~~service charge~~ **service charge** for all other developed parcels, including publicly-owned properties, shall be determined by dividing the total ~~impervious~~ **impervious** area of such parcels by the ~~equivalent dwelling unit~~ **equivalent dwelling unit** and multiplying that result to the

~~unit rate~~ **unit rate** and minus any approved rate credit for the parcel as determined under section 58-559.

- (7) *Minimum charge.* There shall be a minimum ~~service charge~~ **service charge** for all developed properties equal to the ~~unit rate~~ **unit rate**.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-557. Equivalent dwelling unit and unit rate.

Both the ~~equivalent dwelling unit~~ **equivalent dwelling unit**, expressed as the amount of ~~impervious surface~~ **impervious surface** area measured in square feet and the ~~unit rate~~ **unit rate**, expressed as a dollar amount per ~~equivalent dwelling unit~~ **equivalent dwelling unit**, will be established by resolution.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-558. Rate adjustments.

- (a) ~~Any person billed for service charges may file a "request for service charge adjustment" with the city manager or designee within 30 days of the date of the bill. However, submittal of such a request does not extend the delinquency date for payment of the charge. A request for service charge adjustment may be granted or approved by the director only when one or more of the following conditions exist:~~ **Any non-residential account billed for service charges may file with the City Water Resource Management Department a "request for service charge adjustment" within 30 days of the date of the bill. However, submittal of such a request does not extend the delinquency date for payment of the charge. A request for service charge adjustment may be granted or approved by the Director, or their designee only when one or more of the following conditions exist:**
- (1) The amount charged is in error; however, no adjustment will be made unless the parcel is non-residential and the ~~city's~~ **city's** calculation of the ~~impervious surface~~ **impervious surface** area on the parcel is shown to be in error by at least one ~~EDU~~ **EDU**, as agreed upon by the ~~city~~ **city**; or
 - (2) The parcel exists in its undeveloped condition and will remain in that condition with no allowable human activities or manmade improvements that adversely affect water quantity or quality.
- (b) ~~Service charge~~ **Service charge** adjustments will only apply to the ~~bill then due~~ **current bill** and payable, and bills subsequently issued ~~as long as criteria for the adjustment is met.~~ **as long as criteria for the adjustment is met.** The property owner shall have the burden of proving that the ~~service charge~~ **service charge** adjustment should be granted.
- (c) Decisions on requests for ~~service charge~~ **service charge** adjustment shall be made by the ~~city manager or designee~~ **Director, or their designee**, based on information submitted by the applicant and ~~supplemented and/or reviewed~~ **supplemented and/or reviewed** by the ~~city~~ **city** within 30 days of the adjustment request, except when additional information is ~~needed~~ **required**. The applicant shall be notified in writing of the ~~director~~ **director's** decision.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-559. Commercial rate credits.

- (a) To qualify for a ~~service charge~~ **service charge** credit, a commercial parcel owner or representative must file a "request for ~~storm water~~ **stormwater** service credit" ~~annually~~ **annually** with the ~~city manager or designee~~ **Director, or their designee**, before the ~~first day of the month preceding the month for~~ **thirty-first (31st) day after the distribution of the non-residential stormwater utility bill by the city for which the owner is requesting credit.**

Credits shall be applied to the next invoice. Parcels with facilities that meet one or more of the criteria listed below may receive:

- (1) Up to a 25 percent credit against the of the annual service charge service charge for qualifying on-site infrastructure mitigation above city City standards that meets all of the following conditions:
 - a. The service charge service charge before the service charge service charge credit exceeds the minimum charge; and,
 - b. The constructed or installed improvements provide storm or storm water stormwater detention, retention, water quality treatment, and/or conveyance in accordance with city's sponsored storm water infrastructure improvement criteria; Engineering Development Standards (EDS) Chapter 5; and,
 - c. The city manager or designee has determined that the property owner is capable of maintaining and operating the facility; and, The property owner has provided an Operation and Maintenance Manual for all stormwater facilities on site and has provided proof of inspections of the facilities within the prior calendar year. A minimum of one (1) inspection per quarter is required to determined that the property owner can maintain and operate the facilities; and,
 - d. The facility is maintained by the property owner to the city's design specifications; and, and inspection and repair records are available for review upon request by City staff; and,
 - e. The facility is available for inspection by the city City.

~~(2) A 13 percent credit against the service charge for approved participation in city sponsored storm water programs. These credits are granted annually for annual participation.~~

- (2) A 30 percent (30%) credit of the annual service charge for use of qualifying Low Impact or Green Infrastructure that reduce sizes of retention basins and underground retention on a site by fifty percent (50%).
- (3) A ten percent (10%) credit of the annual service charge for removal of impervious area that is re-established as a stormwater quality facility and has confirmed reduction by an updated drainage report or memo.
- (4) A fifty percent (50%) credit of the annual service charge for rural area commercial/industrial properties with greater than 2,000 acres that meets the following criteria:
 - a. Fifty percent (50%) or less of the entire site is impervious surfaces; and
 - b. All stormwater retention is in above ground stormwater facilities; and
 - c. Operation and Maintenance Manuals are written and available for review for all stormwater facilities; and
 - d. Annual inspections and associated maintenance are performed and documented.

(b) The following information may be required by the city manager Director or designee to determine eligibility for a service charge service charge credit:

- (1) Approved storm water stormwater plans and calculations certified by a licensed and qualified professional;
- (2) A copy of the storm water stormwater facility maintenance and operation manual certified by a licensed and qualified professional;
- (3) Signature of the person responsible for the accuracy of the credit application material;

-
- (4) An agreement with the ~~city~~ City that allows the ~~city~~ City to enter onto the parcel to inspect the drainage facility and verify all information submitted;
 - (5) Other information, as required by the ~~city manager~~ Director or designee, to determine that the property owner is willing and has the capacity to maintain the facility;
 - (c) Any credit granted by the ~~city manager~~ Director or designee is revocable under conditions where the facility no longer operates at the design level established during the ~~storm water plan review/approval process.~~ ~~stormwater~~ plan review/approval process or the property changes ownership without re-application for the credit.
 - (d) ~~Service charge~~ Service charge credits will only apply to bills subsequently issued. The property owner shall have the burden of proving that the ~~service charge~~ service charge credit should be granted.
 - (e) Decisions of the ~~city manager~~ Director or designee on requests for ~~service charge~~ service charge adjustments shall be final unless appealed to the ~~city council~~ City Council within thirty (30) days of the date of the decision.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-560. Utility fund.

- (a) All fees and charges received and collected under the authority of this chapter shall be deposited and credited to a special fund to be designated as the ~~storm water utility~~ stormwater utility fund.
- (b) The account of said fund shall show all receipts and expenditures of the construction, maintenance, upkeep, and repair of the ~~city's~~ City's system and all payments on system bonds of the ~~city~~ City if any ~~which if any~~ shall from time to time be outstanding.
- (c) As provided by law, when budgeted and appropriated, the funds and credits to the account of the ~~storm water utility~~ stormwater utility fund shall be available for the payment of the requirements for the maintenance, operation, repairs, and upkeep of the system, compliance with regulatory requirements, and to the extent legally available for payment into an account established for the payment of the principal of and interest on any system debt which shall from time to time be outstanding.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Sec. 58-561. Utility billing; cross-references.

~~Utility~~ Utility fees shall be billed and collected in the same manner as service fees for solid waste, water, wastewater and other public services. Division 2, section 58-50, as it relates to ~~utility~~ utility billing, including delinquency provisions, is applicable to the ~~storm water utility~~ stormwater utility rates. The property owner shall be responsible for the design, performance, and operation or maintenance of all ~~privately-owned storm water structures~~ privately-owned stormwater structures.

(Ord. No. 2016-04, § 2(Exh. A), 3-15-16)

Secs. 58-562—58-570. Reserved.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Water Resource Management
Staff Recommendations:

Contact Person: Michael Boule, Director
District: Citywide

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action for adoption of proposed updates to the Surprise Municipal Code Chapter 58 - Utilities, Article V Water Conser. ation, 3 rdinance NoI 2026-02I

Motion:

Omo. e to adopt 3 rdinance NoI 2026-02I

Background:

Water Resource Management seesv to update portions of the Surprise Municipal Code pertaining to water conser. ationI khe updates within 3 rdinance NoI 2026-02 are intended to strengthen the CityT's ability to manage its water supplyI

Objective Analysis:

khis does not applyI

Policy Compliant:

khe updates within 3 rdinance NoI 2026-02 are consistent with the City Council Strategic Plan ' oals G7, G2, G1, and G4, as well as the CityT's water conser. ation policyI

Financial Impact:

khere is no anticipated financial impact related to this itemI

Budget Impact:

khere is no anticipated budget impact related to this itemI

FTE Impact:

khis item does not ha. e an impact on current staff le. elsI

ATTACHMENTS:

7I 3 rdinance 2026-02 - Article V Water Conser. ation

ORDINANCE # 2026-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE CODE OF SURPRISE, ARIZONA, BY AMENDING CHAPTER 58, ARTICLE VII, SECTION 58-662 PERTAINING TO TURFGRASS LANDSCAPING REQUIREMENTS; INCORPORATING THE RECITALS BY REFERENCE; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, on August 14, 2008, the City Council adopted the City of Surprise Drought Preparedness Plan in Ordinance No. 2008-38;

WHEREAS, on December 7, 2021, the City Council approved an amendment and update to the City of Surprise Drought Preparedness Plan in Resolution No. 2021-183 establishing, in part, turfgrass landscaping requirements;

WHEREAS, the City's Water Resource Management Department seeks to better regulate outdoor water use related to turfgrass landscaping; and

WHEREAS, the City's Water Resource Management Department seeks to amend the Surprise Municipal Code to include the turfgrass landscaping requirements as set forth in the City of Surprise's Drought Preparedness Plan.

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

Section 1. Chapter 58, Article VII, Section 58-662 of the Surprise Municipal Code is hereby amended as described in the attached **Exhibit A** and incorporated herein by this reference.

Section 2. The recitals above are fully incorporated in this Ordinance by reference.

Section 3. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted herein by reference are repealed.

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of these amendments to the Surprise Municipal Code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 5. This ordinance will become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Ordinance No. 2026-02
RFLS # 9548
Rev 11/24

PART I - GENERAL ORDINANCES
Chapter 58 - UTILITIES
ARTICLE VII. – WATER CONSERVATION
DIVISION 5. - UNNECESSARY WATER WASTE

~~(Red strikethrough indicates deletions; edits or additions are highlighted)~~

Sec. 58-662 – Non-functional Turfgrass

Prohibit installation of non-functional turfgrass areas in new commercial, industrial, and institutional developments, and common areas of residential developments. Non-functional turfgrass is defined as:

- Grass areas with any single dimension of eight (8) feet or less.
- Grass areas exceeding a 4:1, or twenty-five percent (25%), slope.
- Grass areas that are not accessible by pathways and/or are restricted by physical barriers that prohibit accessibility.
- Grass areas installed closer than ten (10) feet to a roadway and/or in front entryways to residential neighborhoods or subdivisions where other recreational amenities do not exist.
- Grass areas that are not utilized for active or programmed recreational purposes and/or for drainage conveyances, storm basins, or erosion control.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Water Resource Management
Staff Recommendations:

Contact Person: Michael Boule, Director
District: Citywide

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the adoption of proposed updates to the Surprise Municipal Code Chapter 58 – Utilities, Article VIII High Water User Regulations, Ordinance No. 2026-07.

Motion:

I move to adopt Ordinance No. 2026-07.

Background:

Water Resource Management seeks to implement regulations on water users whose demands exceed 100,000 gallons of water per day. The regulations would apply to new and existing users whose demands increase to more than 100,000 gallons per day in the future. Currently, there are no existing water users served by the City that qualify as a high water user. The regulations are intended to strengthen the City’s ability to manage its water supply portfolio.

Objective Analysis:

Currently, the City has no water management tools in place to react to new, water-intensive users within its industrial-zoned corridor that are not seeking accommodations through the zoning process. This regulation creates a mechanism for the City to manage how it allocates water to those users and establishes a water demand threshold above which those high water users will be required to acquire the water resources necessary to serve their project demands.

Policy Compliant:

This Ordinance is consistent with the City’s water acquisition policy and City Council Strategic Plan Goals 7.1, 7.2, 7.3, and 7.4.

Financial Impact:

There is no anticipated financial impact related to this item.

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:

1. Ordinance 2026-07 - High Water User
-

ORDINANCE # 2026-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 58 BY ESTABLISHING ARTICLE VIII, SECTIONS 58-805 THROUGH 58-810, TO CREATE REGULATIONS PERTAINING TO HIGH WATER USERS; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the City of Surprise City Council is empowered by the Arizona Constitution and the Arizona Revised Statutes to adopt legislation to protect the health, safety, and general welfare of the public;

WHEREAS, the Arizona Department of Water Resources issued to the City of Surprise a Designation of Assured Water Supply (“DAWS”) with the purpose of ensuring the City has enough water to meet current and future projected demands for a period of 100 years;

WHEREAS, the City of Surprise expects to experience an increased demand on its water supply from high water use industrial and commercial customers that demand more than 100,000 gallons of water per day;

WHEREAS, the high water use industrial and commercial customers’ increased demand for water requires the City to analyze how water is allocated, delivered, and used by these water customers within their service areas; and

WHEREAS, the Surprise City Council intends the creation of Surprise Municipal Code Chapter 58, Article VIII, Sections 58-805 through 58-810, attached hereto as **Exhibit A** and incorporated herein by this reference, to regulate new and existing industrial and commercial water users that increase their water meter size or change their land use type such that their water usage exceeds an annual average of 100,000 gallons of water per day.

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

Section 1. Chapter 58, Article VIII, Section 58-805 through 58-810 of the Surprise Municipal Code are hereby created as described in the attached **Exhibit A**, and incorporated by this reference.

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

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

Section 4. This ordinance will become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Ordinance No. 2026-07
RFLS # 9957
Rev 08/25

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. edits or additions are highlighted)

ARTICLE VIII. - HIGH WATER USER REGULATIONS

DIVISION 1. – GENERALLY

Sec. 58-805. – Purpose and intent.

(a) The Surprise City Council has determined it is in the best interests of the City to establish certain terms, conditions, limitations, and other requirements regarding the City's water supply to ensure water security for all water customers.

(b) This Article will assist the City in maintaining a sustainable water supply for existing and future water customers of the City's water supply.

(c) This Article is only intended to regulate industrial and commercial water customers.

Sec. 58-806. - Definitions.

For purposes of this Article only, the following terms shall have the meanings ascribed below:

A_i Allocation shall mean the City's act(s) of enumeration of water it owns or may own in the future for delivery in its potable water or non-potable water distribution system for current and future water customers. Allocation of water under this Article does not convey any rights to others for the use, ownership, or reservation of such water to any particular water customer being served or potentially to be served by the City's water supply.

B_i Applicant shall mean the owner, or owner's agent, who applies for development entitlements pursuant to the Surprise Municipal Code.

C_i Development entitlements shall mean all necessary City approvals and permits required by the Surprise Municipal Code for development, construction, and/or installation of improvements on property located in the City of Surprise, including, but not limited to, zoning, zoning variances, annexations, and other permits and approvals.

D_i High water user shall mean an industrial or commercial water customer, excluding a water customer in existence prior to enactment of this Article which:

(1) Uses or will use more water than the Level I water use allocation of 100,000 gallons per day ("gpd") annual average.

(2) Requires or will require one or more new meters for a building that already has water service, and the combined water use is or will be more than an annual average of 100,000 gpd.

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. ~~edits or additions~~ are highlighted)

(3) increases their water usage to exceed 100,000 gpd annual average after the date of enactment of this Article.

E_i Integrated.Water.Master.Plan shall mean a document that provides long-term guidance for the orderly improvement and growth of the City's water supply portfolio and drinking water, wastewater, reclaimed water, and groundwater recharge infrastructure.

F_i Level.I.water.use.allocation shall mean the most recently City Council-approved allocations of water usage assigned to industrial and commercial uses as gallons per day. The current Level.I.water.use.allocation for water.customers is up to 100,000 gpd annual average. Level.I.water.use.allocations may be periodically updated based on information provided in the City's Integrated.Water.Master.Plan and in congruence with future applications by the City to modify its Designation of Assured Water Supply.

G_i Level.II.water shall mean water that may be available for allocation based on the City's Integrated.Water.Master.Plan, and at the discretion of the City Council, to a high.water.user. The current range of water demand that is eligible for allocation for a single water customer is 100,001-200,000 gpd annual average.

H_i Level.II.water.use.allocation shall mean the City Council-approved allocation of Level.II. water to a.high.water.user in accordance with this Article and a sustainable.water.service.agreement.

I_i Level.III.water shall mean water, in an acceptable form to the City, that the high.water.user. has acquired and conveyed to the City or that may be available for purchase at a price determined by the City. Water demand that exceeds 200,000 gpd annual average qualifies as Level III water.

J_i Level.III.water.use.allocation shall mean the City Council-approved allocation of Level.III. water to a.high.water.user in accordance with this Article and a sustainable.water.service.agreement.

K_i Sustainable.water.service.application shall mean the application that all applicants and water.customers.desiring to exceed 50,000 gpd annual average and/or become a.high.water.user must submit. Applicants and water.customers must submit a sustainable.water.service.application.at the same time they submit any application for development. entitlements?new meter(s), or before increasing their usage to exceed 50,000 gpd annual average.

L_i Sustainable.water.service.agreement shall mean a written agreement that has been entered into between the applicant and the City, as described in this Article.

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. edits or additions are highlighted)

M_j Total water allocation shall mean the sum of Level.I?Level.II?and.Level.III.water.use allocations.

N_j Water customer shall mean a customer that utilizes the City's water supply, as defined in § 58-3.

Sec. 58-807. – Applicability and exclusions.

(a) This Article applies to industrial and commercial water customers, including:

1. All water customers beginning new water service after the effective date of this Ordinance who meet the criteria for a high water user; or
2. All existing water customers who, after the effective date of this Ordinance, request an increase in meter size or revise a site plan in a way that qualifies the water customer as a high water user, regardless of prior water use.

(b) This Article does not apply to existing water customers whose water use at the water customer's facility equals or exceeds 100,000 gpd annual average on the effective date of this Ordinance and who does not request water meter upsizing.

(c) All water customers, except those excluded in section (b) above, unless approved by City Council, who exceed 100,000 gpd on an annual average basis shall be subject to penalties described in § 58-810 below.

(d) All water customers that anticipate exceeding the Level.I.water.use.allocation shall enter into a sustainable water service agreement that has been executed by the applicant in a form acceptable to the City Attorney and approved by the City Council.

(e) High water users may only exceed the Level.I.water.use.allocation if the City Council, in its sole discretion, specifically grants Level.II.water.use.allocations or Level.III.water.use.allocations in accordance with this Article, and if the City and the high water user enter into a sustainable water service agreement.

DIVISION 2. – REQUIREMENTS OF HIGH WATER USERS

Sec. 58-808. - Sustainable water service agreement for industrial and commercial high water users.

a) Condition for Site Plan or Building Permit Approval

Prior to the approval of a site plan or issuance of a building permit for any project, the applicant, identified as a potential high water user, shall:

1. Submit to the City a sustainable water service application.
2. Enter into a sustainable water service agreement, subject to City Council approval.

b) Sustainable Water Service Agreement Requirements

Upon execution and City Council approval, if acceptable to the City Council in its sole

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. ~~edits or additions~~ are highlighted)

discretion, the sustainable water service agreement (the “Agreement”) shall be effective for a term of fifteen (15) years from the Agreement’s effective date and shall contain the following provisions:

1. Conservation Plan: The high water user shall develop, implement, and adhere to a water conservation plan for the project, subject to the approval of the City’s Water Resource Management (“WRM”) Department.
2. Water Allocation:
 - i. Level I Water Use Allocation: as defined by this article.
 - ii. Level II Water Use Allocation: The Agreement shall quantify how much level II water, if any, the City Council will allocate to the high water user on an annual basis.
 - iii. Level III Water Use Allocation: The Agreement shall quantify how much level III water, if any, the applicant is required to acquire and convey to the City to satisfy the applicant’s remaining water demands.
3. Offsite Infrastructure: The Agreement shall describe the offsite water infrastructure improvements, if any, the high water user shall be required to construct and dedicate to the City and the required timing of completing said improvements.
4. Penalties: Penalties shall be applied for exceeding the total water allocation, as identified in § 58-810 below and as defined in the Surprise Municipal Code.

c) Denial of Water Service

If the applicant fails to execute the Agreement before the approval of a site plan or issuance of a building permit, the City shall deny the project access to a water meter and water service connection.

Sec. 58-809. - City review of sustainable water service applications.

(a) Subject to subsections 58-809(b) and (c), the City Manager shall review and make a recommendation on a sustainable water service application to the City Council as provided in this Article.

(b) Level II and Level III water use allocations determination.

(1) The City Council shall determine, in its sole and absolute discretion, whether, based on the most recent Integrated Water Master Plan, a particular applicant that has been identified as a high water user may be eligible for Level II water, and if so, how much Level II water the City may apply to the development.

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. ~~edits or additions~~ are highlighted)

(2) If the City Council determines it will not make Level II water available for any particular high water user, the high water user must purchase and convey to the City Level III water in order to continue with the application for development entitlements for its planned development.

(c) Prior to authorizing the installation of any water meters for a high water user desiring to exceed the Level I water use allocation, the City and the high water user shall enter into a sustainable water service agreement in a form acceptable to the City Attorney and approved, if acceptable, by the City Council.

(d) Existing water customers as of the date of this Ordinance who increase their water usage above the Level I water allocation shall submit a sustainable water service application to the City prior to increasing their usage. Failure to comply with this provision shall result in the City restricting flows to the water customer's volume of historical usage. If, upon reviewing the sustainable water service application, the City determines the water customer qualifies as a high water user, the water customer will be required to submit to the City and enter into a sustainable water service agreement, subject to City Council approval.

Sec. 58-810. - Penalties for exceeding the sustainable water service agreement allocation.

(a) The City's WRM Department shall calculate each high water user's calendar year (or applicable portion thereof) water usage to determine average annual gpd water consumption for the purpose of determining compliance with this Article.

(b) Penalties shall be determined by April 30th each year for the prior calendar year. Penalties shall only be applied to the volume of water in exceedance of the sum of the high water user's Level II and Level III water use allocation, as described in the sustainable water service agreement. With the exception of water customers exempted in section 58-807, any industrial or commercial water customer, unless approved by City Council, whose average annual water usage exceeds 100,000 gpd shall be subject to the following penalties:

(1) First exceedance; One hundred fifty percent (150%) of the charges for water used, or estimated to have been used, in violation of this Article, if the violation is the high water user's first violation of this Article and the violation continued for less than one year.

(2) Second exceedance; Two hundred fifty percent (250%) of the charges for water used, or estimated to have been used, in violation of this Article, if the violation is the high water user's second violation of this Article or if the violation continued for more than one year but less than two years.

(3) Third exceedance; Five hundred percent (500%) of the charges for water used, or estimated to have been used, in violation of this Article, if the violation is the high water user's third violation of this Article.

PART I - GENERAL ORDINANCES

Chapter 58 - UTILITIES

ARTICLE VIII – HIGH WATER USER REGULATIONS

(~~Red strikethrough~~ indicates deletions. edits or additions are highlighted)

user's third violation of this Article or if the violation continued for more than two years but less than three years.

(4) After the third exceedance, the City may purchase water credits at market rate for the amount of water overused by the high water user. The City will provide an invoice for the total purchase price, and the high water user shall remit to the City payment in full within sixty (60) days of receipt of the invoice.

(5) The City reserves the right to discontinue service for failure to pay exceedance penalties or failure to pay an invoice for water credits.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to the correction of a Resolution for the Intent to Annex for a portion of the project known as Vistas Montanas. Case# FS25-0291; Resolution 2026-19.

Motion:

I move to approve/deny Resolution #2026-19.

Background:

Atwell, LLC, representing the property owner, seeks annexation of undeveloped land generally located south of the Central Arizona Project (CAP) canal along the Dixileta Drive and 179th Avenue roadway alignments. The annexation proposal is for two (2) parcels totaling approximately 5.57 acres of unincorporated land within Maricopa County zoning district, Rural Zoning District – One Acre Per Dwelling Unit (RU-43). If annexed, the property will assume the similar zoning district of Rural Residential (RR) as outlined in the Land Development Ordinance (LDO). The Resolution for the Intent to Annex directs City Staff to begin the annexation process pursuant to A.R.S. § 9-471.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and potential development fees for the City. Negative impacts could include providing services to a 5.57-acre area where the City did not have to previously serve.

Policy Compliant:

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

Financial Impact:

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

Budget Impact:

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

FTE Impact:

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

ATTACHMENTS:

1. 01-FS25-0291 Vistas Montanas - Intent to Annex - Resolution 2026-19
 2. 02-FS25-0291 Vista Montanas - Rezone - Legal Description
 3. 03-FS25-0291 Vistas Montanas Annexation - Vicinity Map
 4. FS25-0291 Vistas Montanas Annexation - PowerPoint
-

RESOLUTION # 2026-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DIRECTING THE RECORDING OF A BLANK PETITION FOR ANNEXATION PURSUANT TO A.R.S. § 9-471, PERTAINING TO CERTAIN PROPERTY THAT ADJOINS AND IS CONTIGUOUS TO THE CITY OF SURPRISE CONSISTING OF APPROXIMATELY 5.57 ACRES GENERALLY LOCATED SOUTH OF THE CENTRAL ARIZONA PROJECT (CAP) AND SOUTHEAST OF THE DIXILETA DRIVE AND N 179TH AVENUE ALIGNMENTS, IN MARICOPA COUNTY, ARIZONA.

WHEREAS, it has been proposed that the City of Surprise, Arizona (the “City”), annex certain property within a portion of the Northwest Quarter of Section 26, Township 5 North, Range 2 West, of the Gila and Salt River Base and Meridian and the Northwest Quarter of Section 26, Township 5 North, Range 2 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as more particularly described in the attached **Exhibit A**;

WHEREAS, the area to be annexed adjoins the exterior boundary of the City for at least 300 feet and is otherwise contiguous to the City, as required by A.R.S. § 9-471(H); and

WHEREAS, A.R.S. § 9-471(A)(1) requires that the City file, in the Office of the Maricopa County Recorder, a blank petition setting forth the legal description, attached hereto as **Exhibit A**, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as **Exhibit B**.

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

Section 1. The City Clerk shall record with the Office of the Maricopa County Recorder a blank annexation petition containing the legal description of the property, attached hereto as **Exhibit A**, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as **Exhibit B**. The City Clerk shall also record a sworn affidavit verifying that no part of the territory proposed to be annexed is already subject to an earlier filing for annexation.

Section 2. The City Clerk shall call a public hearing for the purpose of consideration of the proposed annexation, said hearing to be noticed for a date between twenty (20) to thirty (30) days after filing the blank annexation petition, in accordance with A.R.S. § 9-471(A)(3).

[SIGNATURES ON FOLLOWING PAGE]

APPROVED AND ADOPTED this ____ day of _____, 2026.

Kevin D. Sartor, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Jeffrey Murray, City Attorney

EXHIBIT A

Legal Description



ONE COMPANY.
INFINITE SOLUTIONS.

**LEGAL DESCRIPTION
55 FOOT RIGHT OF WAY
VISTAS MONTANAS
APN 503-51-008G
MARICOPA COUNTY, ARIZONA**

LOCATED WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 55-FOOT STRIP OF LAND BEING SOUTH OF THE FOLLOWING DESCRIBED NORTH LINE OF SECTION 26;

COMMENCING AT THE NORTHWEST QUARTER CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A SECTION LINE THAT BEARS S89°59'10"E A DISTANCE OF 2646.05 FEET TO THE NORTH QUARTER CORNER;

THENCE, ALONG SAID NORTH LINE OF SECTION 26, S89°59'10"E A DISTANCE OF 516.39 TO THE **POINT OF BEGINNING**;

THENCE, S89°59'10"E A DISTANCE OF 2129.65 FEET TO THE POINT OF TERMINUS.

THE SIDE LINES OF SAID RIGHT OF WAY ARE SHORTENED OR LENGTHENED TO INTERSECT AT ADJOINING PROPERTY LINES.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 122,714 SQUARE FEET OR 2.82 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY OTHER LAND DIVISION RESTRICTIONS.

PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO. 21001285
DATE JANUARY 15, 2026.



Page 1 of 3



ONE COMPANY.
INFINITE SOLUTIONS.

**LEGAL DESCRIPTION
55 FOOT RIGHT OF WAY
VISTAS MONTANAS
APN 503-51-008H
MARICOPA COUNTY, ARIZONA**

LOCATED WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 55 FOOT STRIP OF LAND BEING EAST OF THE FOLLOWING DESCRIBED WEST LINE OF SECTION 26;

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A SECTION LINE THAT BEARS N00°01'23"W A DISTANCE OF 2641.33 FEET TO THE NORTHWEST CORNER;

THENCE, ALONG SAID WEST LINE OF SECTION 26, N00°01'23"W A DISTANCE OF 330.15 TO THE **POINT OF BEGINNING**;

THENCE, N00°01'23"W A DISTANCE OF 2171.29 FEET TO THE POINT OF TERMINUS.

THE SIDE LINES OF SAID RIGHT OF WAY ARE SHORTENED OR LENGTHENED TO INTERSECT AT ADJOINING PROPERTY LINES.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 119,827 SQUARE FEET OR 2.75 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

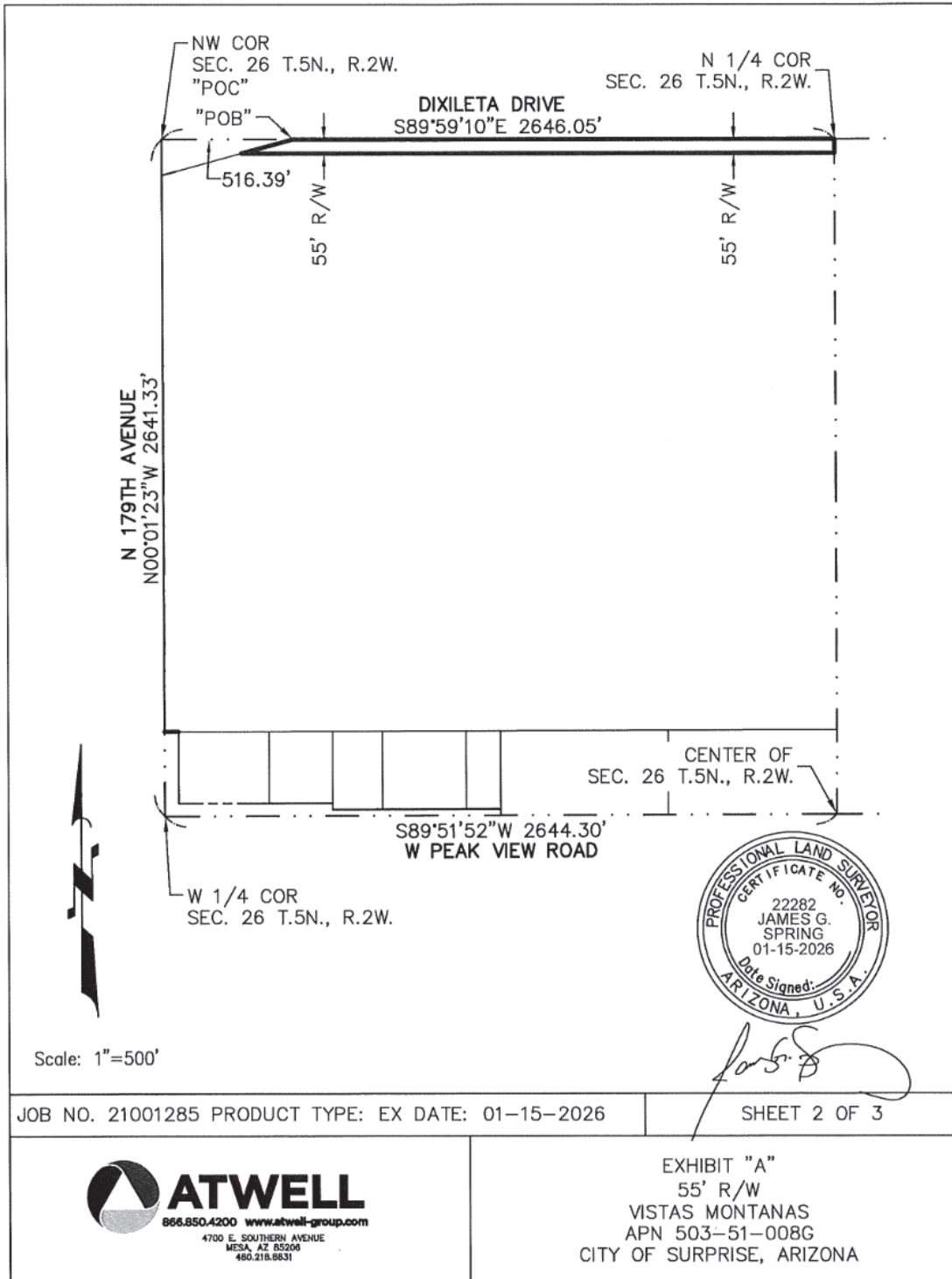
THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY OTHER LAND DIVISION RESTRICTIONS.

PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO. 21001285
DATE MARCH 18, 2025.



EXHIBIT B

Depiction



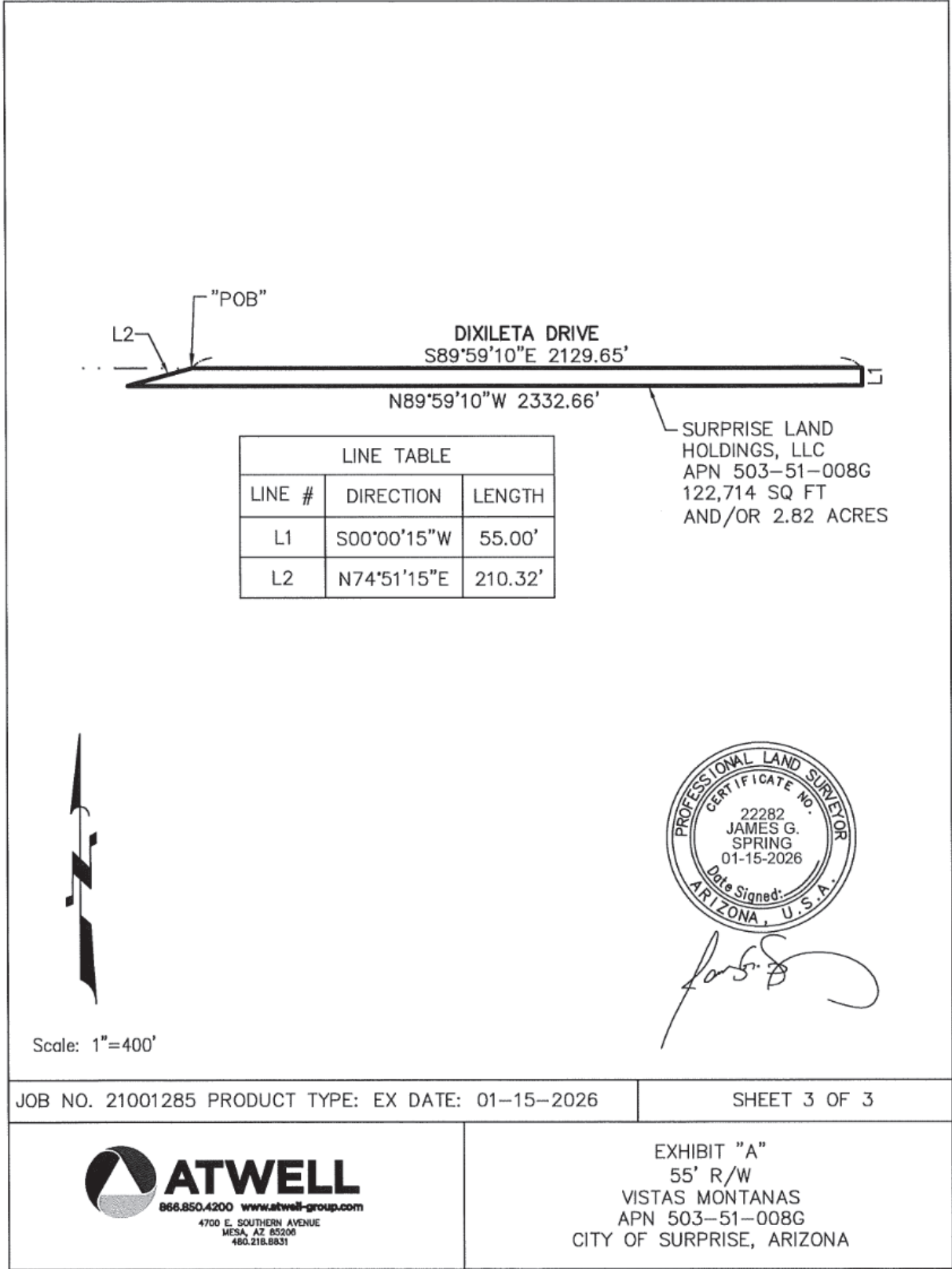
JOB NO. 21001285 PRODUCT TYPE: EX DATE: 01-15-2026

SHEET 2 OF 3

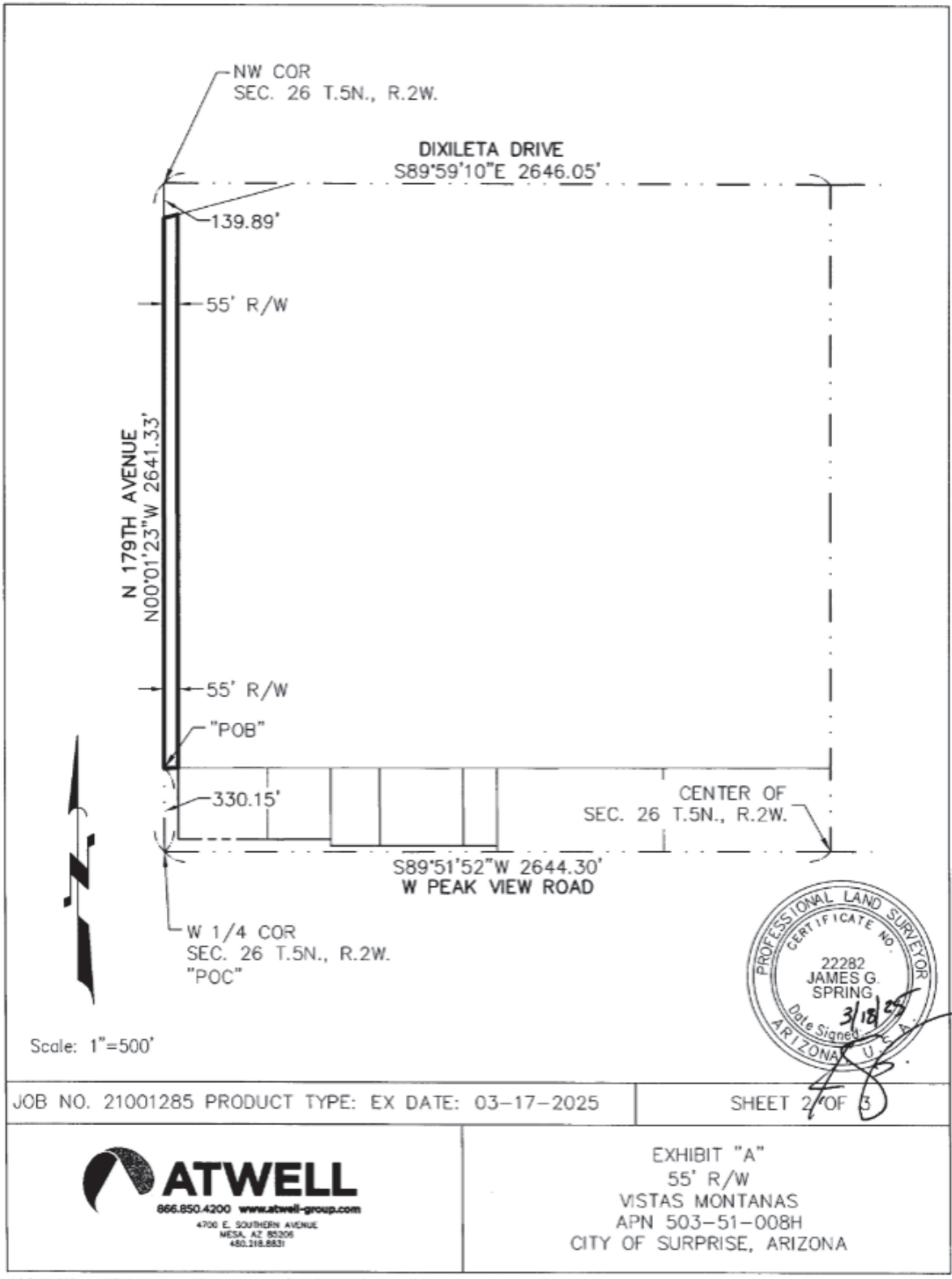


EXHIBIT "A"
55' R/W
VISTAS MONTANAS
APN 503-51-008G
CITY OF SURPRISE, ARIZONA

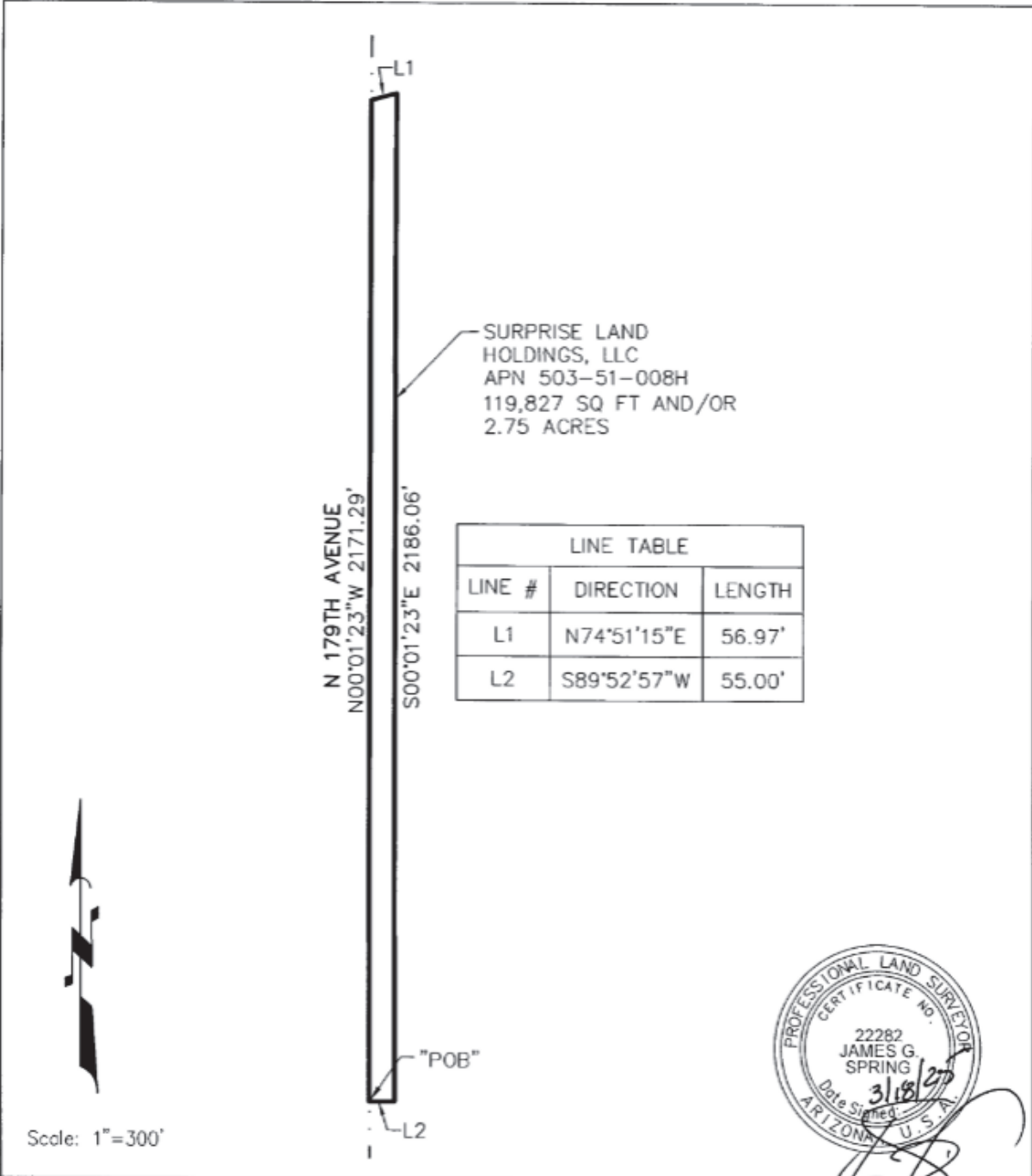
V:\21001285 - VISTAS MONTANAS PAD AMENDMENT\DWG\SURVEY\EXHIBITS\19-APN 503-51-008G - RW\21001285 503-51-008G EXHIBIT.DWG SAVE DATE: 1/15/2026 10:01 AM PLOT DATE: 1/15/2026 10:04 AM



V:\21001285 - VISTAS MONTANAS PAD AMENDMENT\DWG\SURVEY\EXHIBITS\19-APN 503-51-008G - R/W\21001285 503-51-008G EXHIBIT.DWG SAVE DATE: 1/15/2026 10:01 AM PLOT DATE:1/15/2026 10:04 AM



K:\21001285 - VISTAS MONTANAS PAD AMENDMENT\DWG\SURVEY\EXHIBITS\18-APN 503-51-008H\21001285 503-51-008H EXHIBIT.DWG SAVE DATE: 3/17/2025 3:37 PM PLOT DATE: 3/18/2025 8:29 AM



SURPRISE LAND HOLDINGS, LLC
 APN 503-51-008H
 119,827 SQ FT AND/OR
 2.75 ACRES

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N74°51'15"E	56.97'
L2	S89°52'57"W	55.00'



Scale: 1"=300'

JOB NO. 21001285 PRODUCT TYPE: EX DATE: 03-178-2025 SHEET 3 OF 3



EXHIBIT "A"
 55' R/W
 VISTAS MONTANAS
 APN 503-51-008H
 CITY OF SURPRISE, ARIZONA

K:\21001285 - VISTAS MONTANAS PAD AMENDMENT\DWG\SURVEY\EXHIBITS\18-APN 503-51-008H\21001285 503-51-008H EXHIBIT.DWG SAVE DATE: 3/17/2025 3:37 PM PLOT DATE: 3/18/2025 8:29 AM



ONE COMPANY.
INFINITE SOLUTIONS.

**LEGAL DESCRIPTION
55 FOOT RIGHT OF WAY
VISTAS MONTANAS
APN 503-51-008G
MARICOPA COUNTY, ARIZONA**

LOCATED WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 55-FOOT STRIP OF LAND BEING SOUTH OF THE FOLLOWING DESCRIBED NORTH LINE OF SECTION 26;

COMMENCING AT THE NORTHWEST QUARTER CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A SECTION LINE THAT BEARS S89°59'10"E A DISTANCE OF 2646.05 FEET TO THE NORTH QUARTER CORNER;

THENCE, ALONG SAID NORTH LINE OF SECTION 26, S89°59'10"E A DISTANCE OF 516.39 TO THE **POINT OF BEGINNING**;

THENCE, S89°59'10"E A DISTANCE OF 2129.65 FEET TO THE POINT OF TERMINUS.

THE SIDE LINES OF SAID RIGHT OF WAY ARE SHORTENED OR LENGTHENED TO INTERSECT AT ADJOINING PROPERTY LINES.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 122,714 SQUARE FEET OR 2.82 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY OTHER LAND DIVISION RESTRICTIONS.

**PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO. 21001285
DATE JANUARY 15, 2026.**





ONE COMPANY.
INFINITE SOLUTIONS.

**LEGAL DESCRIPTION
55 FOOT RIGHT OF WAY
VISTAS MONTANAS
APN 503-51-008H
MARICOPA COUNTY, ARIZONA**

LOCATED WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 55 FOOT STRIP OF LAND BEING EAST OF THE FOLLOWING DESCRIBED WEST LINE OF SECTION 26;

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 2 WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, A SECTION LINE THAT BEARS N00°01'23"W A DISTANCE OF 2641.33 FEET TO THE NORTHWEST CORNER;

THENCE, ALONG SAID WEST LINE OF SECTION 26, N00°01'23"W A DISTANCE OF 330.15 TO THE **POINT OF BEGINNING**;

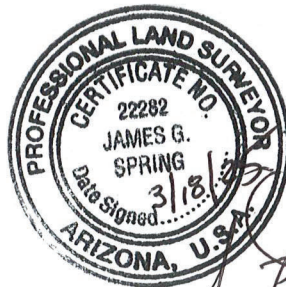
THENCE, N00°01'23"W A DISTANCE OF 2171.29 FEET TO THE POINT OF TERMINUS.

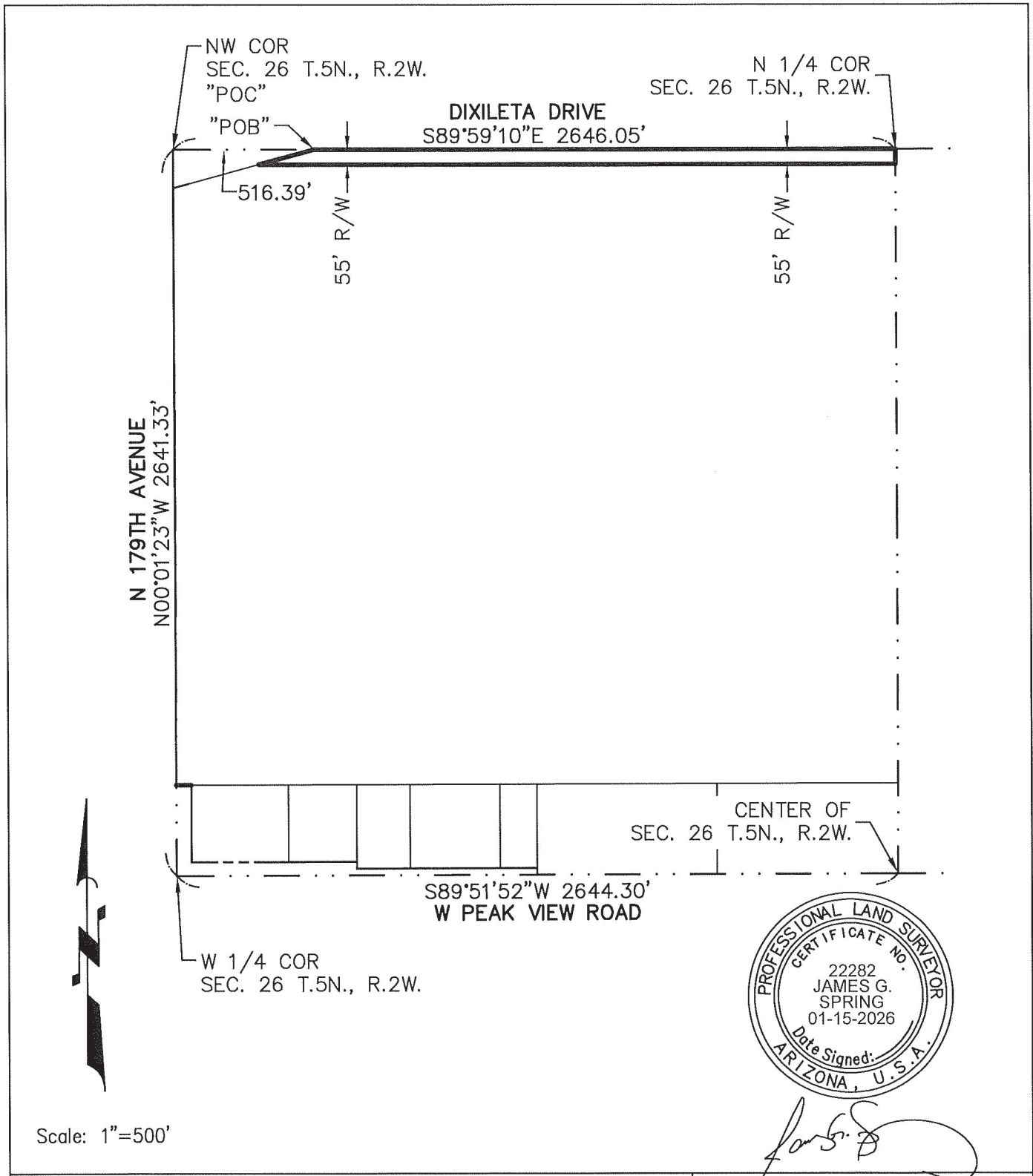
THE SIDE LINES OF SAID RIGHT OF WAY ARE SHORTENED OR LENGTHENED TO INTERSECT AT ADJOINING PROPERTY LINES.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 119,827 SQUARE FEET OR 2.75 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY OTHER LAND DIVISION RESTRICTIONS.

PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO. 21001285
DATE MARCH 18, 2025.



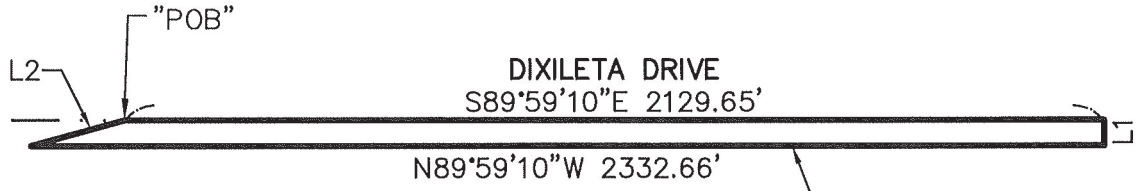


JOB NO. 21001285 PRODUCT TYPE: EX DATE: 01-15-2026

SHEET 2 OF 3

ATWELL
866.850.4200 www.atwell-group.com
4700 E. SOUTHERN AVENUE
MESA, AZ 85206
480.218.6831

EXHIBIT "A"
55' R/W
VISTAS MONTANAS
APN 503-51-008G
CITY OF SURPRISE, ARIZONA



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S00°00'15\"W	55.00'
L2	N74°51'15\"E	210.32'

SURPRISE LAND HOLDINGS, LLC
 APN 503-51-008G
 122,714 SQ FT
 AND/OR 2.82 ACRES



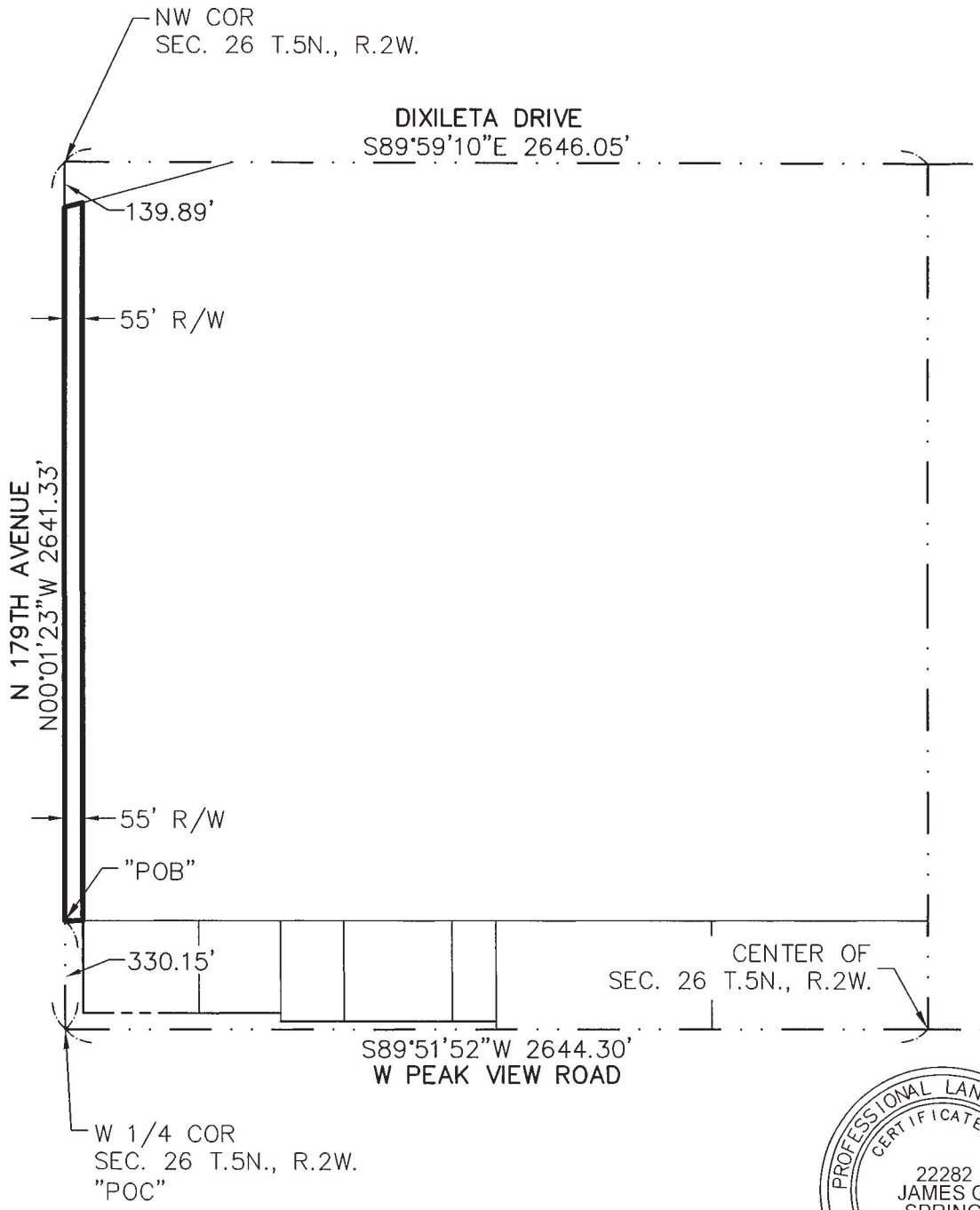
James G. Spring

Scale: 1"=400'

JOB NO. 21001285 PRODUCT TYPE: EX DATE: 01-15-2026 SHEET 3 OF 3



EXHIBIT "A"
 55' R/W
 VISTAS MONTANAS
 APN 503-51-008G
 CITY OF SURPRISE, ARIZONA



Scale: 1"=500'

JOB NO. 21001285 PRODUCT TYPE: EX DATE: 03-17-2025 SHEET 2 OF 3



EXHIBIT "A"
55' R/W
VISTAS MONTANAS
APN 503-51-008H
CITY OF SURPRISE, ARIZONA

N 179TH AVENUE
 N00°01'23"W 2171.29'
 S00°01'23"E 2186.06'

SURPRISE LAND HOLDINGS, LLC
 APN 503-51-008H
 119,827 SQ FT AND/OR
 2.75 ACRES

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N74°51'15"E	56.97'
L2	S89°52'57"W	55.00'



Scale: 1"=300'

"POB"

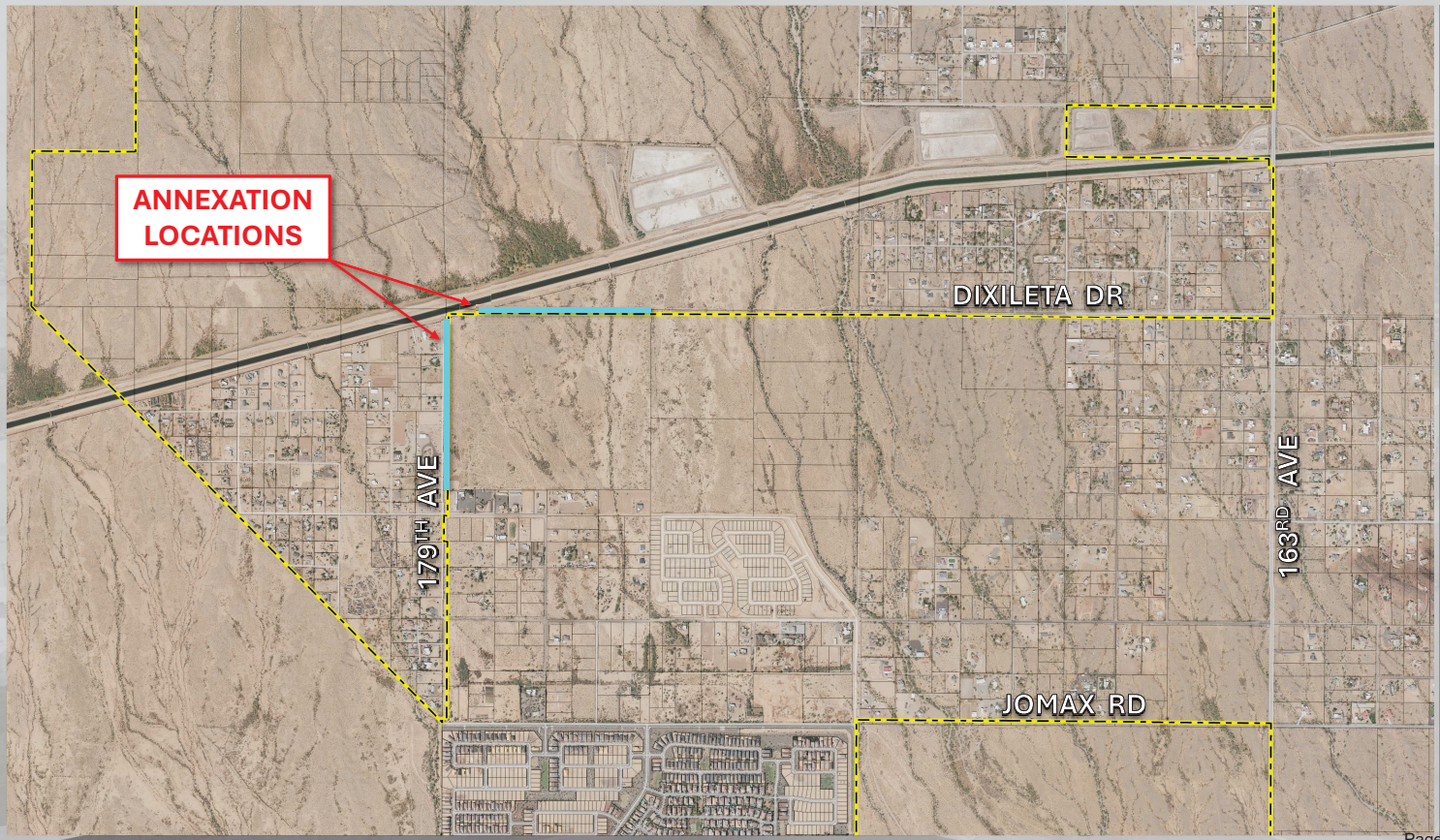


JOB NO. 21001285 PRODUCT TYPE: EX DATE: 03-178-2025

SHEET 3 OF 3



EXHIBIT "A"
 55' R/W
 VISTAS MONTANAS
 APN 503-51-008H
 CITY OF SURPRISE, ARIZONA



FS25-0291

Vistas Montañas

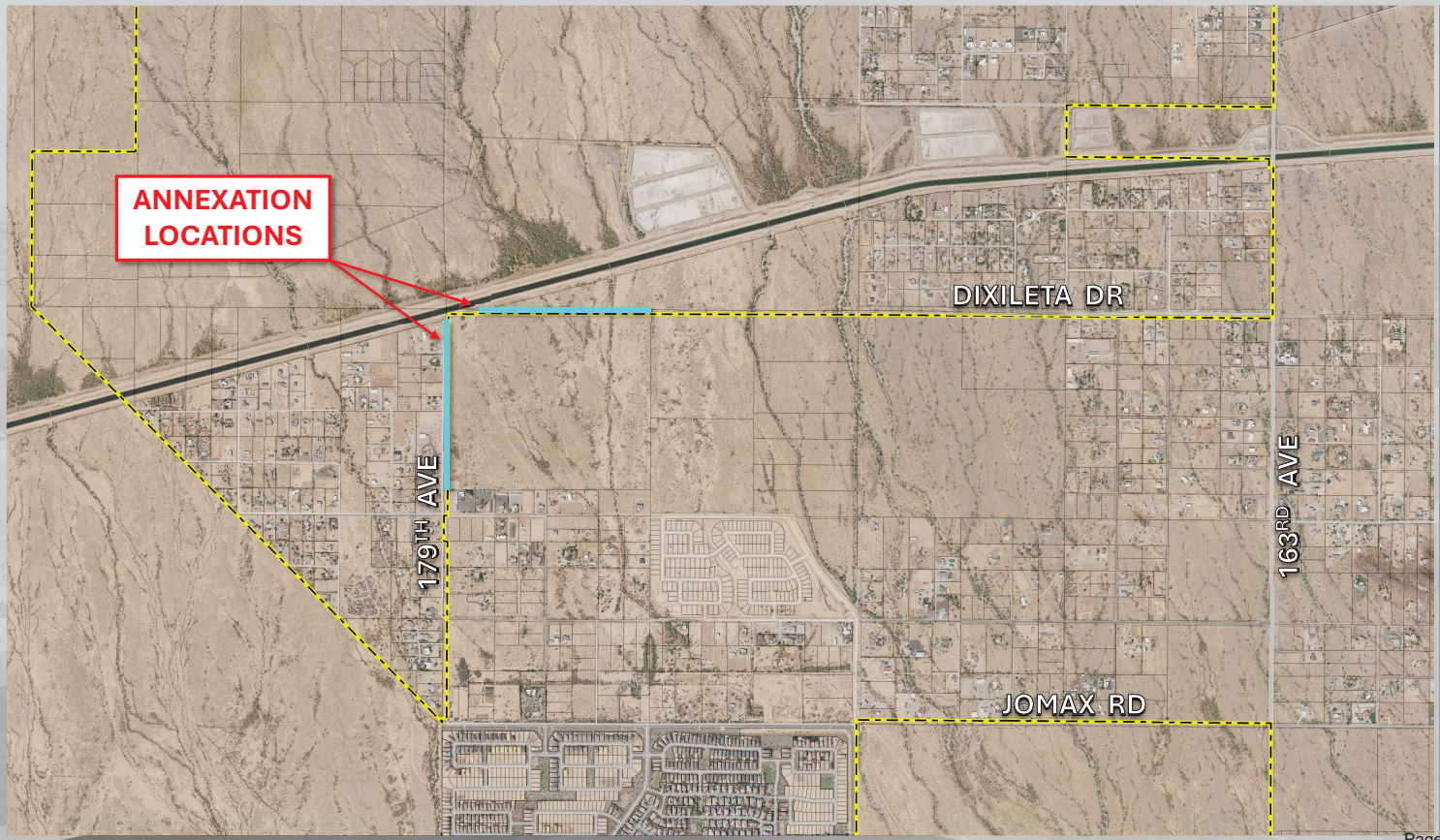
Annexation

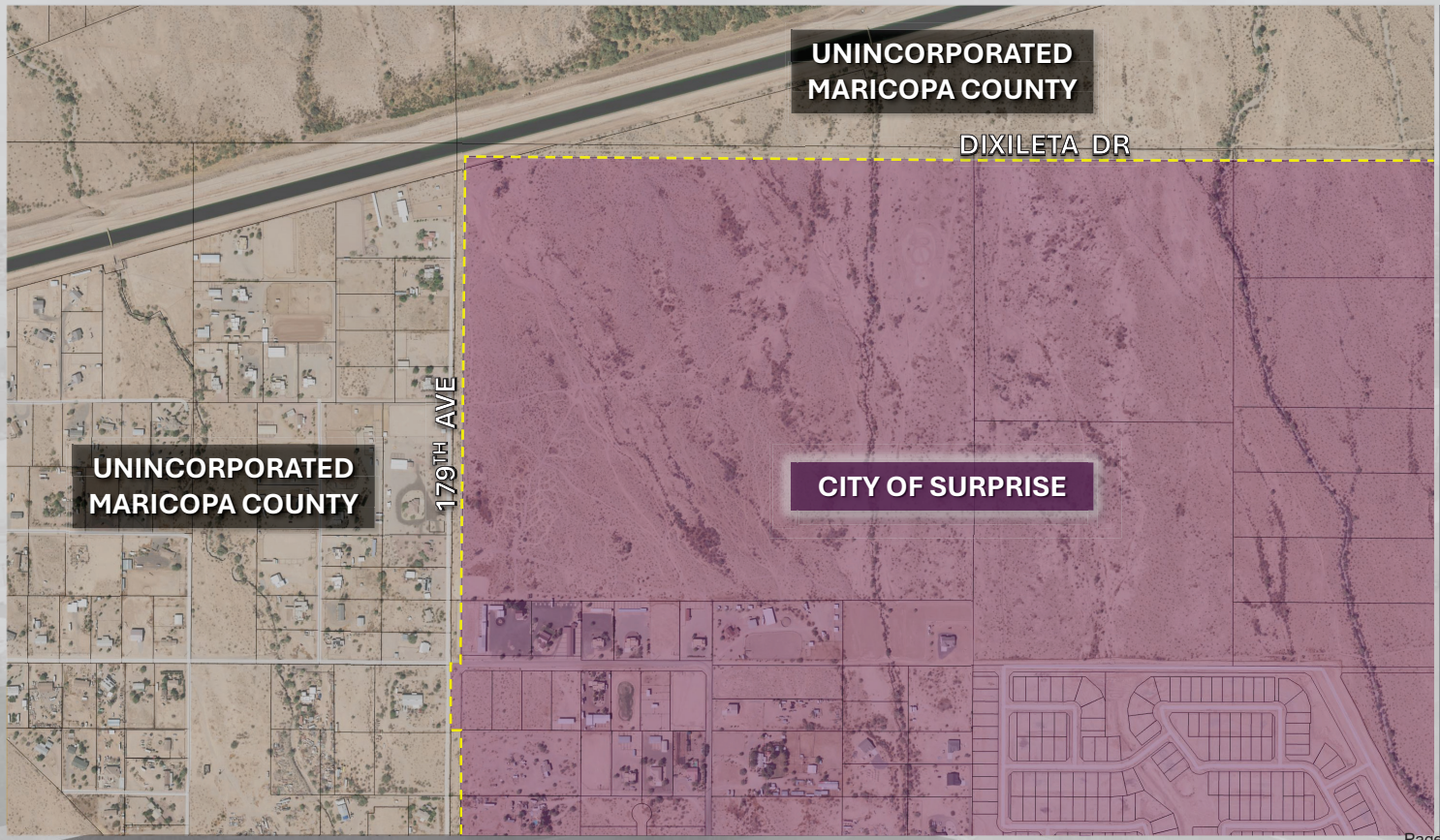
City Council
January 20, 2026



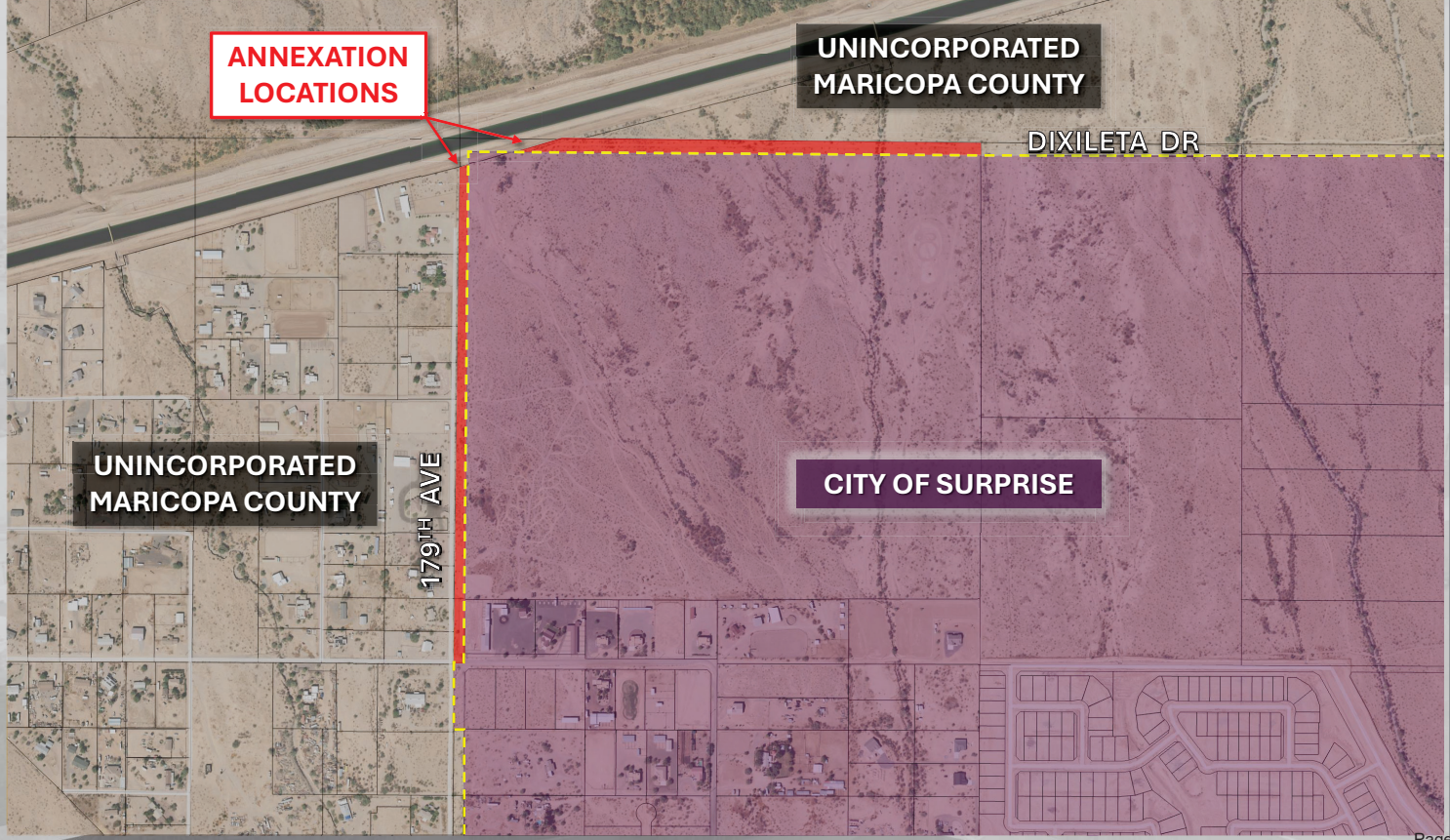
SURPRISE

ARIZONA
Page 272 of 292





EXISTING BOUNDARY



**ANNEXATION
LOCATIONS**

**UNINCORPORATED
MARICOPA COUNTY**

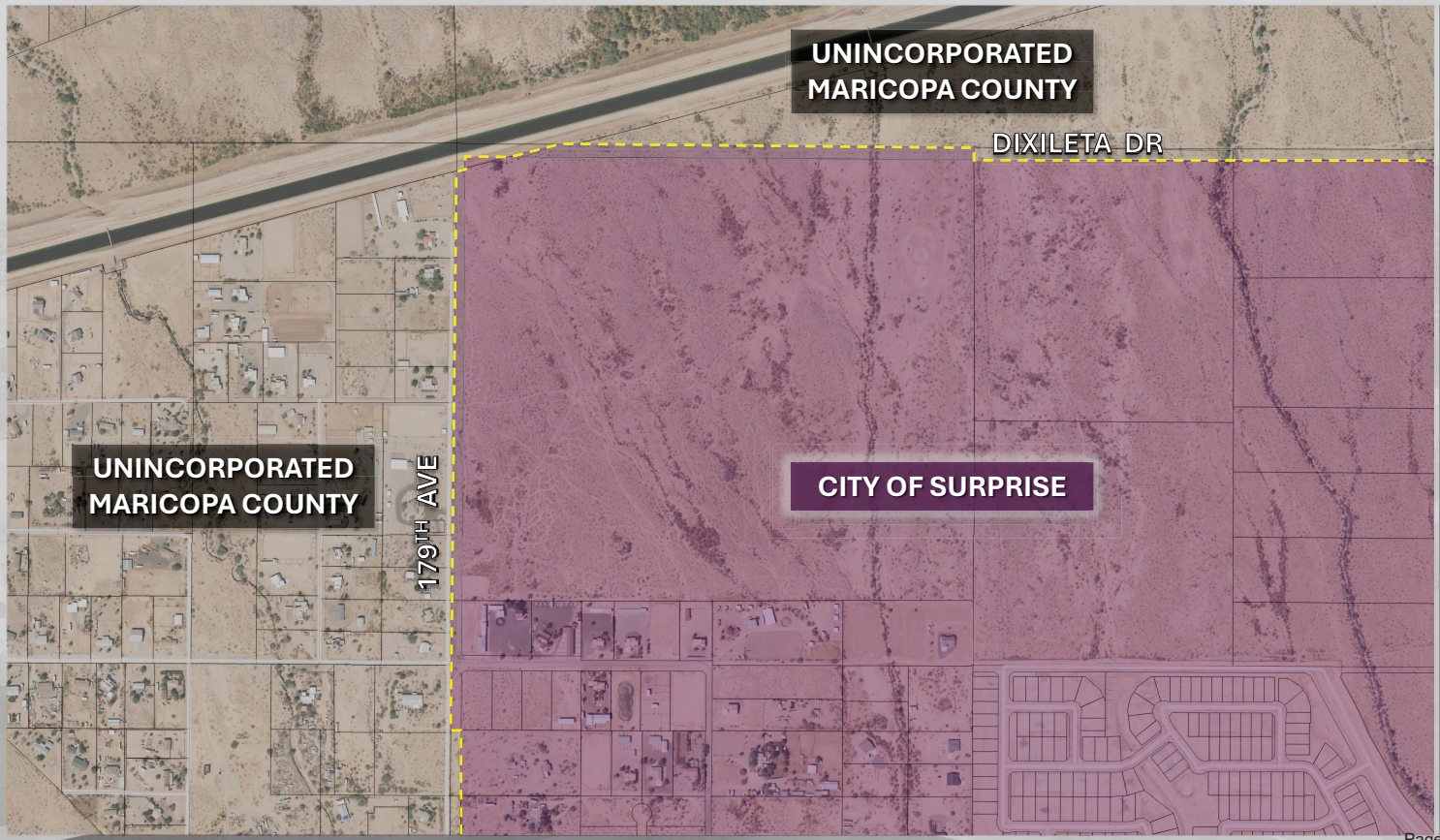
**UNINCORPORATED
MARICOPA COUNTY**

179TH AVE

DIXILETA DR

CITY OF SURPRISE

ANNEXATION LOCATIONS



**UNINCORPORATED
MARICOPA COUNTY**

DIXILETA DR

**UNINCORPORATED
MARICOPA COUNTY**

179TH AVE

CITY OF SURPRISE

PROPOSED BOUNDARY

Annexation Steps

- **Resolution for the intent to Annex**
 - Approve Resolution for Blank Petition
 - City Council meeting – January 20, 2026 ← **TONIGHT**
- **File Blank Petition**
 - Begin 30-day waiting period
 - Reach out to County Assessor and Department of Revenue
 - Petition to be filed
- **Public Hearing**
 - City Council holds public hearing to discuss the annexation
- **Obtain signatures on annexation petitions**
 - Applicant has 1 year to complete petition
 - City Council adopts annexation ordinance

Questions or Comments?

Thank you



SURPRISE

ARIZONA
Page 278 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Police
Staff Recommendations:

Contact Person: Evan Becher, POLICE CHIEF
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion regarding the Surprise Police Department Strategic Plan.

Motion:

N/A

Background:

On June 17, 2025, the City Council adopted the City of Surprise Strategic Plan, which establishes a framework for prioritizing resources, guiding policy decisions, and supporting deliberate and fiscally responsible budgeting. The Strategic Plan reflects a shared commitment to ensuring Surprise remains a sustainable and vibrant community for residents, businesses, and visitors—both today and into the future.

As part of the Strategic Plan, the City Council identified key priority areas and corresponding goals to advance each priority. Among those priorities are: (1) maintaining service levels through continued investment in recruitment, hiring, and staffing; (2) ensuring the City of Surprise remains prepared for emergencies through comprehensive planning and training; and (3) prioritizing the health and safety of City employees through targeted training and appropriate resources.

This presentation outlines how the Surprise Police Department will align with and execute specific initiatives and objectives identified in the City Council’s Strategic Plan.

Objective Analysis:

N/A

Policy Compliant:

Financial Impact:

There is no anticipated financial impact related to this item.

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:

1. PD Strategic Plan Presentation
-

Surprise Police Department Strategic Plan

Chief Evan Becher
January 20, 2026



SURPRISE

ARIZONA
Page 281 of 292

Mission Statement

The Surprise Police Department serves our community ethically and with unwavering commitment by upholding the highest standards while enforcing the law fairly and impartially.



Core Services and Functions

- Patrol Operations
- Investigations
- Traffic and Roadway Safety
- Community Engagement and Outreach
- Professional Standards and Training
- Support and Specialized Services
- Administrative and Strategic Services



SURPRISE

ARIZONA
Page 283 of 292

Strategic Priorities Alignment

Alignment with the City Council’s Strategic Plan priorities “**PUBLIC SAFETY**”:

- Commitment to enhancing community safety and operational excellence through strategic investment in personnel, preparedness, and partnerships. By prioritizing workforce development, emergency readiness, and collaborative community engagement, the department ensures a safe, resilient, and well-supported city for all.



SURPRISE

ARIZONA
Page 284 of 292

Department Strategic Goals



Council Strategy 1.1: Maintain levels of service through continued investment in hiring and staffing

- **Department Goal:** Ensure optimal staffing across all divisions including Patrol Operations, Investigations, and Support Services to meet the growing demands of the community.
- **Department Goal:** Invest in professional development, recruitment initiatives, and retention strategies that build a highly skilled, motivated, and service-oriented workforce.



SURPRISE

ARIZONA
Page 285 of 292

Department Strategic Goals



Council Strategy 1.2: Ensure that the City of Surprise remains prepared for emergencies through planning and training

- **Department Goal:** Develop and continuously refine emergency response protocols across all divisions.
 - *CityGate master plan underway for SPD, SFMD & Emergency Management, integration of CRA-SOC into planning.*
- **Department Goal:** Strengthen coordination with regional, state, and federal partners to ensure seamless response capabilities during critical events.



SURPRISE

ARIZONA
Page 286 of 292

Department Strategic Goals



Council Strategy 1.3: Prioritize the health and safety of City staff through training and resources

- **Department Goal:** Promote a culture of safety and wellness through proactive training, mental health support, and access to wellness resources.
 - *Wellness Programs, Peer & Spousal Support, EAPs, and effective exposure documentation.*
- **Department Goal:** Enhance employee safety and wellness through accountability, accurate injury tracking, comprehensive training documentation, annual safety audits and strategic wellness partnerships.



SURPRISE

ARIZONA
Page 287 of 292

Department Strategic Goals



Council Strategy 1.4: Ensure schools within the city of Surprise are safe and have access to resources that enhance safety planning

- **Department Goal:** Work with local schools to develop comprehensive safety programs, including emergency drills, resource deployment, and education initiatives.
- **Department Goal:** Strengthen city-school safety collaboration through a multidisciplinary Threat and Vulnerability Assessment Team aligned with Arizona Department of Education goals, integrating police, fire-medical, emergency management and key city partners.



SURPRISE

ARIZONA
Page 288 of 292

Key Projects & Initiatives

Projects & Initiatives	Status	Completion Date
Public Safety Master Plan	Actively working with the consultant to update the plan. Multiple on-site meetings completed, multiple feedback sessions with stakeholders from other COS Divisions.	Estimated completion and delivery Spring 2026.
Police Precinct	Nearing completion of design phase	Estimated Summer of 2027
Mark43 (RMS / CAD)	Full implementation as of October 2025	Completed

Challenges & Opportunities

Challenges:

- **Funding:** Securing adequate funding for future facilities and capital improvements to keep pace with rapid growth.
- **Staffing:** Address long recruitment and training timelines with proactive workforce planning.

Opportunities:

- **Collaboration:** Partner with City departments to align on major initiatives, including the Public Safety Master Plan and the Northwest Operations Facility.
- **Innovation:** Leverage emerging technologies, such as AI and drones to enhance community and officer safety.



SURPRISE

ARIZONA
Page 290 of 292

Questions or Comments?

THANK YOU



SURPRISE

ARIZONA
Page 291 of 292



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 20, 2026
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to recess into executive session to discuss and consider Fiscal Year 2027 goals for the City Manager pursuant to A.R.S. 38-431.03 (A)(1).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
