



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

Tuesday, February 19, 2019 @ 6:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Proclamation and Community Acknowledgements
- E. City Manager Report

F. City Clerk Report

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| 1. | Consideration and action on the appointment of Bill Pupo to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2021. | None
Sherry Aguilar
City Clerk |
| 2. | Consideration and action on the appointment of Raymond Grim to fill a vacancy on the Community & Recreation Services Commission with a term expiration of June 30, 2019. | None
Sherry Aguilar
City Clerk |

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council 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.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

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| 1. | Citywide | Consideration and action on the Fiscal Year 2019 budget amendment reallocating appropriations in the amount of \$128,000 for contract building inspectors; Resolution 2019-14. | None

Community Development |
| 2. | Internal | Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$27,400 from contingency within the Grants Fund to FFY19 GOHS Pedestrian & Bicyclist Safety OT (\$25,000) within the Grants Fund to cover overtime expenses for additional pedestrian and bicyclist safety enforcement and \$2,400 to FFY19 GOHS Motorcycle Overtime Grant for the purchase of traffic cones for civilian motorcycle operations courses. Resolution #2019-20. | James Jackson
Police |
| 3. | Internal | Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$10,000 from contingency within the Grants Fund to the US Marshals Service Joint Law Enforcement Operations (JLEO) Overtime Task Force project within the Grants Fund to cover expenditures associated with Task Force overtime expenses; Resolution # 2019-22. | Police |
| 4. | Citywide | Consideration and action on the minutes of February 5, 2019 Regular City Council Work Session and Regular City Council Meeting. | None

Sherry Aguilar
City Clerk |
| 5. | District 1 | Consideration and action on a Series 10 (Beer & Wine Store) liquor license request for Dollar General Store #19349, located at 17174 W. Jomax Road, Surprise, AZ 85387. | None

Sherry Aguilar
City Clerk |
| 6. | Citywide | Consideration and action pertaining to a Fiscal Year 2019 Budget amendment reallocating appropriation of \$125,000 from Project P42040 to Project P42030 within the General Capital Projects Fund for preliminary design services on Litchfield Road; Resolution # 2019-21. | Community Development |
| 7. | District 5 | Consideration and action pertaining to approval of a Reciprocal Access and Parking Easement Agreement with Ottawa University. | Eric Fitzer
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 8. | Citywide | A Public Hearing on the proposed adoption of a utility rate adjustment pursuant to A.R.S. 9-511.01. Following the public hearing, City Council during the regular agenda, will consider and take action pertaining to the adoption of utility rates for a 5 year period - FY2020 - FY2024. | Finance |
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| 9. | District 1 | A public hearing pertaining to the Paloma Creek annexation proposal, case FS18-149, in accordance with Arizona Revised Statutes 9-471(A)(3). | None |
| | | | Community Development |
| 10. | District 1 | A public hearing pertaining to the Saddlehorn Ranch annexation proposal, case FS18-315, in accordance with Arizona Revised Statutes 9-471(A)(3). | Community Development |
| REGULAR AGENDA ITEM - NON-PUBLIC HEARING: | | | |
| 11. | District 5 | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations of \$657,000 from the Economic Development Contingency Fund to Capital Project P61420 City Center Public Infrastructure; Resolution # 2019-19. | Jeanine Jerkovic
Public Works |
| 12. | Citywide | Consideration and action pertaining to the approval of utility rates for a 5 year period - FY2020 - FY2024; Resolution #2019-17. | Finance |
| I. | Other Business and Future Agenda Items | | |
| J. | Mayor/City Council Reports | | |
| K. | Executive Session | | |

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

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

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

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).

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| 13. | Internal | Consideration and action to enter into executive session for discussion and consultation with the City Attorney for legal advice and to consider the City Council's position and provide instruction regarding settlement of the Circle City Water Company condemnation litigation pursuant to A.R.S. 38-431.03(A)(3) and (4). | None

Robert Wingo
Legal |
| 14. | | Consideration and action to enter into executive session for discussion, consultation, and legal advice with city attorneys and staff in order to consider the City Council's position regarding contract negotiations pertaining to real property in proximity of Surprise City Hall pursuant to A.R.S 38431.03(A)(3) and (4). | None

Robert Wingo
Legal |

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Thursday, February 14, 2019 @ 2:48 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE

PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.