



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

Tuesday, November 5, 2019 @ 6:00PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Meeting of November 5, 2019 at 6:29 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Members; Duffy, Hayden, Judd, Sanders and Remley.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

[Mike Cassidy, Youth Coordinator introduce students form Paradise Honors to speak about activities at their school.](#)

Be Kind Proclamation

Fire Chief Abbot and Julie Moore received the award from the American Heart Association.

1. Be Kind Proclamation

[Mayor read aloud the Be Kind Proclamation.](#)

E. City Manager Report

Youth Students at the dais gave a brief report on school activities.

1. Paradise Honors Middle School and Youth Council member's will provide a report pertaining to current Youth Council events and projects.

2. Mission: Lifeline EMS award presentation

City Clerk Report

3. Update on upcoming 2020 Elections

[Brief update on candidate packets for 2020 and the Presidential Preference Election in March 2020.](#)

4. Consideration and action to remove Donald Jeffrey and approve the Mayor's appointment of Chandler Brown as a citizen member of the City of Surprise local PSPRS Boards and direct City Clerk Aguilar to administer the Oath of Office - APPROVED

Vice Mayor Winters made the motion to approve the appointment of Chandler Brown. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Regular City Council Meeting Agenda

G. Call To The Public

[Edie Cook, Vice-Mayor Town of Gilbert spoke on Civility in the workplace. Attended a conference where this topic was discussed. Do you have a policy on civility? I did research and we did not have one about a year ago, but Council adopted one for our Town. My journey is to visit our 91 cities and towns sharing the resolution we adopted in Gilbert. I look forward to see you joining us in changing the culture.](#)

CONSENT AGENDA:

Council Member Sanders made the motion to approve the consent agenda excluding item 16. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

5. Consideration and action to enter into a intergovernmental agreement for mutual aid for solid waste collection and transportation services; Resolution # 2019-128 - APPROVED

6. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$400,000 from Rancho Gabriela Arsenic Treatment capital project dollars (P71230) to Water Asset Replacement capital (A71010) to re-sleeve Royal Ranch well; Resolution # 2019-129 - APPROVED

7. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$230,000 from the Digester Modification project (P71250) to TTHM Consent Order capital project (P71290) of \$150,000 and \$80,000 to advance the design of SPA2 influent line project (P71400); Resolution # 2019-130 - APPROVED

8. Consideration and action pertaining to approval of a sponsorship agreement with the Surprise Pops Band - APPROVED

9. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$5,000 within the Grants Fund and acceptance of an award from the AZ Department of Homeland

**Security (AZ DOHS) to support the purchase of equipment and training costs;
Resolution # 2019-132 - APPROVED**

10. Consideration and action pertaining to approval of a Master License Agreement for Verizon Wireless, under Case FS19-692 - APPROVED

11. Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A4" and dated August 27, 2019, a 39.198 acre property located in the Rancho Mercado PAD generally north of McMicken Way and east of 147th Avenue - APPROVED

12. Consideration and action pertaining to approval of the Final Plat entitled, "NWC Cotton & Cactus" and dated August 22, 2019, a 35.41 acre property generally located at the northwest corner of Cactus Road and Cotton Lane - APPROVED

13. Consideration and action pertaining to approval of the re-platted Final Plat entitled, "Toll at Prasada, Phase 1 Unit A Lot 322" and dated September 5, 2019, a 0.28 acre property generally located west of Cotton Lane between Cactus Road and Peoria Avenue - APPROVED

14. Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A5" and dated September 12, 2019, a 28.82 acre property generally located in the Rancho Mercado PAD at the southwest corner of Happy Valley Road and McMicken Way - APPROVED

15. Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A6" and dated September 12, 2019, a 41.78 acre property generally located in the Rancho Mercado PAD at the southeast corner of Happy Valley Road and McMicken Way - APPROVED

16. Consideration and action pertaining to accepting three Dedications of Public Rights-of-Way from the George J & Arlene G Kamarata Trust along Happy Valley and 147th avenue - APPROVED

[Vice-Mayor Winters asked that the item be removed from Consent for questions.](#)

[Vice Mayor Winters questioned how much is left to complete the roadway in this area.](#)

[Vice Mayor Winters made the motion to approve accepting three Dedication of Public Right-of-Way. Council Member Sanders seconded the motion. Seven yes votes, motion carried.](#)

17. Consideration and action pertaining to acceptance of a Quit Claim Deed from Ashor Shlimon for rights-of-way along Dale Lane near 175th avenue - APPROVED

18. Consideration and action pertaining to acceptance of a Dedication of Public Rights-of-Way from James D Smith and Susan E Smith, Trustees of the Smith Family Trust, for rights-of-way along Dale Lane near 159th avenue - APPROVED

19. Consideration and action pertaining to a Grant of an Utility Easement to APS at Gaines Park for ongoing activity associated with Heritage at Surprise - APPROVED

20. Consideration and action pertaining to conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 Parcel 3,

generally located at W. Waddell Road and N. 142nd Lane; Resolution # 2019-133 - APPROVED

21. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$15,000 within the Grants Fund for the acceptance of three awards from the Arizona Department of Homeland Security (AZ DOHS) to support the Surprise Fire-Medical Department CERT program, CBRNE program and conduct a Central Region deployment exercise; Resolution #2019-135 - APPROVED

[Public Comments:](#)

[Merrill Edelstein spoke on this item. This is exciting that we are taking new steps to get this going.](#)

22. Consideration and action to approve a request by Irudayaraj Vondoh, Agent for a Series 12 Restaurant liquor license for Haldi Indian Cuisine located at 13761 W. Bell Road, #B213, Surprise, AZ 85374 - APPROVED

23. Consideration and action on the Regular City Council Meeting minutes of October 15, 2019 - APPROVED

24. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations from various funds required to close the Fiscal Year 2019 budget, inter-fund cash transfers and loans; Resolution # 2019-137 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

25. Consideration and action pertaining to approval of a re-zone of approximately 4.19 acres of real property, generally located at the northwest corner of Cactus Road and Cotton Lane, from Residential Ranch (RR) to Northwest Corner of Cactus Road and Cotton Lane Planned Unit Development (PUD) with the underlying land use of Regional Commercial (CR-PUD); Ordinance 2019-29 - APPROVED

[City planner Hobart Wingard gave a brief presentation on this item.](#)

Council Member Duffy made the motion to approve Ordinance 2019-29.
Council Member Hayden seconded the motion. Seven yes votes, motion carried.

26. Presentation, discussion and public hearing pertaining to case FS19-445 Paradise Education Annexation, a proposed annexation of approximately 30.84 acres of property generally located east of 175th Avenue, one-quarter of a mile north of Cactus Road - NO ACTION

[City planner, Hobart Wingard gave a brief powerpoint presentation.](#)

27. Consideration and action pertaining to the Neighborhood Grant Program Awards for Fiscal Year 2020 as recommended by the Committee on Community Outreach, Partnerships and Grants - APPROVED

[Jodi Tas gave a brief powerpoint presentation on this item.](#)

[Council Member Remley - We are not spending the \\$10,000.?](#)

[Ms. Tas - No they only approved 2 projects.](#)

[Council Member Sanders - I think this is a great program but I am hearing that residents are not aware of this. Can you please share the process?](#)

[Council Member Duffy - Is going to abstain from voting since he is a resident of Sarah Ann Ranch.](#)

[Council Member Judd made the motion to approve FY2020 Neighborhood Grant Program Awards. Council Member Hayden seconded the motion. Six yes votes, one abstained \(Duffy\), motion carried.](#)

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

28. Consideration and action to amend Surprise Municipal Code, Chapter 3, Article I, Section 3-15 a(2) pertaining to Categories of Employment and Article IV, Section 3-40 (d) pertaining to Corrective Action and Appeals; Ordinance # 2019-27 - APPROVED

[HR Director, Lisa Angelini gave a brief powerpoint presentation on this item.](#)

[Council Member Sanders made the motion to approve Ordinance 2019-27. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.](#)

29. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$3,206,800 from Transportation Fund Contingency, HURF Fund Contingency and Grants Fund Contingency to Waddell Road project P61440, Litchfield Road project P61450, replenish Traffic Signal project P61500 and establish two new capital projects: Waddell Median Modifications project P61550 and Kingswood Parke Street-lighting Upgrade project P61560; Resolution # 2019-134 - APPROVED

[Michael Boule and Andrea Davis gave a powerpoint presentation on this item.](#)

[Council Member Judd - How much did you factor in for inflation while budgeting. Did we plan poorly or were we hit by the economy. If this gets approved tonight, can you give me the timeline for Dale's Feed Store entrance?](#)

[Mr. Boule - Should be 4 weeks, early December.](#)

[Council Member Judd - How quick can we light the neighborhood again.](#)

[Mr. Boule - Looking for early spring turn on.](#)

[Council Member Sanders - Are there other projects down the road that might be impacted by these costs? The Kingswood lighting project, it is really dark in this area, it's about the safety of our residents.](#)

[Council Member Remley - I'm wondering why that lighting in Kingswood Park wasn't in our budget this year? Didn't we know about this before this?](#)

[Mayor Hall - I think we didn't know about it until August or September.](#)

[Council Member Duffy - Light at Cactus and Sarival, I really appreciate this.](#)

[Ms. Davis - The greater economy could be causing inflation to rise.](#)

[Mayor Hall - Do we package bids for our projects?](#)

[Mr. Boule - We currently do not do this.](#)

[Council Member Sanders made the motion to approve Resolution 2019-134. Council Member Hayden seconded the motion. Seven yes votes, motion carried.](#)

Other Business and Future Agenda Items

City Council Reports

Mayor and Council attended and/or reported on events.

Vice Mayor Winters made the motion to recess the Regular City Council Meeting and enter into executive session at 7:34 PM. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Executive Session

30. Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice pertaining to the City's current opioid litigation.Â

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Meeting of November 5, 2019 at 8:08 PM. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, November 5, 2019.**

Sherry Ann Aguilar, City Clerk, MMC