



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

Tuesday, June 4, 2019 @ 6:15PM

A. Call To Order

B. Roll Call

Mayor Hall called the Regular City Council Meeting to order at 06:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, June 4, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Duffy; Council Member Hayden, Council Member Sanders; Council Member Judd and Council Member Remley.

Staff present:

Assistant City Manager, Mark Schott, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

1. Monsoon Safety Week

[Proclamation presented to Tracy Montgomery, Emergency Manager.](#)

E. City Manager Report

F. City Clerk Report

G. Call To The Public

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

Vice Mayor Winters made the motion to approve the consent agenda, excluding item #2. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

1. Consideration and action on the minutes of May 21, 2019 Regular City Council Meeting and executive session - APPROVED

2. Consideration and action pertaining to approval of updated FY2020 City of Surprise Comprehensive Financial Management Policies; Resolution 2019-72 - CONTINUED TO JUNE 18, 2019 COUNCIL MEETING

Council Member Judd seconded the motion to continue item #2 to the June 18, 2019 Council Meeting. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

3. Consideration and action approving the FY2020 Public Safety Personnel Retirement System Pension Funding Policy; Resolution # 2019-49 - APPROVED

4. Consideration and action pertaining to approval of an Amendment to the Intergovernmental Agreement with Maricopa County to continue providing Community Action Program services for Fiscal Year 2020 and acceptance of grant funding in the amount of \$86,955 to support operations of the Surprise Resource Center; Resolution #2019-59 - APPROVED

5. Consideration and action pertaining to acceptance of a Dedication of Public Right of Way from Estrella Freeway/Lake Pleasant Limited Partnership at Happy Valley and Bullard Avenue - APPROVED

6. Consideration and action pertaining to acceptance of a Dedication of Public Right of Way from Pensco Trust Company, LLC on Happy Valley near Reems.

7. Consideration and action pertaining to a Grant of a Utility Easement to APS to service to the Ottawa University gym - APPROVED

8. Consideration and action pertaining to the grant of an Utility Easement to APS to Service Ottawa University gym site - APPROVED

9. Consideration and action pertaining to approval of an Intergovernmental Agreement between the City of Surprise and the Arizona Department of Revenue regarding Transaction Privilege Tax Administration; Resolution #2019-65 - APPROVED

10. Consideration and action pertaining to an amendment of the Fiscal Year 2019 budget by reallocating appropriations of \$20,000 from Contingency within the Grants Fund to FFY19 GOHS DUI Enforcement Fund to cover overtime expenses for impaired driving enforcement and \$21,000 to FFY19 GOHS STEP OT and Supplies for the purchase of six (6) speed signs; Resolution #2019-64 - APPROVED

11. Consideration and action declaring the City's intention to create the "SU-Rancho Mercado South 182" Street Light Improvement District pursuant to A.R.S. Â§ 48-616; Resolution #2019-62 - APPROVED

12. Consideration and action pertaining to adjustment of the Fiscal Year 2019 \$50,000 Contract Authority List for Glendale Regional Public Safety Training Center (GRPSTC); Resolution #2019-67 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

13. Presentation and discussion of case FS18-417 Marisol Ranch Annexation, in accordance with Arizona Revised Statutes 9-471(A)(3), a public hearing is required to be held after filing a blank petition within the last ten days of the thirty day waiting period - NO ACTION

City Planner, Joshua Mike gave a powerpoint presentation on this item.

Vice Mayor Winters - Why are we taking out the water treatment Plant?

If permitted in City, we would expand SPA2.

Vice Mayor Winters - Adding a buffer to the west and south of Marisol project, has that been done?

The applicant is here and can answer this.

Tim Kennan, Developer, there is a buffer placed on Lone Mountain Road and along 163rd Avenue.

Vice Mayor Winters - Have you donated property to Nadaburg School District?

Yes we will, 12 to 15 acres.

Winters - What steps will you take on the 10% slope, and protection of the land and animals.

Vice Mayor Winters - Are you donating property for a fire station?

Yes.

Vice Mayor Winters - Pool and Community Center?

Yes.

Public comments:

Jacqueline Rae Carroll - letter from Karen Christopherson, several areas of great concern. This is nothing more than an availed appeasement, you are not listening to our concerns. You are not listening and you are pushing forward on this project. Asked Council to put this on the back burner until studies are done.

Rich Van Arsdale - A fireman for 30 years, moved to this area to get away from the City. Fires on state trust land, we have some challenges up there, we want to keep this area open. The growth will cause the animals to go into the communities. Donating land for a fire station mentioned earlier, commend you on public safety, this is great. I see you are trying to make up for this, with the donated land, that's only a piece of the puzzle.

Chris Van Arsdale - Read goals for State land, have you asked the State to attend any of your meetings. annexation of state land must be in the best interest of the trust. This is a lengthy process. It's not just a done deal. We don't feel you are representing us. There is wildlife everywhere. You are killing the land. Are we going to lose our water form the wells across the way, we are going to lose everything there. We came to Surprise to live in this beautiful area.

Paul Fischetto - Inconsistencies in what you are saying compared to planning and zoning commission. We already have amenities that we knew were there when we moved there. What is going to happen to the crime rate for the residents moving in. I

[don't need an Asante or Desert Oasis planted in my backyard. Please listen to us, we are the citizens.](#)

[Hall Ewing - Why can't we have the best surprise in the world, stated some info about horse properties vs. homes and water usage. Will need at least 1.6 million gallons of water per day. If you are going to annex, make it the best annexation you can make it. The water concerns me a lot. We can make a town anyway we want. We can design it better.](#)

[Raymond Grim - I would like to give a different take on things. In Desert Oasis, We want development to come out our way, stores, etc., The growth is going to come, we can do it as a City and control what is coming in. I agree we need to annex it, and do this right. Mr. Winters took a lot of flack for the Dollar General but now that it is in, people are shopping there. The 303 and Litchfield Road is only going to happen with development. Add an overpass in like we have at Grand and Bell.](#)

14. Consideration and action on a Preliminary Plat for Heritage Asante Parcel 5 generally located west of 163rd Avenue and north of Grand Avenue - APPROVED

City Planner, Sergio Angulo gave a powerpoint presentation on this item.

Vice Mayor Winters made the motion to approve the Preliminary Plat for Heritage Asante Parcel 5. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

15. Consideration and action on a Preliminary Plat for Heritage Asante Parcel 1 generally located west of 163rd Avenue and north of Grand Avenue - APPROVED

[City planner Sergio Angulo gave a powerpoint presentation.](#)

Vice Mayor Winters made the motion to approve the Preliminary Plat for Heritage Asante Parcel 1. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

16. Consideration and action pertaining to approval of the Final Plat entitled "Final Plat of Heritage Asante" Parcel 5, generally located north of Grand Avenue and west of 163rd Avenue - APPROVED

[City Planner, Sergio Angulo gave a powerpoint presentation.](#)

[Council Member Judd - What is the difference between the Preliminary plat and Final Plat and why are they on the same agenda?](#)

[City Attorney Wingo gave an explanation for this question.](#)

[Vice Mayor Winters made the motion to approve the Final Plat entitled "Final Plat of Heritage Asante" Parcel 5. Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

19. Consideration and action pertaining to approval of the Final Plat entitled "Final Plat for Desert Oasis Phase 1" Parcel L-3, generally located south of Dynamite Boulevard and west of 171st Avenue;Â Resolution 2019-68 - APPROVED

City Planner, Sergio Angulo gave a powerpoint presentation on this item.

Vice Mayor Winters made the motion to approve 2019-68. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

17. Consideration and action pertaining to approval of the Final Plat entitled “Final Plat of Heritage Asante” Parcel 1, generally located north of Grand Avenue and west of 163rd Avenue - APPROVED

[City Planner, Sergio Angulo gave a powerpoint presentation on this item.](#)

[Vice Mayor Winters made the motion to approve the Final Plat entitled “Final Plat of Heritage Asante” Parcel 1. Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

18. Consideration and action pertaining to approval of a Development Agreement between the City of Surprise and Metro Oasis, LLLP; Resolution 2019-51 - APPROVED

[Lloyd Abrams spoke briefly on this item.](#)

[Vice Mayor Winters - question on water retention.](#)

[Council Member Sanders - Why \\$775,000.?](#)

[Vice Mayor Winters made the motion Resolution 2019.51. Council Member Sanders seconded the motion. Seven yes votes, motion carried.](#)

20. Consideration and action pertaining to approval of the Final Plat entitled “Final Plat for Desert Oasis Phase 1” Parcel L-4A, generally located south of Dynamite Boulevard and west of 171st Avenue; Resolution 2019-69 - APPROVED

[City Planner, Sergio Angulo gave a powerpoint presentation on this item.](#)

[Vice Mayor Winters made the motion to approve Resolution 2019-69. Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

21. Consideration and action pertaining to approval of the Final Plat entitled “Final Plat for Desert Oasis Phase 1” Parcel L-4B, generally located south of Dynamite Boulevard and west of 171st Avenue; Resolution 2019-70 - APPROVED

[City Planner, Sergio Angulo gave a powerpoint presentation on this item.](#)

[Vice Mayor Winters made the motion to approve Resolution 2019-70/ Council Member Duffy seconded the motion. Seven yes votes, motion carried.](#)

22. Consideration and action on authorizing Mayor and Council to enter into a Cooperative Infrastructure Improvement Agreement for Waddell Road with Westcor/ Surprise LLC, Resolution 2019-71 - APPROVED

[Public Works Director, Mike Gent gave a brief powerpoint presentation on this item.](#)

[Council Member Sanders - inquired about cost savings.](#)

[Mr. Gent - we are on budget.](#)

[Council Member Duffy - inquired about street closure.](#)

[Mr. Gent - Closing Sarival to 303 August through October.](#)

[Council Member Judd - Street lights on Cactus and Sarival, can we do this?](#)

[Council Member Duffy made the motion to approve Resolution 2019-71. Council Member Sanders seconded the motion. Seven yes votes, motion carried.](#)

23. Consideration and action on the Economic Development Incentive Agreement for National Indoor RV Centers; Resolution 2019-60 - APPROVED

[Economic Development Director, Jeanine Jerkovic gave a brief presentation on this item.](#)

[Vice Mayor Winters - I'm excited that the Rio Glass building is going to be used again.](#)

[Council Member Sanders - Are these sales jobs?](#)

[Council Member Judd - I am excited this business is coming to Surprise.](#)

[Mr. Kendrick, sales, service, storage and wash and detail.](#)

[Council Member Judd made the motion to approve Resolution 2019-60. Council Member Sanders seconded the motion. Seven yes votes, motion carried.](#)

24. Consideration and action pertaining to acceptance of a Warranty Deed and Drainage Easement from the Wong Revocable Living Trust for Right of Way on Pinnacle Peak near 163rd Avenue; Resolution #2019-79 - APPROVED

Vice Mayor Winters made the motion to approve Resolution 2019-79. Council Member Remley seconded the motion. Seven yes votes, motion carried.

I. Other Business and Future Agenda Items

J. City Council Reports

Council attended and/or reported on the following:

Council Member Duffy - Memorial day events; productive meeting with department of transportation;

Council Member Sanders - Memorial Day Ceremony in Sun Village; attended a wreath laying ceremony; attended Surprise Chamber water policy meeting

Council Member Judd - Attended some HOA meetings; Northwest Valley Veteran's Ceremony; Asante groundbreaking ceremony

Vice Mayor Winters - Heritage and Asante groundbreaking - age restricted community; Friday attended League of Cities in Phoenix, transportation meeting;

wastewater form Nogales, Mexico into Nogales, AZ.

Council Member Hayden - Attended Northwest Valley Veterans' Ceremony; Nicky Bacon ceremony then to Sun Village Ceremony; attended Officer Phil Hodgkins retirement party. Elected women's tea meeting; groundbreaking at Asante; Chamber Water Meeting.

Council Member Remley - Sunland Memorial Park on Memorial Day, over 2,000 flags

Mayor Hall - June 24th, Veteran's Reflection Groundbreaking. All done with donated money. Our City Manager Frazier, band of brothers tour, he's going everywhere they went. 75th Anniversary ceremony at Normandy on June 6th.

K. Executive Session

L. Adjournment

Council Member Remley made the motion to adjourn the Regular City Council Meeting of June 4, 2019 at 8:34 PM. Council Member Hayden 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, June 4, 2019.**

Sherry Ann Aguilar, City Clerk, MMC