



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

Tuesday, May 7, 2019 @ 6:00 PM
COUNCIL CHAMBERS

Amended item #20 on 5/6/19 at 3:20 PM - added roman numeral "V" to the agenda wording FGR Investments V, LLC

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

F. City Clerk Report

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.

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.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

1.	Internal	Consideration and action pertaining to amending the Fiscal Year 2019 budget by reallocating appropriations of \$4,000 from contingency within the Grants Fund to FFY19 GOHS Buckle Up Arizona! Click It Or Ticket Grant for overtime expenses to enforce seat belt and child passenger safety laws; Resolution #2019-28.	None Terry Young Police
2.	Internal	Consideration and action pertaining to the renewal of the AZ Internet Crimes Against Children (ICAC) Task Force Intergovernmental Agreement and amending the Fiscal Year 2019 budget by reallocating appropriations of \$5,000 from contingency within the Grants Fund to FY19 AZ ICAC within the Grants Fund to cover the projected expenditures associated with ICAC related travel and training; Resolution #2019-38.	None Terry Young Police
3.	Internal	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations in the amount of \$3,000 from Contingency to the Walmart Grant Emergency Assistance Program and \$2,000 from Contingency to the Walmart Grant Police Explorer Program; Resolution #2019-34.	None Michael Donovan Police
4.	Citywide	Consideration and action pertaining to an Intergovernmental Agreement (IGA) authorizing Maricopa County Community College District (MCCCD) students in the medical technician program to participate in medical calls with the Surprise Fire-Medical Department (SFMD); Resolution #2019-45.	None Tom Abbott Fire - Medical
5.	District 2	Consideration and action declaring City's intention to enlarge the "Surprise Valley Station Lighting Improvement District" an existing lighting improvement district pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-35.	None Mike Gent Public Works
6.	District 1	Consideration and action pertaining to conditional acceptance of the maintenance of the streets and public utility improvements at Austin Ranch West Parcel 6, generally located at North 183rd Avenue and West Via Montoya Drive; Resolution #2019-47.	None Mike Gent Public Works
7.	Internal	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 Capital and Operating List of Items Over \$50,000 to include the purchase four Citizens Patrol vehicles that were already budgeted in the existing FY2019 budget; Resolution #2019-48.	None Terry Young Police
8.	District 4	Consideration and action pertaining to approval of the Final Plat entitled "Dental Depot" dated December 21, 2018, a property generally located north of Greenway Road and east of Litchfield Road.	Sergio Angulo Community Development

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| 9. | District 1 | Consideration and action pertaining to vacating the City's interest in a portion of a Public Roadway (unnamed) within Section 14, Township 4 North, Range 2 West Generally Located West of 178th Avenue, South of Williams Road; Resolution #2019-32. | None

Chris Boyd
Community Development |
| 10. | Citywide | Consideration and action on the April 16, 2019 Regular City Council Work Session, Regular City Council Meeting and Executive Session. | None

Sherry Aguilar
City Clerk |
| 11. | District 1 | Consideration and action on a Series 12 Restaurant/Interim Permit liquor license request for Bens Pizza - 16630 W Greenway Road Suite 326, Surprise, AZ. 85388. . | None

Sherry Aguilar
City Clerk |
| 12. | District 5 | Consideration and action on a liquor license (New-Series 12) for Ugly Tuna Sushi - 15459 W Bell Road #113, Surprise, AZ. 85374. | None

Sherry Aguilar
City Clerk |
| 13. | Citywide | Consideration and action pertaining to authorizing civil litigation to redress the damages the City of Surprise has, and will sustain, due to the wrongful manufacture and distribution of prescription opiates. | None

Robert Wingo
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 14. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Desert Oasis-Parcel B9" dated February 15, 2019, a property generally located west of 163rd Avenue and north of Grand Avenue; Resolution #2019-56. | None

Sergio Angulo
Community Development |
| 15. | District 3 | Consideration and action regarding a Zone Change from Residential Ranch (RR) to approx. 18.9 acres of Medium Density Residential (RM-6) with a Planned Unit Development (PUD) Overlay; approx. 22.0 acres of Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay; and approx. 23.0 acres of Residential High (RH-15) with a Planned Unit Development (PUD) Overlay for Rancho TruGold. Planning case # FS18-386; Ordinance 2019-06. | None

Robert Kuhfuss
Community Development |
| 16. | District 3 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Rancho Trugold" and dated February 6, 2019, a property located in the RM-6 and RM-9 PUD zoning districts of Rancho TruGold - Resolution No. 2019-57. | None

Robert Kuhfuss
Community Development |
| 17. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Heritage Asante -Parcel 3" dated February 8, 2019, a property generally located west of 163rd Avenue and north of Grand Avenue. | None

Sergio Angulo
Community Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 18. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Heritage Asante – Parcel 3" and dated February 8, 2019, a property generally located north of Grand Avenue and west of 163rd Avenue. | None

Sergio Angulo
Community Development |
| 19. | District 1 | Consideration and action pertaining to the approval of a Pre-Annexation Development Agreement with Arizona State Lands Department (ASLD) for the proposed annexation of approximately 360 acres generally located at the southeast corner of N 163rd Ave and Lone Mountain Road and north of Dixileta Road, annexation case FS18-417; Resolution #2019-43. | None

Joshua Mike
Community Development |
| 20. | District 1 | Consideration and action pertaining to the approval of a Pre-Annexation Development Agreement with Marisol 163, LLC and FGR Property Investments V, LLC for the proposed annexation of approximately 634 acres generally located at the northeast corner of N 163rd Ave and Lone Mountain Rd, annexation case FS18-417; Resolution #2019-42. | None

Joshua Mike
Community Development |
| 21. | Citywide | Consideration and action pertaining to the City of Surprise affirming its support for a regional model that addresses homelessness in Surprise and throughout the far northwest valley; Resolution #2019-44. | None

Seth Dyson
Human Svcs and Comm Vitality |
| 22. | Citywide | Consideration and action adopting the tentative expenditure limitation budget for FY2020 and authorizing publication of said tentative budget; Resolution # 2019-55. | None

Andrea Davis
Finance |
- I. Other Business and Future Agenda Items
- J. 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).

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Amended 5/6/19 at 3:20 PM

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.