



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

Tuesday, August 6, 2019 @ 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

E. City Manager Report

1. Presentation and recognition of the 2019 Summer Youth Employment Program (SYEP) participants.

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:

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| 2. | District 1 | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 capital budget by reallocating appropriations in the amount of \$51,800 from water operations to re-establish capital project P71030 Site and Security Improvements; Resolution #2019-94. | None
Terry Lowe
Water Resource Management |
| 3. | Citywide | Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) with West Mec to facilitate donation of a surplus Surprise Police Department vehicle for educational purposes; Resolution #2019-95. | None
Mike Gent
Public Works |
| 4. | District 3 | Consideration and action pertaining to conditional acceptance of certain street and public utility improvements, generally located at Reems Road and Hearn Road in the vicinity of Highland Preparatory Academy; Resolution # 2019-88. | None
Mike Gent
Public Works |
| 5. | Internal | Consideration and action on the minutes of June 18, 2019 Regular City Council Work Session and Regular City Council Meeting. | None
Sherry Aguilar
City Clerk |

6.	Internal	Consideration and action pertaining to amending the current term expiration date for Public Safety Personnel Retirement System Local Board member James Conner to June 30, 2020.	None Sherry Aguilar City Clerk
7.	Citywide	Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County to send police recruits to the Maricopa County Sheriff's Office Academy: Resolution #2019-93.	None Terry Young Police
8.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$100.00 from grant contingency to the Victim Rights Program (VRP) grant fund to account for acceptance of the VRP grant in the amount of \$2,100; Resolution #2019-90.	None Legal
9.	Citywide	Consideration and action pertaining to acceptance of the art piece "May Peace Prevail on Earth" as a donation by the Rotary Club of Surprise.	None Danielle Osborne City Manager Office
10.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A15" dated May 24, 2019, a property generally located north of Happy Valley Road and east of 147th Avenue.	None Sergio Angulo Community Development
11.	District 6	Consideration and action pertaining to a grant of an Utility Easement to Southwest Gas for a natural gas line at the SPA 1 Water Reclamation Facility.	None Chris Boyd Community Development
12.	District 3	Consideration and action pertaining to acceptance of a Quit Claim deed for Right of Way, a Municipal Use Easement and Temporary Drainage Easements from Suburban Land Reserve INC, for roadway improvements along Waddell Road between Sarival Road and Reems Road.	None Chris Boyd Community Development
13.	District 4	Consideration and action pertaining to a grant of an Utility Easement to APS at Gaines park for ongoing activity associated with Heritage at Surprise.	None Chris Boyd Community Development
14.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Bell Pointe II -South" dated July 3, 2019, a property generally located north of Bell Road and east of Bell Pointe Boulevard; Resolution #2019-92.	None Robert Kuhfuss Community Development
15.	District 3	Consideration and action on Final Plat entitled, "Toll at Prasada – Cactus Road" dated May 9, 2019, a property generally located on Cactus Road west of Cotton Lane.	None Robert Kuhfuss Community Development

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| 16. | District 3 | Consideration and action pertaining to approval of the Map of Dedication entitled, " Toll at Prasada – Peoria Avenue – Phase 1" dated May 9, 2019, a property generally located on Peoria Avenue west of Cotton Lane. | None

Robert Kuhfuss
Community Development |
| 17. | District 3 | Consideration and action on the Map of Dedication entitled, "Toll at Prasada – Peoria Avenue – Phase 2" dated March 15, 2019, a property generally located on Peoria Avenue west of Cotton Lane. | None

Robert Kuhfuss
Community Development |
| 18. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada Phase 2 Master Plat" dated June 18, 2019, a property generally located on Peoria Avenue west of Cotton Lane. | Robert Kuhfuss
Community Development |
| 19. | District 6 | Consideration and action pertaining to approval of the Re-Plat of Skyway Lot 27A, a property generally located north of the northwest corner of Peoria Avenue and Solar Canyon Way. | ROBERT KUHFUSS
Community Development |
| 20. | District 4 | Consideration and action on a shared parking agreement between the City of Surprise and the Housing Authority of Maricopa County. | None

Seth Dyson
Human Svcs and Comm Vitality |
| 21. | District 1 | Consideration and action declaring the intent to enlarge an existing lighting improvement district known as City of Surprise, Arizona, Desert Oasis Lancer 5A, 5B, and 14A 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 # 2019-91. | None

Mike Gent
Public Works |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 22. | Citywide | Consideration and action on two Intergovernmental Agreements between the City of Surprise and the Maricopa Association authorizing the acceptance of 2 federal Grants through an Intergovernmental Agreement with the Maricopa Association of Governments for transportation improvements and amending the Fiscal Year 2020 Budget by reallocating appropriations of \$42,900 to facilitate acceptance of two federal Grants; Resolution # 2019-83. | None

Lloyd Abrams
Community Development |
| 23. | District 4 | Consideration and action on a re-zoning of approximately 2.49 acres of property generally located southwest of the southwestern corner of Bell Road and Dysart Roads from Regional Commercial (CR) to Industrial Performance (IP); Ordinance #2019-20. | None

Hobart Wingard
Community Development |
| 24. | District 3 | Consideration and action pertaining to approval of the Revised Preliminary Plat entitled, "Unit P- Toll at Prasada" dated May 14, 2019, a property in the general vicinity of the corner of Cactus Road and Cotton Lane. | Robert Kuhfuss
Community Development |

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| 25. | District 3 | Consideration and action pertaining to the Revised Preliminary Plat entitled, "Unit E-Toll at Prasada" dated April 30, 2019, a property generally located in the vicinity of the corner of Peoria Avenue and Cotton Lane. | Robert Kuhfuss
Community
Development |
| 26. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Heritage Asante- Parcel 2" dated February 12, 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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| 27. | District 1 | Consideration and action on the Final Plat entitled, "Heritage Asante – Parcel 2" dated May 30, 2019, a property generally located north of Grand Avenue and west of 163rd Avenue. | None

Sergio Angulo
Community
Development |
| 28. | District 3 | Consideration and action pertaining to approval of the Re-Plat of Lot 3 of "Prasada Phase 1B North", a property generally located south of Waddell Road between Loop 303 and Sarival Avenue; Resolution #2019-98. | None

Robert Kuhfuss
Community
Development |
| 29. | Citywide | Consideration and action pertaining to approval of a Development Incentive Agreement between the City of Surprise and Surprise Center Development Company, LLC.; Resolution #2019-100. | None

Economic
Development |
| 30. | Citywide | Consideration and action pertaining to approval of an Agreement between the City of Surprise and the Greater Phoenix Economic Council (GPEC). | None

Jeanine Jerkovic
Economic
Development |
| 31. | Citywide | Consideration and action pertaining to approval of the Wired Telecommunications License and Right of Way Use Agreement between the City of Surprise and Zayo Group, LLC; Resolution #2019-101. | None

Samantha Pinkal
Economic
Development |
| 32. | Internal | Consideration and action on declaring the "2018 International Fire Code, Chapter 12 Energy Systems" and "2019 Amendments to the 2018 International Fire Code, Chapter 12 Energy Systems" as public records; Resolution # 2019-89. | None

Tom Abbott
Fire - Medical |
| 33. | Internal | Consideration and action pertaining to an amendment to the Surprise Municipal Code, Section 105-19, by adopting Chapter 12 of the 2018 International Fire Code, and amendments thereto, as set forth in those certain public records entitled "2018 International Fire Code, Chapter 12 Energy Systems" and "2019 Amendments to the 2018 International Fire Code, Chapter 12, Energy Systems" ;Ordinance # 2019-21. | None

Tom Abbott
Fire - Medical |

34.	District 4	Consideration and action pertaining to approval of the grant of a Public Water Easement to the City of El Mirage within the vicinity of Hollyhock street and Rimrock Street.	None Chris Boyd Community Development
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I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

35.	Citywide	Consideration and action to recess into executive session for the purpose of discussion or consultation for legal advice with the City Attorney and to consider its position regarding an incentive agreement with Surprise Center Development Company, LLC, pursuant to A.R.S. 38-431.03(A)(3) and (4).	None Legal
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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

POSTED:Posted on Thursday, August 1, 2019 @ 12:47 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.