



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

Thursday, September 5, 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 of "Storm Ready" certification to the City of Surprise.

F. City Clerk Report

2. Consideration and action on the appointment of LaCoya Shelton to fill a vacancy on the Personnel Appeals Board with a four year term expiration of June 30, 2023 and directing City Clerk Aguilar to administer the Oath of Office. 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.

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:

|    |            |                                                                                                                                                                                                                                                                        |                                                |
|----|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 3. | Citywide   | Consideration and action on the minutes of August 6, 2019 Regular City Council Work Session, Executive Session and Regular City Council Meeting.                                                                                                                       | None<br>Sherry Aguilar<br>City Clerk           |
| 4. | Citywide   | Consideration and action pertaining to the renewal of the Federal fiscal year 2020 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement and accompanying budget amendment reallocating \$300; Resolution #2019-102. | None<br>Terry Young<br>Police                  |
| 5. | District 5 | Consideration and action pertaining to approval of a Quit Claim Deed to TR Surprise, LLC, releasing deed restrictions on one acre of real property located near Bullard Avenue and Greenway Road, within city center.                                                  | Chris Boyd<br>Community<br>Development         |
| 6. | District 1 | Consideration and action pertaining to acceptance of a Drainage Easement from The Estate of Larry Klinger for roadway improvements along 171st Avenue between Jomax and Dale Lane.                                                                                     | None<br>Chris Boyd<br>Community<br>Development |
| 7. | District 1 | Consideration and action pertaining to the dissolution of the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District (SLID); Resolution #2019-15.                                                                                       | None<br>Mike Gent<br>Public Works              |

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| 8.  | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A13" dated March 15, 2019, a property located in the Rancho Mercado PAD.                                                                                   | None<br><br>Sergio Angulo<br>Community<br>Development |
| 9.  | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "McMicken Way" dated June 28, 2019, a property located in the Rancho Mercado PAD.                                                                                                 | None<br><br>Sergio Angulo<br>Community<br>Development |
| 10. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Plath Peakview Estates" dated July 1, 2019, a property generally located north of Peakview Road and east of 163rd Avenue, in a RR (Residential Ranch) zoning district.           | None<br><br>Shirley Phan<br>Community<br>Development  |
| 11. | District 1 | Consideration and action pertaining to approval of the Corrected Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated July 15, 2019, a property generally north of Old Oak Lane and east of the 145th Avenue alignments in Marley Park. | None<br><br>Shirley Phan<br>Community<br>Development  |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 12. | District 1 | Consideration and action regarding the annexation of approximately 201 acres generally located northeast of Happy Valley Road and 163rd Avenue, and establishing Surprise zoning districts Residential Medium Density (RM-9) and Rural Residential (RR). Planning case FS18-149, Paloma Creek annexation; Ordinance #2019-07.                                                                                                          | None<br><br>Joshua Mike<br>Community<br>Development    |
| 13. | District 1 | Consideration and action pertaining to approval of a rezoning of approximately 151 acres generally located east of 163rd Avenue between Happy Valley Road and Jomax Road from Residential Medium Density (RM-9), Residential Ranch (RR), and Planned Area Development (PAD) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD). Planning Case FS18-150 for Paloma Creek zone change; Ordinance #2019-22. | None<br><br>Robert Kuhfuss<br>Community<br>Development |
| 14. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, " Paloma Creek" dated January 28, 2019, a 542 Lot, 49 Tract Preliminary Plat of property generally located east of 163rd Avenue between Happy Valley and Jomax Roads; Resolution # 2019-114.                                                                                                                                                           | None<br><br>Robert Kuhfuss<br>Community<br>Development |
| 15. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, "Sunrise" dated June 7, 2019, a property located in the northeast corner of 171st Avenue and Jomax Road; Resolution 2019-113.                                                                                                                                                                                                                          | None<br><br>Sergio Angulo<br>Community<br>Development  |

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| 16. 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. | None<br><br>Robert Kuhfuss<br>Community<br>Development |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 17. Citywide | Consideration and action amending the Surprise Municipal Code, Chapter 2, Article VIII, Section 2-304 pertaining to Audit Committee membership; Ordinance #2019-23.                                                                                                                                                                                                                    | None<br><br>Carol Holley<br>City Manager<br>Office     |
| 18. Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations of \$371,000 from water operations and grant contingency to establish a new capital project and to account for acceptance of an Arizona Department of Water Resource Water Management Assistance Grant in the amount of \$200,000; Resolution #2019-104. | None<br><br>Terry Lowe<br>Water Resource<br>Management |

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

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|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 19. Internal | Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2020 goals for the City Manager, City Clerk, and City Attorney pursuant to A.R.S. 38-431.03 (A)(1). | None<br><br>Legal |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|

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

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SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: August 29, 2019 at 12:10 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.**