



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

Tuesday, October 15, 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

Mayor, Council and Staff from Senator McSally's office will acknowledge Larry Brown, recipient of the 4th Annual Congressional Veterans of Distinction Award.

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:

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| 1. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled "Fulton Homes Escalante – Parcel 5" and dated July 25, 2019, located on the southeast corner of 163rd Avenue and Asante Boulevard in the Verdugo PAD. | None
Sergio Angulo
Community
Development |
| 2. | District 1 | Consideration and action pertaining to approval with stipulations of the Final Plat entitled "Desert Oasis – Baer Parcel B9" and dated August 23, 2019, generally located south of Jomax Road and west of 163rd Avenue; Resolution # 2019-124. | None
Sergio Angulo
Community
Development |
| 3. | District 5 | Consideration and action pertaining to approval of the Replat entitled "Thompson Thrift at Surprise Center" and dated September 24, 2019, located in the Surprise Center Planned Area Development ("PAD"). | Hobart Wingard
Community
Development |
| 4. | District 1 | Consideration and action pertaining to a dedication of a right-of-way to the Maricopa County Department of Transportation at 163rd avenue and Pinnacle Peak Road. | Chris Boyd
Community
Development |

5.	District 5	Consideration and action declaring the intent to establish a street light improvement district entitled, "City of Surprise, Arizona, SU-Surprise Center 190 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 #2019-112.	None Mike Gent Public Works
6.	District 1	Consideration and action pertaining to deleting a portion of the territory within Fulton Homes at Escalante 154 Street Lighting Improvement District; Resolution #2019-109.	None Mike Gent Public Works
7.	District 6	Consideration and action pertaining to the approval of a Replat entitled, "Lots 6140 through 6142 and tract I6 of Marley Park Parcel 6" and dated August 22, 2019, a property generally located northeast of the corner of Reems Road and Cactus Road.	Robert Kuhfuss Community Development
8.	District 3	Consideration and action to approve a request by Howard Everett Magee (Agent) for a Series 10 (Beer & Wine Store) liquor license for Carioca Shell #3 located at 16520 W. Greenway Road, Surprise, AZ 85388.	None Sherry Aguilar City Clerk
9.	District 5	Consideration and action to approve a request by Sheila M. Ford (Agent) for a Series 12 (Restaurant liquor license for the Chicken Ranch located at 14051 W. Grand Avenue, Surprise, AZ 85374	None Sherry Aguilar City Clerk
10.	District 3	Consideration and action to approve a request by Andrea Lewkowicz (Agent) for a Series 09 (Liquor Store) liquor license for Costco Wholesale located at 16385 W. Waddell Road, Surprise, AZ 85388.	None Sherry Aguilar City Clerk
11.	Internal	Consideration and action pertaining to an amendment of the Fiscal Year 2020 budget by reallocating appropriations of \$161,600 within the personnel lines of the Human Service & Community Vitality Department to increase the full time equivalent count by 1.5 while having no financial impact to the General Fund; Resolution # 2019-116.	None Seth Dyson Human Svcs and Comm Vitality
12.	Citywide	Consideration and action on the October 1, 2019 Regular City Council Work Session and Regular City Council Meeting.	None Sherry Aguilar City Clerk
13.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$154,300 within the Grants Fund and authorizing acceptance of (7) grant awards from the AZ Governor's Office of Highway Safety (GOHS) to support impaired driving enforcement overtime, education, materials and supplies, and equipment; Resolution # 2019-123.	None Terry Young Police

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| 14. | District 1 | Consideration and action declaring the intention to consolidate several Rancho Mercado lighting improvement districts pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-126. | None

Mike Gent
Public Works |
| 15. | Citywide | Consideration and action pertaining to authorizing submission of the Request for Exemption from posting deposit to the Industrial Commission of Arizona. | Robert Wingo
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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|-----|------------|--|---|
| 16. | District 3 | Consideration and action regarding the Revised Preliminary Plat entitled "Units F & C – Toll at Prasada" and dated July 25, 2019, approximately 37 acres located generally Cotton Lane, between Cactus Road and Peoria Avenue. Planning case # FS19-184. | None

Robert Kuhfuss
Community Development |
| 17. | Citywide | Consideration and action declaring as a public record the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; the 2017 National Electrical Code; and the Local Amendments thereto; Resolution # 2019-108. | None

Chris Boyd
Community Development |
| 18. | Citywide | Consideration and action pertaining to adoption of the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; and The 2017 National Electrical Code; and the corresponding Local Amendments thereto; Ordinance # 2019-25. | None

Chris Boyd
Community Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 19. | Citywide | Consideration and action pertaining to the selection of Logan Simpson for the Public Works Operations Facility art project. | Danielle Osborne
City Manager Office |
| 20. | Citywide | Presentation of Completed Internal Audit Reports presented and approved by the City of Surprise Audit Committee on September 25, 2019. | None

City Manager Office |
| 21. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations in the amount of \$513,000 within the Grants Fund and General Fund and accepting a grant from the Federal Emergency Management Agency for Adequate Fire and Emergency Response (SAFER) grant program to hire eight firefighters; Resolution # 2019-127. | None

Tom Abbott
Fire - Medical |

- 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: October 10, 2019 at 11:20 AM

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.