



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

Tuesday, November 5, 2019 @ 6:00 PM

COUNCIL CHAMBERS

AMENDED AGENDA - ADDED ITEM 4 (PSPRS Appointment)
October 31, 2019 at 1:30 PM

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

Be Kind Proclamation

E. City Manager Report

1. Paradise Honors Middle School and Youth Council member's will provide a report pertaining to current Youth Council events and projects.

2. Mission: Lifeline EMS award presentation

F. City Clerk Report

3. Update on upcoming 2020 Elections

None

Sherry Aguilar
City Clerk

4. Consideration and action to remove Donald Jeffrey and approve the Mayor's appointment of Chandler Brown as a citizen member of the City of Surprise local PSPRS Boards and direct 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:

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| 5. | Citywide | Consideration and action to enter into a intergovernmental agreement for mutual aid for solid waste collection and transportation services; Resolution # 2019-128. | None

Mike Gent
Public Works |
| 6. | Internal | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$400,000 from Rancho Gabriela Arsenic Treatment capital project dollars (P71230) to Water Asset Replacement capital (A71010) to re-sleeve Royal Ranch well; Resolution # 2019-129. | None

Terry Lowe
Water Resource Management |
| 7. | Internal | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$230,000 from the Digester Modification project (P71250) to TTHM Consent Order capital project (P71290) of \$150,000 and \$80,000 to advance the design of SPA2 influent line project (P71400); Resolution # 2019-130. | None

Terry Lowe
Water Resource Management |
| 8. | Citywide | Consideration and action pertaining to approval of a sponsorship agreement with the Surprise Pops Band. | None

Paul Bernardo
Human Svcs and Comm Vitality |

9.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$5,000 within the Grants Fund and acceptance of an award from the AZ Department of Homeland Security (AZ DOHS) to support the purchase of equipment and training costs; Resolution # 2019-132.	None Terry Young Police
10.	Citywide	Consideration and action pertaining to approval of a Master License Agreement for Verizon Wireless, under Case FS19-692.	None Hobart Wingard Community Development
11.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A4" and dated August 27, 2019, a 39.198 acre property located in the Rancho Mercado PAD generally north of McMicken Way and east of 147th Avenue.	None Sergio Angulo Community Development
12.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "NWC Cotton & Cactus" and dated August 22, 2019, a 35.41 acre property generally located at the northwest corner of Cactus Road and Cotton Lane.	None Hobart Wingard Community Development
13.	District 3	Consideration and action pertaining to approval of the replatted Final Plat entitled, "Toll at Prasada, Phase 1 Unit A Lot 322" and dated September 5, 2019, a 0.28 acre property generally located west of Cotton Lane between Cactus Road and Peoria Avenue.	None Robert Kuhfuss Community Development
14.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A5" and dated September 12, 2019, a 28.82 acre property generally located in the Rancho Mercado PAD at the southwest corner of Happy Valley Road and McMicken Way.	Sergio Angulo Community Development
15.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A6" and dated September 12, 2019, a 41.78 acre property generally located in the Rancho Mercado PAD at the southeast corner of Happy Valley Road and McMicken Way.	None Sergio Angulo Community Development
16.	District 1	Consideration and action pertaining to accepting three Dedications of Public Rights-of-Way from the George J & Arlene G Kamarata Trust along Happy Valley and 147th avenue.	None Chris Boyd Community Development
17.	District 1	Consideration and action pertaining to acceptance of a Quit Claim Deed from Ashor Shlimon for rights-of-way along Dale Lane near 175th avenue.	None Chris Boyd Community Development

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| 18. | District 1 | Consideration and action pertaining to acceptance of a Dedication of Public Rights-of-Way from James D Smith and Susan E Smith, Trustees of the Smith Family Trust, for rights-of-way along Dale Lane near 159th avenue. | None

Chris Boyd
Community Development |
| 19. | 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 |
| 20. | District 6 | Consideration and action pertaining to conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 Parcel 3, generally located at W. Waddell Road and N. 142nd Lane; Resolution # 2019-133. | Mike Gent
Public Works |
| 21. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$15,000 within the Grants Fund for the acceptance of three awards from the Arizona Department of Homeland Security (AZ DOHS) to support the Surprise Fire-Medical Department CERT program, CBRNE program and conduct a Central Region deployment exercise; Resolution #2019-135. | None

Tom Abbott
Fire - Medical |
| 22. | District 5 | Consideration and action to approve a request by Irudayaraj Vondoh, Agent for a Series 12 Restaurant liquor license for Haldi Indian Cuisine located at 13761 W. Bell Road, #B213, Surprise, AZ 85374. | None

Sherry Aguilar
City Clerk |
| 23. | Citywide | Consideration and action on the Regular City Council Meeting minutes of October 15, 2019. | None

Sherry Aguilar
City Clerk |
| 24. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2019 budget by reallocating appropriations from various funds required to close the Fiscal Year 2019 budget, inter-fund cash transfers and loans; Resolution # 2019-137. | None

Andrea Davis
Finance |
| REGULAR AGENDA ITEM - PUBLIC HEARING: | | | |
| 25. | District 3 | Consideration and action pertaining to approval of a re-zone of approximately 4.19 acres of real property, generally located at the northwest corner of Cactus Road and Cotton Lane, from Residential Ranch (RR) to Northwest Corner of Cactus Road and Cotton Lane Planned Unit Development (PUD) with the underlying land use of Regional Commercial (CR-PUD); Ordinance 2019-29. | None

Hobart Wingard
Community Development |

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| 26. | District 3 | Presentation, discussion and public hearing pertaining to case FS19-445 Paradise Education Annexation, a proposed annexation of approximately 30.84 acres of property generally located east of 175th Avenue, one-quarter of a mile north of Cactus Road. | Hobart Wingard
Community
Development |
| 27. | Citywide | Consideration and action pertaining to the Neighborhood Grant Program Awards for Fiscal Year 2020 as recommended by the Committee on Community Outreach, Partnerships and Grants. | None

Jodi Tas
Human Svcs and
Comm Vitality |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 28. | Internal | Consideration and action to amend Surprise Municipal Code, Chapter 3, Article I, Section 3-15 a(2) pertaining to Categories of Employment and Article IV, Section 3-40 (d) pertaining to Corrective Action and Appeals; Ordinance # 2019-27. | None

Lisa Angelini
Human Resources |
| 29. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$3,206,800 from Transportation Fund Contingency, HURF Fund Contingency and Grants Fund Contingency to Waddell Road project P61440, Litchfield Road project P61450, replenish Traffic Signal project P61500 and establish two new capital projects: Waddell Median Modifications project P61550 and Kingswood Parke Street-lighting Upgrade project P61560; Resolution # 2019-134. | Michael Boule
Andrea Davis
Public Works |

- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

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| 30. | Citywide | Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice pertaining to the City's current opioid litigation. | 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

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 31, 2019 at 1:30 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.