

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

Tuesday, September 1, 2020 @ 6:00 PM
COUNCIL CHAMBERS

Amended item #15 on 8/27/20 at 2:35 PM



NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be closed to the public during this meeting. The public may access the meeting by viewing a live stream or broadcast of the meeting. To watch live, please visit www.surpriseaz.gov/surprisetv, the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise. Cox channel 11 and Century Link channel 8513 will also carry the meeting live.

For instructions on how to comment on agenda items and public hearings, please go to <https://bit.ly/3asyowo>

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

Acknowledgment of the 100th Anniversary of the Dysart Unified School District.

E. City Manager Report

F. City Clerk Report

G. Call To The Public

Public comment will be taken through email or via phone. To submit email comments, including Call to the Public for non-agenda items, please email publiccomments@surpriseaz.gov. Comments for Call to the Public must be submitted prior to the start of the meeting. To comment on agenda items, emails must be submitted prior to the time(s) designated for public comment by the Mayor during the meeting or before the agenda item has otherwise concluded.

To comment live by phone for Call to the Public for non-agenda items or for agenda items, please call 623-222-1250 prior to, or during, the meeting to have your name placed on a callback list. If you reach voicemail, please leave your name and phone number. The City Clerk will call those wishing to comment from the dais during the meeting, and the call will be streamed through the Council Chamber audio system. Only calls received before Call to the Public for non-agenda items or before or during the time(s) designated for public comment by the Mayor during the meeting on the subject agenda item will be accepted and streamed. No calls will be accepted after the time(s) designated by the Mayor for public comment or after an agenda item has otherwise concluded.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

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| 1. | Citywide | Consideration and action on the minutes of the Regular City Council Work Session, Regular City Council Meeting and Executive Session of August 18, 2020. | None

Sherry Aguilar
City Clerk |
| 2. | District 6 | Consideration and action to approve a Series 12 (Restaurant) liquor license requested by Keith R. Gagnon (Agent) for Under Review located at 13999 N. Litchfield Road, Surprise, AZ. 85379. | None

Sherry Aguilar
City Clerk |
| 3. | Citywide | Consideration and action to approve Chief Fiscal Officer pursuant to A.R.S. § 41-1279.07(E) for the purpose of submitting the annual AELR report for FY2021; Resolution #2020-98. | None

Andrea Davis
Finance |
| 4. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Reyes Subdivision" dated July 13, 2020, an approximately 5 acre property located generally south of Dale Lane and east of 168th Avenue, in the Residential Ranch (RR) zoning district. | None

Shirley Phan
Community
Development |
| 5. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Village – Parcel 1.1" dated July 6, 2020, an approximately 5 acre property generally located on the northwest corner of Williams Road and 174th Avenue; Case FS20-213. | None

Hobart Wingard
Community
Development |
| 6. | District 1 | Consideration and action pertaining to the approval of the Final Plat entitled, "Rio Rancho Estates, Parcel 2A" dated July 8, 2020, an approximately 17 acre property generally located on the northeast corner of Happy Valley Road and 187th Avenue; Case FS18-620. | None

Hobart Wingard
Community
Development |
| 7. | District 1 | Consideration and action pertaining to the approval of the Final Plat entitled, "Rio Rancho Estates, Parcel 2B", generally located north of the northeast corner of Happy Valley Road and 187th Avenue; Case FS18-619. | None

Hobart Wingard
Community
Development |

8.	District 6	Consideration and action pertaining to the approval of the Map of Dedication entitled, "Project Baxter" dated July 8, 2020, generally located on the northeast corner of Litchfield Road and Sweetwater Avenue; Case FS20-300	None Hobart Wingard Community Development
9.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Verde East Phase 2" dated November 5, 2019, located on the northwest corner of Happy Valley Road and 151st Avenue (Case FS19-334).	None Sergio Angulo Community Development
10.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Escalante – Parcel 7" dated July 29, 2020, generally located north of Asante Boulevard and east of 163rd Avenue (Case FS19-726)	None Sergio Angulo Community Development
11.	District 4	Consideration and action pertaining to approval of the Final Plat entitled, "Bola Drive Plaza" dated June 30, 2020, generally located on the southwest corner of Bola Drive and El Mirage Road (Case FS20-140).	None Sergio Angulo Community Development
12.	District 1	Consideration and action declaring the City of Surprise's intent to enlarge the existing lighting improvement district known as, "City of Surprise, Arizona SU-Austin Ranch East" pursuant to A.R.S. § 48-616 for the purpose of energy for lighting the public streets and parks; Resolution # 2020-91.	None Mike Gent Public Works
13.	District 1	Consideration and action pertaining to conditional acceptance of the Rancho Mercado Happy Valley Road Bridge at the Beardsley Canal; Resolution # 2020-94.	None Mike Gent Public Works

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

14.	Citywide	Consideration and action pertaining to approval of the Wired Telecommunications License and Right-of-Way Use Agreement between the City of Surprise and Crown Castle Fiber LLC; Resolution #2020-100.	None Hobie Wingard Legal
15.	Citywide	Consideration and action pertaining to a proposed Surprise COVID Community Relief Package in the amount \$430,000; Resolution #2020-106.	None Andrea Davis Economic Development

16.	Citywide	Consideration and action providing for the sale and issuance of City of Surprise, Arizona General Obligation Bonds, Series 2020, and for the annual levy of a tax for the payment of the bonds; approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents related to the sale and issuance of the bonds; delegating authority to the Mayor of the City and the Finance Director of the City to determine certain matters and terms with respect to such bonds; adopting post-issuance continuing disclosure compliance procedures in connection with issuance of obligations of the City; and authorizing the taking of all other actions necessary to consummate the transaction contemplated herein and ratifying all actions taken to further said transaction; Resolution #2020-113.	None Andrea Davis Finance
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I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

Consideration and action to recess into executive session for discussion and legal advice from the City Attorney pertaining to current and potential litigation pursuant to A.R.S. 38-431.03 (A)(3).

Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2021 goals for the City Manager, City Clerk, and City Attorney pursuant to A.R.S. 38--431.03 (A)(1).

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: August 27, 2020 at 2:35 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.