



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

Tuesday, November 17, 2020 @ 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

F. City Clerk Report

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| 1. | City Clerk Aguilar will perform a Ceremonial Oath of Office for incoming new Councilmember, Jack Hastings. | None |
| | | Sherry Aguilar
City Clerk |

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| 2. | THIS ITEM RESERVED | |
| | | City Clerk |

G. Call To The Public

NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be partially open to the public with limited seating. 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/3bKCm4Z>

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

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| 3. | Citywide | Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of November 2, 2020. | None |
| | | | Sherry Aguilar
City Clerk |

4.	District 3	Consideration and action pertaining to approval or disapproval of the Final Plat entitled, "A Replat of Lot 1 of the 'Replat of Lot 1 of the Final Plat for Sierra Montana Crossing' " an approximately 5.06 acre property generally located on the southwestern corner of Greenway Road and Cotton Lane.	None Hobart Wingard Community Development
5.	District 1	Consideration and action pertaining to acceptance of a Special Warranty Deed for a water campus from Rancho Mercado Community Association.	None Lloyd Abrams Community Development
6.	District 3	Consideration and action pertaining to acceptance of a Quit Claim Deed for Right of Way, two Municipal Use Easements, a Temporary Drainage Easement, and a Temporary Construction License from Suburban Land Reserve INC, for the purpose of facilitating roadway improvements along Greenway Road between the Loop 303 and Sarival Road.	Lloyd Abrams Community Development
7.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Ryder Ranch Final Plat" generally located on the southwest corner of Cotton Lane and Sweetwater Avenue within the Ryder Ranch Planned Unit Development ("PUD"); Case FS19-364.	None Hobart Wingard Community Development
8.	District 1	Consideration and action declaring the City's intent to enlarge the lighting improvement district entitled, "The City of Surprise, Arizona, SU-Rancho Mercado North 181" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2020-99.	None Mike Gent Public Works
9.	Internal	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by reallocating appropriations of \$71,500 from the Grants Fund to the Ground Ambulance Service Fund to account for the agreement with the Centers for Medicare and Medicaid (CMS) for the Emergency Triage, Treat and Transport (ET3) Program; Resolution #2020-145.	None Tom Abbott Fire - Medical
10.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by reallocating appropriations in the amount of \$132,400 within the Grants Fund, and \$20,400 within the General Fund, to account for a grant award in the amount of \$443,899 from the Arizona Department of Public Safety Victims of Crime Act (VOCA) Assistance Grant Program; Resolution # 2020-133.	None Philip Johnson Police
11.	Internal	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by reallocating appropriations in the amount of \$92,000 to account for additional grant funding for the Congregate Meal program; Resolution #2020-149.	None Joseph Gladieux Human Svcs and Comm Vitality

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| 12. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by reallocating appropriations in the amount of \$4,000 within the Grants Fund and authorizing acceptance of a grant award from the AZ Governor's Office of Highway Safety (GOHS) for overtime to enforce seatbelt and child passenger safety laws as part of the 2020 Buckle Up AZ (Click It or Ticket) seatbelt enforcement campaign; Resolution #2020-152. | None

Terry Young
Police |
| 13. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by reallocating appropriations of \$3,300 within the Transportation Improvement Fund and Contract Awarding Authority List to account for an Intergovernmental Agreement with the Maricopa County Department of Transportation (MCDOT); Resolution # 2020-151. | None

Mike Gent
Public Works |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 14. | Internal | Consideration and action declaring as a public record the proposed amendments to the City of Surprise Municipal Code related to Transaction Privilege Tax; Resolution # 2020-144. | None

Andrea Davis
Finance |
| 15. | Citywide | Consideration and action pertaining to adoption of amendments to the City of Surprise Municipal Code related to Transaction Privilege Tax; Ordinance # 2020-26. | None

Andrea Davis
Finance |
| 16. | District 1 | Consideration and action pertaining to approval of a rezone for the Enclave at Paloma Creek, an approximately 5 acre property generally located south of the Frontier Road and west of the 155th Ave alignments, from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD), amending development standards, and limiting residential density to 4.01 dwelling units per acre; Ordinance # 2020-36. | None

Robert Kuhfuss
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 17. | Citywide | Consideration and action pertaining to approval of the SPA 2 East Water, Water Recharge and Wastewater Development Agreement with Paloma Creek Water Coordinator, LLC; Resolution # 2020-141. | Water Resource
Management |
| 18. | District 1 | Consideration and action pertaining to conditional approval of the Final Plat entitled, "Rancho Del Rey" an approximately 24.94 acre property generally located north of Happy Valley Road and east of 145th Avenue; Resolution # 2020-146. | None

Shirley Phan
Community
Development |

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| 19. | Citywide | Consideration and action pertaining to approval of an amendment to Chapter 34 of the Surprise Municipal Code (SMC) by adding Article VIII <i>Recreational Marijuana</i> , prohibitions on marijuana on or in city property, open spaces, and public property; and prohibiting marijuana establishments and testing facilities; Ordinance # 2020-37. | Legal |
| I. Other Business and Future Agenda Items | | | |
| J. City Council Reports | | | |
| K. Executive Session | | | |
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| 20. | Internal | Consideration and action to recess into executive session for discussion and consultation with the City Attorney for legal advice, and to consider and instruct the City Attorney regarding the City Council's position pertaining to opioid litigation pursuant to A.R.S. 38-431.03(A)(3) and (4). | None

Robert Wingo
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

POSTED: November 12, 2020 at 10:25 AM

Amended agenda - Updated the Call to the Public section and item #5 District number on November 12, 2020 at 12:55 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.