



**CITY OF SURPRISE**  
**Regular City Council Meeting**  
**16000 N. Civic Center Plaza**  
**Surprise, AZ 85374**  
Tuesday, May 18, 2021 @ 6:00 PM  
COUNCIL CHAMBERS

Amended agenda May 13, 2021 at 3:25 PM - Added Proclamation

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

Proclamation - Recognizing May 9-15, 2021 as National Police Week.

E. City Manager Report

F. City Clerk Report

- |    |                                                                                         |                              |
|----|-----------------------------------------------------------------------------------------|------------------------------|
| 1. | The City Clerk will issue the Oath of Office to the new Surprise Youth Council Members. | None                         |
|    |                                                                                         | Sherry Aguilar<br>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:

- |    |            |                                                                                                                                                                                                                                                                                                                  |                                                      |
|----|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| 2. | Citywide   | Consideration and action on the minutes of May 4, 2021 Regular City Council Work Session and Regular City Council Meeting.                                                                                                                                                                                       | None<br><br>Sherry Aguilar<br>City Clerk             |
| 3. | District 4 | Consideration and action to approve Off Track Wagering for Runner's Sports Bar located at 12751 W. Bell Road, Surprise, Arizona (Crossroads) for the term of June 1, 2021 through May 31, 2024.                                                                                                                  | None<br><br>Sherry Aguilar<br>City Clerk             |
| 4. | District 5 | Consideration and action to approve Off Track Wagering for Brookside II located at 15170 W. Bell Road, Suite 115, Surprise, AZ 85374 for the term of June 1, 2021 through May 31, 2024.                                                                                                                          | None<br><br>Sherry Aguilar<br>City Clerk             |
| 5. | District 4 | Consideration and action pertaining to approval of the Final Plat entitled, "Sahuaro Place" subdividing an approximately 1.050 acre property into four parcels generally located north of Greenway Road and east of Dysart Road, in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district. | None<br><br>Shirley Phan<br>Community<br>Development |

|     |            |                                                                                                                                                                                                                                                                                                    |                                                       |
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| 6.  | District 6 | Consideration and action pertaining to approval of the Final Plat entitled, Litchfield Self Storage”, subdividing an approximately 24.757 acre property into two parcels generally located on the northwest corner of Litchfield Road and Sweetwater Avenue in the Marley Park PAD; Case FS20-691. | None<br><br>Sergio Angulo<br>Community<br>Development |
| 7.  | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets improvements at United Construction Group, generally located at N. Litchfield Road and W. Desert Cove Road; Resolution # 2021-59.                                                                             | None<br><br>Mike Gent<br>Public Works                 |
| 8.  | Citywide   | Consideration and action pertaining to approval of a Fiscal Year 2021 Budget amendment moving spending authority of \$22,600 within the Southwest Gas Capital Expenditure Fund to the Waddell Road capital improvement project, P61440; Resolution # 2021-66.                                      | None<br><br>Mike Gent<br>Public Works                 |
| 9.  | Citywide   | Consideration and action pertaining to approval of an Intergovernmental Agreement between the City of Surprise and the State of Arizona for the GPS Based Emergency Vehicle Preemption Project; Resolution # 2021-60.                                                                              | None<br><br>Kristin Tytler<br>Public Works            |
| 10. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at N. 144th Drive and N. 145th Avenue, generally located at N. 144th Avenue and W. Waddell Road. Resolution # 2021-65.                                                        | Mike Gent<br>Public Works                             |
| 11. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 Parcel 4; Resolution # 2021-67.                                                                                                       | None<br><br>Mike Gent<br>Public Works                 |
| 12. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at W. Old Oak Lane, generally located at W. Old Oak Lane and N. Bullard Avenue; Resolution # 2021-62.                                                                         | Mike Gent<br>Public Works                             |
| 13. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 5, generally located at N. 142nd Lane and W. Georgia Drive; Resolution # 2021-68.                                             | Mike Gent<br>Public Works                             |
| 14. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 6, generally located at N. 142nd Lane and W. Waddell Road; Resolution # 2021-69.                                                         | None<br><br>Mike Gent<br>Public Works                 |
| 15. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 7, generally located at N. 142nd Avenue and W. Sweetwater Avenue; Resolution # 2021-70.                                                  | None<br><br>Mike Gent<br>Public Works                 |

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| 16. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 8, generally located at West Sweetwater Avenue and North 142nd Avenue; Resolution # 2021-71.       | None<br><br>Mike Gent<br>Public Works |
| 17. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 9, generally located at West Andora Street and North 144th Lane; Resolution # 2021-72.             | None<br><br>Mike Gent<br>Public Works |
| 18. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex, generally located at W. Old Oak Lane and W. Andora Street; Resolution # 2021-61. | None<br><br>Mike Gent<br>Public Works |
| 19. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Sweetwater Avenue, generally located at West Sweetwater Avenue and North Litchfield Road; Resolution # 2021-64.                                 | None<br><br>Mike Gent<br>Public Works |
| 20. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at West Waddell Road, generally located at West Waddell Road and North Bullard Avenue; Resolution # 2021-63.                                       | None<br><br>Mike Gent<br>Public Works |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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|-----|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 21. | District 1 | Consideration and action pertaining to approval of an annexation of an approximately 5.38 acre property known as Enclave III at Paloma Creek, generally located east of 155th Avenue and south of Frontier Drive; Ordinance # 2021-08 (Case FS20-732).                                                                                                                                                                                                      | None<br><br>Joshua Mike<br>Community<br>Development    |
| 22. | District 1 | Consideration and action pertaining to approval a rezone of 4.98 acres 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 for Enclave II at Paloma Creek, generally located south of the Frontier Road alignment and west of the 155th Avenue alignment; Ordinance # 2021-04 (Case FS20-718).     | None<br><br>Robert Kuhfuss<br>Community<br>Development |
| 23. | District 1 | Consideration and action pertaining to approval of a rezone of 5.38 acres 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 3.90 dwelling units per acre for Enclave III at Paloma Creek, generally located south of the Frontier Road alignment and east of the 155th Avenue alignment; Ordinance # 2021-07 (Case FS20-731). | None<br><br>Robert Kuhfuss<br>Community<br>Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- |     |            |                                                                                                                                                                                                                                                                                                   |                                                        |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 24. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, "Asante Unit 2.1 & 2.13" and dated February 5, 2021, an approximately 49.94 acre property generally located north of Asante Boulevard and west of 163rd Avenue in the Asante PAD; Case FS20-504.                  | None<br><br>Sergio Angulo<br>Community<br>Development  |
| 25. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Hometown Surprise at Austin Ranch II, Parcel E" and dated February 4, 2021, an approximately 60.47 acre property generally located on the southeast corner of Deer Valley Road and Citrus Road; Case FS20-488. | None<br><br>Robert Kuhfuss<br>Community<br>Development |
| 26. | District 1 | Consideration and action pertaining to approval a Preliminary Plat entitled "North Copper Canyon Parcels 2, 3, and 4" and dated February 8, 2021, an approximately 139.67 acre property generally located west of Citrus Road, between Pinnacle Peak Road and Norwich Drive; Case FS20-333.       | None<br><br>Robert Kuhfuss<br>Community<br>Development |

- 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

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SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: May 13, 2021 at 12:25 PM

Amended agenda May 13, 2021 at 3:25 PM - added Proclamation

**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.**