



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, June 15, 2021 @ 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

A Proclamation recognizing June 13-19, 2021 as Monsoon Safety Awareness Week.

E. City Manager Report

F. City Clerk Report

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| 1. | Consideration and action to appoint the following members to the Veterans, Disability and Human Services Commission as follows: Nickolas Kupper , term Expiration June 30, 2025; Phillip Lair, term expiration June 30, 2024 and Lisa Everett, term expiration June 30, 2023. | None

Sherry Aguilar
City Clerk |
| 2. | Consideration and action to reappoint the following Board/Commissions Members for four (4) year terms expiring on June 30, 2025.

* Board of Trustees: Renee Pastor
* Judicial Selection Advisory Commission: Ed Hanzel
* Parks and Recreation: Bill Pupo; Mark Brown and Ron Jensen
* Veterans, Disability and Human Services Commission: Harrylouis Rodriguez | 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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| 3. | Citywide | Consideration and action on the minutes of June 1, 2021 Regular City Council Work Session, Special City Council Meeting and Regular City Council Meeting. | None

Sherry Aguilar
City Clerk |
| 4. | District 1 | Consideration and action to approve a request by Lauren Kay Merrett (Agent) for a Series 12 (Restaurant) license for The Toast located at 17058 W. Bell Road #104, Surprise, AZ 85374. | None

Sherry Aguilar
City Clerk |
| 5. | Citywide | Consideration and action pertaining to approval of the Third Amendment to the Intergovernmental Agreement (IGA) between the City of Surprise and Regional Public Transit Authority (RPTA) for Fiscal Year 2022 Transit Services; Resolution #2021-97. | None

Mike Gent
Public Works |
| 6. | District 1 | Consideration and action pertaining to approval of the Turnover Agreement between the City of Surprise and LCD Asante LLC; Resolution #2021-91. | None

Michael Boule
Water Resource
Management |

7.	District 1	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Cortana at Desert Oasis, generally located at W. Jomax Road and N. 173rd Avenue; Resolution # 2021-79.	None Mike Gent Public Works
8.	District 1	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado Yearling Road, generally located at N. Yearling Road and N. 147th Avenue; Resolution # 2021-76.	None Mike Gent Public Works
9.	District 1	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at W. Pinnacle Peak Road, generally located at W. Pinnacle Peak Road and N. 163rd Avenue; Resolution # 2021-78.	None Mike Gent Public Works
10.	District 2	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Christopher Todd Communities on Mountain View, generally located at W. Mountain View Boulevard and N. Parkview Place; Resolution # 2021-77.	None Mike Gent Public Works
11.	District 1	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado Parcel A15, generally located at W. Yearling Road and N. Rancho Mercado Parkway; Resolution # 2021-75.	None Mike Gent Public Works
12.	District 3	Consideration and action pertaining to approval the Map of Dedication entitled, "Toll at Prasada – Peoria Avenue Phase 3", dedicating approximately 1.89 acres of real property generally located on the northern half of Peoria Avenue, west of the Citrus Road alignment.	None Robert Kuhfuss Community Development
13.	District 3	Consideration and action declaring the city's intent to enlarge the existing lighting improvement district known as "Sycamore Estates Parcel 13" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2021-73.	None Mike Gent Public Works
14.	District 6	Consideration and action declaring the city's intent to enlarge the existing lighting improvement district known as "Surprise Pointe" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2021-89.	None Mike Gent Public Works
15.	District 3	Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment moving budget authority in the amount of \$479,000 from the Water Utility Capital Fund to the Stormwater Capital Fund for establishing P61610: Cactus Road and Cotton Lane Intersection Improvement Project and amending the Fiscal Year 2021 Contract Awarding Authority List; Resolution # 2021-90.	None Mike Gent Kristin Tytler Public Works

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| 16. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Desert Oasis Phase 1 – Parcel L3, generally located at West Straight Arrow Lane and North 177th Lane; Resolution # 2021-92. | None

Mike Gent
Public Works |
| 17. | Internal | Consideration and action pertaining to approval of an amendment to the Intergovernmental Agreement with Maricopa County to provide Community Action Program services, accepting grant funding, and amending the Fiscal Year 2022 Budget by moving budget authority in the amount of \$605,800 within the Grants Fund; Resolution # 2021-88. | None

Seth Dyson
Human Svcs and
Comm Vitality |
| 18. | Citywide | Consideration and action pertaining to the acceptance and renewal of the FY2022 El Mirage Animal Control Intergovernmental Agreement; Resolution # 2021-84. | None

Geoffrey Leggett
Police |
| 19. | Internal | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by moving budget authority in the amount of \$500,000 within the Employee Health Benefits Trust Fund to cover anticipated medical and pharmacy expenditures; Resolution #2021-95. | None

Lisa Angelini
Human Resources |
| 20. | Internal | Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment moving budget authority in the amount of \$100,000 within the Water Operations Fund to support increased demand for water meter installations and amending the Fiscal Year 2021 Contract Awarding Authority List; Resolution # 2021-96. | None

Andrea Davis
Finance |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 21. | District 1 | Consideration and action pertaining to approval of an annexation of an approximately 9.96 acre property known as Enclave IV at Paloma Creek, generally located west of 155th Avenue on the north side of Frontier Drive; Ordinance # 2021-09 (Case FS20-739). | None

Joshua Mike
Community
Development |
| 22. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 9.96 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 3.21 dwelling units per acre for Enclave IV at Paloma Creek; Ordinance # 2021-11 (Case FS20-738). | None

Robert Kuhfuss
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 23. | District 1 | Consideration and action directing the recordation of a blank petition setting forth the legal description and map of the proposed annexation in case FS20-732 Windstone Ranch North; Resolution # 2021-83. | None

Joshua Mike
Community
Development |
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24.	District 1	Consideration and action pertaining to approval of the Preliminary Plat entitled, "Desert Oasis" and dated February 22, 2021, an approximately 3.38 acre property generally located on the northeast and southeast corners of 176th Avenue and Straight Arrow Lane (Case FS20-826).	None Sergio Angulo Community Development
25.	Citywide	Consideration and action pertaining to the Council Subcommittee on Community Outreach, Partnerships, and Grants' recommendation for the Surprise Community Outreach Program (SCOP) Fiscal Year 2022 funding.	None Jodi Tas Human Svcs and Comm Vitality
26.	Citywide	Consideration and action pertaining to the Arts and Cultural Advisory Commission's Grant Program funding recommendation for Fiscal Year 2022.	None Danielle Osborne Human Svcs and Comm Vitality
27.	Citywide	Consideration and action levying primary property taxes at a rate of \$0.7591 per hundred dollars (\$100) of assessed valuation and secondary property taxes at a rate of \$0.3880 per one hundred dollars (\$100) of assessed valuation for Fiscal Year 2022 within the City of Surprise; Resolution #2021-94.	None Andrea Davis Holly Osborn Finance
28.	Citywide	Consideration and action setting forth the Fiscal Year 2022 levy of property tax rates for Street Light Improvement Districts (SLID) within the City of Surprise; Resolution #2021-93.	None Andrea Davis Holly Osborn Finance
29.	Internal	Consideration and action pertaining to the reappointment of Louis Frank Dominguez to the position of Presiding Judge of the Surprise Municipal Court; Resolution # 2021-46.	None Lisa Angelini Human Resources
30.	Internal	Consideration and action pertaining to the reappointment of Catherine Ann Gaudreau to the position of Associate Judge of the Surprise Municipal Court; Resolution # 2021-47.	None Lisa Angelini Human Resources
I.	Other Business and Future Agenda Items		
J.	City Council Reports		
K.	Executive Session		
31.	Internal	Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice, and to consider and instruct the City's attorneys 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 City Attorney 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

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: June 10, 2021 at 1:38 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.