



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

Tuesday, October 19, 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

E. City Manager Report

1. Announce Scholarship Recipients

F. City Clerk Report

2. EPCOR Elections Update

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 October 5, 2021 Regular City Council Meeting and executive session. | None

Sherry Aguilar
City Clerk |
| 4. | Internal | Consideration and action to approve the 2022 Council Work Session and Regular Meeting schedule. | None

Sherry Aguilar
City Clerk |
| 5. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Paloma Creek Phase 1" an approximately 47.96 acre property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS20-573. | None

Sergio Angulo
Community
Development |
| 6. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "A Replat of Lot 3 of the 'Replat of Lot 3 of the 'Prasada-Phase 1B North' " and dated April 8, 2021, an approximately 5.131 acre property generally located at the Southwest corner of Waddell Road and Sarival Road; Case FS20-817. | None

Trevor Fleetham
Community
Development |

7.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada -Cotton Lane" and dated September 13, 2021, an approximately 4.0283 acre property generally located at the west half of Cotton Lane between Cactus Road and Peoria Avenue; Case FS21-081.	None Trevor Fleetham Community Development
8.	District 4	Consideration and action pertaining to approval of the Final Plat entitled "Condominium Plat Crossroads Lakes Professional Offices Condominium 2nd Amended" and dated July 15, 2021, an approximately 5.2 acre property generally located south of Bell Road and west of El Mirage Road; Case FS21-361.	None Trevor Fleetham Community Development
9.	District 1	Consideration and action pertaining to the Final Plat entitled, "Paloma Creek Phase 2A" an approximately 11.5 acre property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS20-574.	None Sergio Angulo Community Development
10.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Paloma Creek Phase 2B" an approximately 11.6 acre property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS20-575.	None Sergio Angulo Community Development
11.	Internal	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority of \$203,300 within the Traffic Election 2017 Fund for the purpose of consolidating Traffic Congestion Mitigation and Pavement Preservation art projects, renaming project R61460, and amending the Contract Award Authority List; Resolution #2021-148.	None Seth Dyson Human Svcs and Comm Vitality
12.	District 4	Consideration and action pertaining to the approval of a Sublease with A New Leaf, Inc. to operate a Housing Support Center upon property leased by the City located at 12779 and 12785 West Grand Ave; Resolution #2021-153.	None Seth Dyson Human Svcs and Comm Vitality
13.	Citywide	Consideration and action pertaining to acceptance of eight Arizona Governor's Office of Highway Safety (GOHS) grants and amending the FY2022 budget by moving budget authority of \$207,200 from General Contingency to Projects G31265, G31275, G31314, G31324, G31356, G31393, G31412, and G31266 for the purpose of reimbursement for impaired driving enforcement overtime, capital outlay equipment, materials and supplies; Resolution #2021-156.	None Benny Pina Police
14.	Citywide	Consideration and action pertaining to approval of an amendment to the fiscal year 2022 budget by moving budget authority in the amount of \$229,500 within the Grants Fund for the acceptance of three grants from the Arizona Department of Homeland Security grant program; Resolution #2021-159.	None Brenden Espie Fire - Medical

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| 15. | District 1 | Consideration and action pertaining to acceptance of a Utility, Access, and Water Line Easement from HE Capital Asante, LLC, near Jomax and 169th Avenue. | None

Lari Beth Kirkendall
Community
Development |
| 16. | District 1 | Consideration and action pertaining to acceptance of a Quit Claim Deed for the Asante Water Tank from HE Capital Asante, LLC, near Jomax and 169th Avenue. | None

Lari Beth Kirkendall
Community
Development |
| 17. | District 1 | Consideration and action pertaining to acceptance of a Quit Claim Deed for Asante Well Site No. 1 from HE Capital Asante, LLC, near Jomax and 169th Avenue. | None

Lari Beth Kirkendall
Community
Development |
| 18. | Citywide | Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$40,000 from the Water Operations Fund to project G71010 ADWR Xeriscape Garden; Resolution #2021-160. | None

Michael Boule
Water Resource
Management |
| 19. | Citywide | Consideration and action pertaining to approval of the One Arizona Distribution of Opioid Settlement Funds Agreement and the Distributor and Janssen Settlement Agreements. | None

Robert Wingo
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 20. | Citywide | Consideration and action pertaining to approval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Billboard Signs; Ordinance #2021-15; Case FS21-147. | None

Trevor Fleetham
Community
Development |
| 21. | District 1 | Consideration and action pertaining to approval of a Minor General Plan Amendment to change approximately 107 acres of Open Space Character Area to Neighborhood Character Area, generally located north of McMicken Way and east of 147th Avenue; Resolution #2021-155; Case FS21-154. | None

Sergio Angulo
Community
Development |
| 22. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 14.47 acres of property generally located south of Happy Valley Road and east of 147th Avenue from Rural Residential (RR) to Residential High Density (RH-15) with a PUD Overlay; Ordinance #2021-22; Case FS21-154. | None

Sergio Angulo
Community
Development |
| 23. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 19.89 acres of property generally located on the southwest corner of San Ysidro Road and 158th Avenue from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay; Ordinance # 2021-21; Case FS21-036. | None

Sergio Angulo
Community
Development |

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| 24. | District 1 | Consideration and action pertaining to approval of the annexation of approximately 19.896 acres for Windstone Ranch North, a property generally located north of Happy Valley Road and west of 151st Avenue alignment; Ordinance # 2021-20. (Case FS21-209) | None

Sergio Angulo
Community
Development |
| 25. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 19.896 acres from Rural Residential (RR) to Residential Low Density (R-1) for Windstone Ranch North, a property generally located north of Happy Valley Road and west of the 151st Avenue alignment; Ordinance # 2021-13. | None

Sergio Angulo
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 26. | District 5 | Consideration and action pertaining to approval of the commissioning of artist Brad Oldham for an original work of art in downtown Surprise. | None

Danielle Osborne
Human Svcs and
Comm Vitality |
| 27. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, " Bonita Ranch" and dated July 01, 2021, an approximately 73.01 acre property generally located south of Jomax Road and west of 147th Avenue; Case FS20-823. | None

Sergio Angulo
Community
Development |
| 28. | District 1 | Consideration and action authorizing the acquisition of fee title, or lesser interest, in real property generally located along the Norwich Drive alignment in and near and west of 181st Drive, within Section 10, Township 4 North, Range 2 West in Surprise, Arizona, by dedication, donation, purchase, or eminent domain; Resolution # 2021-158. | None

Lloyd Abrams
Community
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

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 14, 2021 at 12:05 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.