



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

Tuesday, November 16, 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

Proclaiming November 27, 2021 as Small Business Saturday

E. City Manager Report

F. City Clerk Report

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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| 1. | Citywide | Consideration and action on the Regular City Council Work Session and Regular City Council Meeting of November 2, 2021. | None

Sherry Aguilar
City Clerk |
| 2. | Citywide | Consideration and action to approve Resolution No. 2021-168; A Resolution canvassing the Special Election Results of November 2, 2021. | None

Sherry Aguilar
City Clerk |
| 3. | Citywide | Consideration and action pertaining to approval of revisions to the Comprehensive Citywide Fee Schedule regarding certain Fire-Medical Department fees; Resolution # 2021-177. | None

Tom Abbott
Fire - Medical |
| 4. | District 1 | Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment to move budget authority of \$22,000 from contingency to project P71550 Rancho Mercado WSF PH II within the Water Utility Capital Fund and \$22,000 in revenues within the Contingency Fund to in-lieu developer revenues within the Water Utility Capital Fund to cover increased costs related to construction; Resolution #2021-169. | None

Michael Boule
Water Resource
Management |
| 5. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Final Re-Plat Toll at Prasada, Unit G – Phase 3", dated August 18, 2021, an approximately 17.83 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-429. | None

Trevor Fleetham
Community
Development |
| 6. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 4.2", surveyor sealed September 21, 2021, an approximately 19.316 acre property generally located east of 183rd Avenue and north of Pinnacle Peak Road, with associated Alternative Assurance Agreement; Case FS21-318. | None

Sergio Angulo
Community
Development |
| 7. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 2.4", surveyor sealed September 21, 2021, an approximately 17.496 acre property generally located east of 183rd Avenue and north of Pinnacle Peak Road, with associated Alternative Assurance Agreement; Case FS21-520. | None

Sergio Angulo
Community
Development |
| 8. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 3.0", surveyor sealed September 21, 2021, an approximately 40.189 acre property generally located on the southwest corner of Citrus Road and Norwich Drive, with associated Alternative Assurance Agreement; Case FS21-323. | None

Sergio Angulo
Community
Development |

9.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 2.3", surveyor sealed September 21, 2021, an approximately 21 acre property generally located east of 183rd Avenue and south of Norwich Drive, with associated Alternative Assurance Agreement; Case FS21-317.	None Sergio Angulo Community Development
10.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 4.1", surveyor sealed October 29, 2021, an approximately 31.728 acre property generally located west of Citrus Road and north of Pinnacle Peak Road, with associated Alternative Assurance Agreement; Case FS21-196.	None Sergio Angulo Community Development
11.	District 4	Consideration and action pertaining to approval of the Plat entitled, "Condominium Plat Crossroads Lakes Professional Offices Condominium 2nd Amended", dated October 21, 2021, an approximately 5.2 acre property general located south of Bell Road and west of El Mirage Road; Case FS21-361.	None Trevor Fleetham Community Development
12.	District 1	Consideration and action pertaining to the approval of the Final Plat entitled, "Replat of Mesquite Mountain Ranch III Phase 2", an approximately 96.59 acre property generally located north of Beardsley Road and west of 219th Avenue in Mesquite Mountain Ranch; Resolution # 2021-170.	None Chris Sexton Community Development
13.	District 1	Consideration and action declaring the City's intent to enlarge, and enlargement of, the lighting improvement district known as, "Austin Ranch West Parcel 6 # 143 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks within Austin Ranch; Resolution # 2021-157.	None Mike Gent Public Works
14.	District 3	Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$100,000 within the Stormwater Capital Fund from Contingency to project P61610: Cactus Road and Cotton Lane Intersection Improvement Project; Resolution # 2021-172.	None Mike Gent Public Works
15.	District 5	Consideration and action pertaining to approval of a Quit Claim Deed to Ridgehouse Acquisitions, LLC, for the limited purpose of releasing deed restrictions on a property generally located near Greenway and Bullard Roads.	Lloyd Abrams Community Development
16.	Citywide	Consideration and action pertaining to approval of an amendment to Fiscal Year 2022 budget by moving budget authority of \$42,500 from Contingency to services within the Tourism Fund to establish budget for Perfect Game Baseball Tournaments; Resolution # 2021-163.	None Kendra Pettis Sports and Tourism

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 17. | Citywide | Consideration and action pertaining to a proposed Zoning Text Amendment to the Surprise Land Development Ordinances, Chapters 101 and 106, regarding Recreational Marijuana; Ordinance #2021-24. | Jason Moquin
Community
Development |
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 18. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority of \$300,000 from Contingency to services within the Tourism Fund to establish a budget for the Rib Fest Throwdown "Battle of Texas vs Kansas City BBQ"; Resolution # 2021-176. | None

Kendra Pettis
Sports and
Tourism |
| 19. | Citywide | Consideration and action pertaining to amendment of the Surprise Municipal Code chapter 10, Article II, Division 3 by adding section 10-84, Feeding Animals prohibited, to prevent the feeding of wild or feral animals on city property; Ordinance # 2021-23. | None

Holly Osborn
Parks and
Recreation |
| 20. | Internal | Consideration and action pertaining to an amendment of Chapter 2, Article X, Section 2-365, One and One-Third Percent for the Public Art Program, by amending the definition of City project, including severability, establishing an effective date, and repealing conflicting ordinances; Ordinance #2021-05. | Danielle Osborne
Human Svcs and
Comm Vitality |
| 21. | District 3 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Unit I – Phase 3 – Toll at Prasada", dated August 26, 2021, an approximately 20.07 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-252. | None

Trevor Fleetham
Community
Development |
| 22. | District 1 | Consideration and action pertaining to approval of the Tierra Rico Development Agreement (Regional Improvements Overlay Agreement) between the City of Surprise and Mattamy Arizona, LLC; Resolution # 2021-162. | 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: November 10, 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.