



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

Tuesday, December 7, 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

F. City Clerk Report

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| 1. | Consideration and action to appoint applicants to fill vacancies as follows: Barbara Minick to fill the vacancy on the Board of Trustees with a term expiration of June 30, 2024 and Brent Bailey to fill the vacancy on the Parks and Recreation Commission with a term expiration of June 30, 2023. | None

Sherry Aguilar
City Clerk |
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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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| 2. | Citywide | Consideration and action on the Regular City Council Work Session and Regular City Council Meeting minutes of November 16, 2021. | None

Sherry Aguilar
City Clerk |
| 3. | Citywide | Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment to move budget authority between projects and funds and inter-fund cash transfers and loans in order to close out the Fiscal Year; Resolution # 2021-173. | None

Andrea Davis
Finance |
| 4. | District 4 | Consideration and action declaring the City's intent to establish, and ordering the establishment of, the lighting improvement district known as, "City of Surprise, Arizona, Su-Sunnysidehms202 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; Resolution # 2021-166. | None

Mike Gent
Public Works |
| 5. | District 1 | Consideration and action declaring the City's intent to enlarge, and ordering the enlargement of, an existing lighting improvement district known as, "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 # 2021-164. | None

Mike Gent
Public Works |

6.	District 3	Consideration and action pertaining to approval of a Streetlight Maintenance Agreement in order to provide lighting along Prasada Parkway south of Alexandria Way, within the Prasada Development; Resolution # 2021-171.	None Mike Gent Public Works
7.	District 1	Consideration and action declaring the City's intent to establish, and ordering the establishment of, the lighting improvement district known as, "City of Surprise, Arizona, Su-BrdsleyN231ST203 Street 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; Resolution # 2021-179.	None Mike Gent Public Works
8.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Final Re-Plat Toll at Prasada, Unit H – Phase 3" and dated September 22, 2021, an approximately 13.587 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-561.	None Trevor Fleetham Community Development
9.	District 1	Consideration and action pertaining to approval of the Map of Dedication entitled, "W San Ysidro Road", a property generally located east of 147th Avenue and south of Happy Valley Road; Case FS19-882	None Sergio Angulo Community Development
10.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "San Ysidro Acres" and surveyor sealed October 7, 2021, an approximately 4.97 acre property generally located south of San Ysidro Road and east of 185th Drive; Case FS21-452.	None Sergio Angulo Community Development
11.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Parcel 2.2" and dated October 7, 2021, with associated Alternative Assurance Agreement, an approximately 26.14 acre property generally located east of 183rd Avenue and south of Pinnacle Peak Road; Case FS21-504.	None Sergio Angulo Community Development
12.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority in the amount of \$54,500 from Contingency within the Grants Fund for the purpose of accepting a grant from the AZ Department of Homeland Security for travel, training, and equipment in support of the FFY2021 Urban Area Security Initiative (UASI) program; Resolution # 2021-184.	None Benny Pina Police

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| 13. | Citywide | Consideration and action pertaining to approval of the City's Drought Preparedness Plan 2021 Update; Resolution # 2021-188. | None

Michael Boule
Water Resource
Management |
| 14. | District 1 | Consideration and action pertaining to approval of the First Amendment to the SPA 2 East Water, Water Recharge and Wastewater Development Agreement; Resolution # 2021-178. | None

Michael Boule
Water Resource
Management |
| 15. | District 5 | Consideration and action pertaining to approval of a Quit Claim Deed to Surprise Hospitality LLC, for the limited purpose of releasing deed restrictions on a property generally located near Bell Road and Civic Center Plaza. | None

Lloyd Abrams
Community
Development |
| 16. | District 1 | Consideration and action pertaining to acceptance of a Water Line Easement from Forestar (USA) Real Estate Group, Inc., near 155th Avenue and Happy Valley Road. | None

Lloyd Abrams
Community
Development |
| 17. | Citywide | Consideration and action pertaining to adoption of the 2021 Maricopa County Multi-Jurisdictional Multi-Hazard Mitigation Plan; Resolution # 2021-187. | None

Tracy Montgomery
City Manager
Office |
| 18. | Internal | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 Budget by moving budget authority in the amount of \$50,000 from Contingency to the Human Service & Community Vitality Department, Project N51020, from Maricopa Community College District Foundation Endowment adjustment for the renovation of the West Valley Veteran Success Center; Resolution # 2021-181. | None

Seth Dyson
Human Svcs and
Comm Vitality |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 19. | District 6 | Consideration and action pertaining to approval of an amendment to the Bendalin Farms PAD, also known as Surprise Pointe Industrial/Commerce Park, to add C-2 and C-3 uses to the western portion of Parcel 6 and amend the development standards; Ordinance # 2021-25. | None

Trevor Fleetham
Community
Development |
| 20. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 27.41 acres of property located on the southeast corner of Happy Valley Road and 158th Avenue from Rural Residential (RR) to Residential High Density (R-3); Ordinance # 2021-26. | None

Sergio Angulo
Community
Development |

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| 21. | District 1 | Consideration and action pertaining to the approval of a major amendment to the General Plan 2035 land use map by changing the land use designation from Commerce and Office to Neighborhood Character for approximately 190.54 acres of property generally located south of Pinnacle Peak Road, east of 163rd Avenue, and north of Grand Avenue; Resolution # 2021-175. | None

Sergio Angulo
Community
Development |
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 22. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority in the amount of \$100,000 from services in the Water Operations Fund to Project P71430 SRP Cost Share Agreement and amending the Fiscal Year 2022 Contract Awarding Authority List, Resolution #2021-186. | None

Michael Boule
Water Resource
Management |
| 23. | Citywide | Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment allocating revenue and expense appropriations pursuant to an award from the American Rescue Plan Act of 2021 in the amount of \$15,545,984, Resolution # 2021-189. | None

Andrea Davis
Finance |
| 24. | District 3 | Consideration and action pertaining to the Preliminary Plat entitled, "Unit K – Phase 3 – Toll at Prasada" and dated September 7, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-399. | None

Trevor Fleetham
Community
Development |
| 25. | District 1 | Consideration and action pertaining to the Preliminary Plat entitled, "Enclave I & Enclave II" and dated September 2, 2021, a property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS21-262. | None

Trevor Fleetham
Community
Development |
| 26. | District 1 | Consideration and action pertaining to the Preliminary Plat entitled, "Paloma Creek Phase 5 & Enclave III" and dated September 29, 2021, a property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS21-271. | None

Trevor Fleetham
Community
Development |
| 27. | Citywide | Consideration and action pertaining to approval of an Agreement with the Salt River Project Agricultural Improvement and Power District to cost-share in the feasibility study of Bartlett Dam modification alternatives; Resolution # 2021-182. | None

Michael Boule
Water Resource
Management |
| 28. | District 1 | Consideration and action pertaining to the Preliminary Plat entitled, "Heritage Asante – Parcel 9" and dated August 2021, a property generally located on the southwest corner of Pat Tillman Boulevard and Asante Boulevard; Case FS21-220. | None

Sergio Angulo
Community
Development |
| 29. | District 1 | Consideration and action pertaining to the Preliminary Plat entitled, "Ellen Ranch" and dated August 11, 2021, a property generally located on the northeast corner of Happy Valley Road and 163rd Avenue; Case FS21-251. | None

Sergio Angulo
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: December 2, 2021 at 12:20 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.