



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

Tuesday, January 18, 2022 @ 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. | Citywide | Veterans of Foreign War present the Officer and Fire Fighter of the year award. | None<br>City Manager Office |
|----|----------|---------------------------------------------------------------------------------|-----------------------------|

F. City Clerk Report

- |    |          |                                                                                                                                 |                                      |
|----|----------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 2. | Internal | Consideration and action pertaining to selection of a Vice Mayor and directing the City Clerk to administer the Oath of Office. | None<br>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:

- |     |            |                                                                                                                                                                                                                                                                                       |                                                         |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| 3.  | Citywide   | Consideration and action on the minutes of the Regular City Council Meeting and Executive Session of January 4, 2022.                                                                                                                                                                 | None<br><br>Sherry Aguilar<br>City Clerk                |
| 4.  | District 6 | Consideration and action to approve an Acquisition of Control for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ 85379 for existing license 09070239.                                                                                                                    | None<br><br>Sherry Aguilar<br>City Clerk                |
| 5.  | District 5 | Consideration and action to approve a new Series 12 Liquor License (Application #176096) for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, AZ 85379.                                                                                                                 | None<br><br>Sherry Aguilar<br>City Clerk                |
| 6.  | Citywide   | Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment reallocating appropriations in the amount of \$200,000 from contingency to services within the General Fund for contract building inspector services; Resolution #2022-02.                     | None<br><br>Tiffany Copp<br>Community<br>Development    |
| 7.  | District 3 | Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase II Unit P Lots 630 & 631 & Tracts A & B" and dated November 11, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-592) | None<br><br>Trevor Fleetham<br>Community<br>Development |
| 8.  | District 3 | Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase I Unit D Lots 524 & 561 & Tracts A & B" and dated November 16, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-594)  | None<br><br>Trevor Fleetham<br>Community<br>Development |
| 9.  | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Williams 223" and dated December 26, 2021, an approximately 9.34 acre property generally located at the northwest corner of 222nd Avenue and Williams Road. (Case FS21-767)                              | None<br><br>Chris Sexton<br>Community<br>Development    |
| 10. | District 3 | Consideration and action pertaining to approval of a Quit Claim Deed to Fulton Homes Corporation for the Reems Road Channel near Waddell and Reems Road.                                                                                                                              | None<br><br>Lloyd Abrams<br>Community<br>Development    |
| 11. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "The Retreat at Prasada" and dated November 10, 2021, an approximately 34.83 acre property generally located south of Waddell Road between Sarival Avenue and Reems Road. (Case FS21-113)                 | None<br><br>Trevor Fleetham<br>Community<br>Development |

- |     |            |                                                                                                                                                                                                                                                       |                                                      |
|-----|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| 12. | District 1 | Consideration and action pertaining to acceptance of a Sewer line easement from Meritage Homes of Arizona, Inc., near 163rd avenue and Happy Valley Road.                                                                                             | None<br><br>Lloyd Abrams<br>Community<br>Development |
| 13. | District 4 | Consideration and action to vacate a portion of public roadway (Cactus Lane) within Section 2, Township 3 North Range 1 West, generally located east of Dysart Avenue; Resolution #2022-05.                                                           | None<br><br>Lloyd Abrams<br>Community<br>Development |
| 14. | District 1 | Consideration and action pertaining to acceptance of a temporary sewer line easement from Meritage Homes of Arizona, Inc., near 163 <sup>rd</sup> Avenue and Happy Valley Road.                                                                       | None<br><br>Lloyd Abrams<br>Community<br>Development |
| 15. | District 3 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Legacy Traditional West campus, generally located at W. Cactus Road and N. Cotton Lane; Resolution # 2022-06. | None<br><br>Mike Gent<br>Public Works                |
| 16. | Internal   | Consideration and action pertaining to adoption of an amendment to Surprise Municipal Code Chapter 3, Article IV, Sec. 3-41 regarding the duties of the Personnel Appeals Board; Ordinance # 2022-02.                                                 | Donna Meuse<br>Human Resources                       |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- |     |            |                                                                                                                                                                                                         |                                                       |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 17. | District 1 | Presentation and discussion of the proposed annexation of approximately 93.97 acres of county land, generally located south of Pinnacle Peak Road and east of 163 <sup>rd</sup> Avenue. (Case FS21-512) | None<br><br>Sergio Angulo<br>Community<br>Development |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- |     |          |                                                                                                                                                                                                                                                                                                                                                                       |                                                     |
|-----|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 18. | Citywide | Consideration and action pertaining to approval of the 2022 Legislative Agenda.                                                                                                                                                                                                                                                                                       | None<br><br>Jodi Tas<br>Mayor and Council           |
| 19. | Citywide | Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code Chapter 34 (Offenses and Miscellaneous Provisions) Article VIII (Recreational Marijuana) to conform with Chapters 101 and 106 of the Surprise Land Development Ordinances, as amended by Ordinance # 2021-24, pertaining to marijuana facilities; Ordinance # 2022-01. | None<br><br>Robert Wingo<br>Ellen VanRiper<br>Legal |

- 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: January13, 2022 at 11:15 AM

**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.**