



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

Tuesday, September 1, 2020 @ 6:00PM

Call To Order

Invocation

Led by Pastor Dennis Garcia

Roll Call

Mayor Hall called to order the Regular City Council Meeting of September 1, 2020 at 6:28 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Council Members; Vice Mayor Judd, Winters, Duffy, Sanders and Remley.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

1. Acknowledgment of the 100th Anniversary of the Dysart Unified School District.

[Dr. Kellis participated telephonically regarding the proclamation for Dysart School District 100th Anniversary.](#)

City Manager Report

City Clerk Report

Call To The Public

[Jeremy Flynn - Support our police officers. I came and spoke to you about the urban camping ordinance. Some of your officers do not understand that this ordinance is not in effect. I am getting tired and frustrated with all the police encounters I have had. I am not getting cooperation and getting the run around.](#)

[Kristen and John Bukowski - Statements read into the record.](#)

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Remley made the motion to approve the consent agenda excluding items 8, 9, 11 and 13. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

1. Consideration and action on the minutes of the Regular City Council Work Session, Regular City Council Meeting and Executive Session of August 18, 2020 - APPROVED

2. Consideration and action to approve a Series 12 (Restaurant) liquor license requested by Keith R. Gagnon (Agent) for Under Review located at 13999 N. Litchfield Road, Surprise, AZ. 85379 - APPROVED

3. Consideration and action to approve Chief Fiscal Officer pursuant to A.R.S. Â§Â 41-1279.07(E) for the purpose of submitting the annual AELR report for FY2021; Resolution #2020-98 - APPROVED

4. Consideration and action pertaining to approval of the Final Plat entitled, "Reyes Subdivision" dated July 13, 2020, an approximately 5 acre property located generally south of Dale Lane and east of 168th Avenue, in the Residential Ranch (RR) zoning district - APPROVED

5. Consideration and action pertaining to approval of the Final Plat entitled, "North Copper Canyon Village" Parcel 1.1" dated July 6, 2020, an approximately 5 acre property generally located on the northwest corner of Williams Road and 174th Avenue; Case FS20-213 - APPROVED

6. Consideration and action pertaining to the approval of the Final Plat entitled, "Rio Rancho Estates, Parcel 2A" dated July 8, 2020, an approximately 17 acre property generally located on the northeast corner of Happy Valley Road and 187th Avenue; Case FS18-620 - APPROVED

7. Consideration and action pertaining to the approval of the Final Plat entitled, "Rio Rancho Estates, Parcel 2B" , generally located north of the northeast corner of Happy Valley Road and 187th Avenue; Case FS18-619 - APPROVED

8. Consideration and action pertaining to the approval of the Map of Dedication entitled, "Project Baxter" dated July 8, 2020, generally located on the northeast corner of Litchfield Road and Sweetwater Avenue; Case FS20-300 - CONTINUED INDEFINITELY

Vice Mayor Judd made the motion to continue item 8 indefinitely. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

9. Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Verde East Phase 2" dated November 5, 2019, located on the northwest corner of Happy Valley Road and 151st Avenue (Case FS19-334) - CONTINUED INDEFINITELY

Vice Mayor Judd made the motion to continue item 9 indefinitely. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

10. Consideration and action pertaining to approval of the Final Plat entitled, "Escalante" Parcel 7" dated July 29, 2020, generally located north of Asante Boulevard and east of 163rd Avenue (Case FS19-726) - APPROVED

11. Consideration and action pertaining to approval of the Final Plat entitled, "Bola Drive Plaza" dated June 30, 2020, generally located on the southwest corner of Bola Drive and El Mirage Road (Case FS20-140) - CONTINUED INDEFINITELY

Vice Mayor Judd made the motion to continue item 11 indefinitely. Council Member Duffy seconded the motion. Six yes votes, one no vote (Remley), motion carried.

12. Consideration and action declaring the City of Surprise's intent to enlarge the existing lighting improvement district known as, "City of Surprise, Arizona SU-Austin Ranch East" pursuant to A.R.S. § 48-616 for the purpose of energy for lighting the public streets and parks; Resolution # 2020-91 - APPROVED

13. Consideration and action pertaining to conditional acceptance of the Rancho Mercado Happy Valley Road Bridge at the Beardsley Canal; Resolution # 2020-94 - CONTINUED INDEFINITELY

Council Member Winters made the motion to continue item 13 indefinitely. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

14. Consideration and action pertaining to approval of the Wired Telecommunications License and Right-of-Way Use Agreement between the City of Surprise and Crown Castle Fiber LLC; Resolution #2020-100 - APPROVED

[Attorney, Hobie Wingard gave a powerpoint presentation on this item.](#)

[Council Member Sanders asked for clarification on sections of the agreement pertaining to uses and projected time period.](#)

[Vice Mayor Judd asked if departments like ED will benefit from this action.](#)

[Council Member Sanders no financial burden to the residents, correct? Correct, on the applicant.](#)

[Mayor Hall - asked for clarification on the fees](#)

[Council Member Sanders made the motion to approve Resolution 2020-100. Council Member Hayden seconded the motion. Seven yes votes, motion carried.](#)

15. Consideration and action pertaining to a proposed Surprise COVID Community Relief Package in the amount \$430,000; Resolution #2020-106 - APPROVED

[HSCV Director, Seth Dyson gave a powerpoint presentation on this item. Jeanine Jerkovic accompanied Mr. Dyson with the presentation.](#)

[Council Member Remley - Where are the funds coming from?](#)

Finance Director, Andrea Davis answered the question, we received AZ Cares money form the State. Gave us more flexibility in our budget.

Council Member M Sanders - For eligibility, how many businesses fit the executive order in Surprise?

Approx. 570 that would be eligible.

Vice Mayor Judd made the motion to approve Resolution 2020-106. Council Member Winters seconded the motion. Seven yes votes, motion carried.

16. Consideration and action providing for the sale and issuance of City of Surprise, Arizona General Obligation Bonds, Series 2020, and for the annual levy of a tax for the payment of the bonds; approving the form and authorizing the execution and delivery of necessary agreements, instruments and documentsÂ related to the sale and issuance of the bonds;Â delegating authority to the Mayor of the City and the Finance Director of the City to determine certain matters and terms with respect to such bonds; adopting post-issuance continuing disclosure compliance procedures in connection with issuance of obligations of the City; and authorizing the taking of all other actions necessary to consummate the transaction contemplated herein and ratifying all actions taken to further said transaction; Resolution #2020-113 - APPROVED

Finance Director, Andrea Davis reported on Resolution 2020-113.

Council Member Sanders made the motion to approve Resolution 2020-113. Council Member Williams seconded the motion. Seven yes votes, motion carried.

Other Business and Future Agenda Items

City Council Reports

Mayor and Council attended and/or reported on the following:

Council Member Winters: Costco open the 24th

Vice Mayor Judd: Small business relief, shop local

Council Member Duffy: Meet and Greet on Saturday at 9 AM

Council Member Remley: Great work session, wearing mask

Council Member Sanders: Meet and Greet, Men's Alliance Group, residents needs jobs here

Mayor Hall: Please follow through on Census door/home visits

Vice Mayor Judd made the motion to recess the Regular City Council Meeting at 7:46 PM. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

Executive Session

2. Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2021 goals for the City

Manager, City Clerk, and City Attorney pursuant to A.R.S. 38-431.03 (A)(1).

Adjournment

Council Member Sanders made the motion to adjourn the Regular City Council Meeting of September 1, 2020 at 9:51 PM. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

1. Consideration and action to recess into executive session for discussion and legal advice from the City Attorney pertaining to current and potential litigation pursuant to A.R.S. 38-431.03 (A)(3).

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, September 1, 2020.**

Sherry Ann Aguilar, City Clerk, MMC