



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, June 21, 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

F. City Clerk Report

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| 1. | Consideration and action to approve the following Board/Commission appointments as recommended by the Nominations Committee: Tatiana Young for the Audit Committee for a 2 year term with expiration date June 30, 2024; Jose M. Valles (State Bar recommended) for the Judicial Selection Advisory Commission with a term expiration of June 30, 2025; Matthew Parker for the Personnel Appeals Board to fill the remainder of a term with a term expiration of June 30, 2024; Anthony Robinson for the Parks and Recreation Commission to fill the remainder of a term with term expiration June 30, 2025 and David Kinnoin for the Parks and Recreation Commission to fill the remainder of a term with term expiration of June 30, 2023 and Kim Drayden for the Public Safety Personnel Retirement System Board for a 4 year term with term expiration of June 30, 2026. | None

Sherry Aguilar
City Clerk |
| 2. | Consideration action to approve the following reappointments all for 4 year terms: Thomas Coniam and Candica Rachal for the Health Benefits Trust Fund Board with term expirations of June 30, 2026; Kymberlee Stutzman , Richard Jessen , Judge Todd Lang (MC Bar Association recommended) and Flynn Carey (MC Br Association recommended) with term expirations of June 30, 2026 and Gwen Mendez and Julie Kent Partridge for the Veterans, Disability and Human Services Commission with term expirations of June 30, 2026. | None

Sherry Aguilar
City Clerk |
| 3. | Internal Primary Election Update | None |

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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| 4. | Internal | Consideration and action to approve the Regular Work Session Minutes; Special Council Meeting Minutes and Regular Council Meeting minutes of June 7, 2022. | Sherry Aguilar
City Clerk |
| 5. | District 5 | Consideration and action to approve a request by Jeffrey Craig Miller (Agent) for a Series 12 (Restaurant) liquor license for Biscuits Cafe located at 13752 W. Bell Road, Surprise, AZ. 85374. | None

Sherry Aguilar
City Clerk |
| 6. | District 1 | Consideration and action to approve a Series 9 (Liquor Store) liquor license request for Fry's Food & Drug #678 , located at 16400 W. Pat Tillman Boulevard, Surprise, Arizona 85387. | Sherry Aguilar
City Clerk |
| 7. | District 5 | Consideration and action pertaining to formal deaccession of the Dreamcatcher Park bench murals. | Danielle Osborne
Human Svcs and
Comm Vitality |
| 8. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Enclave 1 & 2" and dated March, 30, 2022, a property generally located north of Happy Valley Road and east of 163rd Avenue; Case FS22-0174. | Trever Fleetham
Community
Development |
| 9. | Internal | Consideration and action appointing a Chief Fiscal Officer pursuant to A.R.S. § 41-1279.07(E) for the purpose of submitting the annual AELR report for FY2022; Resolution #2022-54. | Andrea Davis
Finance |

10.	District 1	Consideration and action pertaining to the approval of the Final Plat entitled, "Replat of Lot 17, Beardsley Ranchitos #1" and dated January 3, 2022, a property generally located on the south side of Enoch Drive and west of 181 st Drive and east of 183 rd Avenue; Case FS21-694.	None Chris Sexton Community Development
11.	District 1	Consideration and action pertaining to approval of the Final Plat entitled "Can-Am Acres", dated April 27, 2022, a property generally located approximately 1,000 feet south of Dynamite Road between 158 th and 159 th Road. Case FS21-852	None Chris Sexton Community Development
12.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Heritage Asante – Parcel 9 Phase 2" and dated March 2022, a property generally located west of 163 rd Avenue and north of Grand Avenue; Case FS21-864.	None Chris Sexton Community Development
13.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Paloma Creek Phase 3" and dated April 26, 2022, a property generally located west of 155 th Avenue, between Happy Valley Road and Jomax Road; Case FS21-842.	Trever Fleetham Community Development
14.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Fulton Homes at Prasada – Phase 1A" and dated April 27, 2022, a property generally located at the southwest corner of Waddell Road and Reems Road; Case FS21-414.	None Trever Fleetham Community Development
15.	District 4	Consideration and action pertaining to approval of the Final Plat entitled, "Habitat on Paradise Lane" and dated June 6, 2022, a property generally located south of Bell Road and west of El Mirage Road; Case FS21-680.	Trever Fleetham Community Development
16.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Ellen Ranch" and dated May 10, 2022, a property generally located at the northeast corner of Happy Valley Road and 163 rd Avenue; Case FS22-0150.	Trever Fleetham Community Development
17.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Fulton Homes at Prasada – Phase 1B" and dated April 29, 2022, a property generally located at the southwest corner of Waddell Road and Reems Road; Case FS21-548.	None Trever Fleetham Community Development
18.	Internal	Consideration and action pertaining to approval of an amendment to the Intergovernmental Agreement with Maricopa County for Community Action Program Services to change the title of the City of Surprise from "Subrecipient" to "Contractor," make corrections to Amendment Number 3, and to repeal Resolution #2022-43; Resolution #2022-62.	Seth Dyson Human Svcs and Comm Vitality
19.	Citywide	Consideration and action pertaining to approval of the Fourth Amendment to the Intergovernmental Agreement	None

		(IGA) between the City of Surprise and Regional Public Transit Authority (RPTA) for Fiscal Year 2023 Transit Services; Resolution #2022-60.	Kristen Taylor Public Works
20.	Citywide	Consideration and action pertaining to approval of an Intergovernmental Agreement for Joint Use of facilities with Dysart Unified School District; Resolution #2022-65.	None Holly Osborn Parks and Recreation
21.	Internal	Consideration and action pertaining to approval of the Contract for Services between the City of Surprise and Area Agency on Aging, authorizing the City to accept grant funding in the amount of \$90,000, and amending the Fiscal Year 2023 budget by moving budget authority of \$90,000 within the grants fund; Resolution #2022-63.	Joe Gladieux Human Svcs and Comm Vitality
22.	Citywide	Consideration and action regarding the adoption of the City of Surprise 2022 Water Resource Master Plan Update; Resolution #2022-68.	None Michael Boule Water Resource Management
23.	Citywide	Consideration and action to designate the City of Surprise Sports and Tourism Department as the designated official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT); Resolution #2022-53.	None Kendra Pettis Sports and Tourism
24.	Citywide	Consideration and action pertaining to an Intergovernmental Agreement between Arizona Department of Public Safety and the City of Surprise for law enforcement services at the State Farm Stadium; Resolution #2022-66.	Randy Rody Police

REGULAR AGENDA ITEM - PUBLIC HEARING:

25.	District 1	Consideration and action pertaining to the rezoning of approximately 199.21 acres from Rural Residential (RR) to Residential Medium Density (R-2) and Residential High Density (R-3), generally located west of 155 th Avenue and north of Jomax Road; Ordinance #2022-12.	Trever Fleetham Community Development
26.	Citywide	Consideration and action pertaining to adoption of a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to amend the parking requirements for Warehouse/Distribution land use; Ordinance #2022-16.	Leslie Carnie Community Development
27.	District 1	Consideration and action pertaining to a rezoning of approximately 57.53 acres from Rural Residential (RR) to Residential High Density (R-3) generally located on the southwest corner of Happy Valley Road and 147 th Avenue; Ordinance #2022-15.	Leslie Carnie Community Development
28.	District 1	Consideration and action regarding a PAD Amendment for the Surprise Farms South PAD, Parcels 19 and 20, generally located at the southeast corner of Bell and Citrus Roads; Ordinance #2022-14.	Chris Sexton Community Development

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 29. | Citywide | Consideration and action levying primary property taxes at a rate of \$0.7591 per hundred dollars (\$100) of assessed valuation and secondary property taxes at a rate of \$0.3880 per one hundred dollars (\$100) of assessed valuation for Fiscal Year 2023 within the City of Surprise; Resolution #2022-69. | None

Andrea Davis
Finance |
| 30. | Citywide | Consideration and action levying an amount not to exceed the maximum rate of \$1.20 per one-hundred dollars of assessed valuation for each Street Light Improvement District (SLID) within the City of Surprise during the Fiscal Year 2023; Resolution #2022-70. | None

Andrea Davis
Eric Boyles
Finance |
| 31. | Citywide | Consideration and action pertaining to the award of the Arts and Cultural Advisory Commission's Grant Program funding recommendation for Fiscal Year 2023. | Danielle Osborne
Human Svcs and
Comm Vitality |
| 32. | Citywide | Consideration and action pertaining to the award of the Council Subcommittee on Community Outreach, Partnerships and Grants recommendation for the Surprise Community Outreach Program funding for Fiscal Year 2023. | Jodi Wittrock
Human Svcs and
Comm Vitality |
| 33. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Windstone Ranch North" and dated March 9, 2022, a property generally located north of Happy Valley Road, west side of 151 st Avenue; Case FS21-955. | None

Chris Sexton
Community
Development |
| 34. | District 3 | Consideration and action pertaining to approval of the Infrastructure Improvement Repayment Agreement between the City of Surprise and C. J. SHELL, LLC.; Resolution #2022-51. | Lloyd Abrams
Community
Development |
| 35. | District 1 | Consideration and action pertaining to approval of the SPA 2 East Traffic Signal Development Agreement between the City of Surprise and Paloma Creek Water Coordinator, LLC.; Resolution #2022-58. | Lloyd Abrams
Community
Development |
| 36. | District 3 | Consideration and action to approve a Real Estate Purchase Agreement with Maricopa County Municipal Water Conservation District Number One for approximately 19 acres of property located near Perryville and Cactus Roads. | 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: Thursday, June 16, 2022 @ 12:40 p.m. & Amended on Friday, June 17, 2022 @ 11:42 a.m. Adding item #36.

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.